



## HEPBURN SHIRE COUNCIL ORDINARY MEETING OF COUNCIL PUBLIC MINUTES

Tuesday 18 June 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 16 July 2024

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

Chair, Cr Brian Hood, Mayor

# MINUTES

Tuesday 18 June 2024

Daylesford Town Hall

76 Vincent Street Daylesford

Commencing at 5:30PM

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**BRADLEY THOMAS**

CHIEF EXECUTIVE OFFICER

Tuesday 18 June 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 MGP-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, Ms Brooke Holmes - Executive Manager People and Transformation, Mr Ron Torres - Executive Manager Development, Mr Chris Whyte - Manager Information and Communication Technology, Ms Rebecca Smith - Manager Governance and Risk, Ms Amy Boyd - Manager Planning and Building

The meeting opened at 5:31pm.

#### 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

Dr Karina Lamb, Director of Community and Corporate.

#### 5 DECLARATIONS OF CONFLICTS OF INTEREST

Cr Juliet Simpson declared a general conflict of interest in relation to item 13.1 as it is in consideration of her leave.

#### 6 CONFIRMATION OF MINUTES

Go to 00:04:48 in the meeting recording to view this item.

##### RECOMMENDATION

*That the Minutes of the Ordinary Meeting of Council held on 21 May 2024 and the Minutes of the Special Meeting of Council held on 28 May 2024 (as previously circulated to Councillors) be confirmed.*

##### MOTION

*That the Minutes of the Ordinary Meeting of Council held on 21 May 2024 and the Minutes of the Special Meeting of Council held on 28 May 2024 (as previously circulated to Councillors) be confirmed.*

**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

## **7 ITEMS OF URGENT BUSINESS**

Nil.

## 8 COUNCILLOR AND CEO REPORTS

### 8.1 MAYOR'S REPORT

Go to 00:05:39 in the meeting recording to view this item.

#### **Councillor Brian Hood, Coliban Ward**

Councillors,

The past month marked Reconciliation Week with Council staging a flag raising ceremony on Sorry Day in Creswick. It was very pleasing to see a number of local primary schools represented at that event. Council's second iteration of our Reconciliation Action Plan – Innovate - has been drafted, in conjunction with Djanduk and our reconciliation advisory committee members, and will soon be submitted for formal adoption.

Together with CEO Bradley Thomas our most recent scheduled catchup with State MP Mary-Anne Thomas largely centred on Council's challenging financial outlook, specifically discussing the likelihood of changes to Council's service offering and the possibility of an increase to rates under an application for a rates variation to the Essential Services Commission.

Similarly, last week's meeting of the Mayors and CEOs of the Loddon Campaspe group of councils featured a graphic presentation, led by Mr Thomas, to the Minister for Local Government, Melissa Horne, on the cashflow constraints facing a number of councils and our consequently limited ability to provide services, infrastructure and cope with unforeseen emergencies. It is to be hoped that the message on financial sustainability for councils such as ours is getting through very clearly to the State government and that much-needed remedies may be implemented.

Of course the past month has been dominated by numerous information sessions on the draft town structure plans and rural strategy. It is encouraging to see the strength in attendance numbers and submissions into this critically important topic.

With regard to providing quality infrastructure for the community it is always satisfying to see major projects come to a successful conclusion. In the next few days Council will formally open the Mechanics Trentham. This long-awaited facility, incorporating library, customer service, meeting rooms and function space, will serve the Shire community exceptionally well for many years to come. I extend my personal thanks to those officers who oversaw and managed this significant project – namely Lizzy Atkin, Ben Grounds and Bruce Lucas – and the valuable contributions of PAG members.

Finally, the remaining three months of this term will undoubtedly be consumed by the completion of the 2024/2025 budget, preparation of a revised ten-year LTFP and the adoption of the town structure plans and rural strategy – all key deliverables in what will be a demanding three months.

## 8.2 COUNCILLOR REPORTS

### **Councillor Juliet Simpson, Holcombe Ward**

Presented a verbal report.

### **Councillor Jen Bray, Birch Ward**

Activities since Tuesday 21 May 2024:

22 May: Rural Strategy Community Information Session, Newlyn Recreation Reserve  
Close to 80 local residents turned up to hear planners present the details of the Rural Strategy. There were thoughtful questions and answers. A valuable opportunity to share ideas and for the community to be heard.

23 May: Additional Budget Workshop – Councillors, Executive and Finance team.

28 May: Special Council Meeting to Approve Budget.

28 May: Project Advisory Group Daylesford Community Facilities – Introductory meeting with Birch Ward Councillors.

1 June: Daylesford / Hepburn Springs Town Structure Plan Community Information Session. 150 local residents filled the Daylesford Town Hall – there were opportunities for many one- on-one discussions with planning staff with visual maps to guide conversations.

The planning team delivered a presentation outlining the key points of the Town Structure Plans and the context and driving forces behind it. There was a good exchange of ideas and questions from the community. Community members requested an extension of time to respond to the plan. This has since been granted and community are encouraged to put in their submissions by 26 June.

3 June: Western Renewable Link Catch Up – regular monthly updates on actions around the proposed transmission lines through our shire.

3 June: Project Advisory Group for Daylesford Town Hall facilities. First meeting with the community members who were selected to be on this PAG, along with Birch Ward Councillors, myself and Lesley Hewitt, Project Manager Tom McCarthy, Bruce Lucas filling in for Ben Grounds. The group went on tour of the Daylesford Town Hall including staff offices which was eye opening to see the rabbit warren of rooms in the front building and interesting architectural features. The group will meet with the Architect firm that has won the tender for the project and also visit Mechanics Trentham to see how that project has been completed.

4 June: Meeting on site at the East Street farm property with owners, Councillors and Council CEO.

An opportunity to see the landscape and understand the boundary extension changes proposed in the Daylesford Town Structure Plan.

17 June: Budget Workshop – report on the Community feedback from the Draft Budget, Councillors, Executive and Finance team.

Sharing information with the community:  
Facebook posts

- Rural Strategy Community Information Session at Newlyn Recreation Reserve
- Draft Town Structure Plans and Rural Hepburn Strategy – info sessions, website, and submissions
- Hepburn Springs Community Information Session - Town Structure plans and Rural Strategy
- Don't Undermine Daylesford – local Community Group success in having Minister for Energy and Resources excise Daylesford and Hepburn Springs from Red Rock's mining licence.
- Reconciliation Week celebrations in the Shire
- Daylesford Community Information Session – Town Structure plans and Rural Strategy
- Extension to deadline – till 26 June of community submissions to Town Structure plans and Rural Strategy

### **Councillor Lesley Hewitt, Birch Ward**

Congratulations to local resident Patrice O'Shea for receiving an Order of Australia Medal in the King's Birthday honours for services to the community in particular Friends of Wombat Hill and also for services to teaching. We can all see the results of her volunteer work, but I also know that behind the scenes she is thoughtful, considered, and assisting people when she can, also using her teaching skills for positive outcomes for disadvantaged students.

Just prior to the Council meeting I had the pleasure of seeing Petrus' Feast up at the Daylesford Museum. The exhibition includes a dinner table set up for 16 past Daylesford residents including artists, ceramicists, musicians and a photographer – of the 16, 7 were women, including one who is acknowledged as a significant contributor to Australian women photographers. The dinner is set with pieces from contemporary ceramist, the start of a new collection. Recognizing that what is created today becomes part of our history tomorrow. And as Cr Bray has mentioned the first meeting of the Project Advisory Group for the Daylesford Town Hall community facilities had its first meeting this month. The Petrus Feast exhibition has a range of photos of dinners at the Town Hall, highlighting the historical significance the Town Hall is to the community. That history is important to acknowledge as we plan for our tomorrow history.

There has been a lot of interest from residents and the media about the possible impact on Daylesford Hospital of budget cuts in health and potential amalgamations of health services that have been reported in the media. The Health Minister, our local member has said that there is no intention to close health services and the Daylesford Hospital operating theatre is under construction. However a resident yesterday alerted me to the SGS Cities and Regions Well-Being Index 2023 (<https://sgsep.com.au/projects/sgs-wellbeing-index>). Residents who are engaged with the draft structure plans will be aware of SGS Economics. The Index Report noted that the median house price in Hepburn Shire at \$745,0000 was in the top ten

for regional Victoria. What's notable is that usually when house prices are high so is resident well-being. What's concerning is that this relationship does not hold up for Hepburn Shire. Our wellbeing index drops out of the top ten. And when you look at the Index it appears to be mainly due to health. On all the other well-being measures, when compared with other Victorian regional councils we are in the ball park – some higher, some lower. But not health. Council has a municipal health and wellbeing plan and it is important to understand what's happening and why the community wellbeing is so impacted so that we can continue to address health outcomes that impact on our community wellbeing.

Like other Councillors I have attended various community sessions including the Rural land strategy and the Daylesford and Hepburn Springs Draft Structure Plans and I would encourage residents and ratepayers to continue to put in submissions.

A list of my diary activities is below:

Rural Hepburn Strategy – Community Information Session – 22/5/24

Daylesford Hospital Upgrade Committee – 22/5/24

Budget Workshop online – 23/4/25

Hepburn Springs Draft Structure Plan – Community Information Session – 25/5/24

Flag Raising Reconciliation week – 27/5/24

Councillor Briefing – 28/5/24, 4/6/24, 11/6/24

Special Council Meeting Budget Exhibition – 28/5/24

Daylesford Community Facilities PAG Preparation Meeting – 28/5/24

MAV Mayor and CEO Dinner – 30/5/24

Daylesford Draft Structure Plan Exhibition – 1/6/24

Gender Equity Advisory Meeting – 3/6/24

Western Renewables Link Community Catch-Up Meeting – 3/6/24

Daylesford Community Facilities PAG Meeting – 3/6/24

AIFS Webinar – Parents and Disability – 5/6/24

Councillor Budget Workshop – 17/6/24

**Councillor Tessa Halliday, Cameron Ward**

Presented a verbal report.

**Councillor Don Henderson, Creswick Ward**

Presented a verbal report.

**Councillor Tim Drylie, Creswick Ward**



Presented a verbal 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 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

### 8.3 CHIEF EXECUTIVE OFFICER'S REPORT

Go to 00:26:10 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

At last month's Council meeting, Council recommended the appointment of seven community members to its newly established Daylesford Community Facilities Project Advisory Group (PAG). An eighth position will be filled by a youth representative. The group will consult with Council on any potential future community facilities in Daylesford and have held their first meeting.

We are pleased to announce that k20 Architecture has been appointed as the lead contractor to examine the design and development of a multi-function assembly hall and contemporary library at the Daylesford Town Hall site, which includes the Town Hall, office accommodation and Senior Citizens' room; and have commenced site visits.

On Monday 27 May we held a National Sorry Day flag raising service at the Creswick Hub to recognise National Sorry Day, and the beginning of Reconciliation Week.





This year's theme Now More Than Ever is a reminder to continue the journey, to work on treaty making, truth telling, understanding our history, education, and tackling racism. Hepburn Shire Council is committed to Reconciliation.

On Tuesday 28 May we held a Special Meeting of Council for Tuesday to consider the release of the draft Budget 2024/2025 for public exhibition, and Council endorsed its release for community feedback. The Mayor and I have prepared a short budget overview video and answered some of the questions submitted to us about the budget. You can watch this via Council's Facebook page, or our Participate Hepburn website.

Many of you have been participating in the draft structure plan and rural Hepburn community information sessions, thank you. I encourage you to review the documentation on our Participate Hepburn website and make a submission to this important, once in a lifetime major project, which will guide future growth and appropriate development by protecting what we value, and improving liveability as we look towards 2050.

If you haven't already participated in our Health and Wellbeing Survey, it's open until 17 June 2024, and we'd love to hear from you about your health and wellbeing experiences living or working in the Hepburn Shire. The link to the survey is available through our Participate Hepburn website, or via a link in the post on our Facebook page. The survey is voluntary, anonymous and confidential.

We are very excited about the opening of the Mechanics Trentham on Friday 21 June at 66 High Street, Trentham. This is a public event which everyone is welcome to attend. You can pop in throughout the afternoon to speak to various local clubs and community organisations who are doing a membership drive. The smoking ceremony commences at 4pm, and official proceedings with the Hon Mary-Anne Thomas MP and Hon Catherine King MP are taking place inside the venue from 4:30pm onwards.

The Trentham Lions Club are cooking a sausage sizzle with food available from 4pm, and Emma James Catering is providing some winter warming food.

We are pleased to be opening a segment of the Creswick trails early for the community to enjoy, well before the scheduled project completion of December this year. We will make announcements about the timing of this soon.

You may have read or seen in the media that Daylesford has been named a finalist at the TAC Victorian Top Tourism Town Awards. The Top Tourism Town Awards aim to recognise and reward towns that demonstrate a strong commitment to tourism and to increasing visitation to the destination, that offer an excellent visitor experience, and exhibit collaboration with tourism operators, local businesses and the community to make their town the best destination it can be.

Our wonderful town needs your vote to take the prestigious award home. You can vote via the link on the Victorian Tourism Industry Constitution website

[www.vtic.com.au](http://www.vtic.com.au)



Council would like to congratulate Patrice O'Shea OAM, Secretary of the Friends of Wombat Hill Botanic Gardens, on receiving the Medal of The Order of Australia (OAM) for service to the environment, and to secondary education.

Meetings I have participated in during the month, include:

- Regular staff one on one meetings
- Councillor briefings
- Special Council Meeting
- Executive Leadership Team meetings
- Victorian Electoral Commission check in ahead of the Local Government elections
- Joint State/Local Government Monthly CEO Forum
- Various budget briefings and meetings regarding Long Term Financial Planning
- Tourism Midwest Victoria board and committee meetings
- MAV Mayor and CEO session
- Loddon Campaspe CEOs

- Loddon Campaspe Mayors and CEOs
- Rural Hepburn Strategy community information session
- Greater Ballarat Alliance of Councils (GBAC) meeting
- Meetings in regard to VNI-West and the Western Renewables Link
- Meeting with Member for Macedon, Mary-Anne Thomas
- Meetings with Mayor and Councillors

#### **RECOMMENDATION**

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

#### **MOTION**

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

**Moved:** Cr Juliet Simpson

**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

## 9 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

### **9.1 PETITIONS**

No petitions were tabled.

### **9.2 PUBLIC QUESTIONS**

No public questions were received.

### **9.3 REQUESTS TO ADDRESS COUNCIL**

No requests to address Council were received.

## **10 STATUTORY PLANNING**

### **10.1 PLN23/0147 – APPLICATION FOR A TWO LOT SUBDIVISION AT 110 STEELES ROAD YANDOIT**

Go to 00:29:24 in the meeting recording to view this item.

#### **EXECUTIVE MANAGER DEVELOPMENT**

*In providing this advice to Council as the Coordinator Statutory Planning, I Mish Watt have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. PLN230147 Briefing Presentation 110 Steeles Road Yandoit [**10.1.1** - 4 pages]
2. Proposed Plan of Subdivision [**10.1.2** - 1 page]
3. Title Information [**10.1.3** - 2 pages]
4. Additional information [**10.1.4** - 8 pages]
5. Bushfire Management Statement [**10.1.5** - 31 pages]
6. Land Management Plan [**10.1.6** - 14 pages]
7. 110 Steeles Road Yandoit - Title search - redacted [**10.1.7** - 1 page]

#### **EXECUTIVE SUMMARY**

This is an application for a two lot subdivision of the 16.18 hectare site located at 110 Steeles Road, Yandoit.

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

The site is mostly covered by woodland forest and is developed with two dwellings and associated outbuildings.

The application seeks approval for lots which are 8.739 hectares and 7.441 hectares in area respectively. The lots are smaller than the minimum lot size specified in the Farming Zone – Schedule 2 as the lot contains existing dwellings – allowing an application for smaller lots to be considered by Council.

The application was referred to Goulburn Murray Water, Central Highlands Water and the Country Fire Authority. None of these referral authorities have objected to the issue of a Planning Permit.

Public notification of the application has not been undertaken, as the application seeks to subdivide two existing dwellings and it was assessed that material detriment would not arise from the approval of the application.

Given the zoning of the land, and the bushfire risks in this locality, along with the significant vegetation located on the land, careful consideration must be given to the approval of an application which creates two “lifestyle- sized” lots and entrenches the use of two dwellings on the land.

It is recommended that the application is refused.



## **RECOMMENDATION**

*That Council, having considered all the matters required under Section 60 of the Planning and Environment Act 1987, resolves to Refuse to Grant a Planning Permit for Two Lot Subdivision at 110 Steeles Road, Yandoit on the following grounds:*

- 1. The application is not consistent with the purpose and decision guidelines of the Farming Zone and associated planning policy contained at Clauses 14.01-1S and Clause 14.01-1L. The subdivision will result in the fragmentation of land in the Farming Zone, entrenching the dwelling uses and providing for a subdivision which is less than the minimum lot size in the zone.*
- 2. The application has not demonstrated that the subdivision will provide for an acceptable outcome for the site and no information has been provided which shows that the subdivision would improve the biodiversity values or agricultural production on the site.*
- 3. The application has not demonstrated that the subdivision would appropriately protect human life and minimise the risk of bushfire. The subdivision does not provide for an outcome where human life can be better protected from the effects of bushfire as required by Clause 13.02-1S – Bushfire, the Bushfire Management Overlay and Clause 71.02-3 – Integrated decision making and it does not provide for any upgrading of vehicle access or provision of static water supply.*

## **MOTION**

*That Council, having complied with the relevant sections of the Planning and Environment Act 1987, decides to issue a Planning Permit in respect of Application No. PLN23/0147 for a two lot subdivision generally in accordance with the endorsed plans at 110 Steeles Road Yandoit VIC 3461, subject to the following conditions:*

### **No Variation**

- 1. The layout and site dimensions of the subdivision hereby permitted, as shown on the endorsed plan/s, must not be altered or modified without the written consent of the Responsible Authority.*

### **Access**

- 2. Access to the dwelling, must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.*

*No native vegetation may be removed without the approval of the responsible authority.*

#### **No Further Subdivision**

3. *Unless otherwise approved in writing by the Responsible Authority, before the issue of a Statement of Compliance under the Subdivision Act 1988, the owner must enter into an agreement with Council made pursuant to Section 173 of the Planning and Environment Act 1987 to provide for the following:*

- a. *Lot 1 and Lot 2 may not be further subdivided.*

*An application must be made to the Registrar of Titles to register the Section 173 Agreement under the Planning and Environment Act 1987 on the title to the land under Section 181 of the Act. The landowner under this permit must pay the reasonable costs of the preparation, execution, review and registration of the Section 173 Agreement.*

#### **Vehicle crossing**

4. *Prior to the issue of a Statement of Compliance, the vehicle crossing to the land must be located, constructed to the satisfaction of the Responsible Authority. Note: Further approvals are required to construct the vehicle crossing. The vehicle crossing must be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 255 or to approval of responsible authority.*

#### **Condition required by Central Highlands Water**

5. *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.*

#### **Conditions required by Goulburn Murray Water**

6. *All construction and ongoing activities must be in accordance with EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023).*
7. *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.*
8. *The existing on-site wastewater treatment and disposal systems for proposed new lot 1 and 2 must be wholly contained within the boundaries of the new lot created by subdivision.*

### **Permit Expiry**

9. *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 the permit.*
- b. A statement of compliance is not issued within five years of the date of certification of the Plan.*

*In accordance with section 69 of the Planning and Environment Act 1987, an application may be made to the Responsible Authority to extend the period referred to in this condition. The Responsible Authority may extend the time if a request is made before the permit expires, or within six months of the permit expiry date.*

**Moved: Cr Tessa Halliday**

**Seconded: Cr Jen Bray**

**Lost**

**Voted for:** Cr Jen Bray, Cr Tessa Halliday, Cr Tim Drylie

**Voted against:** Cr Lesley Hewitt, Cr Don Henderson, Cr Brian Hood and Cr Juliet Simpson

**Abstained:** Nil

### **MOTION**

*That Council, having considered all the matters required under Section 60 of the Planning and Environment Act 1987, resolves to Refuse to Grant a Planning Permit for Two Lot Subdivision at 110 Steeles Road, Yandoit on the following grounds:*

- 1. The application is not consistent with the purpose and decision guidelines of the Farming Zone and associated planning policy contained at Clauses 14.01-1S and Clause 14.01-1L. The subdivision will result in the fragmentation of land in the Farming Zone, entrenching the dwelling uses and providing for a subdivision which is less than the minimum lot size in the zone.*
- 2. The application has not demonstrated that the subdivision will provide for an acceptable outcome for the site and no information has been provided which shows that the subdivision would improve the biodiversity values or agricultural production on the site.*
- 3. The application has not demonstrated that the subdivision would appropriately protect human life and minimise the risk of bushfire. The subdivision does not provide for an outcome where human life can be better protected from the*

*effects of bushfire as required by Clause 13.02-1S – Bushfire, the Bushfire Management Overlay and Clause 71.02-3 – Integrated decision making and it does not provide for any upgrading of vehicle access or provision of static water supply.*

**Moved:** Cr Lesley Hewitt

**Seconded:** Cr Don Henderson

**Carried**

**Voted for:** Cr Brian Hood, Cr Don Henderson, Cr Juliet Simpson and Cr Lesley Hewitt

**Voted against:** Cr Jen Bray, Cr Tessa Halliday and Cr Tim Drylie

**Abstained:** Nil

## **BACKGROUND**

### **Subject site**

The subject site has a total area of approximately 16.1 hectares. The site is located on the western side of Steeles Road, as can be seen in the image below. The site is highlighted by a red arrow.



Figure 1 | Aerial image. Source: NearMap

The land is developed with two dwellings and associated outbuildings and is mostly covered by woodland forest. Two vehicle access points have been established from Steeles Road.

The images below show the dwellings which have been developed on the land; both are modestly sized dwellings.



Image 1 | Development on proposed southern lot. Source: Application documents



Image 2 | Development on proposed northern lot. Source: Application documents

### **Surrounding area**

Surrounding land features dense forests to the north, south and west. Lots to the east have been cleared and are farmed.

A number of dwellings have been developed in the area.

Land located opposite the site is used as a dairy farm.

### **Proposal**

The application seeks a two lot subdivision.

Lot 1 would contain a dwelling and associated outbuildings and has a total area of 8.739 hectares.

Lot 2 would have an area of 7.441 hectares and contains a dwelling along with an outbuilding.

The lots use existing vehicle access points on Steeles Road.

The proposed subdivision can be seen in the image below.





FIGURE 2 PROPOSED PLAN OF SUBDIVISION

Figure 2 | Proposed plan of subdivision | Source: Application documents

### Permit history

There is no permit history relevant to the consideration of this application.

The applicant has provided an undated document issued by the Shire of Daylesford and Glenlyon which permitted the two dwellings on the lot stating “approval is hereby granted to construct two new houses on land being C/A 23 Section H township and Parish of Yandoit, as set out in application no. 829.”

Officers have accepted that the site has existing use rights for two dwellings.

### Referrals

The following external referrals have been undertaken.

Authority	Summarised advice
Goulburn Murray Water	Conditional consent
Officer comment	If a Planning Permit is issued, the conditions are required to be included on any Planning Permit

Authority	Summarised advice
Central Highlands Water	Conditional consent

Officer comment	If a Planning Permit is issued, the conditions are required to be included on any Planning Permit
-----------------	---

Authority	Summarised advice
Country Fire Authority	No objection, no conditions
Officer comment	Noted

### Public notification

Public notification of the application has not been undertaken, as the application seeks to subdivide two existing dwellings and it was assessed that material detriment would not arise from the approval of the application.

### Planning Scheme

The site is located in the Farming Zone – Schedule 2 (FZ2) and is subject to the Bushfire Management Overlay and the Environmental Significance Overlay – Schedule 1 (ESO1).

A Planning Permit is triggered under the following clauses of the Hepburn Planning Scheme:

- Clause 35.07-3 – Subdivision in the Farming Zone;
- Clause 44.06-2 – Subdivision in the Bushfire Management Overlay;
- Clause 42.01-2 – Subdivision in the Environmental Significance Overlay.

The following planning policies are relevant to the consideration of this application.

- Clause 02.03-2 – Environmental and landscape values.
- Clause 02.03-3 – Environmental risks and amenity.
- Clause 02.03-4 – Natural resource management.
- Clause 12.01-1S – Protection of biodiversity.
- Clause 12.01-1L – Native vegetation and habitat protection.
- Clause 12.01-2S – Native vegetation management.
- Clause 12.03-1S – River and riparian corridors, waterways, lakes, wetlands and billabongs.
- Clause 13.02-1S – Bushfire planning.
- Clause 14.01-1S – Protection of agricultural land.
- Clause 14.01-1L – Protection of agricultural land.
- Clause 14.02-2S – Sustainable agricultural land use.
- Clause 14.01-2L – Sustainable agricultural enterprises.
- Clause 14.02-1S – Catchment planning and management.
- Clause 14.02-1L – Catchment and land protection.

- Clause 14.02-2S – Water quality.
- Clause 71.02-3 – Integrated decision making.

### **KEY ISSUES**

The site is located in the Farming Zone – Schedule 2. An application can be made to subdivide the land into lots which are less than the minimum lot size of 20 hectares as the Planning Scheme states at Clause 35.07-3:

*A permit is required to subdivide land.*

*Each lot must be at least the area specified for the land in a schedule to this zone.*

*A permit may be granted to create smaller lots if any of the following apply:*

- *The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.*

While an application can be made for the subdivision, it is not implied that a permit should or will be granted for the application and Council must consider whether the proposal will produce an acceptable outcome.

The planning policy framework includes important objectives to retain and enhance native vegetation and biodiversity, along with avoiding fragmenting Farming zoned properties, creating a rural living environment. The application must be considered against these objectives.

### **Planning Policy**

#### Bushfire and biodiversity

In bushfire affected areas Clause 13.02-1S – Bushfire requires Council to prioritise the protection of human life above all other policy considerations. Careful consideration must be given to the creation of an additional lot in this locality, given the bushfire risk, the extent of vegetation on the site and the extent of vegetation on adjoining land.

Within Clause 02.04 – Strategic Framework Plans, Yandoit and surrounds is noted with the Planning Scheme as being subject to extreme and significant bushfire hazard. This can be seen in the image below.



## ENVIRONMENTAL HAZARDS

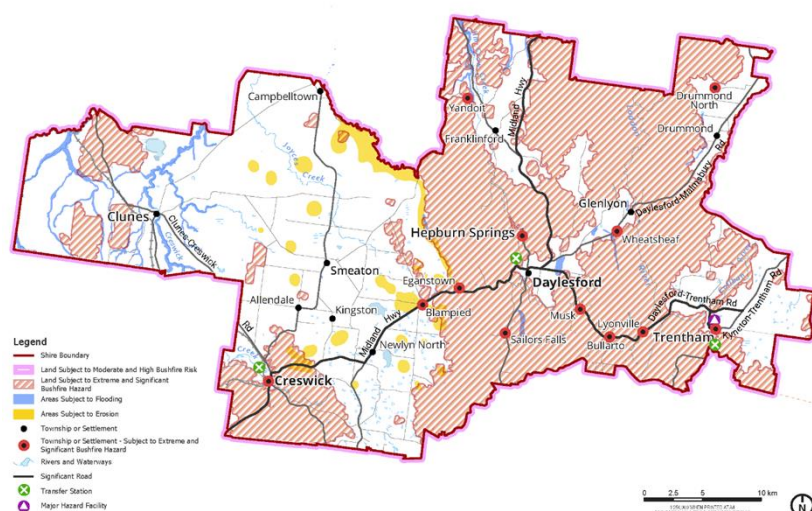


Figure 3 | Environmental Hazards Plan. Source: Hepburn Planning Scheme

Yandoit and surrounds is also an area of high biodiversity value, as can be seen in the image below.

## ENVIRONMENTAL AND LANDSCAPE VALUES

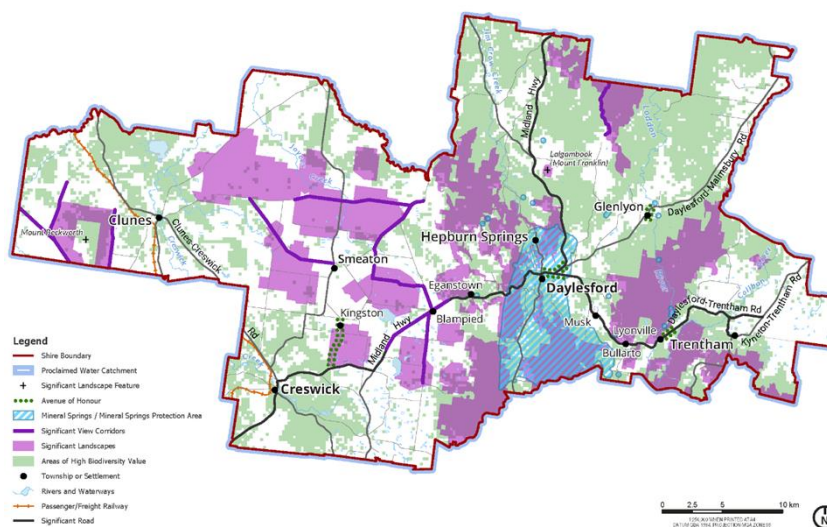


Figure 4 | Environmental and Landscape Values Plan. Source: Hepburn Planning Scheme

Policy objectives relevant to the consideration of this application include:

- *Clause 13.02-1S – Give protection to human life by 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;*
- *Clause 13.02-1S – Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process;*

- *Clause 13.02-1S – Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development;*
- *Clause 12.01-1S 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 and the spread of pest plants, animals and pathogens into natural ecosystems.*

It is acknowledged that the land is developed with two dwellings via an approval dating back to the 1980s. In today’s planning context, an application to develop two dwellings on the land would be highly unlikely to be supported. The two lot subdivision which is proposed would see each dwelling on its own title, entrenching the land uses and providing for a rural-living lifestyle arrangement in an area of the municipality which is zoned Farming Zone.

If the subdivision application was refused, the site could continue to be used with two dwellings provided that the dwellings are continuously used and do not stop being used as dwellings for a continuous period of two years, or have not stopped being used as a dwelling for two or more periods which together total two years in any period of three years. With the two dwellings remaining on the one lot, the potential exists that one of the dwellings may not continue to be used as a dwelling and the site could revert to a single dwelling on a lot, which is an ideal planning outcome. If the subdivision is approved, it is unlikely that there would be any potential for the second dwelling use to be phased out over time.

Council must consider the potential for further development of the land if the subdivision is approved, as the development of either lot with a new dwelling or substantially extended dwelling, would likely result in the removal of a significant amount of native vegetation to create vehicle access to the lots compliant with the Country Fire Authority and to create defensible space.

The current situation, with two dwellings on a lot, would require an application to extend either of the dwellings and consideration of bushfire risk. The subdivision would result in the dwellings each being located on separate lots and would present an opportunity for each dwelling to be extended by up to 50 percent of gross floor area without requiring an assessment against the BMO.

It is assessed that fragmenting the ownership of the land will not result in an improved biodiversity outcome and it is understood that the land has historically been managed by the property owner.

#### Farming Zone land

Clause 14.01-1L – Protection of agricultural land seeks to:

- *retain existing Farming Zone land and discourage land fragmentation from residential use and development; and to*

- ***prevent the subdivision of land for a new dwelling on rural land that does not meet the minimum subdivision area of the relevant rural zone*** (emphasis added).

It also includes a strategy to:

- *minimise the adverse impacts that a new dwelling, accommodation use or subdivision may have upon water quality and quantity, native vegetation and the productivity and operation of agricultural land.*

The subdivision application is not consistent with the above policy as it will:

- Fragment land ownership;
- Result in lot sizes which are far smaller than the minimum 20ha lot size specified in FZ2;
- Provide for the potential loss of native vegetation if future owners of the dwellings seek larger, more modern dwellings.

#### Water quality

The planning policy framework is focused on ensuring that development, including subdivisions, do not impact on the quality and quantity of water in special water supply catchment areas.

As there have been no concerns raised by the water authorities about the application, it is assessed that the subdivision is consistent with the objectives and strategies of Clause 14.02-2S – Water quality, Clause 14.02-1L – Catchment and land protection and Clause 14.02-1S – Catchment management and planning.

#### **Zone**

The purpose of the Farming Zone is to provide for the use of land for agriculture.

The decision guidelines of the zone require consideration to be given to the planning policy framework and:

- How the use or development relates to sustainable land management;
- Whether the development will support or enhance agricultural production.

It is acknowledged that the site has limited potential for an agricultural land use, but there are some cleared areas along Yandoit Road which could provide for some animal grazing; subdividing the land would reduce further the opportunity for this to occur.

#### **Overlay**

The site is subject to the **Bushfire Management Overlay (BMO)** and a Planning Permit is required for the subdivision of land. The BMO has the following purposes:

*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 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 appropriate level.*

An assessment against Clause 53.02-4 is required. It is important to note that compliance with Clause 53.02 does not imply an acceptable planning outcome and this was drawn out by VCAT in Department of Environment, Land, Water and Planning v Yarra Ranges SC where it was stated:

*The provisions under clause 53.02 outline a rather automated approach to decision making that runs a risk of not appropriately considering the overall consequence of a decision to permit the use and development of the site for the purposes of a dwelling. Similar to biodiversity, planning for bushfire is not a 'tick the box' approach. Certainly, achieving compliance with the approved measures meets objectives under the clause and is very helpful in decision making, however any proposed use and development must also satisfy the policy framework, which guides decision making.*

The application has been referred to the CFA, a recommending referral authority under the Planning Scheme. The CFA have not objected to the granting of a Planning Permit, and somewhat surprisingly, the CFA have not required that any improved provision is made for vehicle access and access to water for firefighting.

In determining this application, Council is required to consider the advice provided by the CFA, but it must form its own view on the application having regard to the totality of the Planning Scheme. Council is not bound to approve the application because the CFA have not objected to the issue of a Planning Permit.

The application was supported by a Bushfire Management Statement (BMS) which notes that if the dwellings were required to be replaced defensible space could be contained within the property boundaries of the site, based on the hazard of the surrounding forest. It is noted that the creation of defensible space would have a significant impact on the biodiversity values of the land.

The BMS advises that as the land is developed with two dwellings, there is no requirement to:

- Provide defensible space;
- Provide a static water supply; and
- Provide access to CFA's standards.

As such, the subdivision, if approved, would entrench the dwelling use on each lot and would not result in an improved outcome around bushfire risk in this identified high risk location.

The whole of the site is included in the **Environmental Significance Overlay Schedule 1 – Special Water Supply Catchment Protection (ESO1)**. Planning permission is required to subdivide land. The environmental objective to be achieved in ESO1 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.*

The application has been referred to Central Highlands Water and Goulburn Murray Water, both of which are determining referral authorities under the Planning Scheme. Neither authority has objected to the application and as such, it is assessed that the environmental outcome of ESO1 is met.

### **Rural Hepburn | Draft Strategy**

Based on Victorian Civil and Administrative Tribunal (VCAT) case law, The Rural Hepburn | Draft Strategy is not considered to be a ‘seriously entertained planning proposal’ as:

- The strategy is not the subject of a formal planning scheme amendment being seriously entertained by Council;
- The Draft Strategy is currently in the community consultation phase and it is considered to be an embryonic strategy which is yet to reach an advanced stage in the planning process.

As such, Council cannot give the Draft Strategy any weight in making its decision, but it is noted that the document currently recommends that the minimum lot size be increased to 40 hectares.

### **Conclusion**

As noted above, the planning policy framework includes important objectives to retain and enhance native vegetation and biodiversity, along with avoiding fragmenting Farming zoned properties, creating a rural living environment.

Clause 71.02-3 – Integrated decision-making details that:

*The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, **in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations** (emphasis added).*

No evidence has been provided that the subdivision will maintain or enhance the agricultural potential of the land, improve the biodiversity values of the site or improve bushfire risk on the site.

As such, 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**

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 the Victorian Civil and Administrative Tribunal if appealed.

#### **RISK IMPLICATIONS**

No risks to Council other than those already identified.

#### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Public notification of the application has not been undertaken, as the application seeks to subdivide two existing dwellings and it was assessed that material detriment would not arise from the approval of the application.



# Subject site and surrounding area



# ▶ Zoning and overlay controls

The site is zoned Farming Zone – Schedule 2, it is subject to Environmental Significance Overlay – Schedule 1 and the Bushfire Management Overlay.

The minimum lot size for a subdivision in the Farming Zone is 20 hectares, however the zone allows:

35.07-3

14/12/2023  
VC253

## **Subdivision**

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

A permit cannot be granted which would allow a separate lot to be created for land containing a small second dwelling.



# ▶ Proposed subdivision

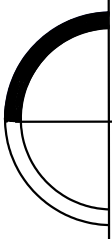
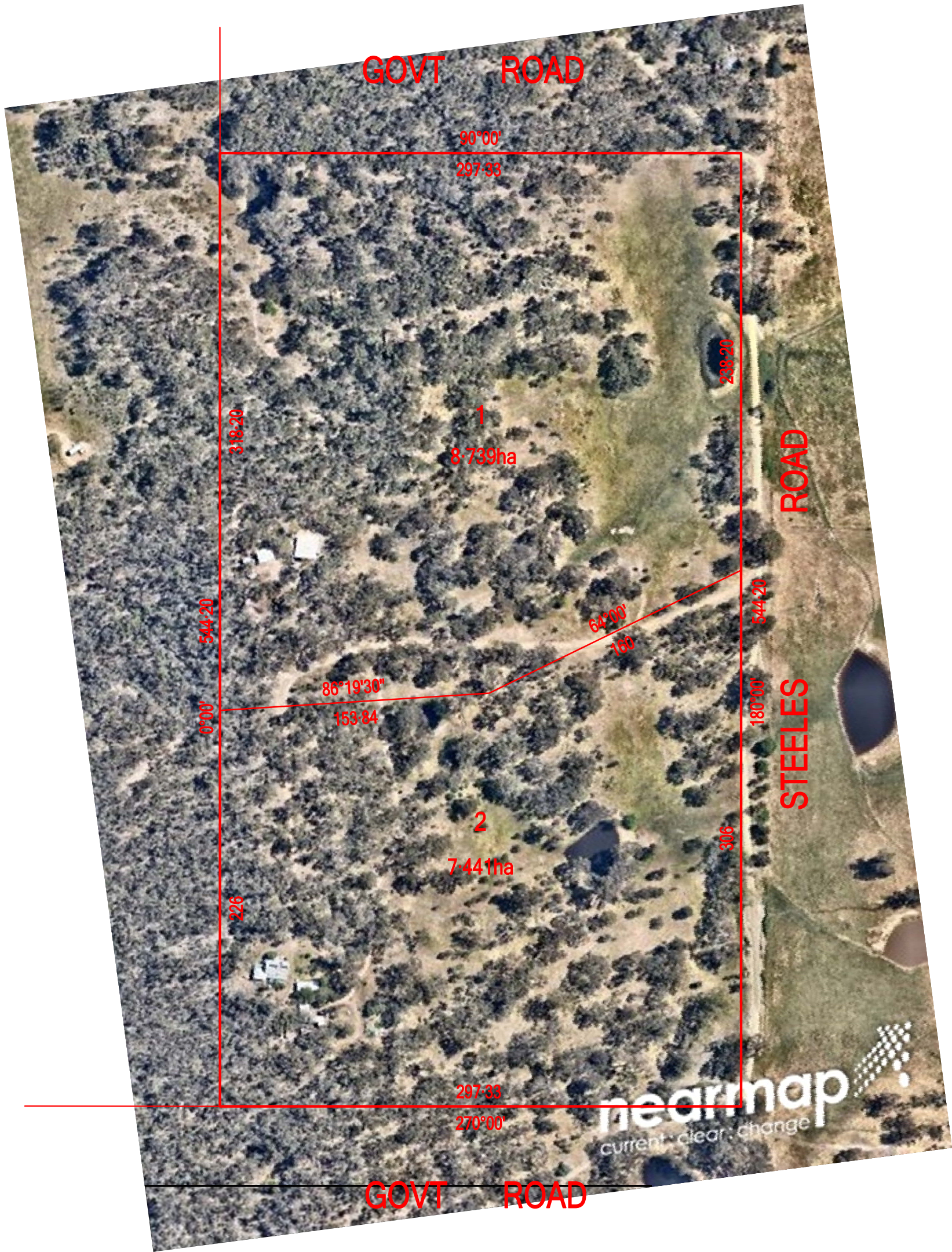


- Application not advertised
- No referrals undertaken
- Critical issue is whether the building(s) have existing use rights as dwelling(s) to allow Council to consider an application for lots of less than 20 hectares.
- Bushfire risk and biodiversity values are important considerations. The Planning Scheme notes Yandoit and surrounds as being subject to extreme and significant bushfire hazard.
- In bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.



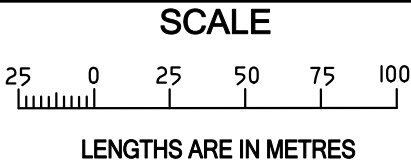
PROPOSED PLAN OF SUBDIVISION

SITE ADDRESS: 110 STEELES ROAD, YANDOIT



**WALSH MOBBS**  
**LAND SURVEYORS**  
PO BOX 77, DAYLESFORD 3460  
M 0408 994 985  
admin@walshmobbs.com.au  
www.walshmobbs.com.au

ORIGINAL  
SHEET SCALE  
SIZE  
**A3** 1:2500



LICENSED SURVEYOR (PRINT) \_\_\_\_\_ ROWAN MOBBS \_\_\_\_\_

REF 3766

VERSION 1

DRAWN:13/06/2023



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	TITLE PLAN	EDITION 1	ATTACHMENT 10.1.3 TP 202273X
<b>Location of Land</b>  Parish: YANDOIT Township: Section: H Crown Allotment: 23 Crown Portion:  Last Plan Reference: Derived From: VOL 9290 FOL 712 Depth Limitation: NIL		<b>Notations</b>      ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	
<b>Description of Land / Easement Information</b>			THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 24/01/2000 VERIFIED: M.P
LENGTHS ARE IN METRES		Metres = 0.3048 x Feet Metres = 0.201166 x Links	Sheet 1 of 1 sheets

**110 Steeles Road Yandoit Planning Summary** **June 2023****THE PROPOSAL**

It is proposed to subdivide the 16.18 hectare parcel into two lots with access from Steeles Road on the east boundary. The total area of the site does not meet the minimum 20 hectares, however both proposed lots have an existing dwelling.

**BACKGROUND**

It is understood both dwellings (shown in photos 1 and 2 below) were constructed in the 1980s and have been continuously occupied for the last 45 years. The current owner has lived on site for the last 15 years and the second dwelling has been rented to a number of occupants.



Photo 2 Looking south west towards the dwelling in the northern part of the site (proposed Lot 1)



Photo 2 Looking south west towards the dwelling in the southern part of the site (proposed Lot 2)



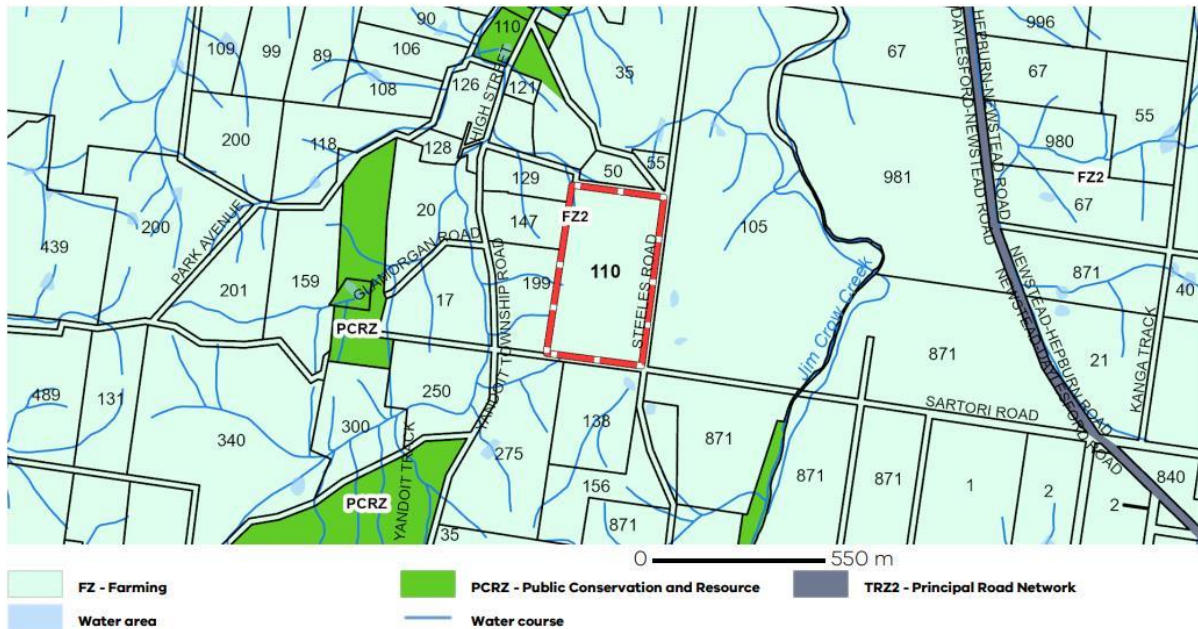
## **ZONING**

The land falls within the Farming Zone and is affected by the Environment Significance Overlay (ESO1) and Bushfire Management Overlay (BMO)

### **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.

**Figure 1 Zoning**

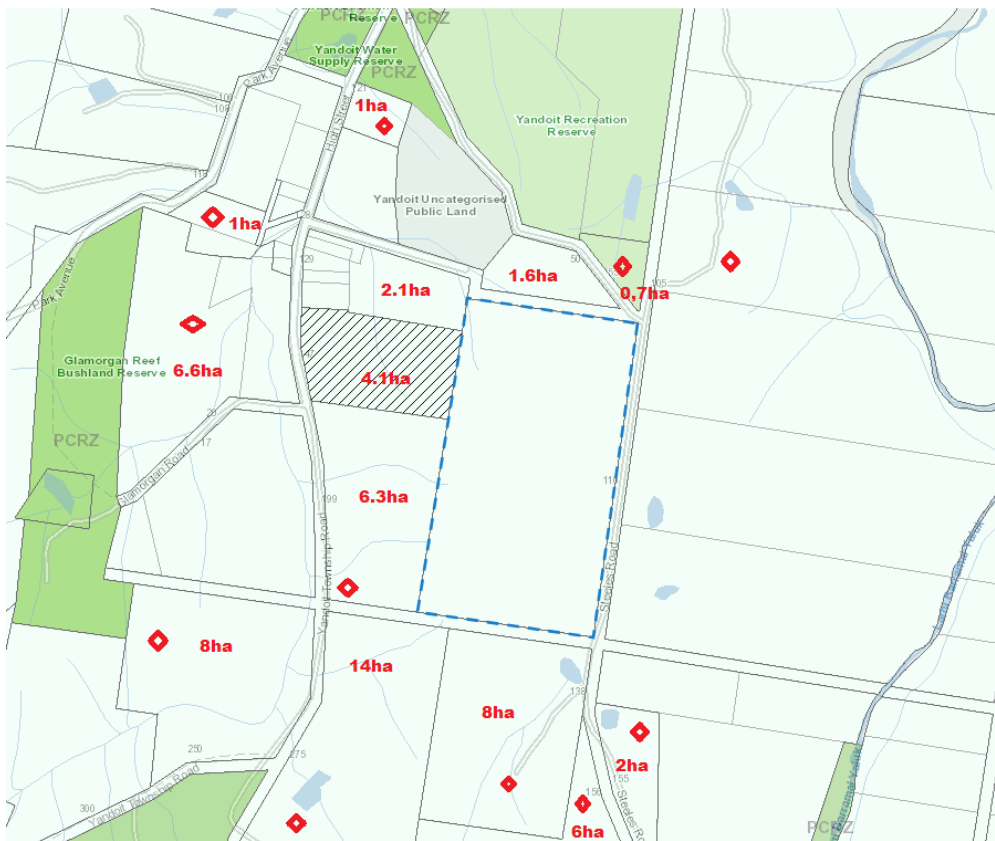
## **REQUIREMENT FOR A PLANNING PERMIT**

The trigger for a planning permit is subdivision under the Zoning and Overlays affecting the site. There is no native vegetation removal required.

**EXISTING CONDITONS**

<b>Site shape, dimensions, size , existing use and buildings and works</b>	
The shape of the site is:	Rectangular
The site has a total area of:	16.18 ha
The current use of the site is	Rural living
The buildings or works located on the site are:	2 Dwellings and sheds (see photos 1 and 2)
Site topography	The site is elevated on a ridge top on the west boundary and there are north east and east sloping ridges line in the north and eastern parts of the site with two east flowing gullies where dams are constructed. Land slopes either side of the main ridge line on 5 to 10 to the east 10 to 15 degrees to the west.
Site vegetation	The site is mostly covered in woodland with some areas of grassland in the eastern area. There are managed gardens around the dwellings
Existing services	The site is connected to mains power.

The site is located in the farming area of Yandoit in a section that is effectively used for rural living. There are 8 lots, 5 with dwellings surrounding the site to the north, west and south (shown on Figure 2) The proposal is consistent with the surrounding land use and settlement pattern. (Approval to construct a dwelling on No.50 was granted in 2012 Permit No.10990).



**Figure 2 Context (red diamonds show surrounding dwellings)**



The existing houses are set back more than 150 metres from surrounding dwellings, as shown on Figure 3 below



**Figure 3 Set backs to surrounding dwellings**

## **THE OBJECTIVES OF THE PLANNING SCHEME**

### **Clause 35.07 Farming Zone**

The objectives of the farming zone include:

*To provide for the use of land for agriculture.*

*To encourage the retention of productive agricultural land.*

*To ensure that 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*

### **Clause 35.07-3 Subdivision**

*A permit is required to subdivide land.*

*Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.*

*A permit may be granted to create smaller lots if any of the following apply:*

- *The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.*

The proposal meets the objectives of the zone. The proposed 2 lot subdivision will allow two existing dwellings on individual lots to be held under separate ownership enabling people to live permanently on site on a long term basis and manage the land for small scale agriculture as well as retain native vegetation and maintain the biodiversity.

The land is generally rocky with minimal topsoil and a fragile layer of mostly native ground cover plants. The existing woodland provides habitat for native flora and fauna and is well suited to the current rural living use. The reintroduction of hard hoofed grazing animals as a farming activity would damage the landscape and produce minimal; agricultural outputs.

### 35.07-6 Decision guidelines

#### General issues

☐ *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

The objective of Clause 14.01-1S Protection of agricultural land is to *protect the state's agricultural base by preserving productive farmland* and discourages development of isolated small lots in the rural zones from use for dwellings or other incompatible uses and encourages consolidation of existing isolated small lots in rural zones.

Clause 14.01-1L also seeks to protect agricultural land, encourage hobby farms to relocate to Rural Living Zones and prevent subdivision of tenements in single ownership. It does allow a dwelling on a rural lot 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.*

The proposed lots each have an existing dwelling on land of low agricultural value. The land will be managed to preserve and enhance the biodiversity and maximise agricultural production, as described in the land management plan

Dwellings are sited on ridgelines and any required fencing and driveway construction will avoid tree removal require minimal earthworks and ground disturbance.

Clause 14.01-2S seeks to encourage sustainable agricultural land use , supporting innovative and sustainable rural land practices, adapting to climate change and ensuring uses do not *detrimentally impact the environment, the operation of surrounding land uses and the amenity of the surrounding area.*

The proposal retains native vegetation is considered to be compatible with surrounding land use. It will create two lots that are adjacent to lots that are effectively used for rural living to the south , north and west and will not affect broadscale farmland to the east.

*The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*

The existing dwellings both have working septic systems.

*How the use or development relates to sustainable land management.*

The proposal will continue to preserve native vegetation on site

☐ *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*

The proposal is consistent with surrounding land use where there are dwellings on a range of lot sizes and larger lots to the east used for grazing. As there is no change of use or additional dwellings proposed the use will be compatible with adjacent land.

☐ *How the use and development makes use of existing infrastructure and services.*

The development makes use of existing access roads and power supply.

### ***.Agricultural issues and the impacts from non-agricultural uses***

☐ *Whether the use or development will support and enhance agricultural production.*

The proposal will support and enhance agriculture by preserving and managing native vegetation within the site, thus providing habitat to assist with insect control and reducing wind speeds.

☐ *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*

The existing houses being placed on separate titles will not remove agricultural land

☐ *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*

The lots surrounding the site are sufficient in size.

☐ *The capacity of the site to sustain the agricultural use.*

☐ *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*

☐ *Any integrated land management plan prepared for the site.*

As previously described, the site will continue to be used effectively for rural lining purposes. Native vegetation will be preserved retaining habitat value.

### ***Dwelling issues***

☐ *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*

As there are no new dwellings proposed, and most adjacent lots have existing houses, it is considered the proposal will not result in the fragmentation of agricultural land.

☐ *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*

The adjacent grazing operations to the east generate small amounts of dust, noise, odour with minimal machinery and chemical use and would therefore not adversely affect the existing dwellings

☐ *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*

Surrounding land are small rural living lots. These lots are considered to be sufficient in size .

☐ *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

Most of the adjacent lots already have dwellings. It is not considered the proposal will lead to a proliferation of dwellings on surrounding land

### ***Environmental issues***

☐ *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*

The proposal preserves on site native woodland and habitat

☐ *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 proposal preserves on site native vegetation. The required fencing and driveways will require minimal earthworks and no tree removal.

☐ *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

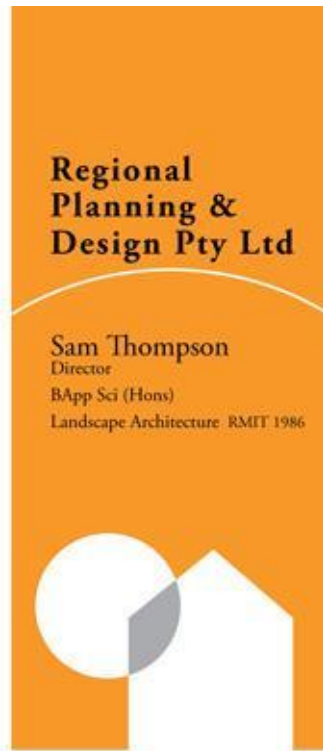
Both dwellings have existing working septic systems set well back from dams and waterways

### **CONCLUSION**

In summary, the subdivision will enable ongoing use for small scale farming and habitat preservation and dwellings are set back more than 150 metres from the adjacent houses. Therefore the subdivision and ongoing use of the dwellings is expected to have no adverse affect on surrounding farming and rural lining use.

The Bushfire management Statement addresses the BMO requirements.





# BUSHFIRE MANAGEMENT STATEMENT



Prepared by Regional Planning &  
Design Pty Ltd  
13 Bridport Street Daylesford 3460  
Phone 0447 073 107  
s.thompsondesign@bigpond.com

**110 Steeles Road Yandoit**  
**Ref No.23.145**

### 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. It is also recommended CFA's Landscaping for Bushfire: Garden design and plant selection be read prior to developing the garden

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	9/6/2023	Walsh Mobbs.
B	Revisions to plans	15/6/2023	Client
C	Issued as a final version	30/6/2023	Council
D	Revisions to AM 5.1 response	28/9/2023	Council

## 1 SUMMARY

Summary	
Date of site visit:	23 <sup>rd</sup> May 2023
Summary of proposal	Two lot subdivision
Broad landscape setting (Technical Guide Planning Permit Applications – Bushfire Management Overlay)	3
Access requirements can be met	Yes, 3.5 m wide driveways with 4 m vertical and 4.5m horizontal clearance with turning areas
Defendable Space requirements can be met	Not applicable as there are existing dwellings on both proposed lots
Proposed BAL construction level	BAL 29 for any future works
Is native vegetation removal required:	No

## 1 INTRODUCTION

This Bushfire Management Statement (BMS) has been prepared to enable Russell Petherbridge 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 110 Steeles Road Yandoit (See Figure 1 on the following page).

Under Clause 44.06-5 the requirement to create a Section 173 agreement that includes a plan prepared in accordance with Clause 53.02-4.4 is exempt where new lots contain an existing dwelling. As both proposed lots have an existing dwelling the standard requirements for defendable space, construction standards and static water supply are exempt. It should be noted that if any dwellings needed to be replaced in the future, the lots could accommodate a house built to BAL 29 with defendable space within to the property boundaries based on the hazards of forest and woodland. New dwellings would need to be constructed further to the east of the ridgeline to meet current defendable space requirements.

### Methodology

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.



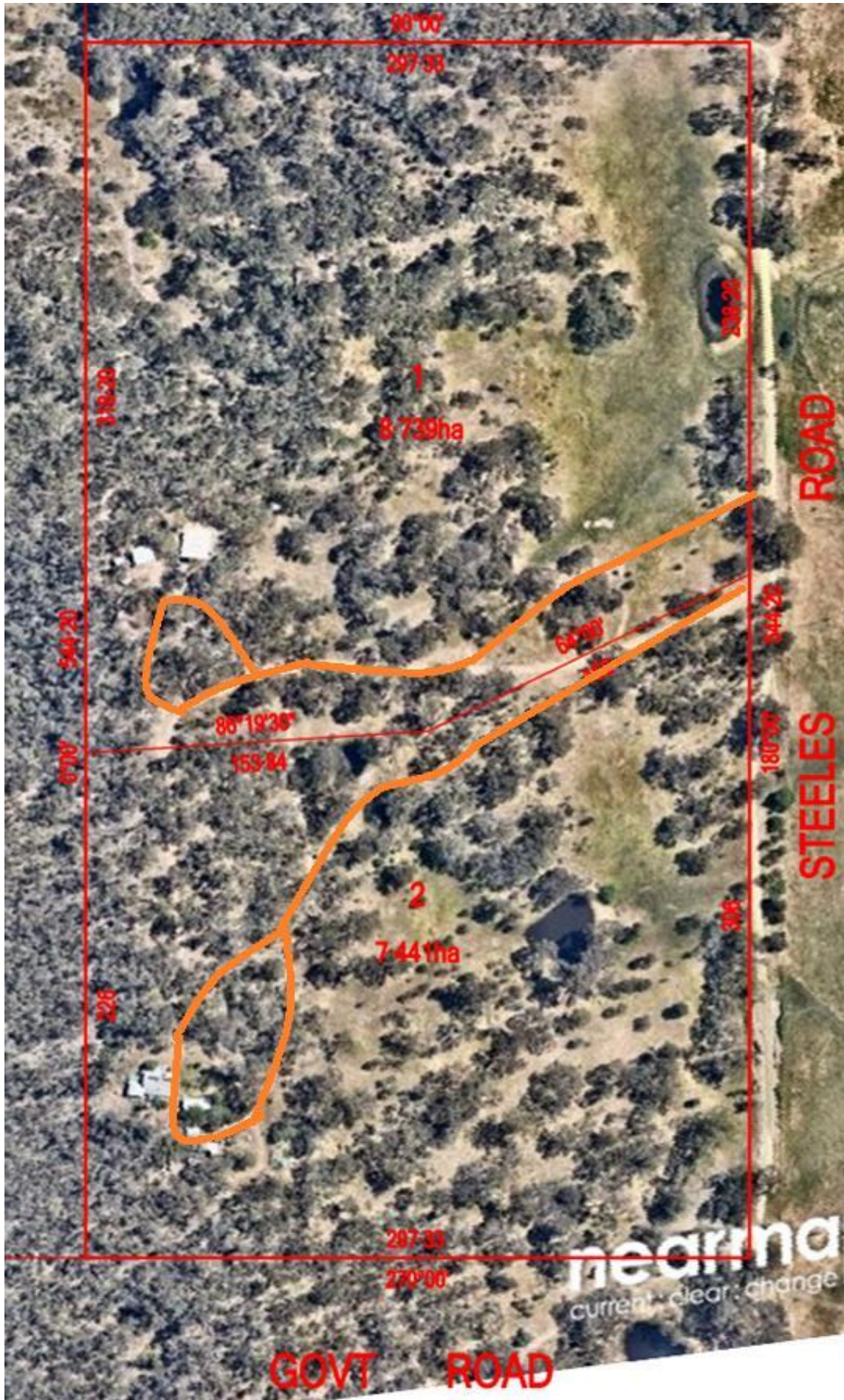


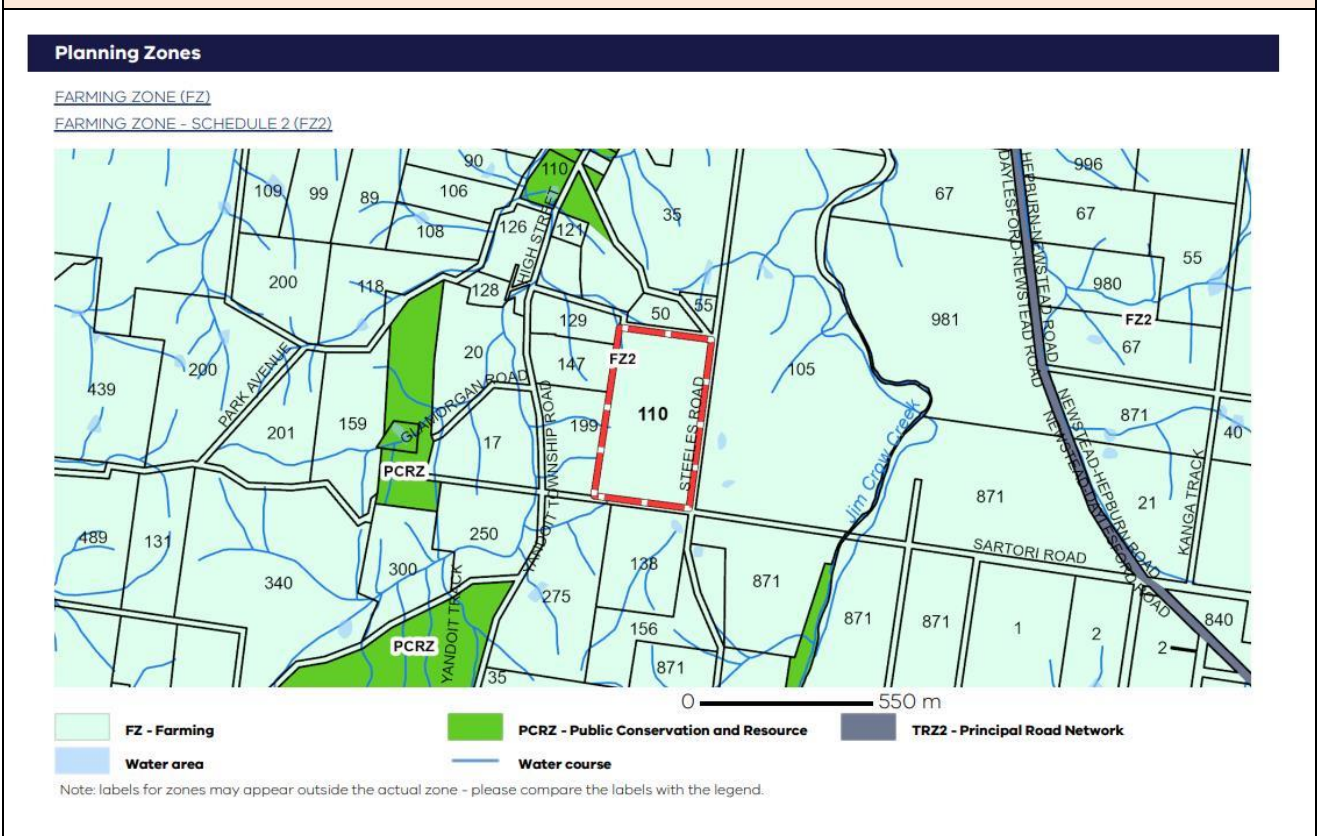
FIGURE 2 PROPOSED PLAN OF SUBDIVISION



## 2 ZONING AND OVERLAYS

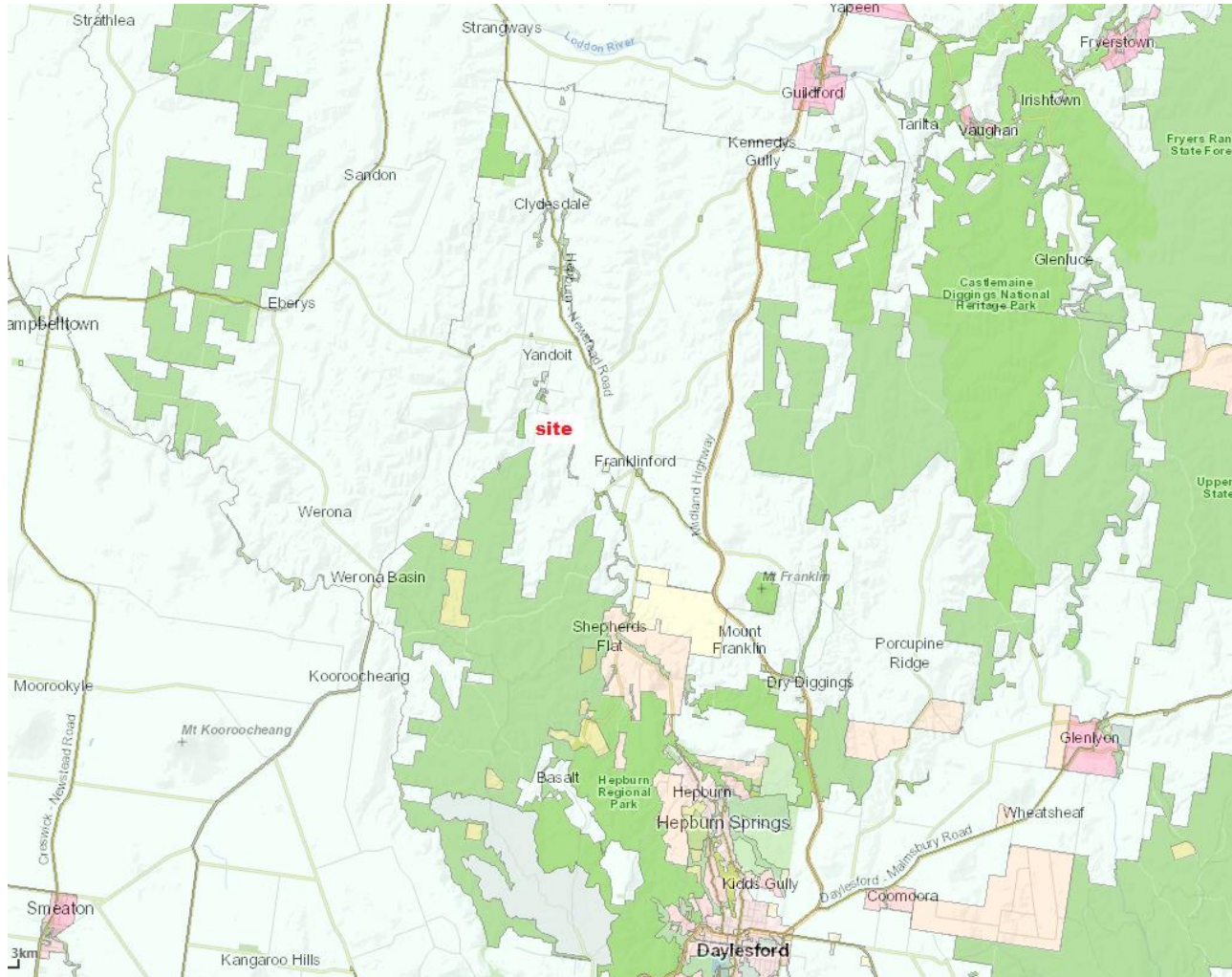
Clause Number	Name
35.07	Farming Zone
44.06	Bushfire Management Overlay
53.02	Bushfire Planning
13.02-1S	Bushfire Planning
42.01	Environmental Significance Overlay (ESO 1)

**Figure 2 Zoning**



## Location

The site is located to the north of Daylesford (See Figure 2). There are areas of forest, woodland and grassland surrounding the site. This will be discussed in more detail in the Bushfire Hazard Landscape Assessment.



**FIGURE 3 LOCATION**



### 3 SITE DESCRIPTION

Site shape, dimensions, size , existing use and buildings and works	
The shape of the site is:	Rectangular
The site has a total area of:	16.18 ha
The current use of the site is	Rural living
The buildings or works located on the site are:	2 Dwellings and sheds (see photos 1 to 3)
Site topography	The site is elevated on a ridge top on the west boundary and there are north east and east sloping ridges line in the north and eastern parts of the site with two east flowing gullies where dams are constructed. Land slopes either side of the main ridge line on 5 to 10 to the east 10 to 15 degrees to the west.
Site vegetation	The site is mostly covered in woodland with some areas of grassland in the eastern area. (See photos 4 to 7). There are managed gardens around the dwellings
Existing services	The site is connected to mains power.

Buildings and works photo



Photo 1 Looking north east towards the dwelling in the northern part of the site



Buildings and works photo



Photo 2 Looking north east towards a shed in the northern part of the site



Photo 3 Looking south west towards the dwelling in the southern part of the site



Site vegetation



Photo 4 Looking north west through woodland in the south western part of the site



Photo 5 Looking east through woodland towards a dam in the southern part of the site



Site vegetation



Photo 6 Looking north across grassland and woodland in the eastern part of the site



Photo 7 Looking southwest across grassland towards woodland in the north eastern part of the site





**Figure 4A Existing Conditions Air Photo**

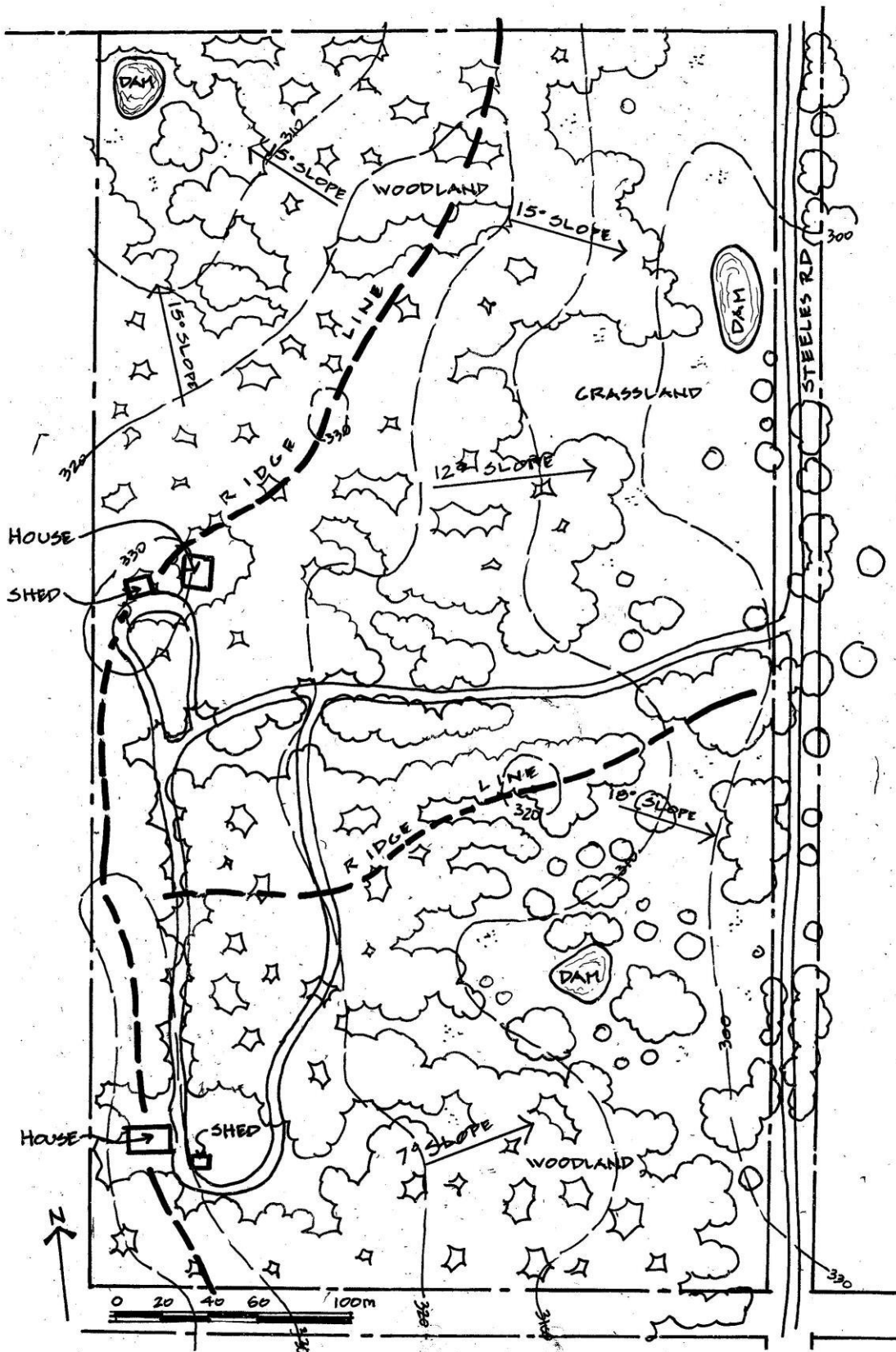


Figure 4B Existing Conditions Plan



## 4 ACCESS

The site has access from the Steeles Road on the east boundary (photo 8). There is a well constructed and maintained driveway within the site (photo 9).

### Access Photos



Photo 8 Looking south along Steeles Road at the north west corner of site.



Photo 9 Looking east along the driveway in the central part of the site



## 5 BUSHFIRE HAZARD SITE ASSESSMENT

As shown in Figure 5 and described in Appendix 1 there is mostly grassland and woodland within the 150 metre assessment area (photos 4, 5, 6 and 7) with forest to the north, south and west (photos 10, 11 and 14). There is woodland to the south and south east (photos 12 and 13) and grassland to the east (photo 15).



Figure 5 - 150 metre assessment air photo



Landscape Assessment Photos



Photo 10 Looking south west through forest to the south west of the site



Photo 11 Looking west through forest to the west of the site



Landscape Assessment Photos



Photo 12 Looking south through woodland to the south east of the site



Photo 13 Looking south through woodland from the south boundary of the site



Landscape Assessment Photos



Photo 14 Looking south west through forest to the north west of the site



Photo 15 Looking south east across grassland to the east of the site beyond Steeles Road



## 7 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 areas of forest to the west and south of the site and fragmented forest and woodland to the north. On a broad landscape scale this presents a fire risk to the site 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. There is the potential for long runs of fire from the north west through forest, grassland and woodland and a fire run through forest from the south west to affect the site. 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 grassland to the east of the site are less likely to form part of a long rapidly moving bushfire as strong winds from the east are not generally experienced on high fire danger days in Central Victoria. A spot fire could also start to the east and burn slowly towards the site so it is important to also establish and maintain defendable space in this direction.

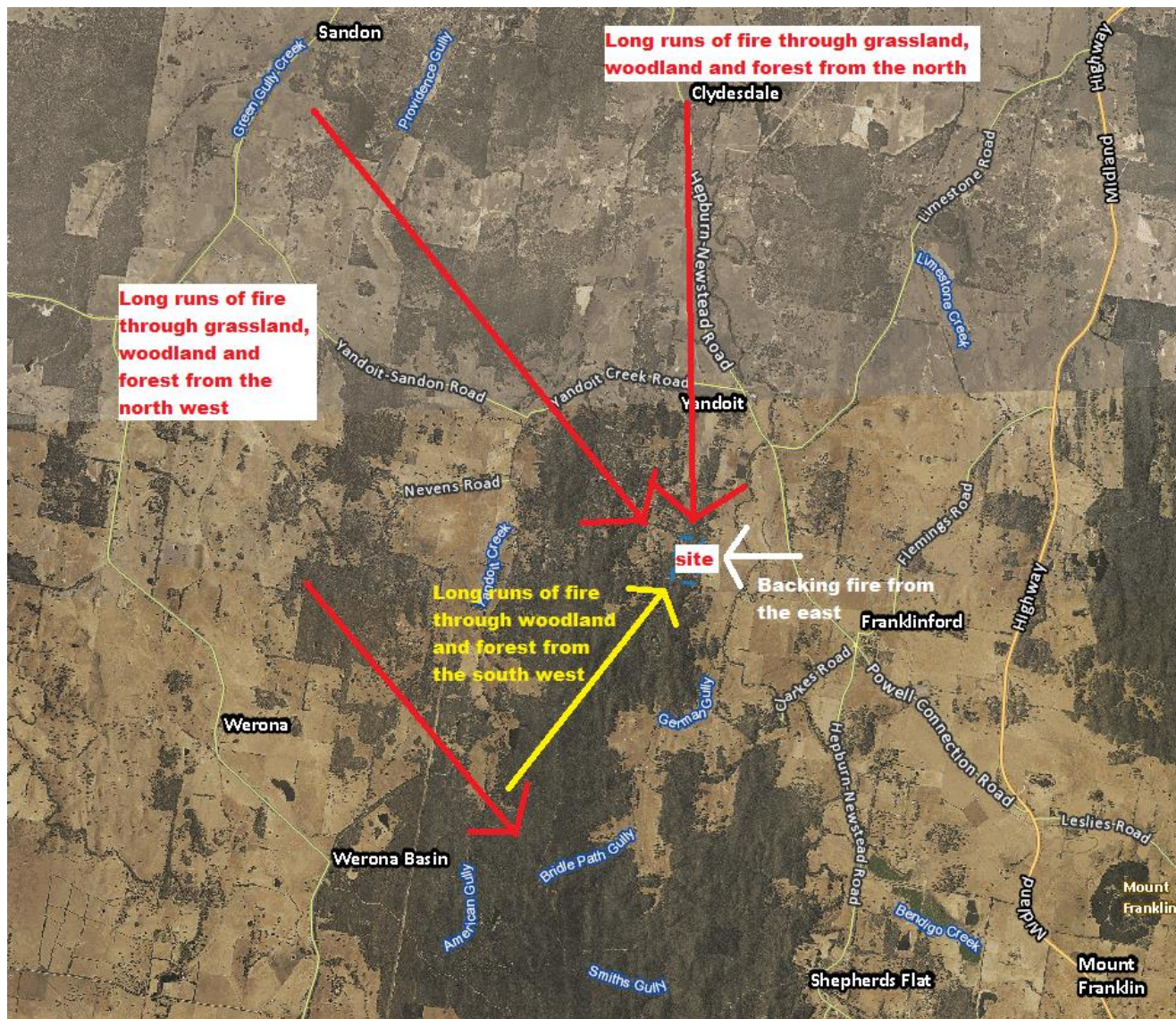
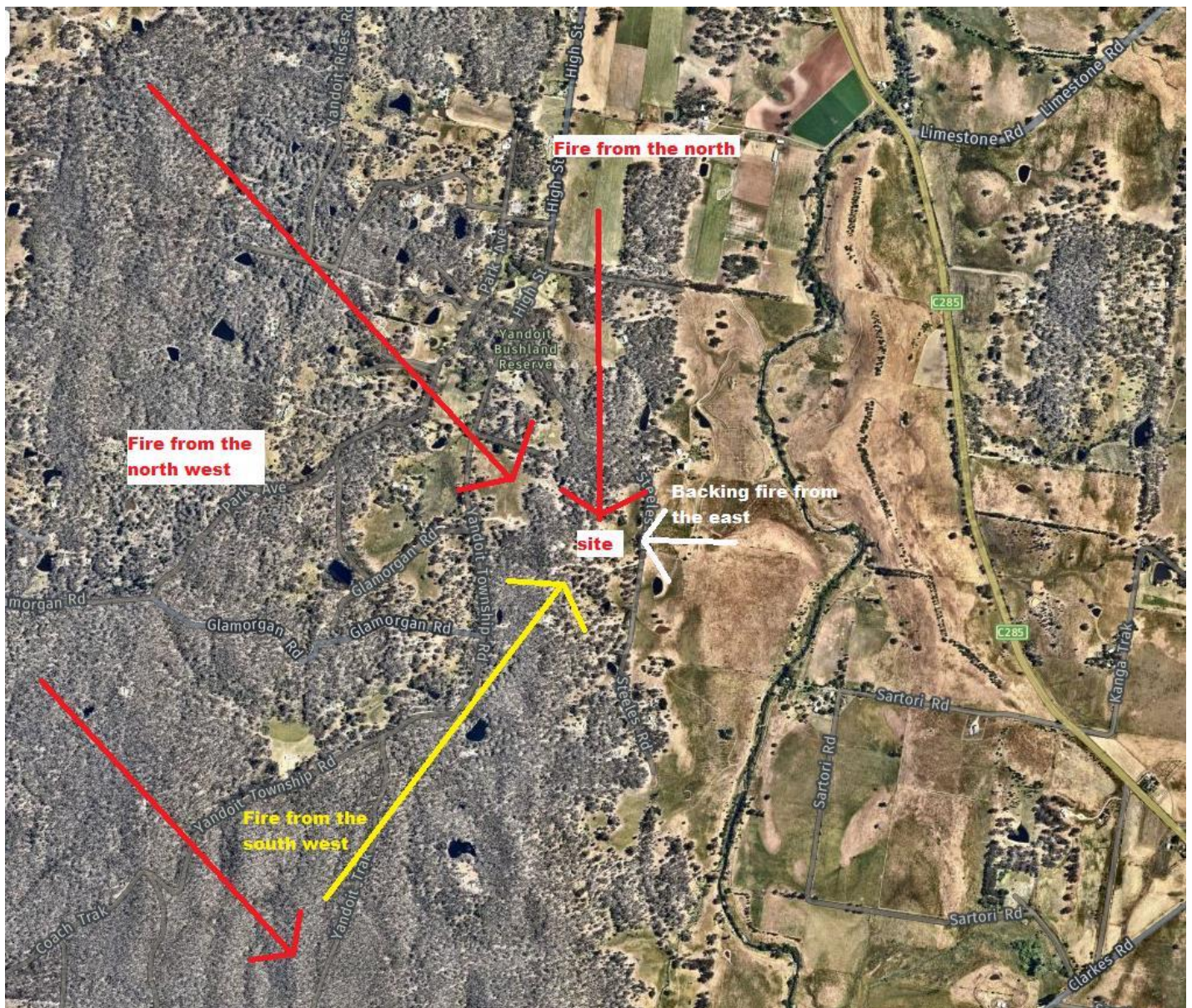


FIGURE 6 BUSHFIRE CONTEXT PLAN





**FIGURE 7 BUSHFIRE LOCAL CONTEXT PLAN**

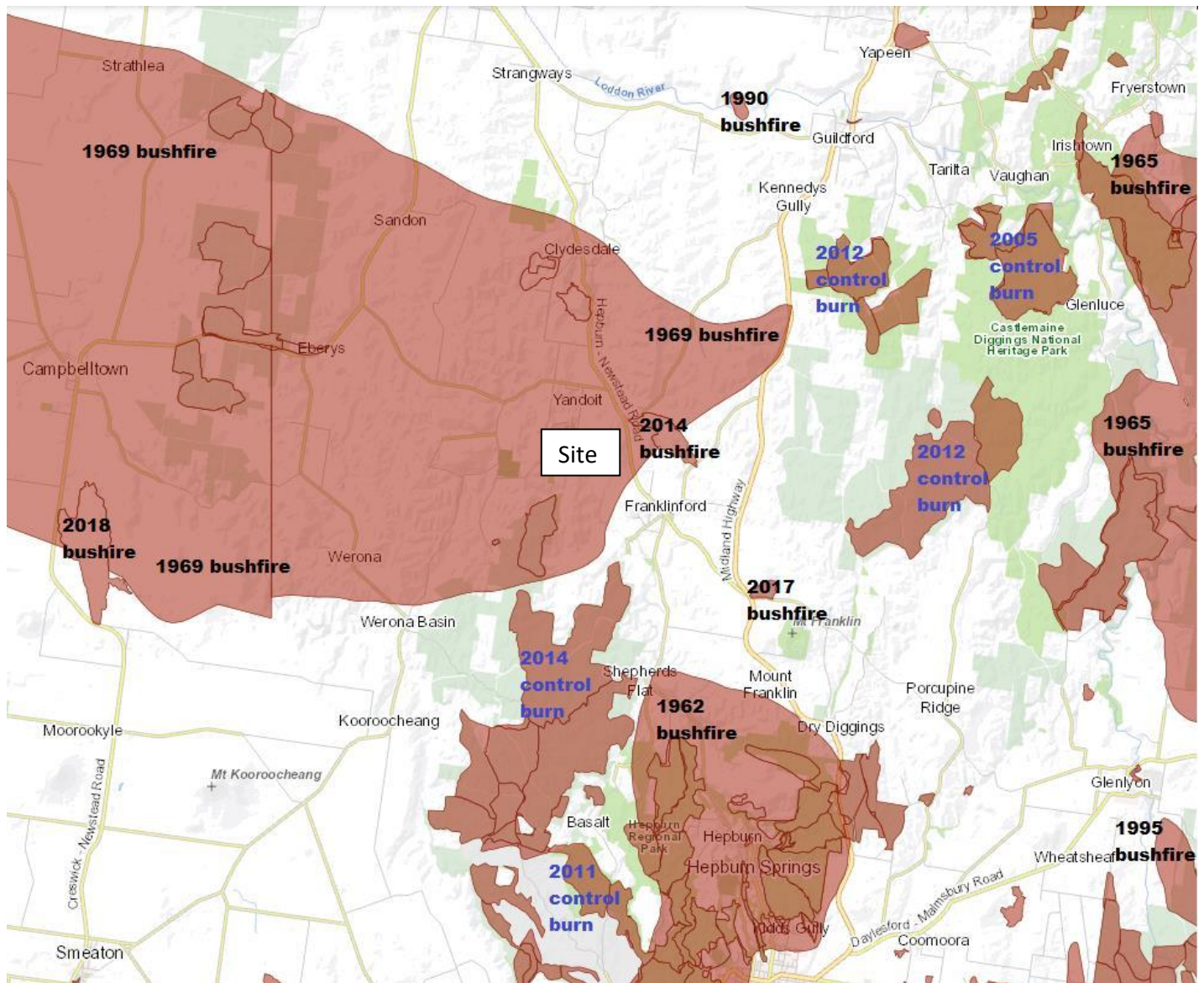
As shown on Figure 7, within 1 kilometre of the site the forest to the north and north west is fragmented with grassland and patches of woodland, which will decrease the intensity of an approaching fire, but there is still a significant risk from the south west.





**FIGURE 8 BUSHFIRE NEIGHBOURHOOD CONTEXT PLAN**





**FIGURE 9 BUSHFIRE HISTORY MAP**

The Fire History Map above shows there have been significant fires in the vicinity with the site probably being affected by fire in 1969. There have been fuel reduction burns to the east and south since 2005 which will help reduce the risk to the site. There are also burns planned for forest to the south west in 2024 to 2025 (See Figure 10 on the following page)

Forest on public land to the south and west is also designated Bushfire Moderation and Landscape Management Zones which includes them within the Fire Operations Plans. This will help to reduce the fire risk.

In summary, the site is vulnerable to fire with extensive areas of forest to the south west, however there is the ability to create adequate defensible space within property boundaries which will help reduce the fire risk.





Legend

Strategic Fuel Breaks

- 2022-23 Non Burning Treatment - Strategic Fuel Breaks
- 2023-25 Non Burning Treatment - Strategic Fuel Breaks
- 2022-25 Non Burning Treatment - Other Mechanical Treatments

Planned Burns

- 2022-2023
- 2023-2024
- 2024-2025

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 10 PLANNED BURNS AND MANAGEMENT ZONES

## 6 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 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 addresses this clause
	AM 3.2	Not Applicable	No accommodation proposed
	AltM 3.3	Not Applicable	There are existing dwellings on site
	AltM 3.4	Not Applicable	Standard defendable space tables used
	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 addresses this clause
	AM 4.2	Not Applicable	
Clause 53.02-4.4 Subdivision objectives	AM 5.1	Applicable	This development addresses this clause
	AM 5.2	Not Applicable	The site is Zoned Farming.
	AM 5.3	Not Applicable	Less than 10 lots are proposed
	AM 5.4	Not Applicable	No Common area proposed
	AM 5.5	Not Applicable	Less than 10 lots are proposed

**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><b>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</b></p> <p><b>Response:</b></p> <p>The site is located in a farming are surrounded by grassland, woodland and forest.</p> <p>There is good access to areas of managed grassland to the east .</p> <p>The forest to the north west and south is on private land so is not part of any formal Fuel Management Program . Forest further to the west and south west is covered by a Landscape management and Bushfire Moderation Zone, which will help reduce the fuel load and risk</p>
AM 2.2	<p><b>Buildings are sited to ensure the site best achieves the following:</b></p> <p><b>The maximum separation distance between the building and the bushfire hazard.</b></p> <ul style="list-style-type: none"> <li>• The building is in close proximity to a public road.</li> <li>• Access can be provided to the building for emergency service vehicles.</li> </ul> <p><b>Response:</b></p> <p>Existing dwellings are located in the western part of the site</p> <p>If the dwellings were ever required to be replaced the defensible space could be contained within the property boundaries based on the hazard of forest in all directions, siting replacement dwellings further to the east.</p> <p>Access requirements to each dwelling can be met along a 3.5 metre wide gravel driveway, with 4 metre vertical and 4.5m wide horizontal clearance</p>
AM 2.3	<p><b>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building</b></p> <p><b>Response:</b></p> <p>Any future building work will be required to meet a BAL of 29 . The construction requirements minimise the ability for ember penetration and radiant heat exposure to compromise the building integrity.</p>



**53.02-4.3 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><b>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:</b></p> <ul style="list-style-type: none"> <li>• <b>A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-3.</b></li> <li>• <b>Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-3.</b></li> </ul> <p><b>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.</b></p> <p><b>Response:</b> The proposed lots would each require a 10,000 litre tank for fire fighting purposes as they are larger than 1000 m2.</p> <p>Access requirements can be met along a 3.5 metre wide gravel driveway, with 4 metre vertical and 4.5m wide horizontal clearance</p>

**6.1.1 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	<p><b>An application to subdivide land, other than where AM 5.2 applies, demonstrates that each proposed lot is capable of meeting:</b></p> <p><b>The defensible space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5.</b></p> <p><b>The approved measures in Clause 53.02-4.1 and Clause 53.02-4.3.</b></p> <p><b>Response:</b> As both proposed lots have an existing dwelling the standard requirements for defensible space, construction and static water supply are exempt. Applying the 10/50 rule, it is proposed to manage understorey fuel for the distance of 50m from the edges of existing dwellings or to the property boundaries. It should be noted that if any of the dwellings needed to be replaced in the future they could be built to BAL 29 with defensible space extending for the distance of 49m within the property boundaries based on the hazard of forest on a 10 to 15 degree downslope in accordance with Column C of table 2 to Clause 53.02-5, as shown in red on Figure 10 on the following page.</p> <p>Access and water supply requirements could also be met</p>

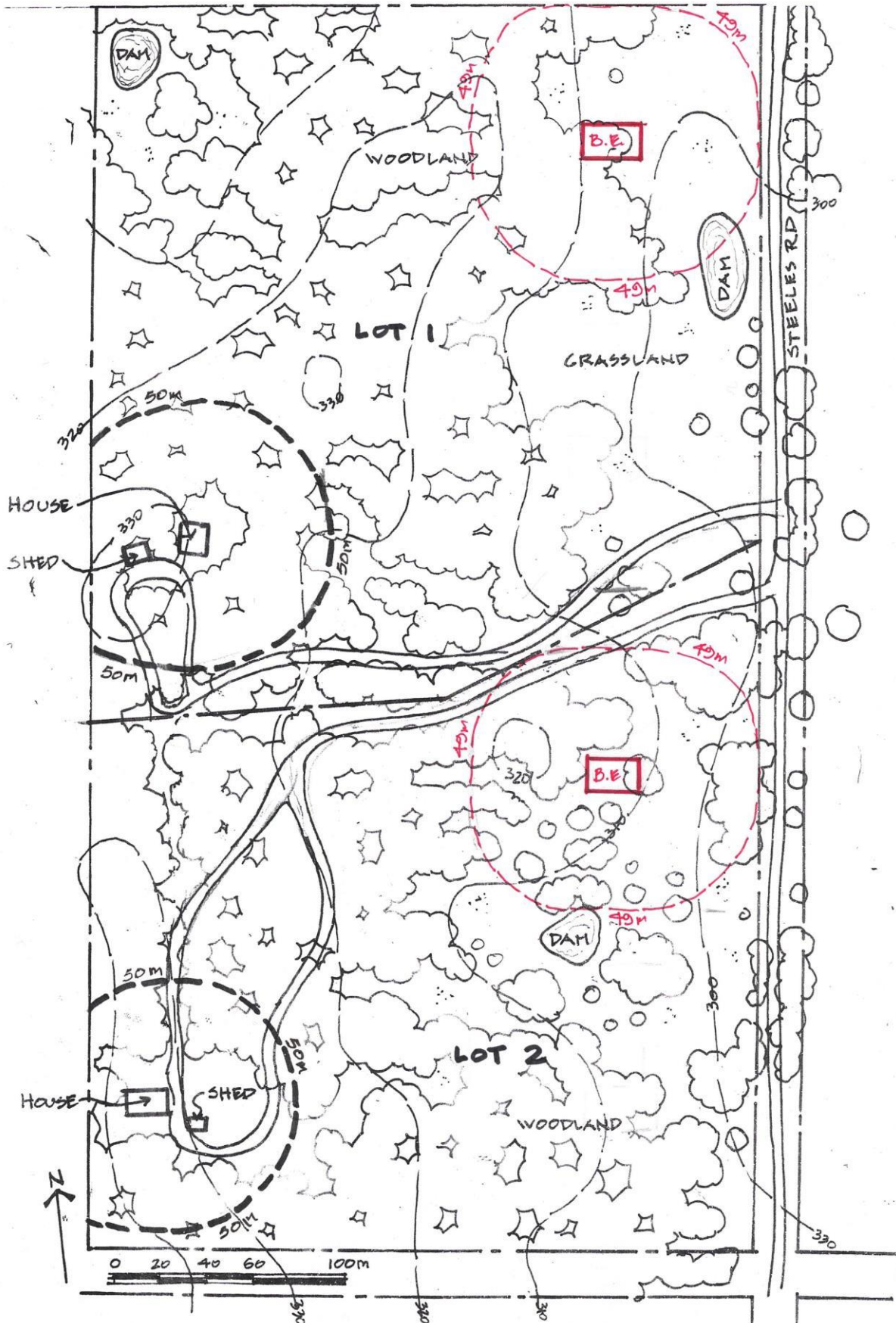


FIGURE 10 POTENTIAL REPLACEMENT BUILDING ENVELOPES SHOWN IN RED

## 7 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 forest, woodland, managed farmland, grassland and modified vegetation. The proper establishment and maintenance of defensible space on site could reduce the overall bushfire risk.

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

## 8 REFERENCES

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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.

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DELWP (2017) *Planning Permit Applications – Bushfire Management Overlay Technical Guide* Department of Environment, Land, Water and Planning

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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](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](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](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](http://planning-schemes.delwp.vic.gov.au/schemes/vpps/66_03.pdf)



## APPENDIX 1– BUSHFIRE SITE ASSESSMENT

Width of defendable space required if dwellings were ever to be replaced

	West	South	East	North
Vegetation Type	Forest	Forest	Forest	Forest
The effective slope under the vegetation	10 - 15	5 - 10	5 - 10	10 - 15
The width of required defendable space	49	39	39	49
BAL	29	29	29	29

## APPENDIX 2 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**

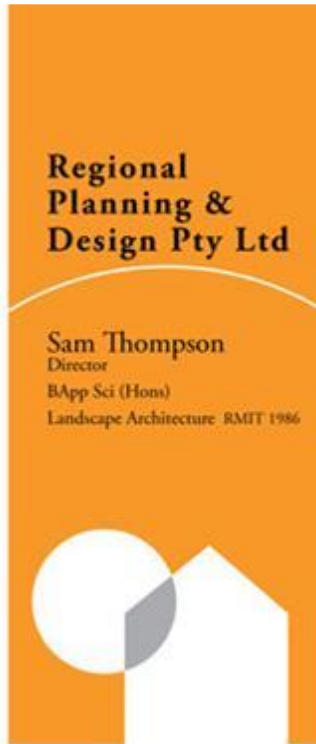
Vehicle access (or part thereof) of a length specified in Column A implements the design and construction requirements specified in Column B.

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 <b>AM4.1</b> .
Length of access is less than 30 metres	Where fire authority access to the water supply is required under <b>AM4.1</b> 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"> <li>▪ All-weather construction.</li> <li>▪ A load limit of at least 15 tonnes.</li> <li>▪ Provide a minimum trafficable width of 3.5 metres.</li> <li>▪ Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.</li> <li>▪ Curves must have a minimum inner radius of 10 metres.</li> <li>▪ The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more</li> </ul>
	<p>than 1 in 5 (20%) (11.3°) for no more than 50 metres.</p> <ul style="list-style-type: none"> <li>▪ Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.</li> </ul>
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"> <li>▪ A turning circle with a minimum radius of eight metres.</li> <li>▪ A driveway encircling the dwelling.</li> <li>▪ 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.</li> </ul>
Length of access is greater than 200 metres	<ul style="list-style-type: none"> <li>▪ Passing bays must be provided at least every 200 metres.</li> <li>▪ Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.</li> </ul>

*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.*







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# Land Management Plan

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**110 Steeles Road Yandoit  
Ref No.23.145**

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Sam Thompson  
Regional Planning & Design Pty Ltd  
13 Bridport Street Daylesford 3460  
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044 7073107

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September 2023

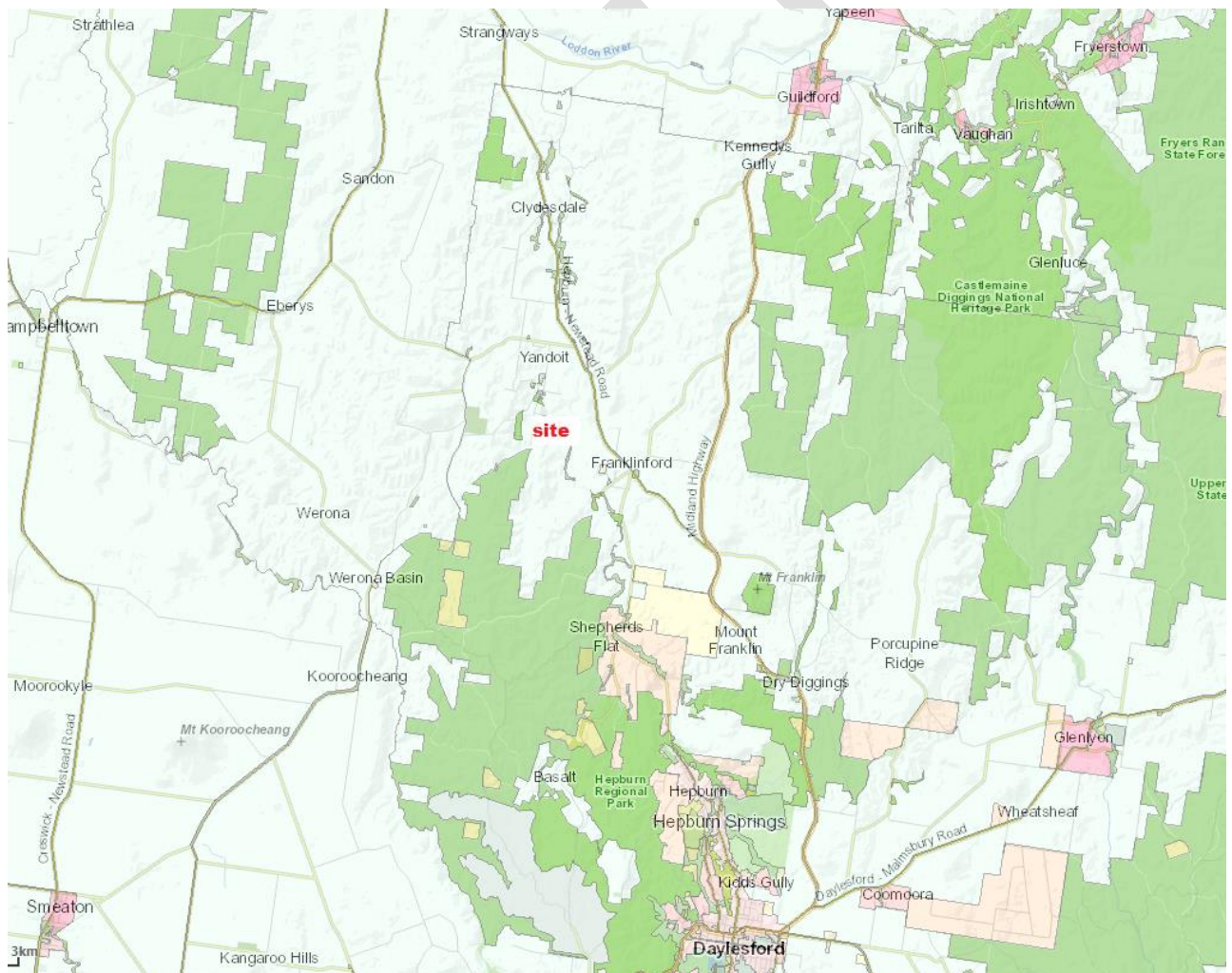
Revision	Date	Description
A	28/9/2023	Issued to Council

The following Land Management Plan for the 16.18 hectare property at 110 Steeles Road Yandoit to accompany an application to obtain approval to subdivided the lot into two parcels. Both proposed lots have existing dwellings.

The site will be divided into land management zones with an ongoing weed control program.

## LOCATION

The site is located in the farming area of Yandoit to the north of Hepburn and Daylesford. The surrounding properties to the north, south and west are small lots that are zoned farming but used for rural living purposes.



**FIGURE 1 LOCATION**

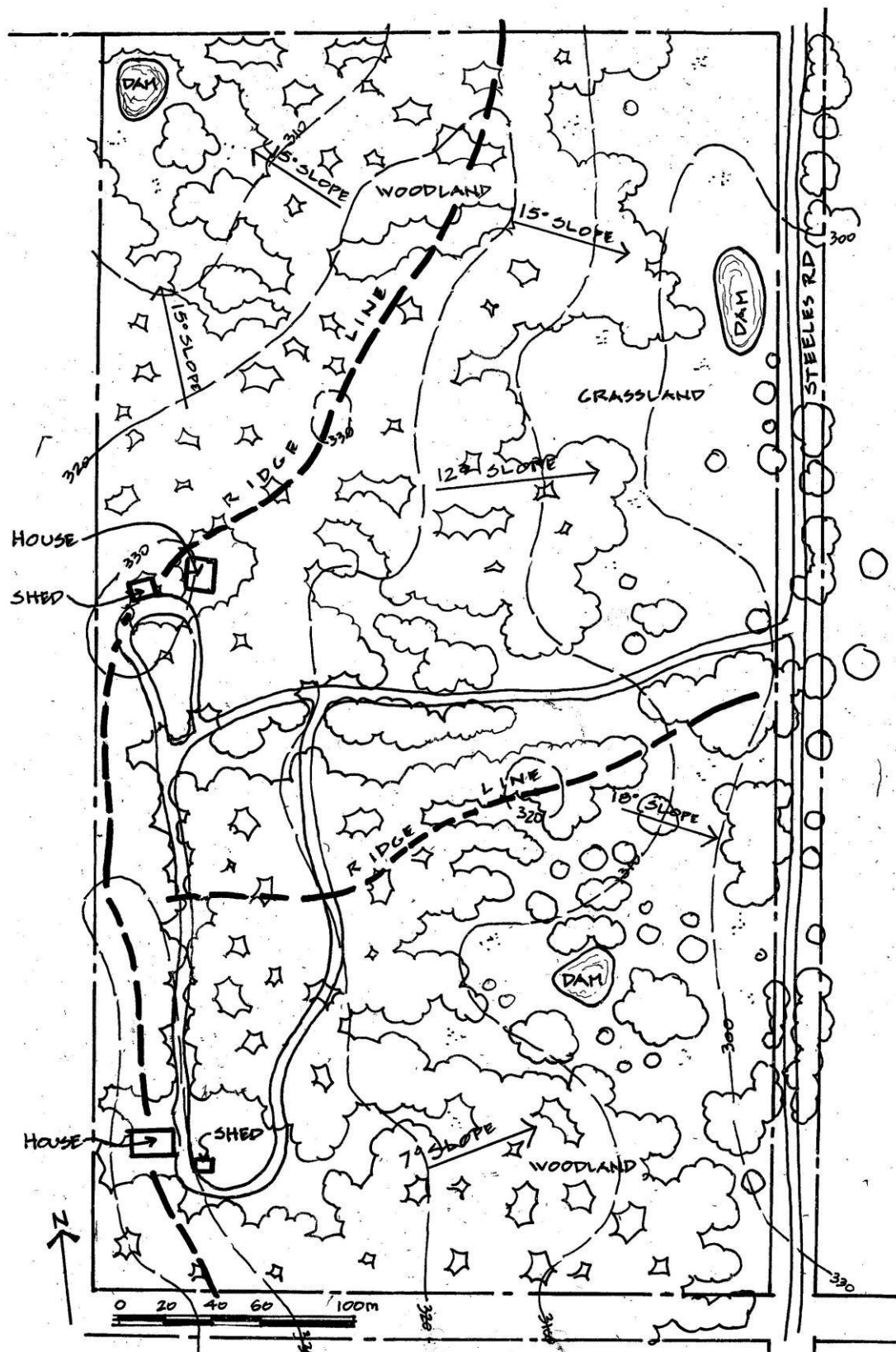


FIGURE 2 EXISTING CONDITIONS plan





**FIGURE 3 EXISTING CONDITIONS AIR PHOTO**



## LANDFORM

The site is dominated by ridgelines in the western and central areas (photo 2). Land is steeply sloping to the north east at 5 to 10 degrees to the north east in the southern area (photo 1) then more steeply at 10 to 15 degrees in the central and north west and south east areas (photo 3). Land slopes more gently in grassed areas in the north east part of the site (photo 4)



**Photo 1 Looking west through woodland in the southern part of the site**



**Photo 2 Looking north east along the ridgeline in the northern part of the site**





**Photo 3 Looking south through woodland in the south eastern part of the site**



**Photo 4 Looking south across the north eastern part of the site**



There are 3 dams in valleys across the site (photos 5 to 7)



**Photo 5 Looking north west across a dam in the north west corner of the site**



**Photo 6 Looking north east across a dam in the southern part of the site**





**Photo 7 Looking north west across a dam in the north east part of the site**

## SOIL

The soils on site are sedimentary, with a thin layer of silty loam on beige fine silty clay over weathered bedrock. The bedrock is exposed over much of the site and there is a fragile thin layer of topsoil, apart from in the north east area where topsoil is deeper. There is no sign of salinity and as hard hoofed grazing animals have been excluded from the site, apart from a tethered goat which is used to control weeds in the grassed area in the north east section of the lot.

There are small areas of erosion (photo 8 below).



**Photo 8 Looking north east across a small area of surface erosion in the north western part of the site.**



## VEGETATION

There is woodland and covering most of the site (photos 1, 2 and 3) with grassland in the north east part of the lot (photo 4). Around dwellings is modified and managed vegetation (photos 9 and 10)



**Photo 9 Looking west across managed and modified vegetation around the dwelling in the south western part of the site.**



**Photo 10 Looking south west across managed and modified vegetation around the dwelling in the western part of the site.**



There is a groundcover layer of mostly native plants of the site (photos 6 and 7)



**Photo 11 Hardenbergia violacea and Dianella tasmanica in the northern part of site**



**Photo 12 Geranium solanderi in the north eastern part of the site**

## PESTS

Site inspections were carried out on the 23<sup>rd</sup> May 2023 and 17<sup>th</sup> August 2023. While no foxes or rabbits or scats were observed on site. There does not appear to be any major pest infestation on site



**WEEDS**

The property has small areas of noxious weeds, listed in the Table below. There may be additional weeds that would be easier to identify in spring and summer when flowering. Owners should be vigilant, particularly when looking for weeds which may invade the site, such as Gorse and thistles.

Botanical name	Common name	Status	Proposed method of control	Timing	Frequency
Rubus fruticosus (Photo 1)	Blackberry	Declared noxious weed	Remove any foliage by hand. Regrowth to be spot burned	Commence work in Summer 2023	Annual
Oxalis obtusca (Photo 2)	Wood Sorrel				
Arctotheca calendula (photo 2)	Cape Weed	Environmental weed	Remove any foliage by hand. Regrowth to be spot burned	Commence work Summer 2023	Annual
Romulea rosea (photo 4)	Onion Grass				

A visual inspection will be carried out at least monthly to monitor weed regrowth over a 10 year period from 2023 to 2033. The annual treatment will be carried out until weeds are eradicated. Following eradication, an inspection each spring will be done to ensure invasion does not occur.

**Weed Photos**

Photo 1 Blackberry smothered with weed mat



Photo 2 Oxalis



Photo 3 Cape weed



Photo 4 Onion Grass

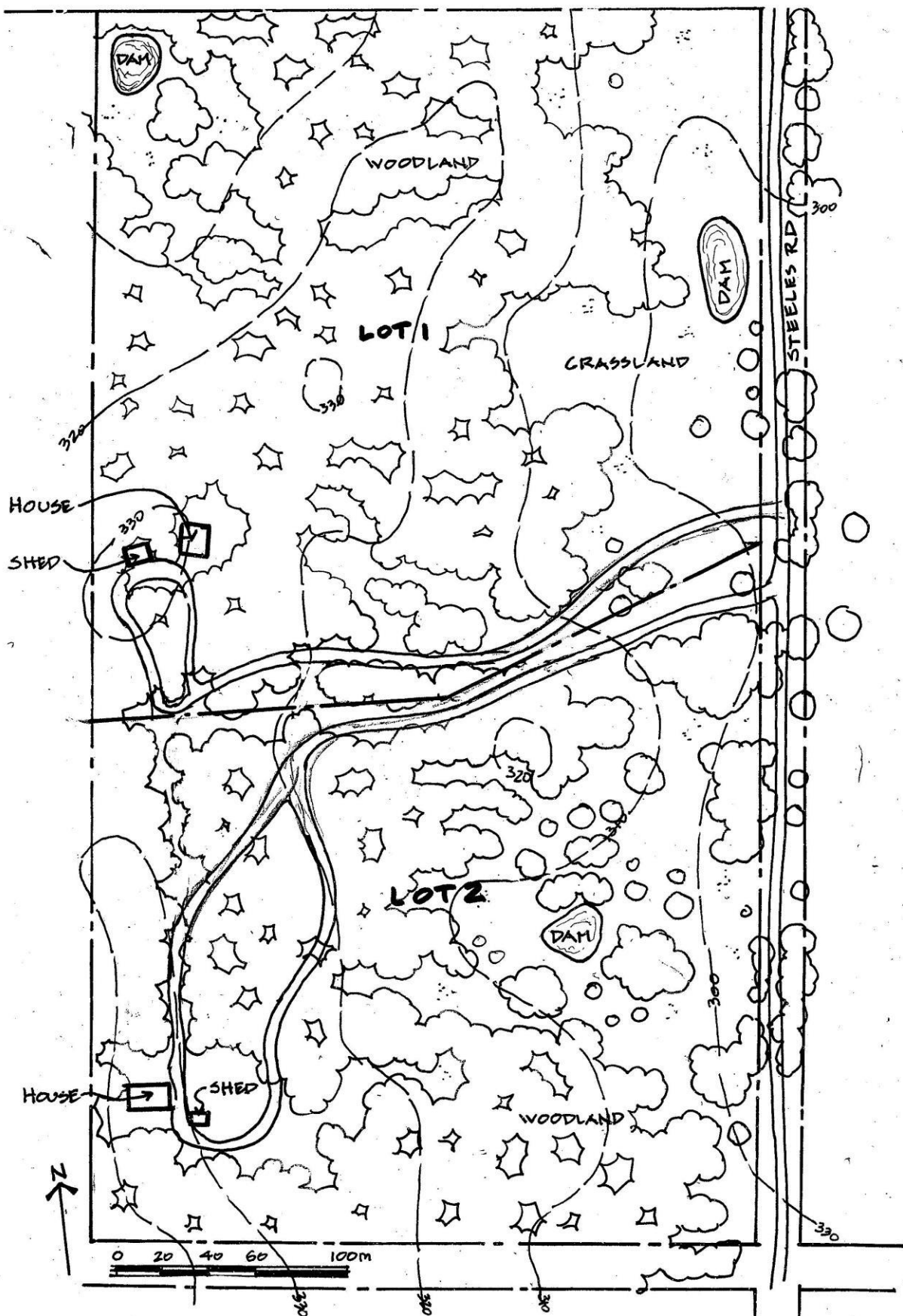
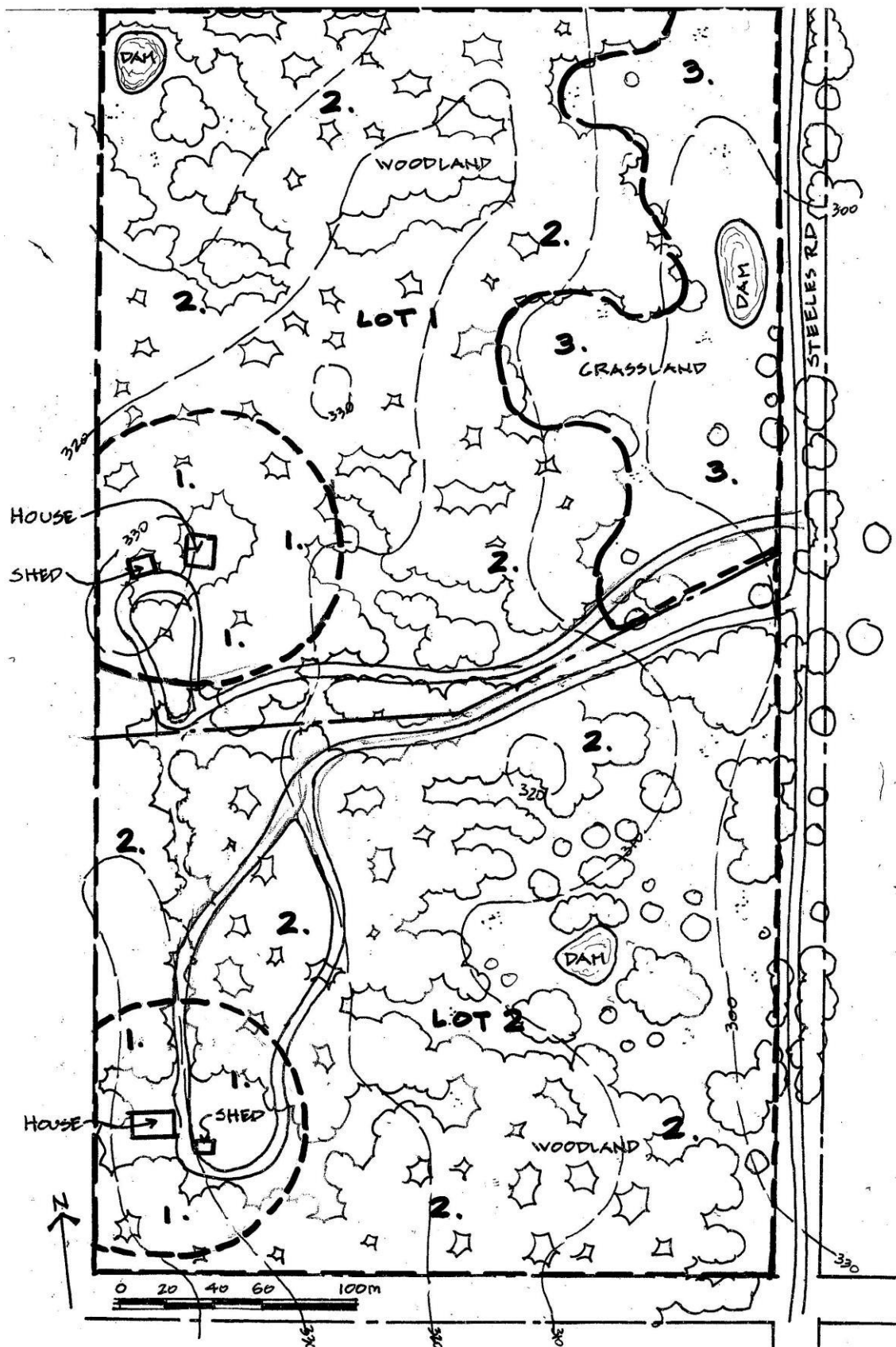


FIGURE 3 PROPOSED PLAN OF SUBDIVISION





1 HOUSE GARDENS

2. WOODLAND

3 GRASSLAND

**FIGURE 4 LAND MANAGEMENT ZONES**

## **LAND MANAGEMENT ZONES**

The site is divided into the following three zones, shown on the Land Management Plan. Each zone is to be managed as follows;

### **1.HOUSE GARDEN**

These areas have an overstory of mixed native and non native trees and some deciduous trees for summer shade and fruit production . There are some garden beds planted for growing perennial shrubs. Garden beds will be weeded and mulched and grass will be mown so that it does not exceed 50mm high. Existing large eucalypts will be retained. The land will be managed to reduce the fire risk.

### **2. WOODLAND**

This area has established acacias and eucalypts with some regenerating trees. This land will be maintained to increase habitat but still manage ground fuel (through some slashing and winter cool burns) so as not to increase fire risk . Noxious Weeds will be removed each spring and at any other time of year where weeds are observed.

### **3.GRASSLAND**

This area already has established pasture grasses and is mostly kept short by grazing native wallabies and kangaroos. Selective grazing with a tethered goat, smothering with weed mat, and physical removal will be used to control weeds.

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

Page 1 of 1

VOLUME 09290 FOLIO 712

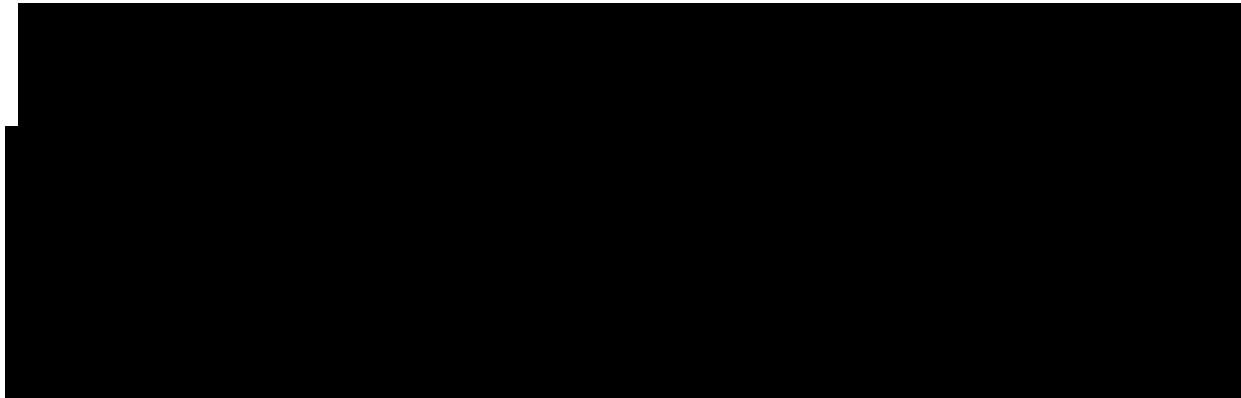
Security no : 124107174285Q

Produced 27/06/2023 12:49 PM

### LAND DESCRIPTION

Crown Allotment 23 Section H Parish of Yandoit.  
PARENT TITLE Volume 08275 Folio 980  
Created by instrument H069207 10/05/1978

### REGISTERED PROPRIETOR



### DIAGRAM LOCATION

SEE TP282273X 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)

### ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA  
Effective from 23/10/2016

DOCUMENT END



## **10.2 PLN23/0068 - APPLICATION FOR USE AND DEVELOPMENT OF THE LAND FOR GROUP ACCOMMODATION (FIVE ACCOMMODATION UNITS) AND REMOVAL OF VEGETATION AT 13 NASH LANE DAYLESFORD**

Go to 01:07:19 in the meeting recording to view this item.

### **EXECUTIVE MANAGER DEVELOPMENT**

*In providing this advice to Council as the Senior Statutory Planning Officer, I Alexandra Jefferies have no interests to disclose in this report.*

### **ATTACHMENTS**

1. PLN 23-0068 - S50 Planning Report - 13 Nash Lane Daylesford - Property 103682 [**10.2.1** - 31 pages]
2. PLN 23-0068 S 50 Plans - 13 Nash Lane Daylesford - Property 103682 [**10.2.2** - 8 pages]
3. PL N 23-0068 - CFA Letter of Advice - 12 April 2024 [**10.2.3** - 1 page]
4. PL N 23-0068 - CFA Letter - 1 August 2023 [**10.2.4** - 2 pages]
5. PLN 23-0068 - Redacted Combined Objections - 13 Nash Lane Daylesford - Property 103682 [**10.2.5** - 22 pages]
6. PLN 23-0068 - S 50 Vegetation removal report -13 Nash Lane Daylesford - Property 103682 [**10.2.6** - 21 pages]
7. PLN 23-0068 - S 50 BMS - 13 Nash Lane Daylesford - Property 10368 [**10.2.7** - 33 pages]

### **EXECUTIVE SUMMARY**

The subject site is located at 13 Nash Lane, Daylesford and is approximately 2,611 m<sup>2</sup> in size. The site is within the Neighborhood Residential Zone – Schedule 1, Bushfire Management Overlay, Heritage Overlay – Schedule 898, and the Environmental Significance Overlay – Schedule 1 and 2.

The application proposes the use and development of the land for group accommodation (5 units), and the removal of vegetation within the Neighborhood Residential Zone, Bushfire Management Overlay, Heritage Overlay and Environmental Significance Overlay.

Public notification of the application was undertaken with 9 objections received to date. The application was also referred to several external and internal departments.

It is recommended that the application is refused. The proposal is not considered consistent with the surrounding area's character and would be visually dominating and unsympathetic to the surrounding land. The application has not received consent from the CFA, and is considered to create an unacceptable risk to life and property from bushfire. The subject site is not considered appropriate for the proposed use. Overall, the proposal is considered to be an overdevelopment of the site which is likely to result in amenity impacts on the surrounding residential area which has failed to adequately address the risk of bushfire.

## 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.PLN23/0068 for the use and development of the land for group accommodation and the removal of vegetation within the Neighbourhood Residential Zone, Bushfire Management Overlay, Heritage Overlay and Environmental Significance Overlay at 13 Nash Lane, Daylesford, based upon the following grounds of refusal:*

- 1. The proposed use and development results in an unacceptable risk to life and property from Bushfire and is inconsistent with Clause 13.02*
- 2. The proposed use and development does not meet the purpose and objective of the Neighbourhood Residential Zone*
- 3. The proposed use and development are not in keeping with the preferred Neighbourhood Character Statement for Daylesford (Clause)*
- 4. The proposal represents an overdevelopment of the site which will dominate the area visually and create amenity impacts to the surrounding residential area.*

## 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.PLN23/0068 for the use and development of the land for group accommodation and the removal of vegetation within the Neighbourhood Residential Zone, Bushfire Management Overlay, Heritage Overlay and Environmental Significance Overlay at 13 Nash Lane, Daylesford, based upon the following grounds of refusal:*

- 1. The proposed use and development results in an unacceptable risk to life and property from Bushfire and is inconsistent with Clause 13.02*
- 2. The proposed use and development does not meet the purpose and objective of the Neighbourhood Residential Zone*
- 3. The proposed use and development are not in keeping with the preferred Neighbourhood Character Statement for Daylesford (Clause)*
- 4. The proposal represents an overdevelopment of the site which will dominate the area visually and create amenity impacts to the surrounding residential area.*

**Moved:** Cr Jen Bray  
**Seconded:** Cr Lesley Hewitt  
**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

## **BACKGROUND**

### *Subject site*

The subject site is located at 13 Nash Lane, Daylesford. The land is approximately 2,611 sqm in size and currently contains an existing double-storey weather board dwelling used for short-term accommodation.

The site contains a number of native and non-native trees and has a pronounced fall from the north-eastern boundary to the south-western boundary.

Vehicle access to the site is provided via Nash Lane, which is a sealed, single lane road. The seal within the Nash Lane, road reserve ceases after the gravel driveway used to access the existing dwelling. After this point, the road reserve is unmade and not maintained by Council.

### *Surrounding area*

Land within the surrounding area is developed in a residential manner, lots generally contain single dwellings and associated outbuildings.

The area is characterised by its steep topography and open style lots, which generally do not contain boundary fencing and have retained large native trees and shrubs where possible. Dwellings are generally sunken into the landscape and accommodate the area's steep topography. Whilst the lots along Nash Lane are not particularly large in size, the omission of boundary fencing and retention of vegetation gives the area an open feel.

The land directly adjoining the subject site to the east is 15 Nash Lane, is developed with a single dwelling. Further east of this is the Cornish Hill Mining Reserve, a bush land reserve which is protected by HO 898 – Cornish Hill Mining Precinct, Daylesford. The subject site and a number of nearby allotments are also subject to this overlay. Cornish Hill is recognised as being a significant central area of mining practices which date back to as early as the 1850s. Land adjoining the subject site directly to the south is also within the Cornish Hill reserve area and contains large patches of dense vegetation.

Land to the north of the subject land is currently vacant, with evidence of a dwelling being at 4 Nash Lane.



### *Proposal*

The application proposes the use and development of the land for group accommodation and native vegetation removal.

The group accommodation includes the construction of five double storey units to be used as short-term accommodation. Each unit contains three bedrooms, two bathrooms, laundry and kitchen/dining/living area and measures 135 square meters in floor area.

It is proposed that a maximum of 30 people will be able to be accommodated on the site at one time. The application material indicates that the accommodation will be marketed to large groups who may want to utilize all of the units during one stay.

The existing dwelling is proposed to be retained on the site and used as manager's accommodation.

A 66 m<sup>2</sup> gazebo is proposed to the rear of the cabins and is intended as a space for guests to gather in groups. The planning report provided with the application states that the accommodation will be used for community groups and the like to interact and attend meetings, with the gazebo intended to provide space for these gatherings.

The units will be serviced by a total of 12 car parking spaces. Two spaces will be within a garage and are to service the existing dwelling, the remaining 10 spaces (including one accessible space) will service the proposed units. The car parking area is proposed to be located within the south-eastern corner of the site and will be accessed via a new crossover and driveway. This will result in the subject land having two crossovers, one to service the existing dwelling and the second to service the car parking area.

The application involves the removal of vegetation under the Environmental Significance Overlay and Heritage Overlay. As the lot is less than 4,000 square meters in size, the removal of native vegetation under clause 52.17 is exempt from requiring a planning permit and offsets are not required to be paid.

The plans submitted show the removal of 11 trees or shrubs for the development, but it is expected that due to encroachment of tree protection zones and requirements of defensible space, further vegetation will be impacted. This includes vegetation located within 15 Nash Lane (neighbouring site) along the north-eastern boundary, which have not been surveyed or shown on plans but are suspected to be impacted due to encroachment of Tree Protection Zones.

It is proposed that the Nash Lane seal be extended to accommodate the proposed second crossover into the site located close to the site's northeastern corner.

To allow for construction, site cuts will be required, these works require planning permission under the Environmental Significance Overlay (ESO). The plans provided do not provide information on the depth or area of the required site cuts. The

planning report provided with the application states that retaining walls will also required; it is assumed that a planning permit for these works would be triggered under the ESO.

### Permit History

There is no relevant permit history for this site relating to this planning application.

### Referrals

The following external referrals have been undertaken.

Authority	Summarised advice
Country Fire Authority (CFA)	<p>The CFA do not provide consent to the application as it is currently proposed:</p> <ul style="list-style-type: none"> <li><i>CFA have concerns in relation to the steepness, condition and the narrowness of the roadway have not been satisfactorily addressed in the amended application. It is unlikely that a fire appliance can easily access and exit the site to get with 4m of the water tank outlet.</i></li> <li><i>CFA recommend a remote outlet to be installed due to the narrowness and roadside vegetation limiting a fire appliance from entering and exiting the site.</i></li> <li><i>CFA have concerns about the separation distance between the cabins and the existing two-story dwelling and potential for building-to-building fire transmission.</i></li> <li><i>CFA advise that the architectural plans propose the retention of vegetation that does not appear to comply with the defensible space conditions detailed in the BMP.</i></li> </ul>
Officer comment	<p>The CFA issued the applicant with a request for further information, which resulted in an amendment to the application. The amended application (reduction from 6 units to 5 units) was re-referred to the CFA who have responded with a letter which states they still have concerns regarding the development.</p>

The following internal referrals have been undertaken:

Department	Summarised advice
Council's Heritage Advisor	Council's Heritage Advisor initially raised concerns about the level of information provided, impact on landscape, cut and fill, loss of vegetation and visibility of the development within the precinct, given that the site is elevated, and the urbanisation of the site.
Officer comment	Noted.

Department	Summarised advice
Council's Engineering Department	Conditional consent relating to stormwater, road upgrade, waste management and maintenance bond.
Officer comment	Should a permit issue the conditions from Engineering will be included.

Department	Summarised advice
Council's Economic Development	Generally supportive of the proposal.
Officer comment	Noted

### Public notification

Public notification was undertaken and nine objections to the application have been received to date. A summary of the matters raised within the objections is as follows:

- The proposed land use and development fails to produce an acceptable planning outcome having regard to the purpose and decision guidelines of the Neighbourhood Residential Zone (NRZ), and the overlay controls that affect the land.
- The proposal is inconsistent and contrary to the strategic directions set out in the Municipal Planning Strategy (MPS) and the objectives and strategies included in the Planning Policy Framework of the Hepburn Planning Scheme.
- The plans and accompanying reports are incomplete and misleading. Notably:
  - The existing residence at 15 Nash Lane is omitted from the plans.



- The location of habitable room windows and sensitive areas of private open space are not identified on any site or floor plan.
- Existing canopy trees and vegetation proximate to site boundaries and within the road reserve are omitted.
- The plans do not identify the extent of encroachment within the TPZ or SRZ of trees to be retained (within the site and adjoining properties).
- The submitted vegetation assessment does not include an inventory of all trees on site or proximate to the boundaries, nor does it identify trees to be removed, retained, or provide any information relating to assessment of the impact on trees to be retained.
- The plans do not include existing / finished site levels or finished floor levels (FFL), nor do they identify the extent of cut or fill proposed to accommodate the new built form and hardstand.
- The extent of hardstand is not fully shown (pathways to do connect to the unit entries at the rear).
- The floor plans lack detail, including, but not limited to setback dimensions, car space dimensions and courtyard areas.
- The plans do not include the layout of the existing dwelling. It is unclear how this relates to the proposed use given that a fence is now proposed between the dwelling and group accommodation units.
- The ground floor plan includes the roof of the gazebo.
- A full set of elevations, of all sides of all buildings has not been provided.
- The submitted elevations are incomplete and do not depict the NGL or FFL, finished site levels, retaining walls, wall heights, overall building heights, or boundary conditions (proposed fencing).
- The intensity of the proposed land use (group accommodation) and the 'development footprint' (built form and hardstand) is excessive. It is an overdevelopment.
- Concern is noted with respect to the characterisation of the land use proposed. The plans and accompanying application material identify that the development will be used as a place of assembly / function centre (for religious or spiritual retreats). No permission has been sought to use the land for a place of assembly.
- The proposed land use and development is inappropriate having regard to the site's location (at the edge of the township and adjacent land in the PPRZ), and fails to respond to the site constraints.

- The proposed development is unacceptable in character terms and is incompatible with the natural setting. The proposal fails to reflect the rhythm and spacing of built form nearby. This is primarily due to:
  - The attachment of the group accommodation units across the frontage of the site.
  - The shallow street, side and rear building / car park setbacks, which fail to reflect the spacious qualities of the neighbourhood.
  - The visual prominence of the built form, which conflicts with the character, heritage and landscape objectives.
  - The lack of articulation across the facades.
  - The proposed built form will appear visually overwhelming when viewed from the street and adjoining properties.
- The extent of tree removal is excessive and unwarranted.
- By virtue of the siting of buildings and the extent of site cut, retained trees within the site and within adjoining properties will be destroyed.
- It is incompatible with the ecological and landscape values of the area, and would overwhelm and overpower its setting.
- There is inadequate space around the development footprint for new landscaping including canopy trees, befitting of the site context.
- It will unreasonably and adversely affect the amenity of neighbouring residential properties including, but not limited to traffic impacts, noise impacts and overlooking.
- The proposal will create serious traffic issues in Nash Lane associated with the proposed access, and additional vehicle movements. Any car parking overflow could not be accommodated on street given the characteristics of the road.
- The proposed access arrangements, siting and design of the vehicle crossover are fundamentally flawed and fail to provide for safe and efficient vehicle access to the site, including, but not limited to access for emergency services.
- The location and design of the development fails to respond to the bushfire hazard.

## **PLANNING SCHEME**

The subject site is within the Neighborhood Residential Zone (NRZ1) and is covered by the Bushfire Management Overlay, Heritage Overlay (HO898) and the Environmental Significance Overlay (ESO1 & 2).

A planning permit is trigger under the following clauses of the Hepburn Shire Planning Scheme:

- Clause 32.09-2 Use of the land for accommodation within the NRZ

- Clause 32.09-10 Buildings and works associated with a accommodation within the NRZ
- Clause 42.01 Buildings and works within the ESO1
- Clause 42.01 removal of vegetation within the ESO2
- Clause 43.01-1 Buildings and works within the HO
- Clause 43.01-1 Removal of vegetation within the HO 898

The following policies are relevant to the application:

- 02.01 – Context
- 02.02 – Vision
- 02.03-1 – Settlement
- 02.03-4 – Natural resource management
- 02.03-5 – Built environment and heritage
- 02.03-7 – Economic development
- 11.01-1R – Settlement – Central Highlands
- 11.01-1L – Townships and settlements
- 13.02-1S - Bushfire
- 14.02-1S - Catchment planning and management
- 14.02-1L – Catchment and land protection
- 15.01-1S – Urban design
- 15.01-1L – Urban design
- 15.01-2S – Building design
- 15.01-5S – Neighbourhood character
- 15.01-5L-01 – Neighbourhood character in Daylesford
- 15.01-6L – Central Springs and Lake Daylesford Reserve, Hepburn Mineral Springs Reserve and Lake Jubilee Reserve Environs
- 15.03 - Heritage
- 17.01-1L – Diversified economy – Central Highlands
- 19.03 Development infrastructure
- 71.02-3 – Integrated decision making

Normally when making a decision on an application, Council is required to balance competing objectives and policy in favour of net community benefit. However, this site is located within a Bushfire Management Overlay and the provisions of Clause 13.02-1S – Bushfire and Clause 71.02-3 – Integrated decision making require the protection of human life above all other policy considerations as can be seen below (Clause 71.02-3).

*The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance*



*conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.*

## **KEY ISSUES**

### **Planning Policy**

#### Clause 13.02-1S Bushfire planning

In bushfire affected areas Clause 13.02-1S – Bushfire requires Council to prioritise the protection of human life above all other policy considerations. Careful consideration must be given to decisions which would result in groups of people being located within areas at risk of bushfire, including accommodation. When assessing a planning permit application for the above uses and development clause 13.02-1S requires Council to consider the following:

- *Consider the risk of bushfire to people, property and community infrastructure.*
- *Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.*
- *Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.*

The subject site is within the Bushfire Management Overlay, and therefore is accepted to be at extreme risk of bushfire. The heavily vegetated and steep nature of the surrounding area adds additional constraints in ensuring the development can adequately address bushfire risk.

The matters raised by the CFA and previously outlined within the body of this report demonstrate that the proposal has not adequately addressed the risk of bushfire and as a result cannot be considered to meet the objective of Clause 13.02-1S. It is considered that the density of the proposed use and development of the land presents an unacceptable risk to life and property and this is a ground of refusal.

#### Clause 15.01-L Urban design

The policy included in clause 15.01-5L applies to all development of land within the boundaries of townships shown on the Strategic Framework Plan at Clause 02.04, shown in Figure 1 below.

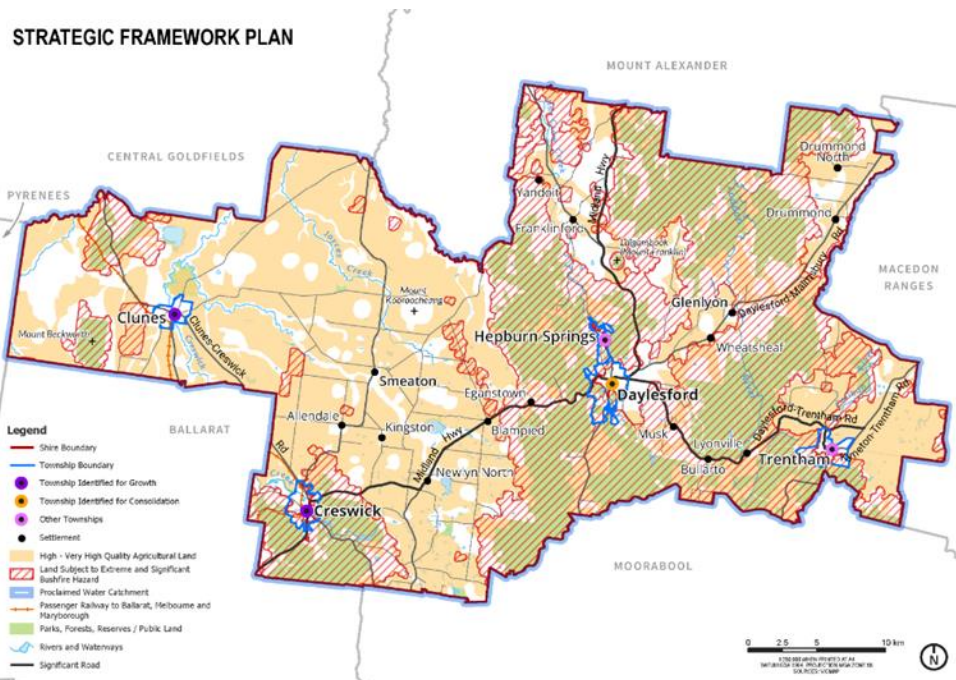


Figure 1: Strategic Framework Plan

General strategies within Clause 15-01-1L relevant to this application include:

- *Protect and enhance the gold rush heritage built form, tourism and the landscape setting of townships.*
- *Ensure development respects the low scale, vegetated and natural and rural character of townships.*
- *Ensure that development respects and enhances notable features and landmarks of townships such as building form, volume, low scale height, setbacks, spacing, streetscapes, tree lined streets, intact heritage places and existing vegetation.*

*Ensure that development protects and enhances features important to the visual amenity and identity of townships including:*

- *Landform.*
- *Tree lined streets.*
- *Parks and reserves.*

*Incorporate landscaping in front setbacks to soften the address to the street.*

Further to this, clause 15.01-5L-01 – Neighbourhood character in Daylesford applies to land in Daylesford in the Neighbourhood Residential Zone shown within the Daylesford Neighbourhood Character Precinct Map shown below within figure 2.

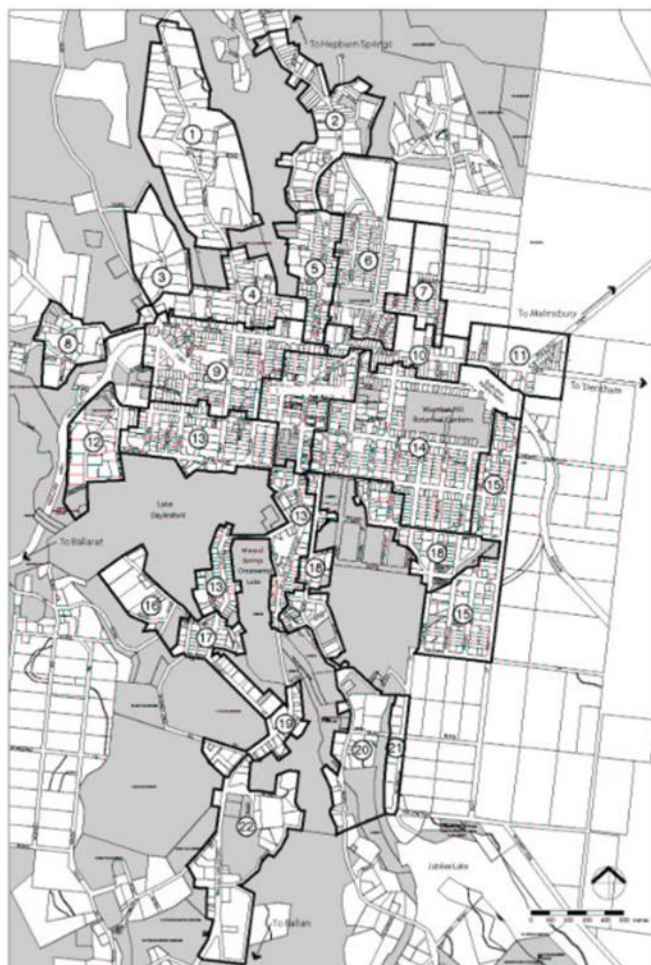


Figure 2: Daylesford character precinct map

The subject site has been identified as being within precinct 19. The objective of precinct 19 is:

*To ensure development retains the spaciousness of garden settings and openness to the street and enhances the cohesiveness of the approach to the town.*

The strategies for precinct 19 considered relevant to this application are:

*Contribute to the preferred neighborhood character by encouraging:*

- *Buildings follow the topography of the site or step down the site.*
- *Driveways follow the contours of the site.*
- *Use of low open style fencing.*
- *The planting of indigenous and native trees and gardens including substantial trees and shrubs.*
- *The retention of large established trees and provision of new canopy trees where possible.*
- *Development that complements informal street tree planting.*



The proposed development is not considered to be in keeping with the objectives and strategies of clause 15.01-L Urban design or clause 15.01-L-01 - Neighborhood character in Daylesford. The density and bulk of the proposed 5 accommodation units is not considered to respect the open nature of the surrounding land and is not consistent with the objective for Daylesford.

A number of existing trees and shrubs on the site will be required to be removed in order to clear adequate space for the development. Whilst some trees are noted to be retained on the plans submitted, the retention of these is considered unlikely due to likely impacts on tree protection zones (TPZ) or the need to create defensible space.

The proposed density of the development, including the front setback which range from 1.4 – 4.2 meters (as shown on the plans) from Nash Lane (noting that each building includes a privacy wall type structure that encroaches within the above mentioned setbacks significantly) and the side setbacks between the cabins leave little opportunity for landscaping/planting of indigenous trees and shrubs and included within the above character strategies. The requirement to create an adequate defensible space for the development which is across the majority of the site also hinders landscaping opportunities.

The plans submitted include the construction of a 1.8 meter high boundary fence between the existing dwelling and the proposed accommodation buildings. This aspect of the development does not meet the requirements for low open style fencing which is called for with the policy and would be in stark contrast to the surrounding lots which typically do not have boundary fences or are of post and wire.

Overall, the proposed development is not considered in keeping with the existing and well-established character of the area and does not conform to the objectives and strategies within clause 15.01-L and clause 15.01-L-01; this is a ground of refusal.

### **Zone and overlay(s)**

The subject land is within the Neighborhood Residential Zone (NRZ1). The purpose of the NRZ is to:

- *To recognise areas of predominantly single and double storey residential development.*
- *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The purpose and decision guidelines of the NRZ require Council to consider the following:

- *To ensure that new development respects neighbourhood character*
- *To allow for non-residential uses at appropriate locations*
- *Whether a non-residential use is compatible with residential use*
- *The scale and intensity of the use and development*
- *The proposed landscaping*
- *The design, height, setback and appearance of the proposed buildings and works.*

Schedule 1 to the NRZ requires council to consider:

- *To ensure development achieves the identified preferred neighborhood character for Daylesford.*
- *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 precinct.*
- *Whether the significant elements of the precinct are retained including those elements that contribute to its setting.*

The appropriateness of the development in a physical sense is discussed previously within the body of this report and is not considered to be in keeping with the character of the area.

The zone does allow for the consideration of non-residential uses which will not result in impact on surrounding residents and are located appropriately. The planning report submitted with the application proposes that a maximum of 40 people can be accommodated on the site at any one time, and that the facility will be marketed to larger groups rather than smaller separate groups.

The likely amenity impacts as a result of noise, traffic, and potential loss of privacy to the surrounding land and in particular the residents at 15 Nash Lane are considered to be unavoidable in the context of the proposed development. The report submitted with the application also states that the proposed gazebo will be able to be used for community groups and conference type gatherings which would likely exasperate these matters further.

The scale of the proposed use and development is not considered to be appropriate on the subject site considering the purpose and decision guidelines of the NRZ1, and this is a ground of refusal.

#### Bushfire Management Overlay

The site is subject to the Bushfire Management Overlay (BMO) and a Planning Permit is required for the subdivision of land. The BMO has the following purposes:

- *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 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 appropriate level.*

Under the Bushfire Management Overlay an assessment against Clause 53.02 is required to ensure the proposal can adequately respond to a number of bushfire protection measures.

The application is not considered to respond appropriately to the requirements of the Bushfire Management Overlay and or clause 53.02. As previously discussed, the CFA have several concerns with the proposed development. It is considered that the application has failed to respond to the risk of bushfire as required by the Hepburn Planning Scheme, and this is a ground of refusal.

#### Environmental significance overlay (ESO)

The subject site is covered by both the ESO 1 and the ESO 2. The purpose of the ESO is as follows:

- 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.

The ESO 1 is concerned with the protection of water quality as the land forms part of a special catchment area which supplies drinking water. The environmental objective to be achieved by the ESO 1 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.*

The subject site is connected to reticulated sewer services, therefore the risk of pollution to the catchment area is considered low. The application does include what appears to be significant site cuts, however specific details are not provided on the plans submitted as to the depth and area of the proposed cut(s). Given that the proposal is considered to be an over development of the site, the site cuts required



appear to be excessive in nature and are not considered to be a good outcome for the site.

The ESO2 is concerned with the protection of the mineral springs and groundwater from the impacts of wastewater disposal and drainage. 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.*

The removal of vegetation from the site (native and exotic) is triggered under the ESO2. As previously mentioned, the proposed development appears likely to result in the removal of all vegetation from the site either to accommodate the physical space need for the development or for the creation of defensible space. The amount of vegetation loss is not considered to be an acceptable outcome.

#### Heritage Overlay – Schedule 898

The subject land is covered by the Heritage Overlay – Schedule 898 which protects the Cornish Hill Mining Precinct. The application was referred to Council's Heritage Advisor who raised concerns with the visual impacts of the proposal and with the general lack of information included within the plans.

The proposed development is not considered to be designed in a sympathetic manner considering the proximity of the site to Cornish Hill and it does not meet the decision guidelines and purpose of the Heritage Overlay which:

- seek to conserve and enhance heritage places; and
- Seek to ensure that new development does not adversely affect the significance of heritage places.

#### *Amenity Considerations*

Given that this is an application for the use of the land for group accommodation, issues such as traffic and noise are relevant considerations.

The application documents detail that the site will be used by up to 30 people who may congregate for meetings and events. The application, while detailing this intention, does not clearly articulate how such large groups would be accommodated without a separate land use being created on the land.

The application has not demonstrated how the use could be managed to ensure that there are no amenity impacts on neighbouring residential land uses, with the use of large open areas by large groups of people, although it is noted that there will be a manager's residence located on the land.

### *Car Parking*

There is no set rate for carparking to be provided within the Planning Scheme for group accommodation and therefore car parking must be provided to the satisfaction of the Responsible Authority.

The development provides for two car parking spaces per accommodation unit, which is an acceptable outcome.

Consideration must also be given to the location of the car parking area and its potential amenity impacts, along with the design of the car parking area and the level of earthworks required.

As the design response includes car parking areas clustered in the south-eastern corner of the site, the impact of car parking is emphasised from a neighbourhood character perspective, and also from an amenity impact perspective. In many instances an acoustic fence could mitigate the noise impacts from the car parking area; however this outcome is not acceptable in this neighbourhood setting.

### **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 and adjacent owners and a notice on the land. As a result, nine objections have been received.



# Hepburn Planning Scheme Planning Report for the Use and Development of Group Accommodation and Removal of Vegetation

Address: 13 Nash Lane, Daylesford  
Reference: P-00990

Hepburn Shire Council

iPlanning Services Pty Ltd – February 2023 (amended March 2024)



Prepared for:

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### Quality Information

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Prepared by	James Iles

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## 1. Introduction

iPlanning Services Pty. Ltd. has been engaged by Meru Investors Group Pty Ltd to submit a Planning Permit Application on their behalf for the use and development of group accommodation and removal of vegetation located at 13 Nash Lane, Daylesford.

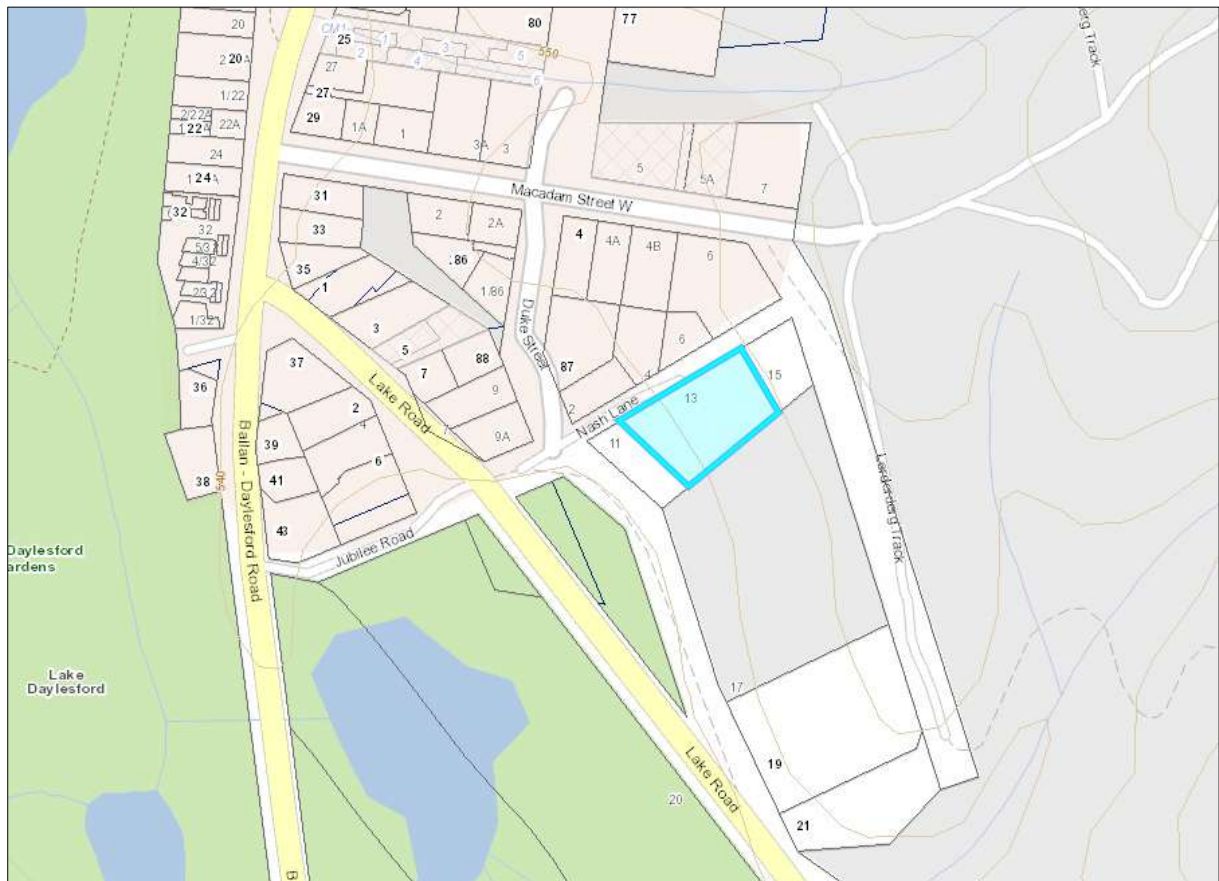
## 2. Permit Trigger/s

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

▪ <b>Neighbourhood Residential Zone</b>	<b>Clause 32.09-1</b>	Use of the land
	<b>Clause 32.09-6</b>	Buildings and works
▪ <b>Environmental Significance Overlay</b>	<b>Clause 42.02-2</b>	Buildings, works and removal of vegetation
▪ <b>Bushfire Management Overlay</b>	<b>Clause 44.06-1</b>	Buildings and works
▪ <b>Heritage Overlay</b>	<b>Clause 43.01-1</b>	Buildings and works and removal of vegetation

## 3. Subject Site and Site Context

The subject site is located on the south side of Nash Lane. The site consists of one Title and it is described as Vol. 12207 Fol. 122 Lot 1 on Plan of Subdivision No. 818394Q. The site is regular in shape with a frontage of approximately 69.77 metres to Nash Lane, an eastern boundary of approximately 37.22 metres, a southern boundary of approximately 56.95 metres and a western boundary of approximately 46.67 metres with a total land area of approximately 2,611m<sup>2</sup>.





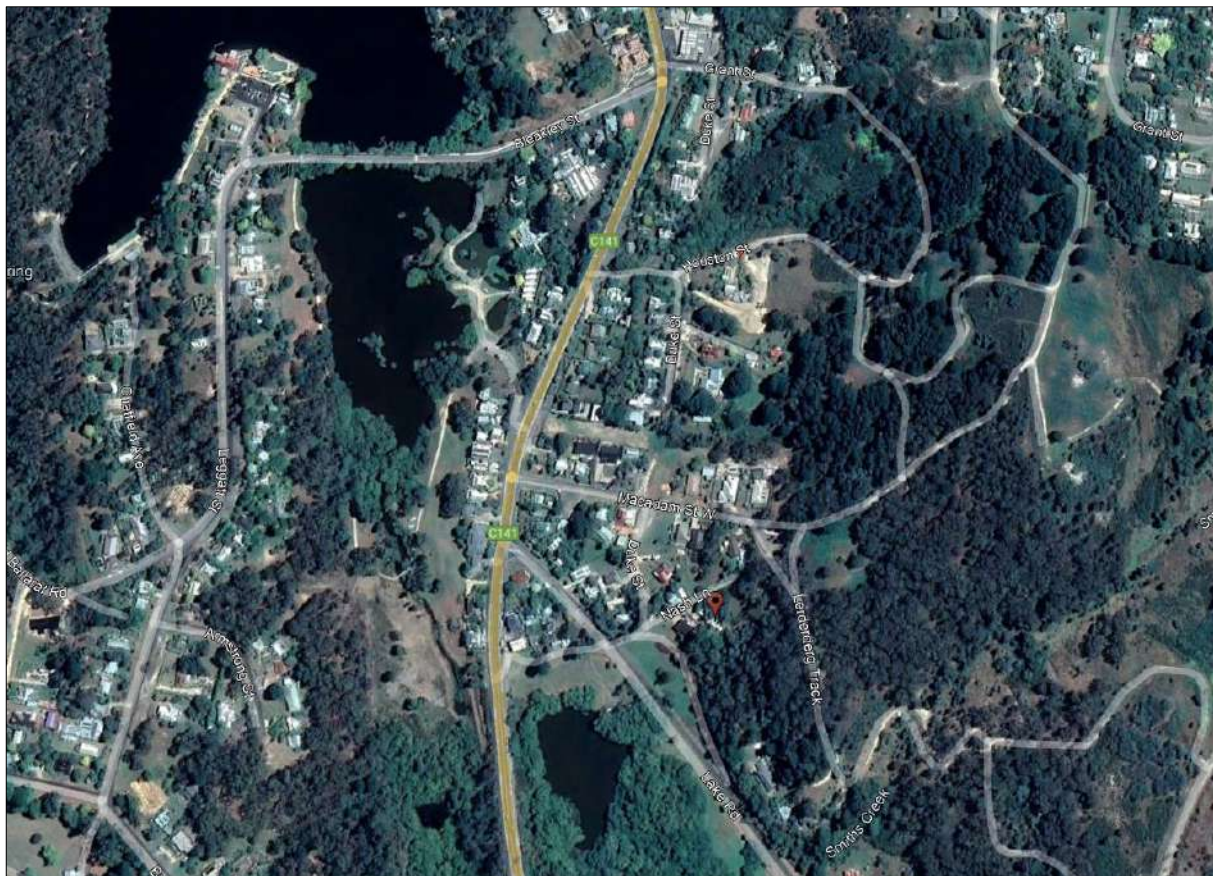
The site currently contains an existing two storey dwelling and outbuilding, which are located at the lower section of the site. The land has a fall from the northeast to the southwest. There is existing native vegetation scattered over the site with varying sizes of trees. There is an existing access point to Nash Lane that is located in the northwest corner. Nash Lane is a narrow sealed road pavement that only extends just past the entrance to the site. There is also existing vegetation located in the road reserve.



The surrounding development to the north of the site comprises residential development and to the south is reserved land that forms part of the Jubilee Park. The land to the south is owned by the Council which is not currently maintained to an appropriate fire standard. Jubilee Park is also managed by Council which seems to be well maintained as it is a favourite watering hole for Daylesford.

The subject site and the surrounding land to the north and west are located within the Neighbourhood Residential Zone. The land to the south is located in the Public Park and Recreation Zone. The land and the surrounding land are also under the Bushfire Management Overlay, Environmental Significance Overlay and the Heritage Overlay.

Nash Lane is a narrow sealed road that provides access from Duke Street. The road has a steep incline from Duke Street and the bitumen seal stops at the access into the property. There is no kerb and channel or footpaths. There is no streetlighting or street trees. Nash Lane is controlled and maintained by the Hepburn Shire Council.



#### 4. Proposal

The proposal is to demolish an existing building and use and develop the land for group accommodation with associated car parking and the following is a breakdown of the proposal:

##### **Proposed Group Accommodation:**

The proposal is to construct five (5) double storey cabins along the frontage of the site. The ground floor of the cabins comprise a bedroom, ensuite, laundry, separate toilet, kitchen, dining and living area. There is also a patio area that is accessed via the kitchen/dining room. The patio area will be fenced with a 1.8 metre transparent fence with an access gate. This will provide privacy to the occupants who are staying in the accommodation. The first floor will comprise two bedrooms, small study area and a bathroom. Dormer windows will be project out from the roof.

The total floor area of the cabin is approximately 135m<sup>2</sup>.

The cabins will be clad in horizontal timber boards (Cemental Woodlands board and colour will be Teak), chimneys will be constructed from bricks in a Smoke Grey and the roof will be colourbond in Monument colour. The roof will have a pitch of 45 degrees. The overall height of the cabin will be 7.5 metres which is to the top of the chimney structure. The cabin will be constructed to a BAL 29 reading.

The cabins will sit close to the road frontage ranging from 1.4 to 4.7 metre setbacks from Nash Lane. The buildings are staggered along the road frontage to provide articulation to the streetscape. The location of the cabins has been determined due to the required 25 metre setback from the southern boundary because of the bushfire attack level.

The existing double storey dwelling will be used as a manager's residence.

The proposed gazebo will have a floor area of 66m<sup>2</sup> and will be used for the purposes of providing a gathering area for those who are accommodated on site. The gazebo will have no walls and will comprise hardwood columns and a 20 degree Colourbond monument roof. The gazebo will be setback 1.0 metre from the southern boundary is located behind the cabins. Appropriate footpaths will provide pedestrian access from the cabins to the gazebo.

The proposed garage will be used for undercover car parking. The garage will have an area of 56m<sup>2</sup> and will be located behind the cabins and setback 1.0 metres from the southern boundary.

A 10,000 litre water tank will be installed at the north eastern end of the site which is required for bushfire requirements.

#### **Proposed Use of the Accommodation:**

The accommodation will be used for community groups to interact and attend meetings. The proposed gazebo will provide the space for these gatherings. Up to 40 persons can be accommodated on the site at any one time and the facility will be marketed on this basis.

The facility will be operating all year round with it mostly being used during weekends.

The gazebo will be used during daylight hours.

#### **Proposed Car Parking:**

Car parking will be provided on site. A total of 12 spaces will be provided and two undercover and are accessed between cabins 4 and 5. Each car park area will be accessed via a driveway that 3.5 metres wide and will provide an area for entering and leaving the car space. The car spaces and driveways will be an all-weather crushed rock surface.

Car parking is provided for the existing dwelling.

#### **Proposed Works:**

The site will need to be cut to provide flat pads for the cabins to be built on. This will mean retaining walls will be constructed at certain locations on the site. Timber retaining walls will be required in eastern car parking area.

#### **Proposed Removal of Vegetation**

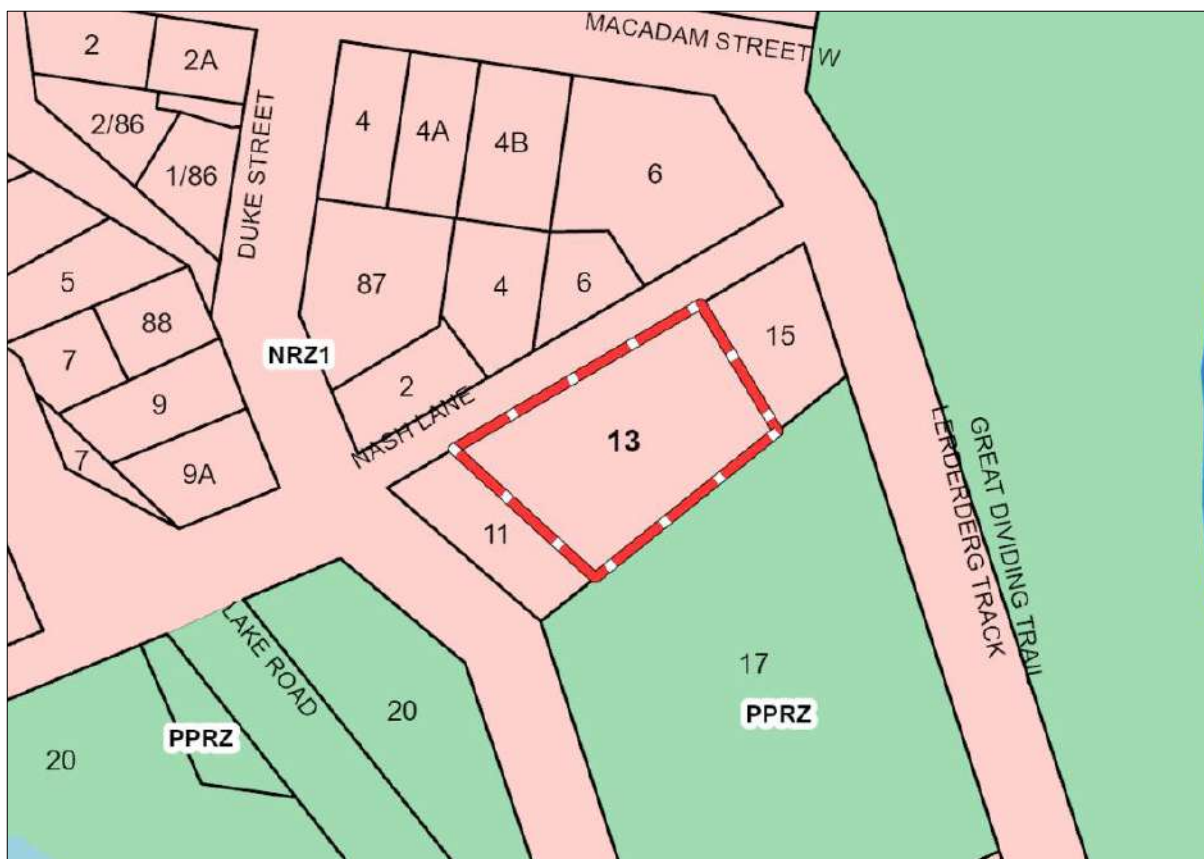
The proposal will require the removal of vegetation on the site to meet the defendable space requirements. Under the provisions of the Hepburn Planning Scheme, the removal of the existing vegetation does not require a planning permit to remove the vegetation.

## **5. Planning Controls**

### **5.1 Zoning**

The subject site is situated within the **Neighbourhood Residential Zone (NRZ1)**.





**Clause 32.09** of the Planning Scheme refers to the Neighbourhood Residential Zone and the purpose of the Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas of predominantly single and double storey residential development.
- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- 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 Neighbourhood Residential Zone. It will enable development for accommodation purposes in a tourist town of Daylesford. The new buildings will be constructed to the front of the site and will have no detriment to the existing character of the area. The proposals compliance with relevant Municipal Planning Strategy and the Planning policies as addressed below.

## 5.2 Use

Under **Clause 73.03** of the Planning Scheme, the definition of Group Accommodation is as follows:

***‘Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.’***

Group accommodation is also included under the definition of 'Accommodation'.

**Response:**

Under **Clause 32.09-1** Table of Uses to Neighbourhood Residential Zone, Group Accommodation is a Section 2 'Permit required' use. Therefore a planning permit is required.

### 5.3 Buildings and Works

Under **Clause 32.09-9** of the Planning Scheme, a planning permit is required to construct a building or construct or carry out works for a use in Section 2 of **Clause 32.09-2**.

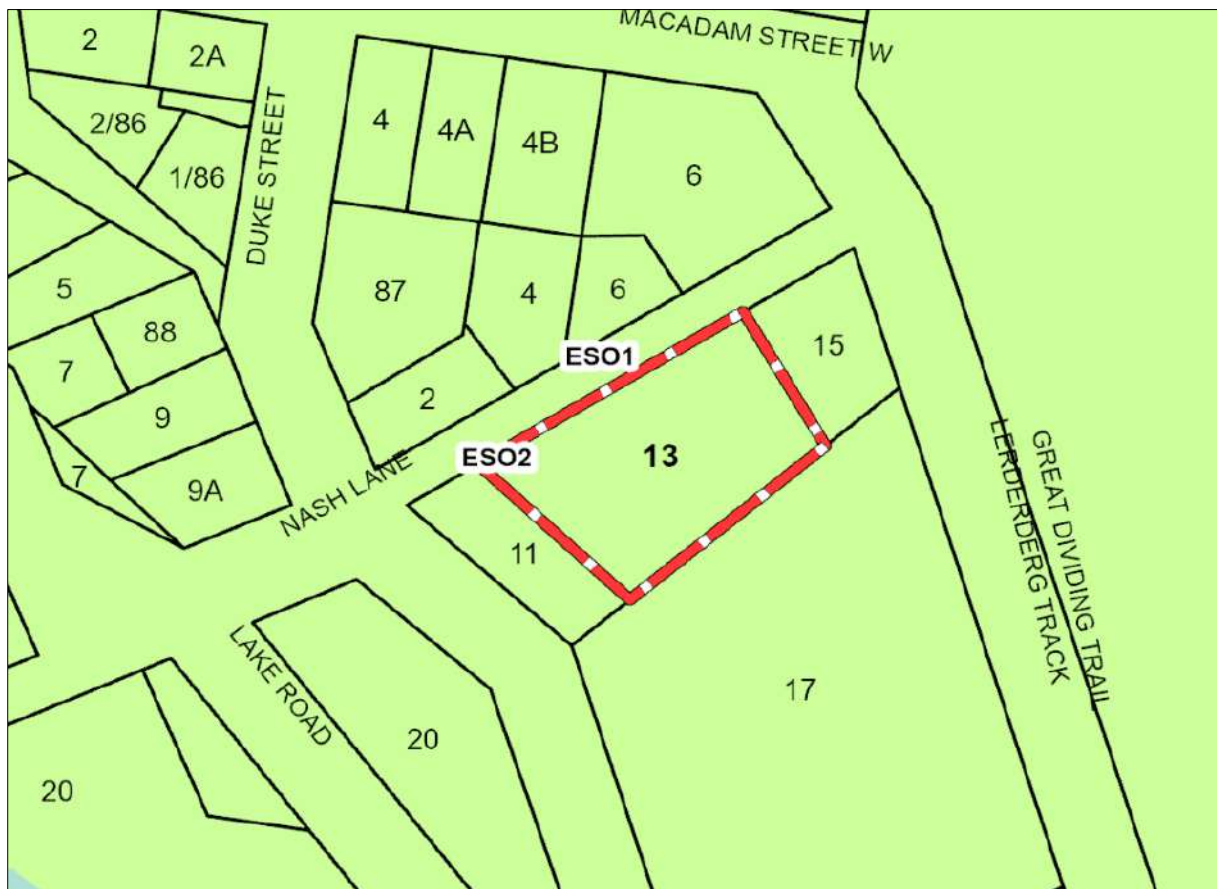
**Response:**

The development of the Group Accommodation requires a planning permit.

## 6. Overlays

### 6.1 Overlay

The subject site is included within the **Environmental Significance Overlay** (ESO1 & ESO2).



**Clause 42.01** of the Planning Scheme refers to the Environmental Significance Overlay and the purpose of the 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.

Schedule 1 to the Environmental Significance Overlay refers to the Special Water Supply Catchment Protection Area and the environmental objectives to be achieved 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 3.0 of the Schedule refers to Permit requirements and it states no permit is required to:

- Construct a building or construct or carry out works that are located more than 30 metres away from a waterway, if all of the following are met:
  - The building and works do not generate any additional wastewater unless it is connected to a reticulated sewerage system.
  - Any site cut required is less than one metre in depth.
  - Any site cut required is less than 300 square metres in area.
  - No stormwater is discharged within 100 metres from a waterway unless it is discharged into the street drainage system or a legal point of discharge.
- 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.

**Response:**

The proposed development will require a planning permit under the ESO1 as the land will need to be cut greater than 1 metre in depth. The site will be connected to reticulated sewerage.

No planning permit is required to remove the vegetation as it is not within 30 metres of a waterway.

Clause 5.0 refers to the decision guidelines and the following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Decision Guidelines	Comment
The proximity of the development to waterways, drainage lines and water supply reservoirs in the catchment.	The proposed development is located away from any waterways. The closest water body is located approximately 140 metres to the south which forms part of the Lake Daylesford Gardens.
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 proposed development will need to address stormwater control and this will be done by retention of stormwater in appropriate water tanks.
The need and measures to: <ul style="list-style-type: none"> <li>▪ Provide buffers for or separation from waterways, drainage lines, gullies, property boundaries and any existing disposal areas or systems.</li> <li>▪ Minimise and reduce nutrient loads, turbidity and siltation in waterways, drainage lines and water supply reservoirs.</li> </ul>	There are existing buffers that separate the proposal from water bodies such as roads. Appropriate WSUD management will be required with this development and appropriate stormwater management plan will be required to address the stormwater leaving the site.



<ul style="list-style-type: none"> <li>▪ Decrease or reduce the velocity of stormwater into waterways, drainage lines and water supply reservoirs.</li> <li>▪ Prevent erosion of natural features, including banks, streambeds and adjoining land.</li> <li>▪ Improve filtration and infiltration of water.</li> <li>▪ Retain and increase native vegetation to prevent or limit adverse effects on waterways, drainage lines and water supply reservoirs.</li> </ul>	
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.	The site will be connected to reticulated water and sewerage. Stormwater will need to be captured, stored and treated before leaving the site. A detention system will be required.

Schedule 2 to the Environmental Significance Overlay refers to Mineral Springs and Ground Water Protection Areas and the environmental objective 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.

Clause 3.0 refers to Permit Requirement and this clause is silent on no permit required for the removal of vegetation of for buildings and works.

**Response:**

A planning permit is required for the buildings and works and the removal of the vegetation as the schedule is silent on detailing a permit is not required.

Clause 5.0 refers to the decision guidelines and the following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Decision Guidelines	Comment
The means of treatment and disposal of all sewage, sullage, stormwater and other wastes where connection to a reticulated sewage system is not available consistent with a geotechnical report.	The proposal will be connected to reticulated water and sewerage.
The possible effect of the development on the quality and quantity of the mineral spring or freshwater resource, including impacts on nutrient levels, and whether this is consistent with any environmental management plan for the proposal.	The proposal will need have stormwater treated and disposed of in an appropriate manner. WSUD methods will need to be installed to reduce any potential impact on the surrounding land.
The impact of development on drainage and stormwater run-off, waste water disposal, stream bed erosion, solid waste disposal, commercial waste disposal, storage of fuel, pesticide and fertiliser and hazardous materials.	Stormwater Management Plan will be required to address stormwater and how it will be stored and treated before leaving the site.

The slope, soil type and other environmental factors including the potential for pollution of the mineral spring and freshwater and the impact this may have on the quality and yield of water from the spring.	Appropriate sediment control will be put in place while during construction. Retaining walls will be installed to create flat areas for the proposed buildings. The retaining walls will help with reducing any potential impact on mineral springs.
The preservation of and impact on soils and the need to prevent erosion.	Sediment controls measures will be put in place while during construction.
The need to prevent or reduce the concentration of wastewater or stormwater.	WSUD methods will need to be installed on site to prevent the concentration of stormwater as well as treating it before it leaves the site.
Whether development for chemical or liquid fuel storage is located within 200 metres of the eye of a mineral or freshwater spring.	Not applicable.
The protection of the area for its recreational value.	Not applicable.
Potential threats to mineral springs water quality.	Not applicable.
The need to retain vegetation to prevent or limit adverse effects on the mineral spring or freshwater.	Some native vegetation will be required to be removed from the site.

## 6.2 Bushfire Management Overlay

The subject site is also included within **Bushfire Management Overlay (BMO)**.



**Clause 44.06** of the Planning Scheme refers to the Bushfire Management Overlay and the purpose of the Overlay 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.

**Clause 44.06-1** Permit Requirement states that a Permit is required for Buildings and works.

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- 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.
- 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 building.
- 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.
- A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.
- 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.

**Response:**

The proposed group accommodation requires a planning permit under the Bushfire Management Overlay.

**Clause 44.06-3**, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development.
- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site.
- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 44.06.

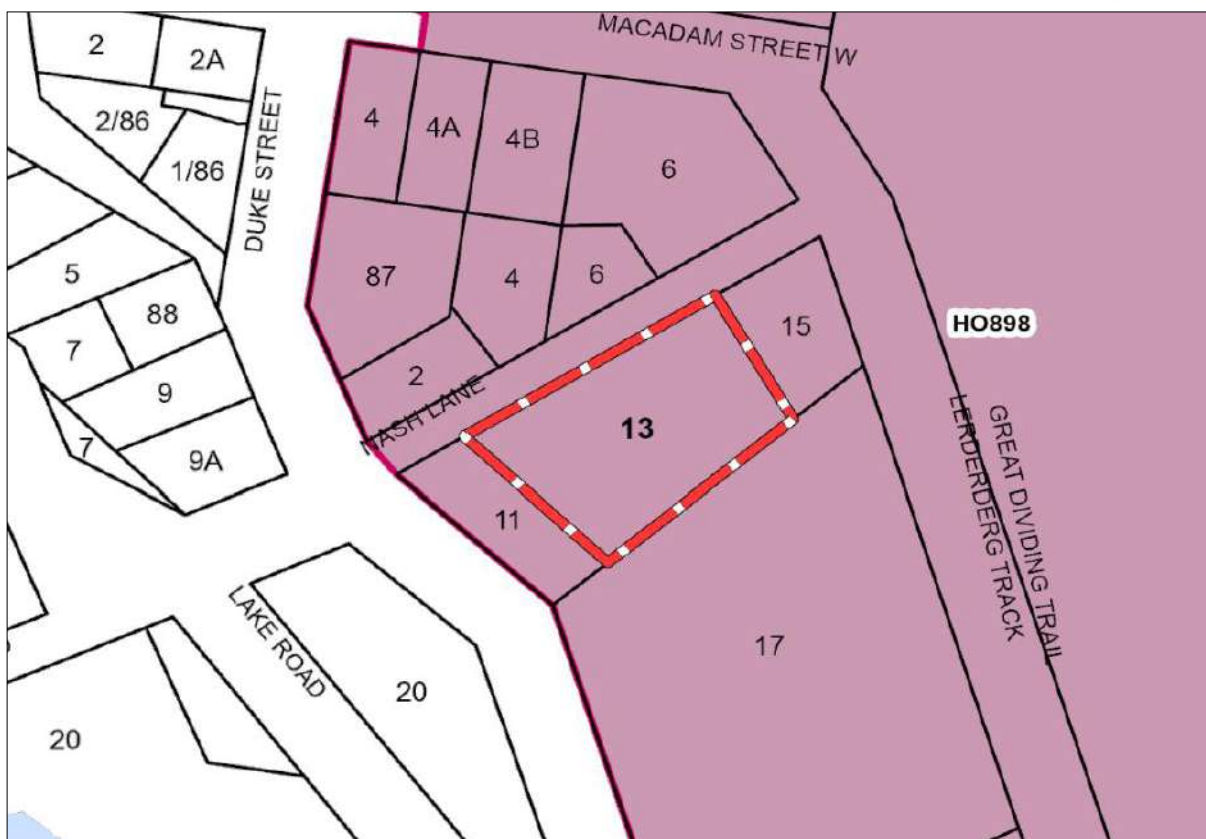
**Response:**

A Bushfire Management Statement (BMS) has been prepared by Regional Planning and Design Pty Ltd.

### 6.3 Heritage Overlay

The subject site is also included within **Heritage Overlay** (HO898).





**Clause 43.01** of the Planning Scheme refers to the Heritage Overlay and the purpose of the Overlay is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

**Clause 43.01-1** Permit requirement states that a permit is required to:

- Demolish or remove a building;
- Construct a building or construct or carry out works including a fence and crossover;
- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply;
- Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply.

**Response:**

A permit is required for the construction of the proposed cabins, gazebo and the garage, and the removal of the existing vegetation.

Under Schedule 898 to the Heritage Overlay, external paint and tree controls do apply, the site is not included on the Victorian Heritage Register or Aboriginal heritage place register, and prohibited uses may not be permitted.

**Clause 43.01-4** Decision guidelines states in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

Decision Guidelines	Comment
The Municipal Planning Strategy and the Planning Policy Framework.	The proposal complies with the MPS and PPF contained within the Hepburn Planning Scheme.
The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.	The site is not within the Cornish Hill Mining area, but it abuts the area to the west. The proposed development is well enough away from this mining area as the land slopes away to the west. The proposed development is designed to blend in with the environment and is staggered along the street frontage so to not dominate.
Any applicable statement of significance, heritage study and any applicable conservation policy.	The Cornish Hill Mining Precinct is a bushland park, and includes the remnants of brick and concrete abutments, overburden dumps, open cut and tunnelling activities. The proposed development will have no impacts on this area.
Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.	The development will not be seen from the main area of the precinct. The land slopes down to the Lake Road reserve and with significant tree cover and the use of appropriate building materials, there will be no impacts to the heritage place.
Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.	Again, the development will blend in with the area. The use of appropriate and sympathetic materials, there will be no impact to the heritage place.
Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.	The proposed works will require some cutting and filling. The surrounding area was a mining area which would have involved excavation, filling and cutting in order to mine for gold.
Whether the proposed works will adversely affect the health, appearance or significance of the tree.	There will be trees to be removed from the site, which is required in order for the development to be built and to meet the defensible space requirements.

## 7. Particular Provisions

### 7.1 Native Vegetation

**Clause 52.17** of the Planning Scheme refers to Native Vegetation requirements and the purpose of the Clause is:

- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):
  - 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 if a permit is granted to remove, destroy or lop native vegetation.
- To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

**Clause 52.17-1** Permit Requirement states that 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.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to **Clause 52.16**.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

**Response:**

Native vegetation is to be removed as part of the application, but it is exempt due to the land size being less than 0.4 hectares. A Vegetation Report is provided with the application.

## 7.2 Bushfire Protection Exemptions

**Clause 52.12** of the Scheme refers to Bushfire Protection exemptions and the purpose of the Clause is:

- To facilitate the removal of vegetation in specified circumstances to support the protection of human life and property from bushfire.
- To facilitate the construction and protection of community fire refuges and private bushfire shelters.

**Clause 52.12-5** refers to exemptions to create defensible space for a dwelling under Clause 44.06 of this planning scheme and 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 enable the construction of a dwelling, or the alteration or extension of an existing dwelling, and create its defensible space 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 53.02-3 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.

**Response:**

The proposed dwelling complies with the above requirements of the Clause and therefore the removal of the native vegetation is exempt.



### 7.3 Car Parking

The table contained in **Clause 52.06** of the Planning Scheme refers to car parking and the purpose is:

- To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

**Clause 52.06-5** Number of car parking spaces required under Table 1 sets out the car parking requirement that applies to a use listed in the Table. A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or
- a percentage of the total site area that must be set aside for car parking.

The table contained in **Clause 52.06-5** of the Planning Scheme does not state a required car parking number for a group accommodation use or for accommodation generally. To assist with how many car spaces could be provided on site, the car parking ratio for a dwelling is appropriate, which states:

- 1 car space to each one or two bedroom dwelling, plus;
- 2 car spaces to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus;
- 1 car space for visitors to every 5 dwellings for developments of 5 or more dwelling

#### Response:

The proposed development comprises 5 x 3-bedroom cabins and 1 x 3 bedroom dwelling. This equates to fourteen (12) car spaces to be provided on site. The proposal is to accommodate existing dwelling will comprise 10 uncovered spaces with two (2) undercover spaces provided for the existing dwelling, making a total of 12 spaces.

### 7.4 Bushfire Planning

**Clause 53.02** refers to Bushfire Planning and the purpose of the Clause 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.

## Clause 53.02-4 Bushfire protection objectives

### Clause 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 measures

Measure	Requirement	Response
AM 2.1	The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.	The site is located to the south east of the town of Daylesford. The town forms a buffer of managed land between the site and large areas of forest to the north, west and south west. There is managed farm and residential land on large lots to the east beyond relatively small areas of forest to the immediate east. BAL 29 defensible space can be achieved within property boundaries for the accommodation buildings.
AM 2.2	A building is sited to ensure the site best achieves the following: <ul style="list-style-type: none"> <li>▪ The maximum separation distance between the building and the bushfire hazard.</li> <li>▪ The building is in close proximity to a public road.</li> <li>▪ Access can be provided to the building for emergency service vehicles.</li> </ul>	The development has been planned so that the accommodation buildings are sited in the western part of the site to be close to the road and set back from the hazard to the east. The buildings will have driveways connecting to Nash Lane which joins Jubilee Lake Road to the south, providing adequate access for emergency service vehicles.
AM 2.3	A building is designed to reduce the accumulation of debris and entry of embers.	Any new buildings will be required to meet a BAL of 29. The construction requirements minimise the ability for ember penetration and radiant heat exposure to compromise the building integrity

### Clause 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

Measure	Requirement	Response
AltM 3.6	A building used for accommodation (other than a dwelling or dependent	Higher BAL construction requirements and less defendable

	<p>person's unit), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defensible space in accordance with table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>▪ An integrated approach to risk management has been adopted that considers: <ul style="list-style-type: none"> <li>▪ The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.</li> <li>▪ The intended frequency and nature of occupation.</li> <li>▪ The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation.</li> </ul> </li> <li>▪ Less defensible space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment</li> </ul>	<p>space are considered appropriate due to the generally low threat vegetation to the north, west and south.</p> <p>It is proposed to use the dwellings for short term accommodation. The duration of a stay is usually expected to be less than one week. The building will be used by persons who are generally mobile (arriving by private vehicle and able to evacuate if required).</p> <p>A Bushfire Emergency Management Plan will be prepared prior to building works being completed. The key objective of this plan will be to ensure that human life is prioritised in the event of a bushfire impacting the site. A site manager would adopt the role of Chief Warden and be responsible for coordinating the emergency procedures which will include:</p> <ul style="list-style-type: none"> <li>▪ Managing and overseeing of any emergency procedures (ensuring they have a list and contact numbers of all guests and travelling to site if any guests are on site in a bushfire event)</li> <li>▪ Ensuring the site is properly prepared prior to the bushfire season;</li> <li>▪ Reviewing the effectiveness of emergency procedure exercises and arrange for procedure improvements; and</li> <li>▪ Accounting for all persons during the emergency procedures</li> </ul> <p>It is not proposed to occupy the buildings on days of extreme or code fire rating. If bookings have been made, Guests would be notified prior to travelling to the site. (High fire danger days are generally forecast several days in advance).</p> <p>Persons would be evacuated to the centre of Daylesford approximately 1 kilometre from the site. Triggers</p>
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		for evacuation would be an uncontrolled bush or grass fire within 10 kilometres of the site or on Catastrophic weather days.
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#### Clause 53.02-4.3 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

Measure	Requirement	Response
AM 4.2	<p>A building used for accommodation (other than a dwelling or dependent person's unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with:</p> <ul style="list-style-type: none"> <li>▪ A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.</li> <li>▪ Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-3.</li> <li>▪ An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency. 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</li> </ul>	<p>The proposal will require a fire resistant concrete or steel tank which will hold 10,000 litres of water. CFA will need to be able to drive to within 4 metres of the outlet which will need to be located within 60 metres of the proposed accommodation buildings.</p> <p>The access driveway will have a minimum width of 3.5 metres with 4 metres vertical and 4.5 metres of horizontal clearance. The driveway will be capable of providing access for a 15 tonne truck.</p>

## 7.5 Stormwater Management in Urban Development

**Clause 53.18** of the Planning Scheme refers to that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

**Clause 53.18-5** Stormwater management objective for buildings and works aims:

- To encourage stormwater management that maximises the retention and reuse of stormwater.
- To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.
- To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
- To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

**Response:**

Treatment of stormwater will be through designated water tanks.

## 8. General Provisions

### 8.1 Decision Guidelines

Under the provisions of **Clause 65.01**, before deciding on an application or approval of a plan, the responsible authority must also consider, as appropriate:

Clause 65.01- Application or approval of a plan	Comments
The Municipal Planning Strategy and the Planning Policy Framework.	The proposed development complies with the MPS and PPF.
The purpose of the zone, overlay or other provision	The use and development complies with the Neighbourhood Residential Zone, Heritage Overlay, Environmental Significance Overlay and the Bushfire Management Overlay.
Any matter required to be considered in the zone, overlay or other provision	Not applicable.
The orderly planning of the area	This proposal represents an orderly, sensible and practical response to land that is situated within a residential context.
The effect on the amenity of the area	There will be no measurable effect or impacts on the amenity of the area. Appropriate offsets distances exist between the proposed cabins and adjoining residential properties. No adverse overshadowing effects or overlooking of private open space has occurred through this layout and design of the proposed cabins.
The proximity of the land to any public land	The land abuts public land to the south.
Factors likely to cause or contribute to land degradation, salinity or reduce water quality	Not applicable.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site	Any storm or surface water runoff will be discharged to the current legal point of discharge. The proposal will not increase stormwater runoff.
The extent and character of native vegetation and the likelihood of its destruction	There is existing native vegetation to be removed from the site in order to meet the defensible space requirements.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate	No further vegetation can be planted on the site due to the defensible space requirements of the Bushfire Management Overlay.

The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard	Not applicable.
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	Vehicles can enter and leave in safe and efficient manner from the property.

## 9. Policy Context

It is considered the proposal is consistent with the Municipal Planning Strategy and the Planning Policy Framework as outlined below:

### 9.1 Municipal Planning Strategy

**Clause 02.03-1 – Settlement** – aims to:

- Consolidate development in Daylesford within the designated township boundary.

#### Response:

The proposed development is within the Daylesford township boundary.

**Clause 02.03-2 – Environmental and Landscape Values** – aims to:

- Protect and enhance significant natural, Aboriginal and post contact cultural and heritage landscapes across the Shire.
- Protect indigenous vegetation across the Shire including on Council managed reserves and private property.
- Minimise wholesale clearing of significant vegetation in areas of high bushfire risk.

#### Response:

The site is within an area of Aboriginal Cultural Sensitivity and a Cultural Heritage Management Plan has concluded that there is low to very low potential for Aboriginal cultural heritage to be located within the Activity Area. The site is also within a Heritage Overlay that refers to the Cornish Hill Mining Precinct and the site is located on outer area of the precinct. The proposed development will have no impact on the heritage place as it is located on the lower slopes of Cornish Hill and won't be seen from the main area.

There will be some loss of vegetation due to the development as well as meeting the defensible space requirements, however there will be some that will be retained.

**Clause 02.03-3 – Environmental Risk and Amenity** – aims 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 development will need to meet BAL29 reading as proposed by the Bushfire Management Statement. It will also a requirement that a Bushfire Emergency Management Plan will be prepared prior to building works being completed.

**Clause 02.03-5 – Built Environment and Heritage** – aims to:

- Protect the built, natural and cultural heritage to enhance appreciation of the Shire's history and to maximise opportunities for tourism.
- Support and strengthen the individual character and role of townships that contribute to the Shire's diversity as a place to live, work, recreate and visit.
- Ensure development is in keeping with the historic, landscape and neighbourhood character of townships and settlements.
- Encourage built form that has been designed to both mitigate bush fire risks and minimise vegetation loss.

**Response:**

The proposed development will have no impact on the heritage place or the Aboriginal Cultural area. The use of appropriate and sympathetic materials for the development will blend well within the landscape. The building will need to be designed to meet BAL29 reading under the Bushfire Management Overlay which will mean some of the existing vegetation will need to be removed.

**Clause 02.03- 7 – Economic Development** – aims to:

- Locate tourist facilities and development in the Shire's townships that brings economic benefits, respects township character and enhances the distinctive tourism assets of each township.
- Enhance the Shire's existing tourism offer through the development of a more diverse tourism product centred around the natural environment, bike trails, arts and culture, food and environmental sustainability.

**Response:**

The proposal is for group accommodation. The facility will provide the opportunity for community groups to experience the tranquil area of Daylesford while also experiencing the tourism of the area.

## 9.2 Planning Policy Framework

**Clause 11.01-1L – Township and Settlements** – aims:

- To achieve a sustainable urban form for townships by containing future development within the township boundaries shown on the township structure plans.

The strategies that are relevant to this application are:

- Provide for urban infill and consolidation opportunities in townships that utilise existing infrastructure.

- Encourage development in townships and settlements to be respectful of heritage, environmental and neighbourhood character elements.

**Response:**

The proposal is within the existing urban area of Daylesford and is seen as an infill development. The development has been designed to be respectful of heritage, environmental and neighbourhood character elements of the area.

**Clause 12.01-1L – Native Vegetation and Habitat Protection** – aims:

- To protect and enhance the Shire's native vegetation and habitats.

**Response:**

Native vegetation is to be removed from the site. It is required to be removed due to the defendable space to meet the Bushfire Management Overlay. The site is less than the 0.4 hectares and therefore is deemed to be lost under the native vegetation requirements.

**Clause 13.02-1S – Bushfire Planning** – This policy aims to assist to strengthen community resilience to bushfire.

**Response:**

The proposed development will meet BAL29 reading under the Bushfire Management Overlay. It will also be a requirement that a Bushfire Emergency Management Plan will have to be prepared.

**Clause 15.01-1L – Urban Design** – aims to:

- Protect and enhance the gold rush heritage built form, tourism and the landscape setting of townships.
- Ensure development respects the low scale, vegetated and natural and rural character of townships.
- Ensure that development respects and enhances notable features and landmarks of townships such as building form, volume, low scale height, setbacks, spacing, streetscapes, tree lined streets, intact heritage places and existing vegetation.

**Response:**

The proposed development will respect the character of the area through appropriate building materials, separation between buildings, car parks not dominating the streetscape and area for further landscaping.

**Clause 15.03-1L – Heritage** – aims to:

- Ensure new development is consistent with and interprets the significance of heritage places.
- Design development to respect elements of the heritage place and surrounds including buildings, associated trees, garden settings, plantings, agricultural features within a landscape, and archaeological sites.
- Respect and respond to the evolving history of buildings and their heritage significance that are demonstrated through extensions to the building fabric over different periods such as for miners cottages and agricultural buildings.

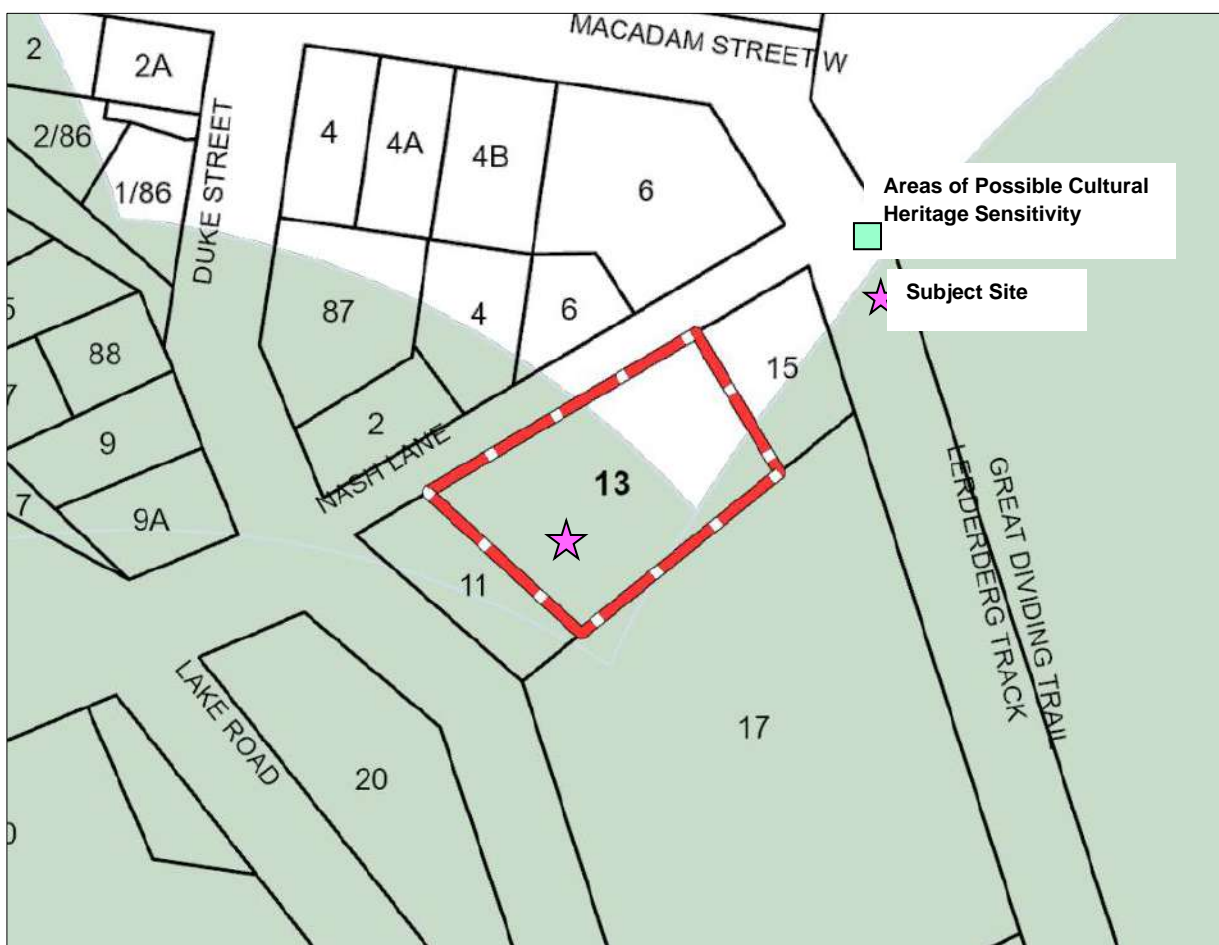
- Promote building design that clearly and positively supports the heritage significance and distinguishes old from new construction through responsive siting, scale, massing, materials and detailing.
- Encourage garages, carports and on-site car parking to be located behind the principal façade, at the rear or in the side setback of a building.

**Response:**

The site within a Heritage Overlay and the Planning Scheme names the precinct as the Cornish Hill Mining Precinct. The proposed development will have no impact on the precinct as it is located on the outer areas of the precinct and the land falls down to the Lake Road and it would be seen from the main area of the precinct.

**Clause 15.03-2L – Aboriginal Cultural Heritage** – aims to:

- Protect, conserve and enhance identified pre and post contact indigenous heritage places of cultural and spiritual value to the Dja Dja Wurrung People, in partnership with traditional owners in caring for Country.
- Ensure tangible and intangible Aboriginal cultural heritage values are considered in land use and development and the management of environment and water resources.
- Ensure that new uses, development and works do not adversely impact on sites, vegetation, wetlands and features of the Aboriginal peoples' cultural and archaeological significance.





**Response:**

The site also located within an area of Aboriginal Cultural Heritage Sensitivity. A Cultural Heritage Management Plan has been prepared by WestVic Heritage Management and the results of the complex assessment found that ***'there was a very low to low potential for Aboriginal Cultural Heritage to be located in the Activity Area.'*** A copy of the CHMP is provided with the planning application.

**Clause 16.01 – Residential Development** – Contains policies relating to integrated housing, location of residential development, housing diversity and housing affordability.

**Response:**

The proposal will add to the range of available housing and will assist to meet demand in this area. The site is located within an established residential area and the development will help to consolidate the urban area without consuming additional land for residential purposes. The design is appropriate to the existing character of the area. Physical and community infrastructure are located close to this site.

**Clause 17.04-1S – Facilitating Tourism** – aims:

- To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

The strategies that are relevant to this application are:

- Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.
- Seek to ensure that tourism facilities have access to suitable transport.
- Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.
- Create innovative tourism experiences.
- Encourage investment that meets demand and supports growth in tourism.

**Response:**

The proposal is to provide for community groups to gather for wellbeing and spiritual reasons and where they can interact and attend spiritual meetings. The design of the development and the surroundings the buildings are within are appropriate for this type of facility. The facility is close to Lake Jubilee, the Lake Daylesford Gardens and Lake Daylesford. All of these existing recreational areas will help with the community groups that come to experience wellbeing.

**Clause 19.03-3S – Integrated Water Management** – This policy aims to plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.

**Response:**

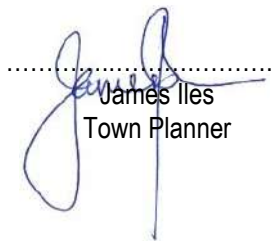
All services are to be provided to each dwelling including reticulated water, sewer, drainage and electricity.

## 10. Conclusion

In summary, it is respectfully submitted that this proposed development is consistent with the objectives and strategies of both the Municipal Planning Strategy and the Planning Policy Framework of the Hepburn Planning Scheme. In conclusion, it is considered that the proposal is appropriate to the site and its surrounds given the following:

- The proposal is consistent with the purpose of the Neighbourhood Residential Zone.
- The proposal is consistent with the Bushfire Management Overlay, the Heritage Overlay and the Environmental Significance Overlay.
- It is anticipated that there is no impact to Aboriginal Cultural Heritage Sensitivity.
- The proposal responds positively to the decision guidelines of Clause 65.01.
- The proposal will result in a more efficient use of the existing infrastructure and will help to reduce the pressure for urban development to spread outside the city.

For all of the reasons outlined above, which have been expanded upon throughout this report, it is respectfully requested that the Hepburn Shire Council support the application and issue a planning permit to allow for the use and development of Group Accommodation and Removal of Vegetation located at 13 Nash Lane, Daylesford.



James Iles  
Town Planner

## 11. Photos of the site and surrounds



Existing dwelling on the site.  
Shed in the front that is to be demolished.



Looking southeast from the  
middle of the site.



Looking east from the  
middle of the site.





Looking northeast from the middle of the site.



Existing vegetation on the site.



Existing dwelling at 11 Nash Lane.





Existing dwellings at 2 Nash Lane and 87 Duke Street.



Looking northeast along Nash Lane from the intersection with Duke Street.



Looking northeast from the end of the sealed road section of Nash Lane.





Looking southwest along Nash Lane to the intersection with Duke Street.



Looking southwest to the intersection of Duke Street and Lake Street.





DRAWING TITLE:  
EXISTING SITE PLAN

PROJECT NAME:  
PROPOSED  
ACCOMODATION UNITS

PROJECT NUMBER:  
SBS227081

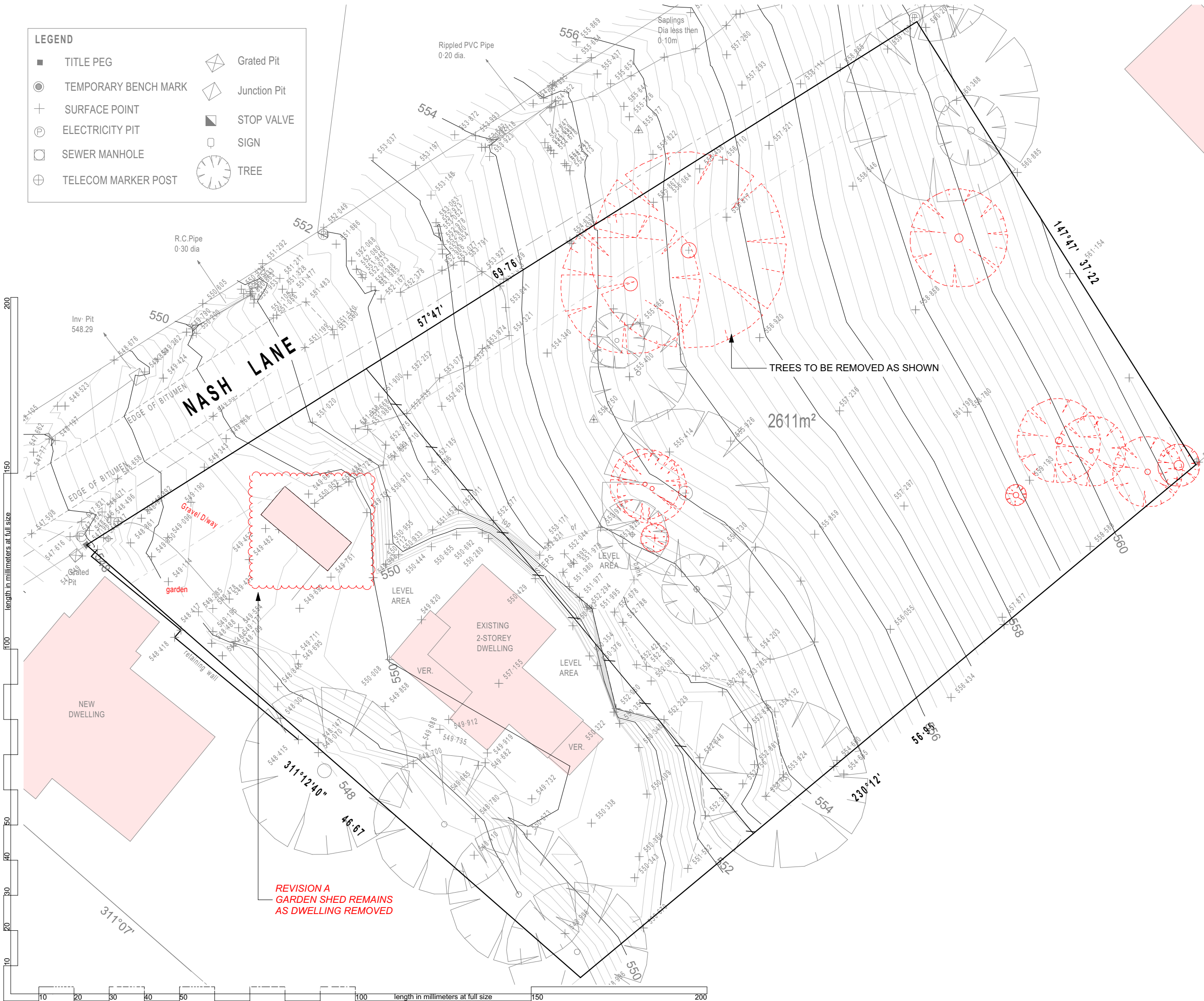
PROJECT ADDRESS:  
13 NASH LANE, DAYLESFORD

SCALE 1:250

STATUS TOWN PLANNING

B.A.L BAL 29

DRAWING No.  
3





LEGEND

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TEMPORARY BENCH MARK

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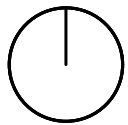
Grated Pit

Junction Pit

STOP VALVE

SIGN

TREE



DRAWING TITLE:  
GROUND LAND DEVELOPMENT  
PLAN

PROJECT NAME:  
PROPOSED  
ACCOMODATION UNITS

PROJECT NUMBER:  
SBS227081

PROJECT ADDRESS:  
13 NASH LANE, DAYLESFORD

SCALE 1:250

STATUS TOWN PLANNING

B.A.L BAL 29

DRAWING No.

5

THE BUILDER SHALL CHECK AND VERIFY ALL  
DIMENSIONS AND VERIFY ALL ERRORS AND  
OMISSIONS TO THE DESIGNER. DRAWINGS SHALL  
NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL  
ISSUED BY DESIGNER FOR CONSTRUCTION.





LEGEND

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Grated Pit

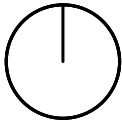
Junction Pit

STOP VALVE

SIGN

TREE

412 RAGLAN STREET S, BALLARAT CENTRAL  
VICTORIA 3350  
W. SHAPEBUILDINGDESIGN.COM.AU  
T. (03) 4310 7204



DRAWING TITLE:  
UPPER LAND DEVELOPMENT  
PLAN

PROJECT NAME:  
PROPOSED  
ACCOMODATION UNITS

PROJECT NUMBER:  
SBS227081

PROJECT ADDRESS:  
13 NASH LANE, DAYLESFORD

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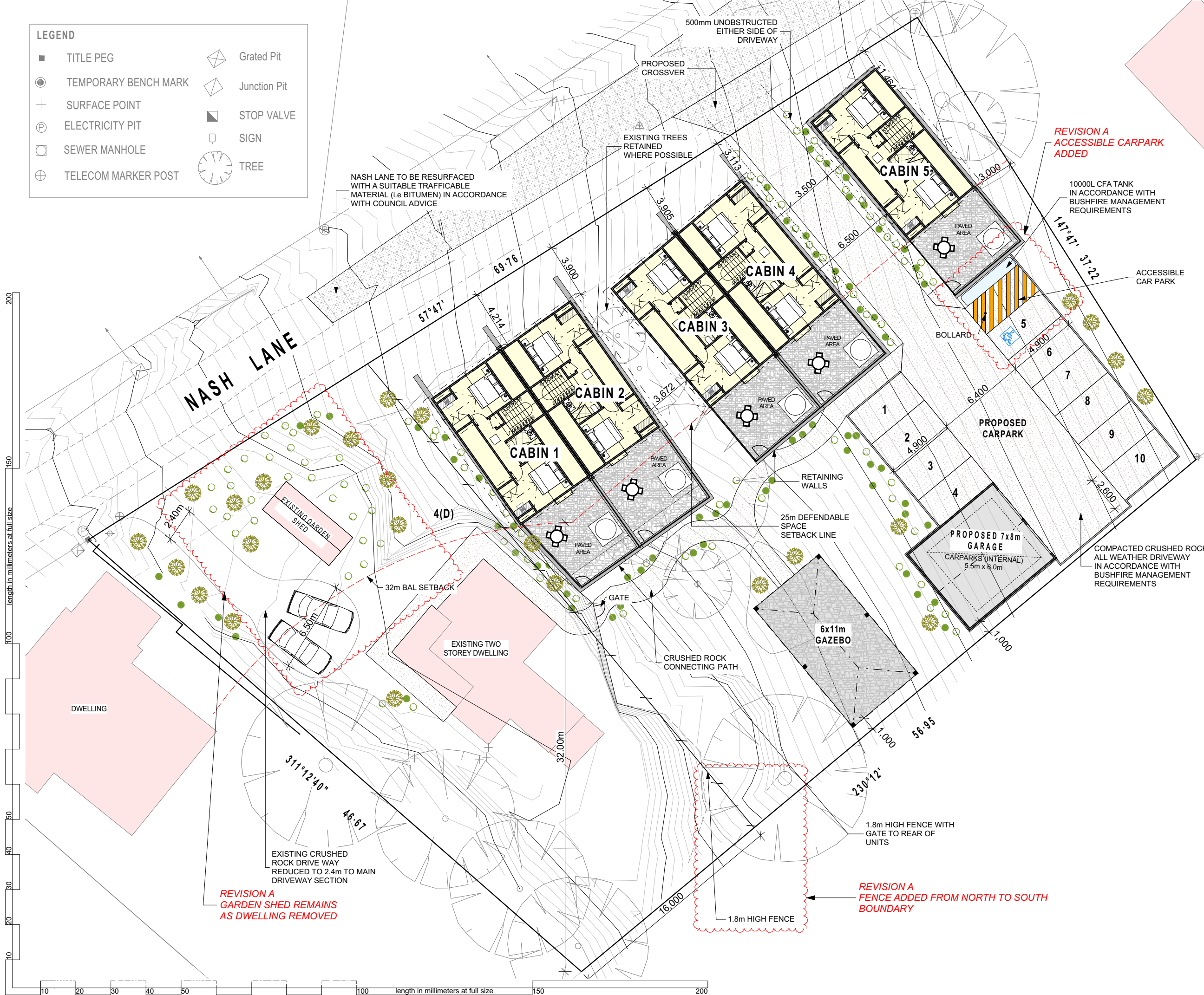
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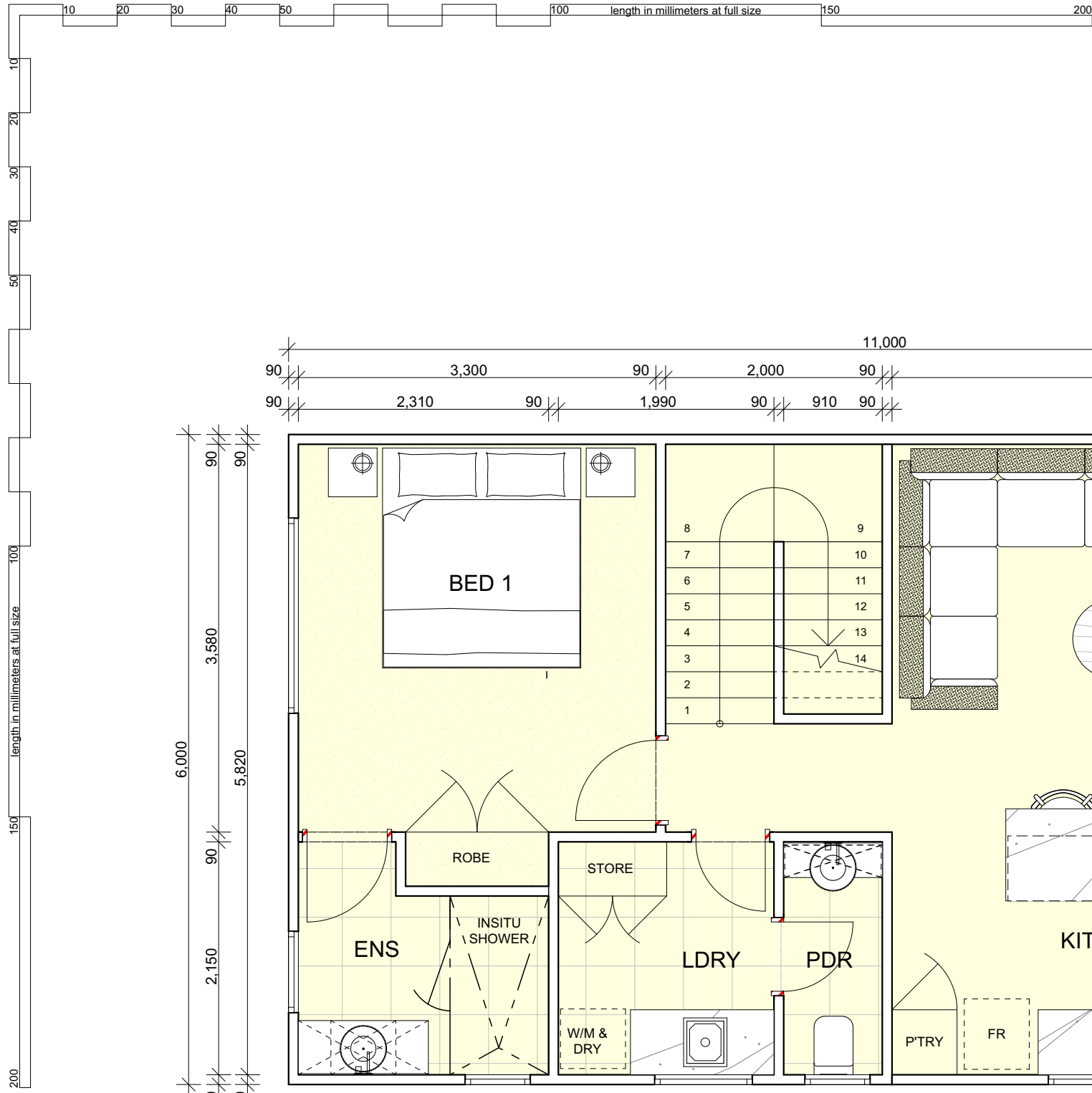
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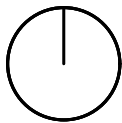
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THE BUILDER SHALL CHECK AND VERIFY ALL  
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ISSUED BY DESIGNER FOR CONSTRUCTION.





Floor Areas - All Stories		
Floor	Location	Area
	PROPOSED GROUND FLOOR	67.01
	PROPOSED UPPER FLOOR	66.41



DRAWING TITLE:  
GROUND FLOOR PLANS

THE BUILDER SHALL CHECK AND VERIFY ALL  
DIMENSIONS AND VERIFY ALL ERRORS AND  
OMISSIONS TO THE DESIGNER. DRAWINGS SHALL  
NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL  
ISSUED BY DESIGNER FOR CONSTRUCTION.

PROJECT NAME:  
PROPOSED ACCOMMODATION UNITS

PROJECT NUMBER:  
SBD227081

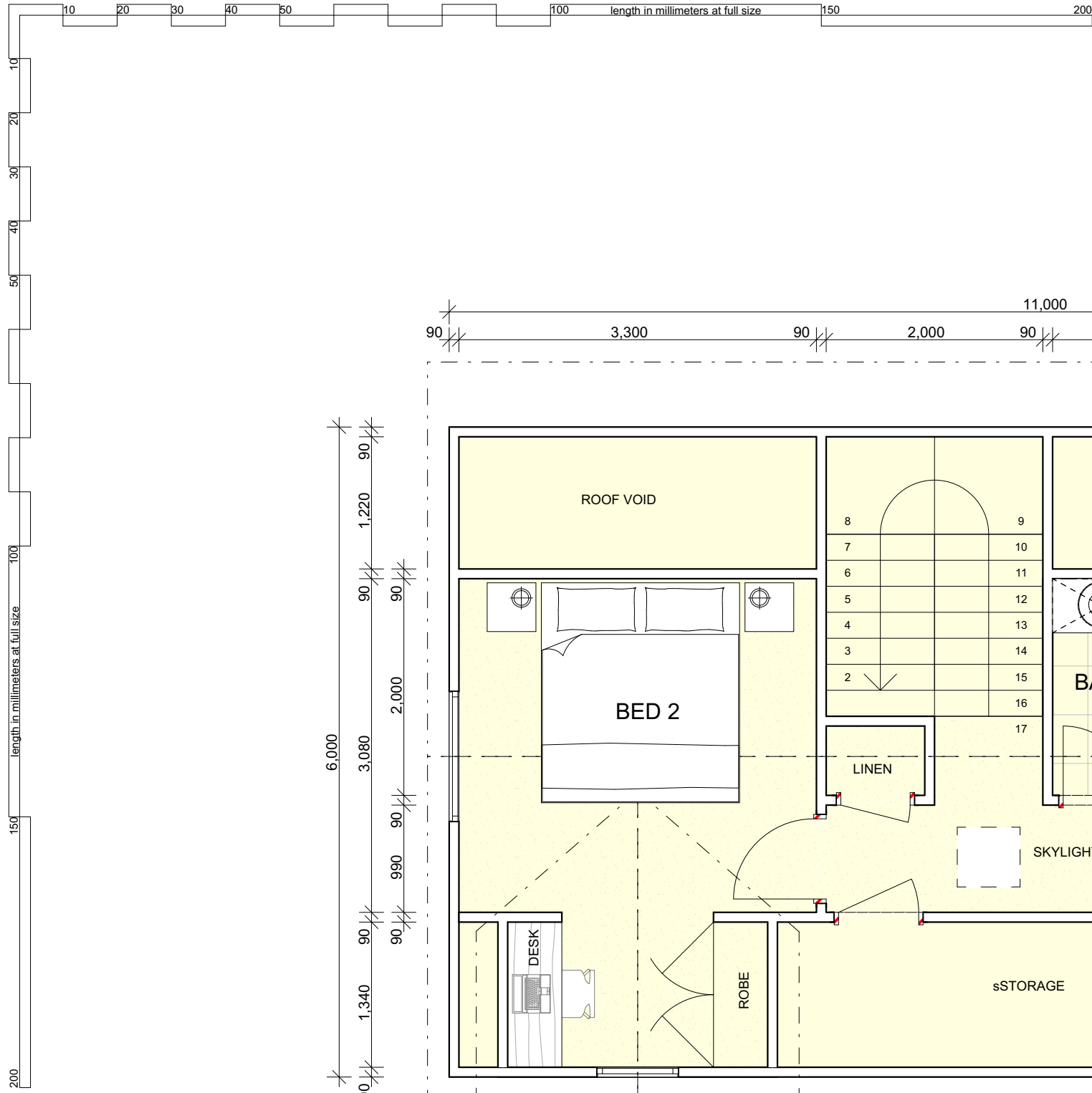
PROJECT ADDRESS:  
13 NASH LANE, DAYLESFORD

BUSHFIRE ATTACK LEVEL:  
BAL 29

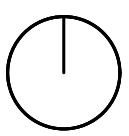
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STATUS  
TOWN PLANNING

DRAWING No.  
7



Floor Areas - All Stories		
Floor	Location	Area
	PROPOSED GROUND FLOOR	67.01
	PROPOSED UPPER FLOOR	66.41



DRAWING TITLE:  
UPPER FLOOR PLANS

THE BUILDER SHALL CHECK AND VERIFY ALL  
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ISSUED BY DESIGNER FOR CONSTRUCTION.

PROJECT NAME:  
PROPOSED ACCOMMODATION UNITS

PROJECT NUMBER:  
SBD227081

PROJECT ADDRESS:  
13 NASH LANE, DAYLESFORD

BUSHFIRE ATTACK LEVEL:  
BAL 29

SCALE  
1:50

STATUS  
TOWN PLANNING

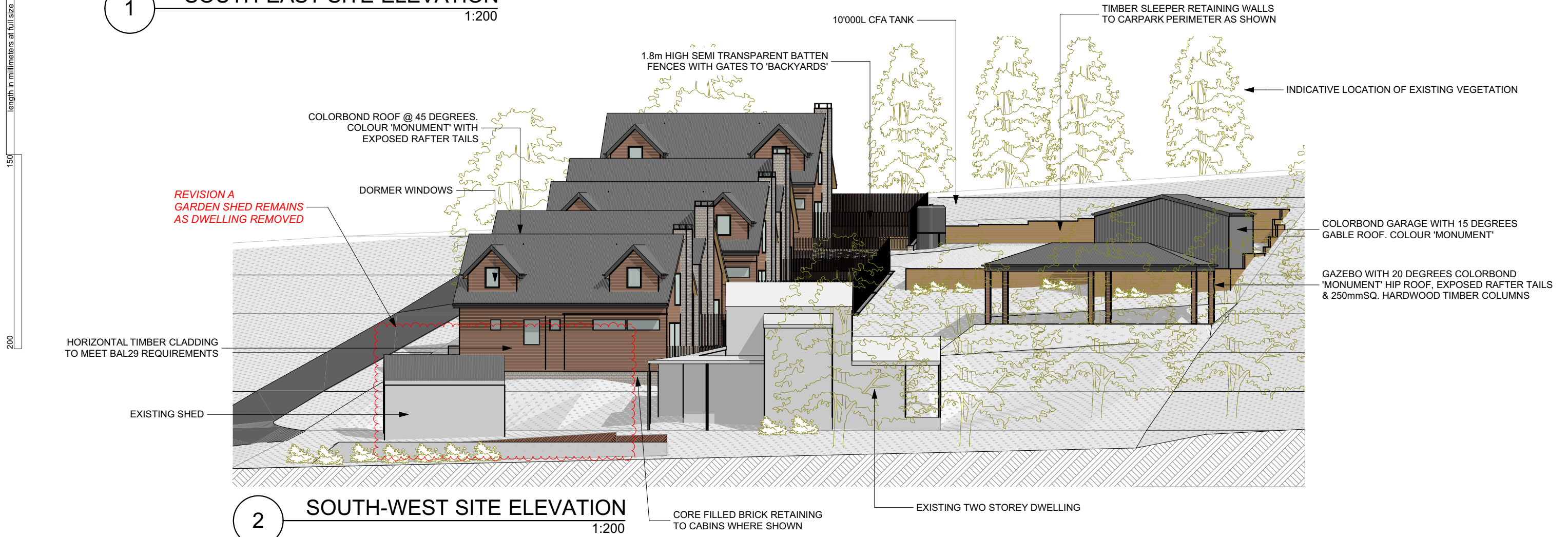
DRAWING No.

8





1 SOUTH-EAST SITE ELEVATION  
1:200

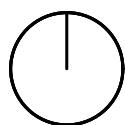


2 SOUTH-WEST SITE ELEVATION  
1:200



Shape Building Design

412 RAGLAN STREET S, BALLARAT CENTRAL  
VICTORIA 3350  
W. SHAPEBUILDINGDESIGN.COM.AU  
T. (03) 4310 7204



DRAWING TITLE:  
EXTERNAL SITE ELEVATIONS

THE BUILDER SHALL CHECK AND VERIFY ALL  
DIMENSIONS AND VERIFY ALL ERRORS AND  
OMISSIONS TO THE DESIGNER. DRAWINGS SHALL  
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PROJECT NAME:  
PROPOSED ACCOMMODATION UNITS

PROJECT NUMBER:  
SBD227081

PROJECT ADDRESS:  
13 NASH LANE, DAYLESFORD

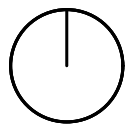
BUSHFIRE ATTACK LEVEL:  
BAL 29

SCALE  
1:200

STATUS  
TOWN PLANNING

DRAWING No.

9





Patron: Her Excellency Professor the Honourable Margaret Gardner AC, Governor of Victoria

CFA Fire Risk, Research & Community Preparedness  
8 Lakeside Drive Burwood East Vic 3151  
Email: firesafetyreferrals@cfa.vic.gov.au

CFA Ref: 15000-77681-135444  
Council Ref: PLN23/0068

12 April 2024

Alexandra Jefferies  
Hepburn Shire Council  
PO BOX 21  
**DAYLESFORD VIC 3460**  
[shire@hepburn.vic.gov.au](mailto:shire@hepburn.vic.gov.au)

Dear Alexandra,

### LETTER OF ADVICE

**Application No:** PLN23/0068  
**Site Address:** 13 Nash Lane, Daylesford  
**Proposal:** Construction Of Group Accommodation In Bmo

I refer to correspondence dated 20 March 2024 seeking comments on the above application.

CFA have concerns in relation to the steepness, condition and the narrowness of the roadway have not been satisfactorily addressed in the amended application. It is unlikely that a fire appliance can easily access and exit the site to get with 4m of the water tank outlet. CFA recommend a remote outlet to be installed due to the narrowness and roadside vegetation limiting a fire appliance from entering and exiting the site.

CFA have concerns about the separation distance between the cabins and the existing two-story dwelling and potential for building-to-building fire transmission.

CFA advise that the architectural plans propose the retention of vegetation that does not appear to comply with the defensible space conditions detailed in the BMP.

If you wish to discuss this matter in more detail, please do not hesitate to contact Matthew Bailey on 03 9262 8754.

Yours sincerely,



**Matthew Bailey**  
**Bushfire Planning Coordinator**  
**CFA Fire Risk, Research & Community Preparedness**

cc: [james@iplanning.com.au](mailto:james@iplanning.com.au)



Our patron, Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

CFA Community Preparedness  
8 Lakeside Drive Burwood East Vic 3151  
Email: firesafetyreferrals@cfa.vic.gov.au

**CFA Ref: 15000-77681-129969**  
**Council Ref: PLN23/0068**

1 August 2023

Town Planner  
Hepburn Shire Council  
PO BOX 21  
**DAYLESFORD VIC 3460**  
[shire@hepburn.vic.gov.au](mailto:shire@hepburn.vic.gov.au)

Dear Town Planner,

#### **FURTHER INFORMATION REQUIRED**

**Application No:** Pln23/0068  
**Site Address:** 13 Nash Lane, Daylesford  
**Proposal:** CONSTRUCTION OF GROUP ACCOMMODATION IN BMO

I refer to correspondence dated 24 July 2023 seeking comments on the above application.

CFA, as a Referral Authority pursuant to Section 55 of the *Planning and Environment Act 1987* (Act) requires the following further information before being able to consider the proposal.

- 1. Further evidence required on how AltM 3.6 will be achieved for this application.**
- 2. Evidence how a fire appliance can enter and exit the site to get within 4m of the water tank outlet.**

This information is required because:

- CFA has concern that the proposed construction rating and defensible space is not appropriate for this application due to the dense vegetation to the southern boundary. Following a site inspection, CFA believes that a higher BAL rating is required based on a downslope effective slope to the southeast.
- CFA has concerns in relation to the condition and the narrowness of the roadway and how a fire appliance can easily access and exit the site to get within 4m of the water tank outlet. CFA would recommend a remote outlet to be installed due to the narrowness and roadside vegetation limiting a fire appliance from entering and exiting the site.
- CFA recommends that amended design with fewer cabins is proposed that would allow for a greater area of defensible space (at least 32 m from the southern boundary).

If you wish to discuss this matter in more detail, please do not hesitate to contact Anthony Kacunic on 0429 105 701.

Yours sincerely,



**Andrew Ganey**  
Bushfire Planning Advisor  
Fire Risk, Research & Community Preparedness

cc: [james@iplanning.com.au](mailto:james@iplanning.com.au)

Please use *clear writing and typed information where possible*

Planning & Environment Act 1987

### WHAT APPLICATION DO YOU OBJECT TO?

Permit application no. PLN23/0068

Proposal: Demolition of an existing building, Development of group accommodation

Who has applied for the permit: Iplanning Services Pty Ltd

### WHAT ARE THE REASONS FOR YOUR OBJECTION?

#### 1) Increased traffic disturbance

With the sealing of Nash lane, cars will also gain access via Macadam St. As there area a total of 7 dwellings and the property being accessed by car there will be a substantial increase in traffic. The road after 6 Macadam St is gravel and not in good repair. In summer dust is a big problem as well

#### 2) Existing low density street scape

The proposed group accommodation does not fit in with the current neighbourhood character - ie low density with few houses and occupants. The building of a total of 7 dwellings on one property is completely at odds with the current street scape

#### 3) Property usage

It is noted that the property is planned to be used for well being and spiritual and well being retreat with up to 40 people at any given time - this is a marked difference to the number of people in the area currently and there is no guarantee that this will remain

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

Points 1. & 4 from above outline the impact

We are quite active in the Cornish Hill precinct and treasure its 'lack' of visitors



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*If insufficient space, please attach separate sheet*

### Privacy Collection Notice

Your objection 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 objection. Your personal details will be redacted through the planning permit process. Your redacted objection 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.

Signature: ..... Or Tick Box ☒ Date: **9/8/2023**

### IMPORTANT NOTES ABOUT OBJECTIONS TO PLANNING PERMIT APPLICATIONS

1. This form is to help you make an objection to an application in a way which complies with the Planning and Environment Act 1987, and which can be readily understood by the Responsible Authority. There is no requirement under the Act that you use any particular form.
2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the Responsible Authority's office.
3. To make an objection you should clearly complete the details on this form and lodge it with the Responsible Authority as shown on the Public Notice – Application for a Planning Permit.
4. An objection must:
  - state the reasons for your objection, and
  - state how you would be affected if a permit is granted.
5. The Responsible Authority may reject an application for objection which it considers has been made primarily to secure or to maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
6. Any person may inspect an objection during office hours.
7. If your objection related to an effect on property other than at your address as shown on this form, give details of that property and of your interest in it.
8. To ensure the Responsible Authority considers your objection, make sure that the Authority receives it by the date shown in the notice of Advertising.
9. If you object before the Responsible Authority makes a decision, the Authority will tell you its decision.
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 application for review (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 28 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.



Dear Hepburn Shire Council

**Re: Application PLN23/0068 – 13 Nash Lane Daylesford, 3460**

As a resident of Macadam Street West, the proposed development directly impacts us and we have significant concerns which are detailed below to the relevant Hepburn Planning Scheme and its associated clauses.

Regards



**Planning Scheme – Clause 15.01.25 – Building Design**

The building design does not reflect the surrounding neighbouring character and its elements. This is contrary to the strong sense of spaciousness and openness in the neighbourhood. No other properties have a similar amount of outbuildings or dispersed and scattered forms on the land. The multiple pitched roof is uncharacteristic to the surrounding land and existing dwellings. We have a real concern of the height of the chimneys and the smoke disbursement over surrounding properties causing a major fire risk. The development is highly contrasting to the surrounding blocks of land, each which contain modest single dwellings. The neighbourhood, as it stands, is respectful and sympathetic to the conditions present within this peaceful pocket of Daylesford.

**Planning Scheme – Clause 15.01.5L-01 – Neighbourhood character**

The proposal does not respect neighbourhood character as is not of a residential nature, as are all of its surrounding properties along Nash Lane, Lake Road, Macadam Street and Duke Street.

**Planning Scheme – Clause 43.01 – Heritage Overlay**

The proposal will not blend in with the heritage overlay of the surrounding properties. The development does not blend into the surrounding blocks of land each containing modest dwellings. It is a peaceful pocket of Daylesford and is respectful to the heritage overlay.

**Planning Scheme – Clause 52.06 – Car Parking**

We are highly concerned about the provision of car parking space and the traffic congestion this will cause along with noise pollution, petrol fumes, and in the event of any emergency.

**Planning Scheme – Clause 53.02 – Bushfire Planning**

We have a real concern of the height of the chimneys and the smoke disbursement over surrounding properties causing a major fire risk.

The site sits within a pocket of properties that abut Cornish Hill. Cornish Hill has a large area of vegetation which concerns us in the event of a bushfire that access to this area is greatly compromised.



To: [shire@hepburn.vic.gov.au](mailto:shire@hepburn.vic.gov.au)

Subject: 13 Nash Lane DAYLESFORD VIC 3460 - Planning Submission Objection

Dear Hepburn Shire Council,

Thank you for the opportunity to provide a submission to Development Application *PLN23/0068* submitted on 11<sup>th</sup> April 2023 for the subject site 13 Nash Lane, Daylesford.

As the owner of [REDACTED] the proposed development directly impacts us and yields significant concerns which we have detailed below in relation to the relevant Hepburn Planning Scheme and its associated clauses.

As an architect myself, I fully support development as a way to bring new life and diversity to townships; however, I strongly believe in the need for these developments to be empathetic to the context in which they are being placed. While I support the vision of the Hepburn Planning Scheme to encourage healthy development and growth for the township of Daylesford, I **object** to the site response that the development at 13 Nash Lane proposes. Detailed below, are my reasons why.

### Reasons for my objection (in red):

#### Planning Scheme - Clause 15.01-2S - Building Design

Extract from *Clause 15.01-2S – Building Design - of the Hepburn Planning Scheme (2023)*:

##### **Objective:**

To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

##### **Strategies:**

- Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.
- Ensure development responds and contributes to the strategic and cultural context of its location.
- Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
- Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
- Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
- Ensure development is designed to protect and enhance valued landmarks, views and vistas.

##### **Extracts from development application:**

*"The proposal is to construct six (6) double storey cabins along the frontage of the site."*

*"The cabins will sit close to the road frontage ranging from 1.4 to 4.7 metre setbacks from Nash Lane. The buildings are staggered along the road frontage to provide articulation to the streetscape."*

*"The proposed gazebo will have a floor area of 66m<sup>2</sup> and will be used for the purposes of providing a gathering area for those who are accommodated on site."*

*"The proposed garage will be used for undercover car parking. The garage will have an area of 56m<sup>2</sup> and will be located behind the cabins and setback 1.0 metres from the southern boundary."*

##### **Objections:**

- **Built form:** the development fundamentally fails to consider the site context and key neighbourhood character elements and results in an overdevelopment of the site. The construction of 6 new units with minimum setbacks

plus 2 new outbuildings will result in significant built form throughout the site. This is contrary to the strong sense of spaciousness and openness in the neighbourhood. The limited setbacks to Nash Lane and abutting properties does not reflect the spacious character and realm of this neighbourhood.

- **Bulk and Form:** The proposed development lacks recognition of the existing urban form and significant relationship to the valued open space and neighbourhood character of the area. The proposal is of such high density that it greatly contrasts the low-density dwellings of the surrounding neighbourhood. No other property has a similar amount of outbuildings or dispersed and scattered forms on the land. The multiple pitched roof forms bring a visual busyness that is unsympathetic to the surrounding land and existing properties. The development will stick out like a sore thumb amidst the existing landscape.
- [REDACTED] shows the dwelling facing southerly. The dwelling has been specifically designed and oriented in a way that its main living area takes in the views and vistas overlooking the treetops out towards Lake Daylesford. The proposed development strongly disrupts these views through the visual bulk, form, and density of its buildings, and fully exposes the dwelling at 6 Nash Lane to the daily activity of guests, traffic, and noise made by those utilising the proposed development.
- [REDACTED] Due to the restrictions of vegetation under BAL-29, it is unlikely that there will be the opportunity for landscaping to be utilised effectively to create visual and noise separation between the proposed dwelling at 6 Nash Lane, and the proposed development at 13 Nash Lane.
- **Definition of Façade Setback:** The setbacks of the units shown on the north-west boundary are taken from the building's "façade". However, it is apparent that the prominent retaining walls as shown on plan and in 3D visualisation along Nash Lane make up a key component of the façade, and therefore should be the subject of these setbacks. Hence, the development should be pushed further South-East away from Nash Lane.
- **Façade and Streetscape:** The 1.4m setback from Nash Lane of Unit 6 does not reflect the setbacks that other neighbouring properties adhere to from their respective roads. This would allow no landscaping opportunities and present a harsh frontage to the quiet Nash Lane.
- **Minimum Setbacks:** The minimum setbacks of the building on the boundaries of 15 Nash Lane and 11 Nash Lane would require Protection of Works notices and Dilapidation Reports due to the extreme excavation (in excess of 1 meter) that the development proposes.
- **Screening/Vegetation on boundaries:** The setbacks are minimal and restrict the potential for screen landscaping on all boundaries.
- **Neighbourhood Character (buildings):** In accordance with the objectives of the Daylesford Neighbourhood Character Study (2002), the development is highly contrasting to the surrounding blocks of land, each which contain modest single-dwellings. The low-density neighbourhood, as it stands, is respectful and sympathetic to the conditions present within this peaceful pocket of Daylesford.
- **Neighbourhood Character (site entry):** Nash Lane is a narrow, small, quiet, residential lane, and the addition of an extra crossover as proposed will increase sound pollution and traffic congestion.

#### **Planning Scheme – Clause 15.01-5L-01 – Neighbourhood character in Daylesford (NRZ)**

Extract from *Clause 15.01-5L-01 – Neighbourhood character in Daylesford - of the Hepburn Planning Scheme (2023)*:

##### **Policy application**

This policy applies to land in Daylesford in the Neighbourhood Residential Zone and Low Density Residential Zone, shown on the Daylesford neighbourhood character precincts map.

##### **Objective**

To achieve the identified preferred character in residential areas in Daylesford.

##### **Daylesford-wide strategies**

- Protect and enhance vistas, views and landmarks such as Wombat Hill, Cornish Hill, residential areas interfacing with the Vincent Street commercial area, and the churches and other spires.

- Create new vistas, views and landmarks within residential areas without dominating the landscape.
- Ensure that vehicle access and parking does not compromise the character and amenity of residential areas including discouraging the removal of street trees for cross overs.
- Encourage the retention and planting of vegetation, with a preference for indigenous plants except in precincts where exotic plants are also identified as being suitable. Design development to provide for streetscapes and private gardens that:
- Strengthen the visual and physical connections between the development and the public realm.
- Respect the underlying neighbourhood landscape character.
- Respond to township entries.
- Retain views to surrounding and distant rural land.

**Extract from Hepburn Planning Scheme (Neighbourhood Residential Zone):**

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas of predominantly single and double storey residential development.
- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

**Objections:**

- Neighbourhood Residential Zone: the site layout, scale and setbacks of the dwellings will result in a dominant built form throughout the site that is inconsistent with the low-scale, spacious character of the neighbourhood.
- Built Form: the development fails to maintain an appropriate balance between built form and open space with a density that detracts from the character of Nash Lane, Duke Street, and surrounding streets. The dominant design and layout will interrupt the rhythm and spacing of the neighbourhood as it includes such high-density development.
- Recognise predominantly residential development: The proposal is not of a residential nature, as are all its surrounding neighbours along Nash Lane, Duke Street, and Macadam Street.
- Respects neighbourhood character: The proposal is not empathetic to the low-density, humble dwellings of the surrounding properties along Nash Lane, Duke Street, and Macadam Street.
- To allow other non-residential uses in appropriate locations: this quiet residential pocket is not an appropriate location for a highly active community facility for large gatherings. All the surrounding properties are of an adverse use, size, and activity in comparison to the proposed development.
- Overshadowing and Privacy: no shadow diagrams have been provided in relation to the impacts on neighbouring property 11 Nash Lane, on the South-East side of the development. Similarly, no consideration has been taken into account with regards to loss of privacy or overlooking into the private open space or living areas of 11 Nash Lane or 15 Nash Lane.

**Planning Scheme – Clause 43.01 – Heritage Overlay**

*The subject site is also included within Heritage Overlay (H0898). Extract from Hepburn Planning Scheme (2023):*

**Clause 43.01-8 - Decision Guidelines:**

- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.

**Extracts from development application:**

*“The development will not be seen from the main area of the precinct. The land slopes down to the Lake Road reserve and with significant tree cover and the use of appropriate building materials, there will be no impacts to the heritage place.”*

*“Again, the development will blend in with the area. The use of appropriate and sympathetic materials, there will be no impact to the heritage place.”*



**Objections:**

- Neighbourhood Character and “blending in with area”: In accordance with the objectives of the Daylesford Neighbourhood Character Study (2002), the development is highly contrasting to the surrounding blocks of land, each which contain modest single-dwellings. The low-density neighbourhood, as it stands, is respectful and sympathetic to the conditions present within this peaceful pocket of Daylesford. The proposal will not blend in and does not respect its surrounding conditions.
- Visibility: The proposal is situated so close to Nash Lane, that it will be highly visible due to the lack of any vegetation between the property boundary and the buildings. The development will be highly visible from Ballan-Daylesford Road, Lake Road, Nash Lane, and Duke Street.
- Bulk and Form: The proposed development lacks recognition of the existing urban form and significant relationship to the valued open space and neighbourhood character of the area. The proposal is of such high density that it greatly contrasts the low-density dwellings of the surrounding neighbourhood. No other property has a similar amount of outbuildings or dispersed and scattered forms on the land. The multiple pitched roof forms bring a visual busyness that is unsympathetic to the surrounding land and existing properties. The development will stick out like a sore thumb amidst the existing landscape.

**Planning Scheme – Clause 52.06 – Car Parking**

Extract from *Clause 52.06 – Car Parking - of the Hepburn Planning Scheme (2023)*:

**Purpose:**

- To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

**Extracts from development application:**

*“The proposed development comprises 6 x 3-bedroom cabins and 1 x 3 bedroom dwelling. This equates to fourteen (14) car spaces to be provided on site. The proposal is to accommodate existing dwelling will comprise 14 uncovered spaces with two undercover spaces provided for the existing dwelling, making a total of 16 spaces. The two additional spaces could be considered as 2 spaces covering the required visitor parking.”*

*“Car parking will be provided on site. A total of 14 spaces uncovered spaces will be provided in two locations. The first car park is located in front of the existing dwelling and between Cabins 1 and 2 which comprises 4 car spaces. One of these spaces will be designated as a disabled car space. The second car parking area is accessed between cabins 5 and 6 which and will provide 10 car spaces. Each car park area will be accessed via a driveway that 3.5 metres wide and will provide an area for entering and leaving the car space. The car spaces and driveways will be an all-weather crushed rock surface.”*

**Objections:**

- Traffic and Car Parking: The application describes a place for up to 40 persons to be accommodated on site. With only 14-16 spaces provided on site, there will not be capacity to allow for up to 40 persons to park their vehicles. This will likely end in cars being parked along Nash Lane, Duke St, Lake Road, Macadam St, and in front of surrounding properties.
- “To ensure that car parking does not adversely affect the amenity of the locality”: Nash Lane is a small and private road, with a narrow entrance via Lake Road, and with a tight intersection at Duke Street. The movement of the guests of 6 units and the potential for 40 persons will result in traffic congestion, noise pollution, petrol fumes, and in the event of an emergency pose as a serious risk to life.
- “To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use”: Nash Lane is a small and private road, with a narrow entrance via Lake Road,

and with a tight intersection at Duke Street. The movement of the guests of 6 units and the potential for 40 persons will result in traffic congestion, noise pollution, petrol fumes, and in the event of an emergency pose as a serious risk to life.

#### **Planning Scheme – Clause 53.02 - Bushfire Planning**

Extract from *Clause 53.02 – Bushfire Planning - of the Hepburn Planning Scheme (2023)*:

##### **Purpose:**

- 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.

##### **Objections:**

- **Fire Services Access:** The site sits within a pocket of properties that abut Cornish Hill – a large area of vegetation subject to fire risk. With only 14 spaces provided on site, there will not be capacity to allow for up to 40 persons to park their vehicles. This will likely end in cars being parked along Nash Lane, Duke Street, Lake Road, Macadam St, and in front of surrounding properties, causing potential access issues for fire services in the event they are required.
- **Traffic and Density:** The application describes a place for up to 40 persons to be accommodated on site. In the event of a fire, the amount of persons needing to evacuate will cause congestion via Nash Lane, Duke Street, and at the Lake Road exit.

#### **Planning Scheme - Clause 15.01-1L - Urban Design**

Extract from *Clause 15.01-1L of the Hepburn Planning Scheme (2023)*:

##### **Policy application:**

This policy applies to all development of land within the boundaries of townships shown on the Strategic Framework Plan at Clause 02.04 including Clunes, Creswick, Daylesford, Hepburn Springs and Trentham and the settlement of Glenlyon.

##### **General Strategies:**

- Protect and enhance the gold rush heritage built form, tourism and the landscape setting of townships.
- Ensure development respects the low scale, vegetated and natural and rural character of townships
- Ensure that development respects and enhances notable features and landmarks of townships such as building form, volume, low scale height, setbacks, spacing, streetscapes, tree lined streets, intact heritage places and existing vegetation.

##### **Extract from development application:**

*“The proposed development will respect the character of the area through appropriate building materials, separation between buildings, car parks not dominating the streetscape and area for further landscaping.”*

##### **Objections:**

- **Response to Urban Design Objectives:** there will be excessive built form throughout the site that fails to respond to the context of the neighbourhood and the character of the township. The dwellings will be visually dominant from surrounding streets and from surrounding properties. The extent of built form, particularly towards the front of the site (Nash Lane), is highly uncharacteristic with the rhythm and spacing of dwellings nearby.
- **Low scale character:** The proposed development lacks recognition of the existing low scale urban form and neighbourhood character of the area. The proposal is of such high density that it greatly contrasts the low-density dwellings of the surrounding neighbourhood. No other property has a similar amount of outbuildings or dispersed and scattered forms on the land.

**Planning Scheme - Clause 17.04-1S – Facilitating Tourism**

Extract from *Clause 17.04-1S – Facilitating Tourism - of the Hepburn Planning Scheme (2023)*:

**Strategies:**

- Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.
- Seek to ensure that tourism facilities have access to suitable transport.
- Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.
- Create innovative tourism experiences.
- Encourage investment that meets demand and supports growth in tourism.

**Extracts from development application:**

*“The proposal is for group accommodation. The facility will provide the opportunity for community groups to experience the tranquil area of Daylesford while also experiencing the tourism of the area.”*

*“The accommodation will be used for community groups who gather for wellbeing and spiritual reasons and where they can interact and attend spiritual meetings. The proposed gazebo will provide the space for these gatherings. Up to 40 persons can be accommodated on the site at any one time and the facility will be marketed on this basis. The facility will be operating all year round with it mostly being used during weekends. The gazebo will be used during daylight hours.”*

*“The proposed gazebo will have a floor area of 66m<sup>2</sup> and will be used for the purposes of providing a gathering area for those who are accommodated on site. The gazebo will have no walls and will comprise hardwood columns and a 20 degree Colourbond monument roof.”*

**Objections:**

- **Religious Retreat:** The application describes a highly exclusive religious retreat. This does not cater to the broader tourism sector, as it targets a limited and specific demographic. Furthermore, the development is not compatible with the existing land and its surroundings based on the statements provided above. A religious retreat is likely to include loud music, large gatherings, and extreme levels of activity.
- **Well-sited:** The proposed development is not well-sited as it does not take into account the characteristics, uses, bulk, form, or density of its surrounding context.
- **Well-designed:** The proposed gazebo is not well-designed, as it will have no walls and therefore will create potential noise pollution with the proposed allowance of up to 40+ individuals for events and meetings.



What application do you object to?

Permit application no: PLN23/0068

Proposal: Demolition of an existing building, use and development of group accommodation and removal of native vegetation.

Who has applied for permit: Iplanning Services Pty Ltd

Reason(s) for the submission/objection

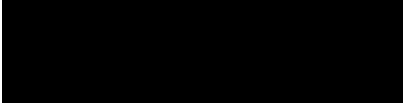
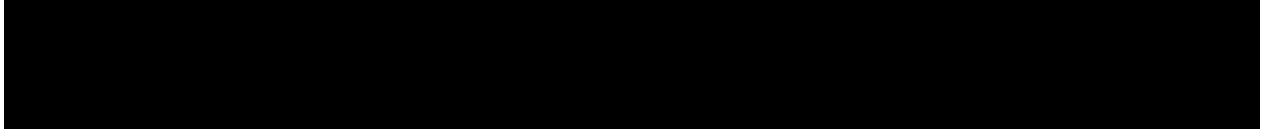
What are the reasons for your objection?

1. As Nash Lane is an unsealed country lane with access to Cornish Hill our concerns are the impact on native flora and fauna, fire risk and fire access. All surrounding roads are narrow and in poor condition.
2. Density of group housing – proposed buildings, ie. 7 free standing units, carparks, gazebo, etc is a total over development of the site. Is the site subject to Heritage Overlay?
3. Streetscape – bulk buildings and materials intended are inappropriate and do not fit in with the area's natural landscape.
4. Noise pollution – due to proposed over development in residential area the noise factor is of concern especially the proposed religious gatherings and accommodation of up to 40 people which are to be hired out for commercial gain.
5. Privacy – significant increase in traffic (cars and foot traffic) and builders' trucks will destroy our tranquillity. No off-street parking is possible.
6. Removal of mature and native trees and bushes will impact our much-loved wildlife. Especially its proximity to Cornish Hill and Crown land.
7. Our major concern is that this is a commercially based venture and development for pure financial gains in an area that is currently purely residential.

How will you be affected by the grant of a permit?

1. Adverse effect on surrounding house values due to increased traffic and noise levels all year round.
2. Our privacy and peaceful surroundings will be adversely affected by the long development and building process with high levels of tradesman and vehicle traffic. Access to our property will also be impacted.

3. Parking congestion – our Eastern boundary is the unsealed access to Cornish Hill where cars park now to walk through to state forest. Our Southern boundary is Nash Lane, an unsealed narrow, steep, single land with foot access to Cornish Hill. Dust which is a problem at present will be a bigger issue, especially in Summer, with increased traffic numbers.



Reason(s) for the submission/objection - We object to this proposed development on the following grounds:

We think this development is unsuitable and inappropriate for this area.

The addition of 6 three bedroom dwellings seems too dense an occupancy for this quiet area. The application states that this development will respect the character of the area but the addition of six double storey dwellings on the one block of land will destroy what character exists in the area, where all the surrounding blocks have single dwellings on them.

The application states that this proposal will add to the range and availability of housing in the area, but the proposal is to only use these cabins for visitors, mainly at weekends, so it is not adding to the available housing.

The parking allowance seems too little for the development considering there is expected to be up to 40 people each weekend. That would equate to approximately 20 to 25 vehicles which will vie for 14 to 16 car spaces. The overflow will have to find parking in the surrounding quiet narrow streets.

There does not appear to have been provision made for storing rubbish bins on the property. Where will they go? At the moment the residents have to take their bins down to Lake Road on collection day. Where will the additional 18 or more bins need to go?

The cabins are planned to have chimneys which I assume means they will have wood fires. This will mean a large increase in the amount of smoke in the atmosphere on cooler days and nights.

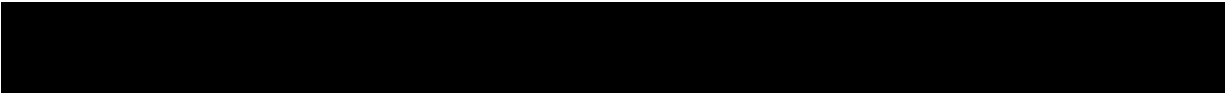
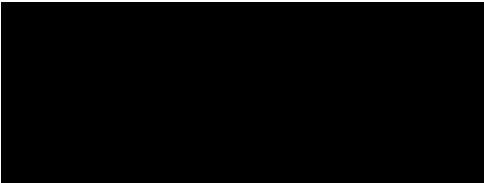
There will be an obvious increase in the amount of noise, traffic and general disruption to our quiet corner of Daylesford.

There will be an increase in loss of vegetation and animal habitat in the area. We often see kangaroos and wallabies around here and this will be diminished.

Lastly the dwellings close to this development will be overlooked and to some extent overshadowed by these large cabins leading to loss of privacy, sunlight etc.

We urge you to reject this proposal.



- 
- Reason(s) for the submission/objection -1. Size of the development on the parcel of land ( PlanningScheme-Clause 15.01-25 Building Design ) Minimise the detrimental impact of development on neighbouring properties, the public realm and the environment
  - I am a permanent resident of 35 years in Nash Lane , I enjoy the site of native animals, wallabies, kangaroos & echidna which come through the adjoining bush land. I am concerned by the removal of native trees & shrubs in this proposed development. I am also concerned by the lack of space for the replacement of possible plantings when this site will be mostly buildings, car parking & paving.
  - The location of unit one to the boundary of the proposed development, this will block the sun into the sunniest position of my garden in the morning on the North East boundary.  
The type & height of the walls & fencing do not suit the heritage of the area
  - Concern for access to the bush area on the South East boundary for the Fire Department if needed. My understanding is that Nash Lane is a fire access track. Access to the South East would be extremely difficult if not impossible, then putting my property at risk.
  - Concern for the car parking if the proposed development may have up to 40 persons & visitors on site. The only options for alternative parking will be the arrow road in Nash Lane
- 

Please use clear writing and typed information where possible Planning & Environment Act 1987

#### WHAT APPLICATION DO YOU OBJECT TO?

Permit application no. PLN23/0068

Proposal: Demolition of existing building, use and development of group accommodation and removal of native vegetation

Who has applied for the permit: Iplanning Services Pty Ltd

#### WHAT ARE THE REASONS FOR YOUR OBJECTION?

Permit applies for adding to the existing double story dwelling a further 6.3 bedroom double storey dwellings plus a gazebo capable of holding 40 people. potentially there could be 40 cars on site with parking for only 14 being made available.

Nash Lane is a single lane road. The increased traffic will have severe implication on permanent residents adjoining local roads.

Increased noise pollution in the area.

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

Local traffic will be greatly increased.

Increase in noise pollution

Access to properties

.....

.....

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.....

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*If insufficient space, please attach separate sheet*

### Privacy Collection Notice

Your objection 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 objection. Your personal details will be redacted through the planning permit process. Your redacted objection 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.

Signature: ..... Or Tick Box ☐ Date: .....

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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.



## PLANNING APPLICATION – 13 NASH LANE, DAYLESFORD

## OBJECTION

Planning &amp; Environment Act 1987

## OBJECTOR

## APPLICATION OBJECTED TO

**Permit application no.:** PLN23/0068**Proposal:** Demolition of an existing building, use and development of group accommodation and removal of native vegetation**Who has applied for the permit:** Iplanning Services Pty Ltd

## REASONS FOR OBJECTION

**Privacy – 15 Nash Lane**

I am a permanent residence of [REDACTED] and my property is situated uphill from the proposed development. The windows of my home facing the proposed development are floor to ceiling along the entire length of my home and, so, my internal living area is in full view of users of the proposed development notwithstanding the erection of a standard height boundary fence. The external living and entertainment areas of my backyard are likewise affected. As a result, the privacy and peaceful enjoyment of my home are substantially affected.

This is contrary to the statement made in the Application regarding effect on privacy.

**Noise – 15 Nash Lane**

**Gazebo:** The Application states that the gazebo is intended for meetings and gatherings for up to 40 people and is designed without walls.

There is no provision in the design for noise suppression from gatherings which would transmit to the neighbouring properties especially as noise travels uphill.

**Density:** The density of the buildings of the proposed development and the resultant high movements of people and traffic using the development would create a substantial increase in noise and disruption me and to an otherwise peaceful residential neighbourhood.

**Carpark:** The 12 carparks comprising open parking spaces numbered 5 to 14 and the 2 car garage, as well as the internal access road to the car parks, are directly below and in full view of and from my home. The design for the cark layout is more suited to a commercial operation and unsuitable in a quiet residential area. I have floor to ceiling windows the entire length of my home which overlooks the proposed access and parking area. Car parks 9 to 14 are within 20 metres of my home.

The unrestricted movement of 12 cars at all hours will cause excessive noise and disturbance of peace and quiet of the neighbourhood and especially to me.

My home has been designed to take in the south west views and vista overlooking the treetops to the distant hills where the sun sets. My main living area, kitchen and master bedroom and outdoor living area are orientated in that direction.

The proposed development destroys this vista and the passive enjoyment of my home by its bulk, form and density.

## Streetscape –v- Neighbourhood Character

The existing neighbourhood properties in Nash Lane, Duke Street, Lake Road and Macadam Street are low density with single dwellings sympathetic to their surrounds and the bushlands.

The view presented by the buildings of the proposed development is reminiscent of a Coronation Street type high streetscape and has no sympathy whatsoever and incongruous to its surroundings.

### Existing Vegetation – 13 &

There is an old, large, healthy gum tree at the boundary between 13 and [REDACTED] Nash Lane approximately 2 metres from the respective properties' Nash Lane boundary and adjacent to Cabin 6 which is shown but not mentioned in the Vegetation Assessment and Native Vegetation Removal Report. This tree has withstood the severe June 2021 windstorm without any damage.

Some Application drawings appear to show this tree to be within the 13 Nash Lane property . **This is not correct and, in fact, the trunk is bisected by the boundary between 13 and [REDACTED] Nash Lane and**

**is, therefore, within both properties.**

The Application design shows that excavation and building works , including a retaining wall, will occur immediately adjacent to this tree. The Application does not specify what steps, if any, have been made to protect the tree and its root system from damage or loss.

**As the tree is also on my property at ■ Nash Lane, I have no desire for it to be removed or damaged for any reason whatsoever.**




### WHAT APPLICATION DO YOU OBJECT TO?

Permit application no. PLN 23/0068

Proposal: DEMOLITION OF AN EXISTING BUILDING ETC

Who has applied for the permit: I PLANNING SERVICES PTY LTD

### WHAT ARE THE REASONS FOR YOUR OBJECTION?

#### Objections:

- Traffic and Car Parking: The application describes a place for up to 40 persons to be accommodated on site. With only 14-16 spaces provided on site, there will not be capacity to allow for up to 40 persons to park their vehicles. This will likely end in cars being parked along Nash Lane, Duke St, Lake Road, Macadam St, and in front of surrounding properties.
- "To ensure that car parking does not adversely affect the amenity of the locality": Nash Lane is a small and private road, with a narrow entrance via Lake Road, and with a tight intersection at Duke Street. The movement of the guests of 6 units and the potential for 40 persons will result in traffic congestion, noise pollution, petrol fumes, and in the event of an emergency pose as a serious risk to life.
- "To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use": Nash Lane is a small and private road, with a narrow entrance via Lake Road,

WILL BE A DEFINATE FIRE HAZARD ALSO WITH THE PROPOSED GAZEBO THERE WOULD BE EXTENSIVE NOISE POLLUTION. I FEEL VERY SORRY FOR MY SURROUNDING NEIGHBOURS IF THIS GOES AHEAD. THIS PROPOSED DEVELOPMENT IS FAR TO LARGE FOR THIS NEIGHBOURHOOD.

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

MY ADDRESS IS ONLY 70 METRES FROM THE PROPOSED DEVELOPMENT. DUKE ST AT THE SOUTHERN ENDY IS ONLY ONE CAR WIDTH WIDE AS IS NASH LANE. CAR AND COACH PARKING IN THE SURROUNDING STREETS. NAMELY MACADAM ST, DUKE ST, NASH LANE & LAKE ROAD. DUKE ST AT MY ADDRESS IS ONLY A GRAVEL ROAD. ESTIMATED COST \$2,200,000 COULD NOT BE POSSIBLY CORRECT. MY EXPERIENCE AS A FORMER BUILDER WOULD BE AT LEAST \$2,700,000.



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*If insufficient space, please attach separate sheet*

#### Privacy Collection Notice

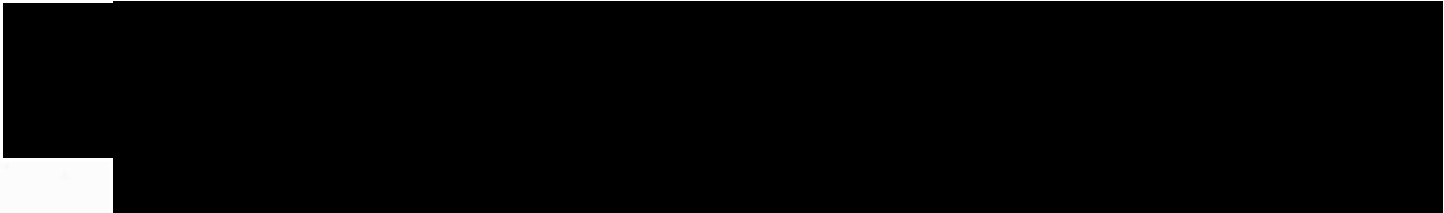
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11. If the Responsible Authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.

HEPBURN SHIRE

MY OBJECTION FOR PLANNING SUBMISSION  
PLN/0068 AT 13 NASH LANE DAYLESFORD 3460.



By: Duke St - Kay  
City: .....  
.....

POSTCODE

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# 13 Nash Lane Daylesford

## Vegetation Assessment and Native Vegetation Removal Report

*Prepared for*  
IPlanning Services Pty Ltd

*Prepared by:*  
**Mark Trengove Ecological Services**

February 2024

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## Document History

Version	Date	Prepared by
Draft	9 February 2023	Mark Trengove
Final	26 February 2024	Mark Trengove

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# 1 Introduction

## 1.1 Project Background

This report was commissioned Ramnnish Sharma undertake an ecological assessment for the proposed accommodation cabins at 13 Nash Lane Daylesford.

Under Clause 52.17 of the Victorian Planning Scheme, the State has gazetted the Native Vegetation Permitted Clearing Regulations. The regulations 'introduce a risk-based approach to assessing applications to remove native vegetation' (DEECA Website vi). Refer to Section 3.3 for further discussion.

## 1.2 Aims

The aims of the study are to -

- Determine the extent of any indigenous vegetation that exists in the study area.
- Describe the vegetation of the study area.
- Undertake an assessment of any native vegetation (patch or scattered tree) that may be impacted on by the proposal.
- Respond to relevant legislation (Clause 52.17, BMO and ESO1).
- Prescribe offset requirements for the removal of native vegetation from the study area.

## 1.3 Study Area

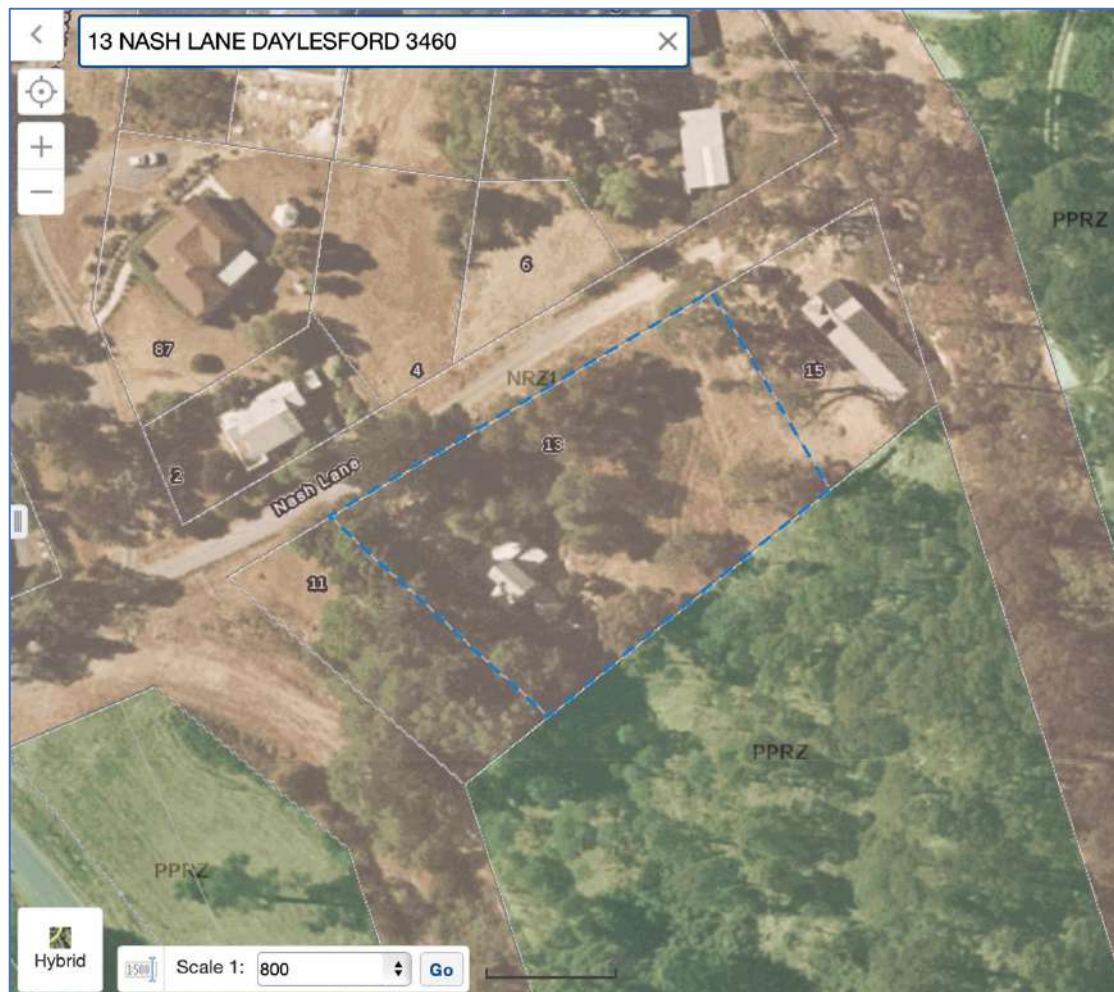
The subject site consists of approximately 0.2611 hectares of land located at 13 Nash Lane Daylesford. The study area is the entire property.

The study area is located within the Hepburn Shire Council, which is located within in the North Central Catchment Management Authority area. The study area is within the Central Victorian Uplands bioregion (DEECA website i). Under the Hepburn Planning Scheme, the study area is zoned Neighbourhood Residential Zone (NRZ1) and is subject to Bushfire Management Overlay, Environment Protection Overlay 1 (ESO1) and Environment Protection Overlay 2 (ESO2).

The vegetation of the study area can be described as follows:

- Disturbed with predominately exotic plant species.
- Partially intact native vegetation, being mature Eucalyptus and Acacia trees.

Refer to Figure 1 for the location of the study area.



**Figure 1.** Study area location.

## ***1.4 Potential Impacts***

The area of potential impact is comprised of 5 proposed new accommodation cabins, vehicle parking and access.

Although some native vegetation will be retained, it is assessed that native vegetation removal will be required given the land zoning and the constraints of the proposal.

Refer to Figure 2 for the proposed development layout.



Figure 2. Proposed development.



## **2 Survey Methods**

### **2.1 Taxonomy**

Scientific names for plants follow the Flora of Victoria (RBG website). Common names for plants follow the Flora of Victoria Vols 2-4 (Walsh and Entwisle 1994-1999).

### **2.2 Literature and Database Review**

Relevant literature, online resources and databases were reviewed to provide an up to date assessment of ecological values associated with the study area and surrounds, including:

- The DEECA NVIM tool (DEECA website i) for:
  - Modelled data for remnant vegetation patches and habitat for rare or threatened species and
  - the extent of historic and current Ecological Vegetation Classes (EVC)s
- The Victorian Biodiversity Atlas (VBA) (DEECA website iv) for previously documented flora and fauna records within the project locality.
- Aerial photography of the study area (Google maps).

### **2.3 Field methodology vegetation assessment**

The site was inspected on foot on the 8<sup>th</sup> of September 2022. The entire site was traversed. Records were taken of all indigenous vascular plant species. Observations were made of the existing habitat values and dominant exotic vascular plant species.

### **2.4 Limitations**

The assessment was conducted during spring, a time of year that is suitable for the detection of most flora species likely to occur on site. Due to the mostly degraded nature of the study area and the favourable conditions for survey, the site inspection is considered to be sufficient to assess the ecological values of the proposed impact site. As a result, there are not considered to be any significant limitations to the finding of the study.

The survey includes only vascular flora. As Habitat Hectare assessments were not required (*refer to 3.3*) non-vascular flora (mosses, lichens, fungi, etc.) were not recorded.

## ***2.5 Defining Vegetation Significance***

A number of criteria are applied in order to assess the significance of flora species and vegetation communities. The definition of the criteria is detailed in Appendix 1.

## ***2.6 Defining and Assessing Native Vegetation***

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

### **Patch native vegetation**

A 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 canopy foliage cover is overlapping.
- Current wetlands as mapped by DEECA.

### **Scattered tree native vegetation**

A scattered tree is:

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

### **Habitat hectares**

Habitat hectares (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 hectares of native vegetation is calculated by multiplying the current condition of the vegetation (condition score) by the extent of native vegetation.

(DEECA Website vi).

## 3 Results

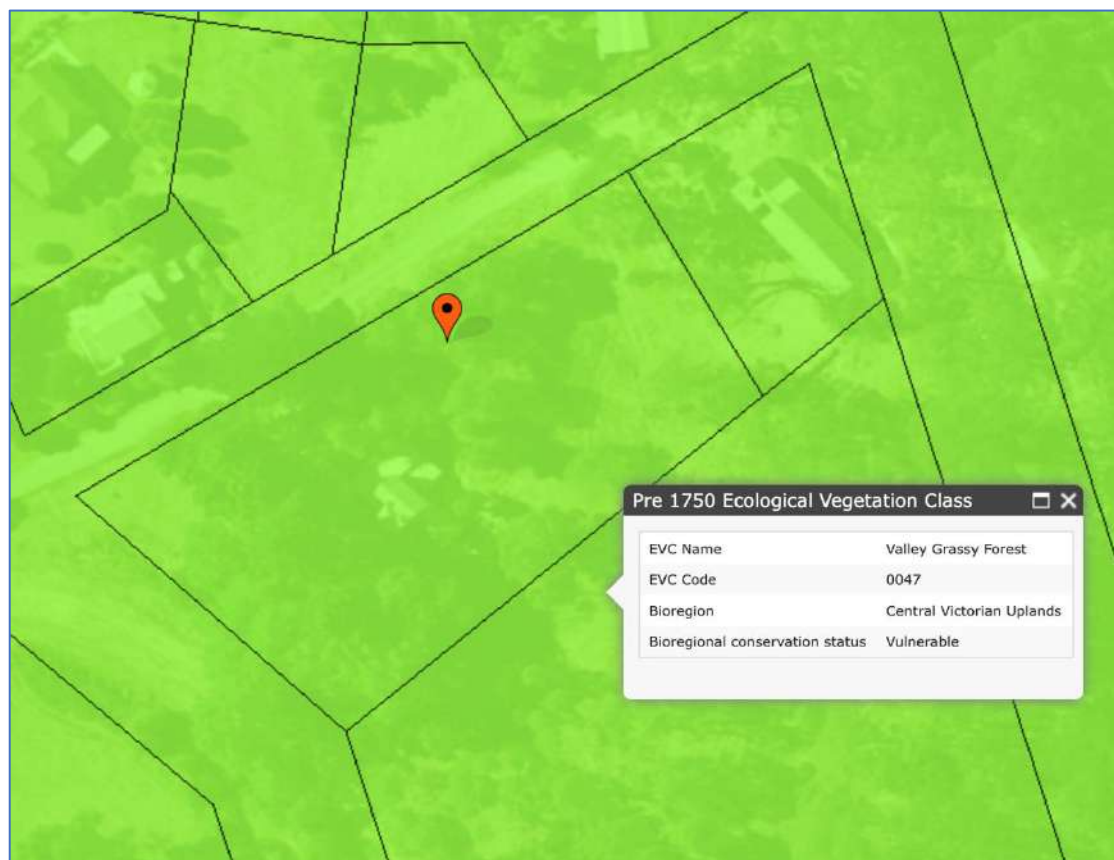
### 3.1 Ecological Vegetation Class

Ecological Vegetation Classes (EVCs) are the primary level of classification of vegetation communities within Victoria. An EVC contains one or more plant (floristic) community and represents a grouping of vegetation communities with broadly similar ecological attributes.

The EVC mapping of the study area undertaken by DEECA (DEECA website i) indicates that the study area and immediate surrounds contains vegetation that aligns with the characteristics of EVC 47 Valley Grassy Forest. The current survey recorded native vegetation that accords with EVC 47 Valley Grassy Forest for the proposed development site.

The bioregional conservation status of EVC 47 Valley Grassy Forest is 'Vulnerable'. Depleted is defined as and EVC where < 30% of pre-european extent remains.

Refer to Figure 3 for the distribution of pre 1750 EVCs (DEECA website i). Refer below (3.3) for further discussion.



**Figure 3.** Distribution of pre 1750 EVCs (DEECA data).



## 3.2 Flora

### 3.2.1 Indigenous Plant Species

A total of two indigenous (native) vascular plant species were recorded for the study area.

Refer to Table 1 for a list of indigenous vascular plant species; including conservation significance recorded this survey. Refer to Table 2 for a list of exotic vascular plant species recorded this survey. Refer to Plates 1-6 for photographs of the vegetation existing conditions.

**Table 1 Indigenous plant species, conservation significance recorded this assessment.**

Botanical Name	Common Name	Status
<i>Acacia dealbata</i>	Silver Wattle	Local
<i>Eucalyptus melliodora</i>	Yellow Box	Local

Status

Local- Local conservation significance

### 3.2.2 Exotic Plant Species

**Table 2 Dominant Naturalised Exotic Plant Species recorded this assessment.**

Botanical Name	Common Name
<i>Agrostis capillaris</i>	Creeping Bent-grass
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass
<i>Cirsium vulgare</i>	Spear Thistle
<i>Dactylis glomeratus</i>	Cock's-foot Grass
<i>Holcus lanatus</i>	Yorkshire Fog-grass
<i>Hypochaeris radicata</i>	Flatweed
<i>Pittosporum undulatum</i>	Sweet Pittosporum
<i>Rubus fruticosus</i> spp. agg.	Blackberry

### 3.2.3 Significant Plant Species

The two recorded native plant species are assessed to be of Local conservation significance. Refer to Table 1 and Appendix 1.

### 3.2.4 Condition of the Vegetation

The vegetation of the study area is described as follows:

- **Partially intact native vegetation.** This vegetation covers small sections of the study area. it is comprised of one mature Yellow Box specimen and two areas of immature Yellow Box and Silver Wattle.
- **Relatively degraded exotic vegetation.** This vegetation occurs across the majority of the study area and is dominated by ruderal weeds. Exotic garden plantings and exotic specimen trees also occur.

### 3.3 State Native Vegetation Permitted Clearing Regulations

#### 3.3.1 Description

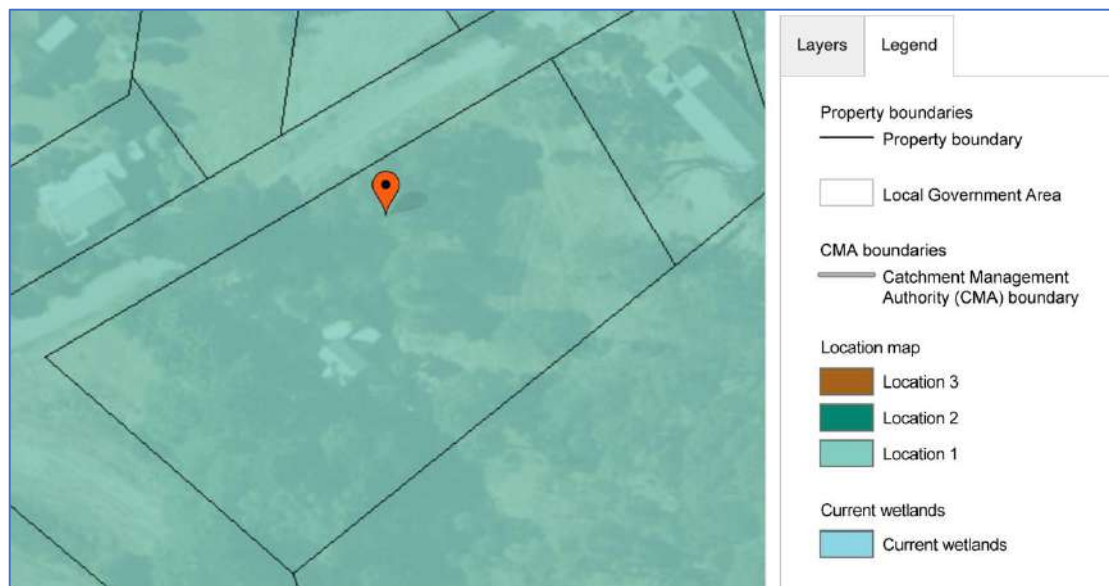
Under Particular Provision (Native Vegetation Clause 52.17) the State has gazetted the Native Vegetation Permitted Clearing Regulations. The Regulations introduce a risk based approach to assessing applications to remove native vegetation (DEECA website vi).

The objective for the permitted clearing of native vegetation (*refer to 2.6*) is that it results in no net loss. This means permitted clearing has a neutral impact on Victoria's biodiversity.

When native vegetation removal is permitted, an offset must be secured which achieves a no net loss outcome for biodiversity. To achieve this, the offset makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation that was removed. The type and amount of offset required depends on the native vegetation being removed and the contribution it makes to Victoria's biodiversity.

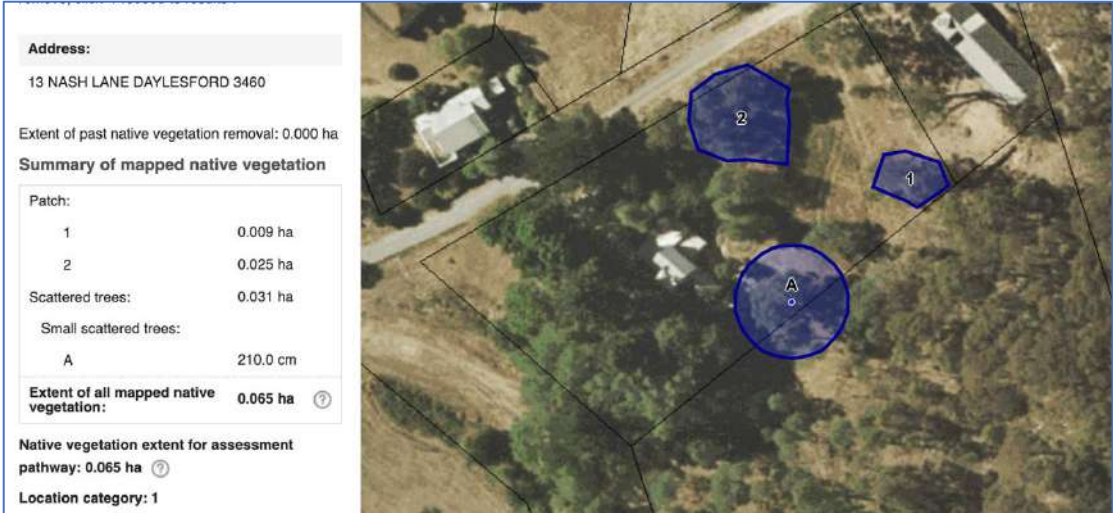
Under the Native Vegetation Permitted Clearing Regulations, any 'patch' or 'scattered tree' native vegetation that is proposed to be removed is subject to protection/and or recruitment offsets, depending upon the characteristics of the site.

Refer to Figure 4 for the distribution of vegetation in the study area according to 'Location'. Implications for the current proposal are discussed as follows.



**Figure 4.** Distribution of vegetation according to 'Location'. Light green equates to 'Location 1' (i.e. least risk) (DEECA Website i). The study area is sited within Location 1.





**Figure 5.** Location of the native vegetation.

Tree A is a mature Yellow Box. Patch 1 is immature Yellow Box. Patch 2 is immature Silver Wattle. The remainder of the site is comprised of exotic naturalised and planted vegetation. Refer to Plates 1-3.

3.4.4 Implications

Under Clause 52.17 a permit to remove native vegetation is not required as the site is less than 0.4 ha in size.

### **3.4 Flora and Fauna Guarantee Act**

The *Flora and Fauna Guarantee Act 1988* (FFG Act) is the key piece of Victorian legislation for the conservation of threatened species and communities and for the management of potentially threatening processes.

The flora and fauna conservation and management objectives, as outlined under the *Flora and Fauna Guarantee Act 1988*, are:

- (a) to guarantee that all taxa of Victoria's flora and fauna can survive, flourish and retain their potential for evolutionary development in the wild
- (b) to conserve Victoria's communities of flora and fauna
- (c) to manage potentially threatening processes
- (d) to ensure that any use of flora or fauna by humans is sustainable
- (e) to ensure that the genetic diversity of flora and fauna is maintained
- (f) to provide programs:
  - (i) of community education in the conservation of flora and fauna
  - (ii) to encourage co-operative management of flora and fauna through, amongst other things, the entering into of land management co-operative agreements under the *Conservation, Forests and Lands Act 1987*
  - (iii) of assisting and giving incentives to people, including landholders, to enable flora and fauna to be conserved
- (g) to encourage the conserving of flora and fauna through co-operative community endeavors.

No FFG Act listed taxon or communities were recorded for the study area

#### **Implications**

As no FFG Act listed taxon or communities were recorded for the study area and as the study area is located on private property there are no implications for the FFG Act.

### **3.5 ESO1 Proclaimed Catchment Protection**

#### ***Environmental objective to be achieved***

*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, streambeds 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.*

([http://planningschemes.dpcd.vic.gov.au/schemes/hepburn/ordinance/42\\_01s01\\_hepb.pdf](http://planningschemes.dpcd.vic.gov.au/schemes/hepburn/ordinance/42_01s01_hepb.pdf))

#### **Implications**

Under ESO1, a permit will be not be required for the removal of vegetation as the vegetation is less than 1 ha and is greater than 30m from a waterway.



### **3.5 ESO2 Mineral Springs and Groundwater Protection**

***Environmental objective to be achieved***

*To protect the mineral springs, their aquifers and their environs from the impacts of effluent and drainage.*

*To protect water bores that provide town water supply.*

([http://planningschemes.dpcd.vic.gov.au/schemes/hepburn/ordinance/42\\_01s02\\_hepb.pdf](http://planningschemes.dpcd.vic.gov.au/schemes/hepburn/ordinance/42_01s02_hepb.pdf))

**Implications**

It is assessed that the removal of native vegetation, as proposed, is unlikely to impact upon the values of ESO2.

### **3.6 Bushfire Management Overlay**

The Bushfire Management Plan (Regional Planning and Design 2024) specifies vegetation management prescriptions so as to comply with the Bushfire Management Overlay.

As a consequence of the Bushfire Management Plan, it is assessed that all patch native Silver Wattle and Yellow Box vegetation will be required to be removed. The single mature Yellow Box tree can likely be retained. Exotic mature trees located in the south-east sector may also be able to be retained.

## 4 Conclusions

The subject site consists of 0.2611 hectares of land located at 13 Nash Lane Daylesford. The study area is the entire property.

This report finds that the proposed impact site is partly comprised of partially intact native vegetation that accords with EVC 47 Valley Grassy Forest. The bioregional conservation status of EVC 47 Valley Grassy Forest is 'vulnerable'. Three locally significant native plant species were recorded by this assessment.

The vegetation of the study area can be described as follows:

- Disturbed with predominately exotic plant species.
- Partially intact indigenous vegetation, being predominately mature trees (patch and scattered tree native vegetation).

As a consequence of the Bushfire Management Plan, it is assessed that all native wattle vegetation will be required to be removed. The single mature Yellow Box tree can likely be retained. Exotic mature trees located in the south-east sector may also be able to be retained.

Under Clause 52.17, a planning permit would not be required from the Hepburn Shire Council to remove the native vegetation that is proposed to be impacted on as the site is less than 0.4 ha in size.

A permit to remove areas of native vegetation the Victorian Flora and Fauna Guarantee Act (1988) would not be required as the native vegetation is on private land.

A permit for the removal of vegetation will not be required under ESO1.

It is assessed that the removal of native vegetation, as proposed, is unlikely to impact upon the values of ESO2.

There are no significant limitations to the findings of this report.

## 5 References

Conn, B J (1993). Natural regions and vegetation of Victoria. Pp. 79-158 In Foreman, D B and Walsh, G (eds.) 'Flora of Victoria Volume 1: Introduction.' Inkata Press, Melbourne.

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DEECA. Native Vegetation Information Management tool.  
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DEECA.  
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Department of Department of Land, Environment Water and Planning, Melbourne, VIC.

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## **Appendix 1 - Assessing conservation significance**

Conservation significance is assessed at a range of scales, including national, state, regional and local. Criteria used for determining the conservation significance of flora at national to local scales are presented below for botanical and zoological conservation significance.

### **Botanical Significance**

**National** botanical significance applies to an area when it supports one or more of the following attributes:

- a population of at least one nationally threatened plant species listed by Briggs and Leigh (1996) or plant species listed on the schedules to the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

- A nationally threatened ecological community listed on the schedules of the *Environment Protection and Biodiversity Conservation Act 1999*.

**State** botanical significance applies to an area when it supports one or more of the following attributes:

- A population of at least one plant species threatened in Victoria, as listed by the Flora Information System (NRE), or on the schedules to the Victorian *Flora and Fauna Guarantee Act 1988*.

- An ecological community considered threatened in Victoria through its listing on the schedules of the *Flora and Fauna Guarantee Act 1988*.

**Regional** botanical significance applies to an area that supports one or more of the following attributes:

- Supports a population of one or more regionally depleted species defined in a valid regional assessment of biodiversity (eg. Regional Native Vegetation Plan, Environment Conservation Council Report or Comprehensive Regional Assessment documents).

- An ecological vegetation class that is considered endangered or vulnerable in a particular bioregion (based on Conn 1993 and the Regional Native Vegetation Plan).

- An ecological vegetation class that is considered depleted in a particular bioregion (based on Conn 1993 and the Regional Native Vegetation Plan).

**Local** botanical significance applies to all remnant native vegetation that does not meet the above criteria. In much of Victoria native vegetation has been so depleted by past clearing and disturbance that all remaining vegetation must be considered to be of at least local conservation significance.

***Plates 1–5 Vegetation existing conditions***



**Plate 1.** Silver Wattle patch native vegetation, central west sector (Patch 2).



**Plate 2.** Yellow Box patch native vegetation, north east sector (Patch 1).



**Plate 3.** Yellow Box scattered tree native vegetation (Tree A).

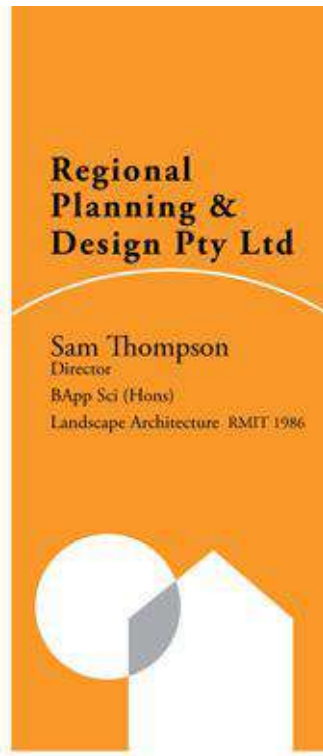


**Plate 4.** Exotic and planted vegetation.



**Plate 5.** Exotic vegetation.





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# Bushfire Management Statement

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**13 Nash Lane  
Daylesford  
Ref No. 22.297**

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## 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	14/9/2022	CFA
B	Revisions following discussions with CFA	21/9/2022	Client
C	General revisions	13/1/2023	Client
D	Issued as a final version	5/4/2023	Client
E	Revisions to plans	5/3/2024	Client

## 1 SUMMARY

Summary	
Proposal	Construction of dwellings to be used for short term accommodation
Date of site visit:	6/9/2022
Access requirements can be met	Proposed buildings are within 30 m of the street
Broad landscape setting (Technical Guide Planning Permit Applications – Bushfire Management Overlay)	3
Water Supply Requirements	10 000 litres in non combustibile tank with CFA access and fittings
Defendable Space requirements can be met	BAL 29 set backs can be provided
Proposed BAL construction level	29

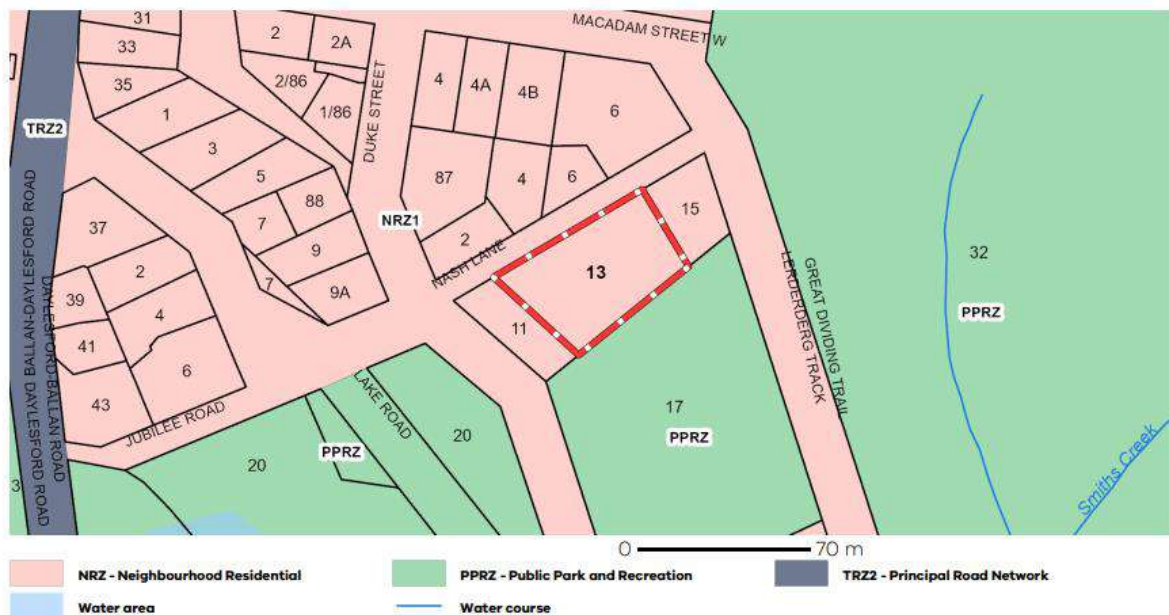
This Bushfire Management Statement (BMS) has been prepared to enable James Iles to respond to the requirements of Clause 44.06 *Bushfire Management Overlay* (known from this point on as Clause 44.06), and associated Clause 53.02 *Bushfire Protection: Planning Requirements* (known from this point on as Clause 53.02) for the proposed development at 13 Nash Lane Daylesford.

The BMS is in two parts

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

Clause Number	Name
32.08	General Residential Zone
44.06	Bushfire Management Overlay
53.02	Planning for Bushfire
42.01	Environmental Significance Overlay (ESO 1 and 2 )
43.01	Heritage Overlay

## Planning Zones



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend



## 4 LOCATION

The site is located on the south east edge of the town of Daylesford



FIGURE 2 LOCATION

## 5 SITE DESCRIPTION

Site shape, dimensions, size , existing use and buildings and works	
The shape of the site is:	Irregular
The dimensions of the site are:	See Figure 3
The site has a total area of:	2611 m2
The current use of the site is	Residential,
The buildings or works located on the site are:	One existing house and shed (See Photo 1)
Site topography	Land slopes to the south west on 12 to 14 degree gradients
Vegetation	The lot is covered in modified vegetation, (photo 2 ) with large trees and shrubs surrounded by mown lawns and gravel surfaces
Services and infrastructure	The site is connected to mains water, gas, sewer. power and the road network

Site Photo



Photo 1 Looking east to dwelling and sheds in the south western part of the site



Site Photos



Photo 2 Looking south east from the northern boundary across mown grass in the northern part of the site.



Photo 3 Looking east from the south east part of the lot through modified vegetation





Figure 3 Site Air Photo

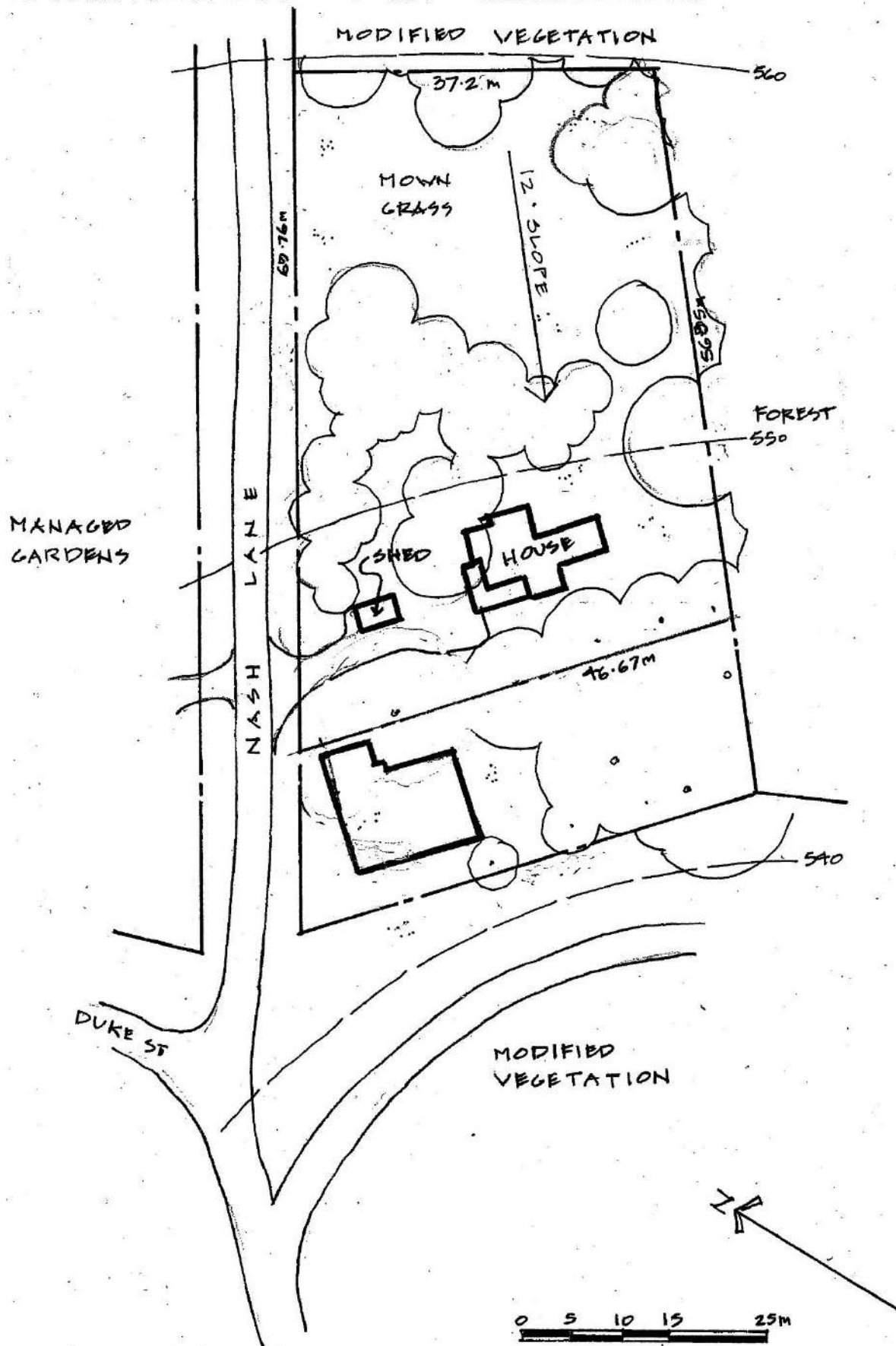


FIGURE 4 EXISTING CONDITIONS



## 6 ACCESS

The site has access from Nash Lane on the north west boundary (photo 4) which connects to Lake Road 60 metres to the south west (photo 5) This gives good access to the town centre of Daylesford to the north.

### Access Photos



Photo 3 Looking south west along Nash Lane towards the site entry from the south west of the site

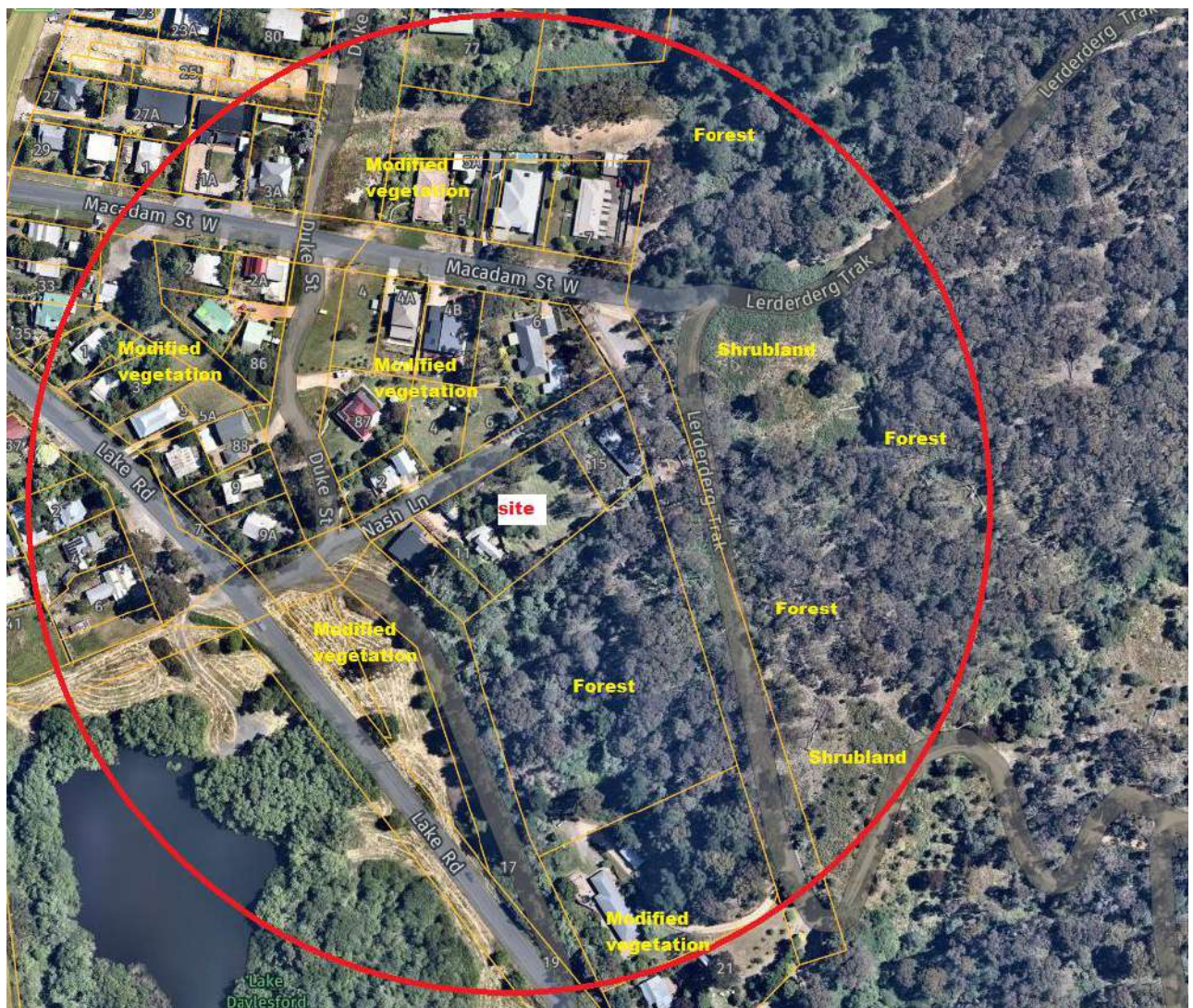


Photo 4 Looking west along Lake Road 60 metres beyond the south west boundary



## 7 BUSHFIRE HAZARD SITE ASSESSMENT

As shown in Figure 5 and described in Appendix 1 there are managed gardens and modified vegetation to the immediate north, west and south west (photos 5 and 6). To the north east are partly managed gardens around dwelling (photo 7, classed as modified) and beyond this is forest in on public land in the Cornish Hill Reserve (photo 8). To the south west is partly managed land in the road verges and around the lake, also classed as modified (photos 9 and 10). To the south east is a strip of managed land approximately 10 metres wide between the site and forest on public land (photos 11 and 12). There is also forest to the north and north east beyond modified vegetation (photos 13 and 14).



**FIGURE 5 150 METRE ASSESSMENT AIR PHOTO**



Surrounding landscape photos



Photo 5 Looking north east towards a dwelling in modified vegetation to the south west of the site



Photo 6 Looking north east towards a dwelling in modified vegetation to the west of the site



Surrounding landscape photos



Photo 7 Looking south west towards a dwelling in modified vegetation to the north east of the site



Photo 8 Looking west across partly managed land towards forest to the north of the site in the Cornish Hill Reserve



Surrounding landscape photos



Photo 9 Looking west across partly managed land to the immediate south west of the site (Classed as modified vegetation)



Photo 10 Looking south east across partly managed land around the lake beyond Lake Road to the south of the site (Classed as modified vegetation)



Surrounding landscape photos



Photo 11 Looking south along a strip of modified vegetation approximately 10 metres wide on the south eastern boundary of the site



Photo 12 Looking south east across forest on public land to the south east of the site.



Surrounding landscape photos



Photo 13 Looking south east through forest to the north east of the site



Photo 14 Looking west through forest on public land to the north 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). There is the potential for a 6 to 8 kilometre long run of fire however the fragmentation of fuel along Ridge Road and the town of Daylesford to the north west will slow fire from this direction. There are also large areas of forest, woodland and grassland to the south west. On a broad landscape scale this increases the fire risk to the site as 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 (3 to 4 kilometres ) from both the north west and south west to affect the site environs. It is following the south west wind changes when fire can cause greatest life and house loss. There is also a high likelihood of short runs of fire from the north through the Cornish Hill Reserve to affect the site.

The areas of forest to the east of the site are less likely to form part of a long rapidly moving bushfire as strong winds from the east are not generally experienced on high fire danger days. A spot fire could start to the east of the site and burn slowly towards the site. As there is grassland beyond forest to the east it is less likely to be damaging than the forest to the north and south west.

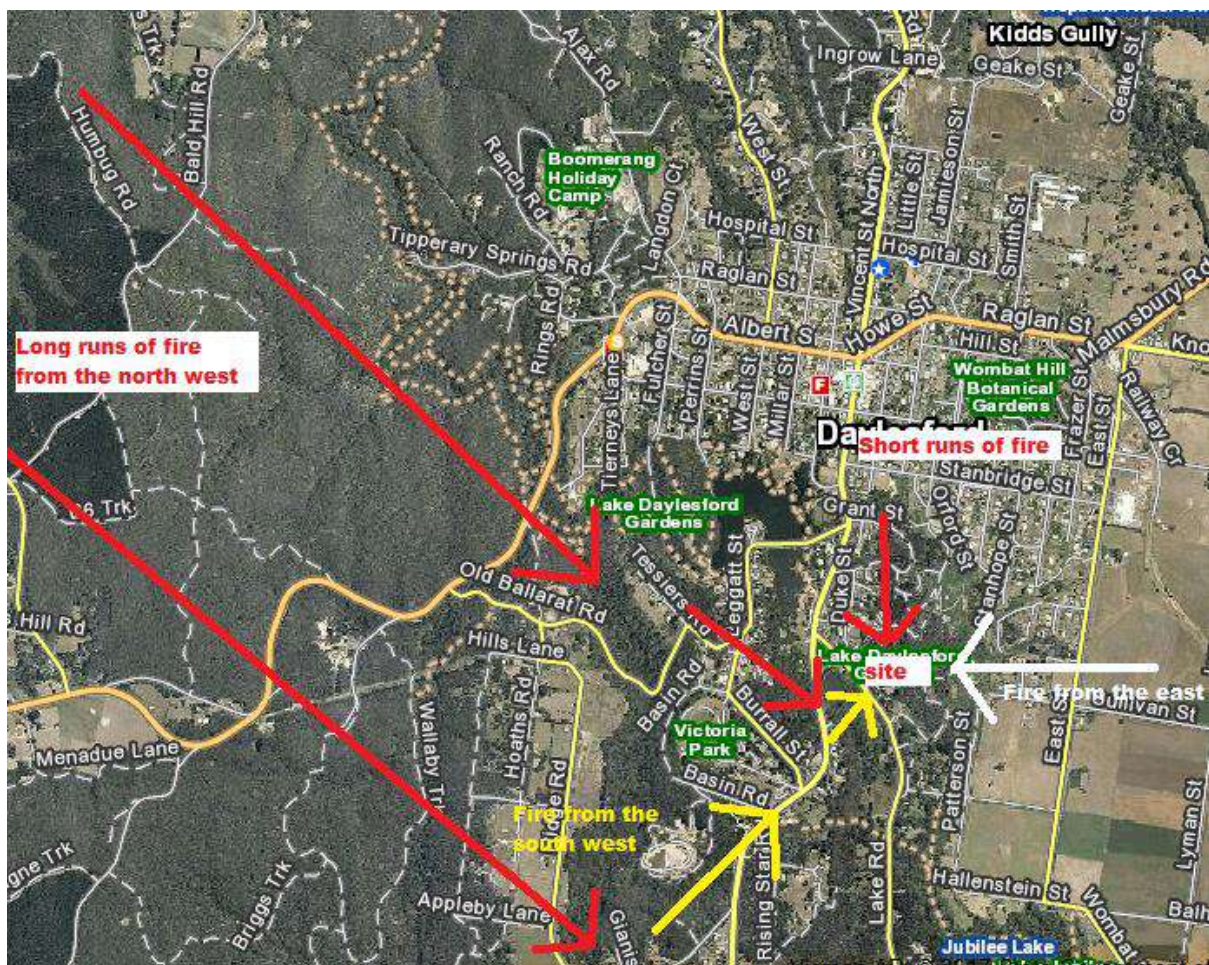


FIGURE 6 BROADSCALE BUSHFIRE CONTEXT PLAN



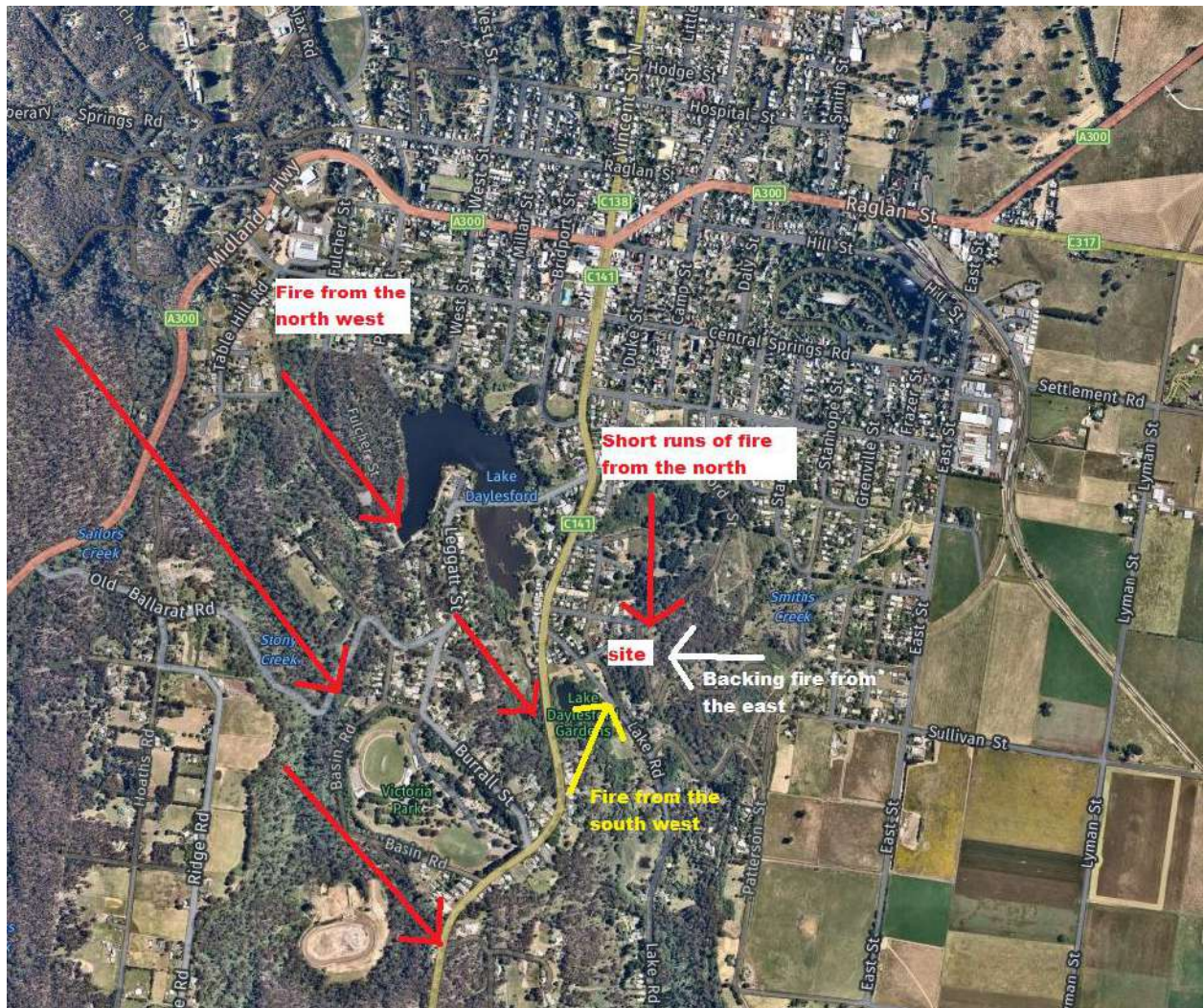


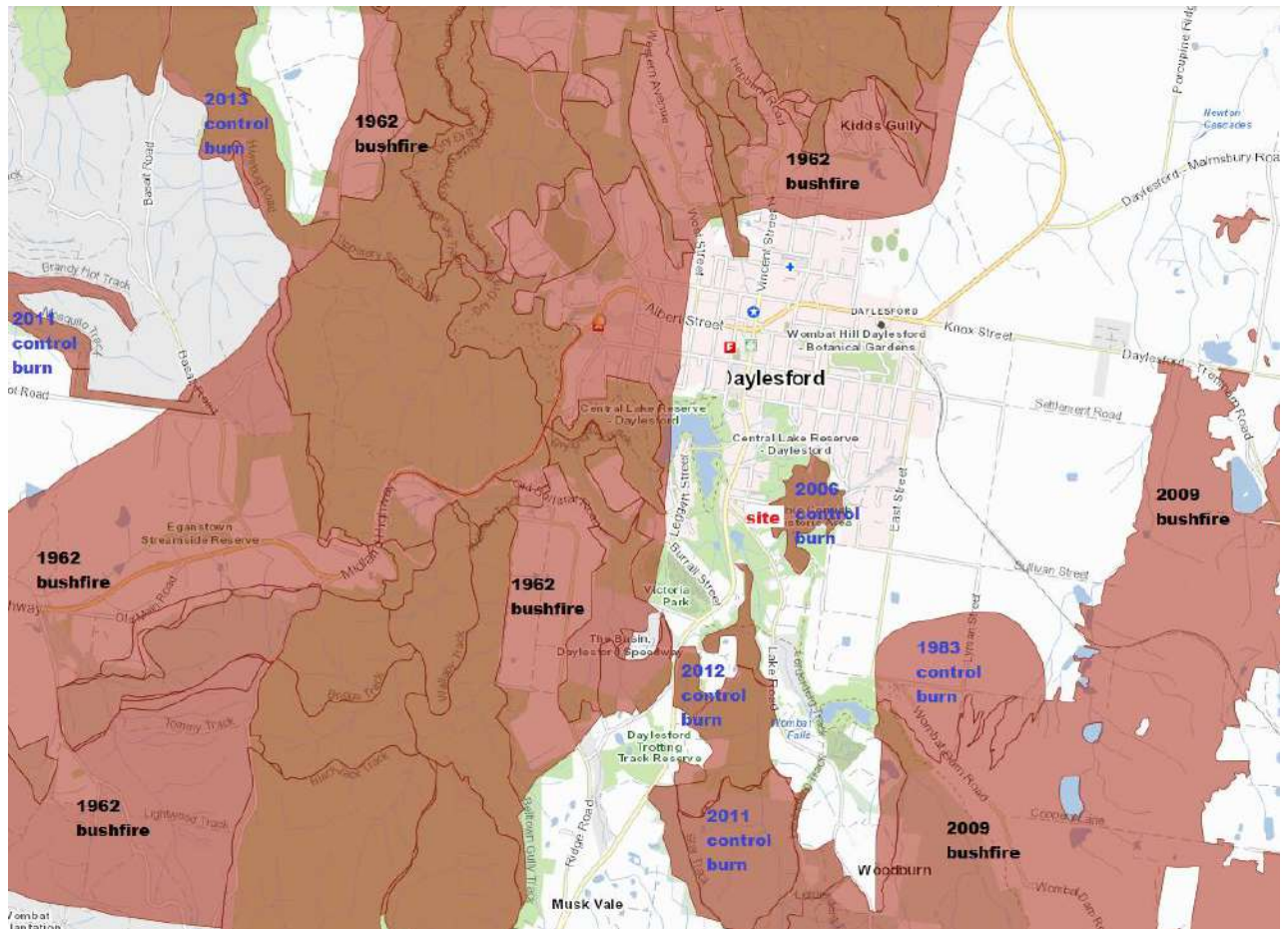
FIGURE 7 LOCAL BUSHFIRE CONTEXT PLAN





FIGURE 8 NEIGHBOURHOOD BUSHFIRE CONTEXT PLAN





**FIGURE 9 BUSHFIRE HISTORY MAP**

The Fire History Map above shows the site is bushfire prone with fires recently occurring around the site, the most significant being the Muskvale Fire in 2009. There have been fuel reduction burns in the area will help reduce the risk to the site . Public land to the north east, west and south is also zoned Bushfire Moderation, Landscape Management and Asset Protection by DELWP which will mean there is some fuel management to reduce the risk.

In summary ,while the site is at risk of fire from more than one direction, the fragmentation of forest closer to the site (particularly from the residential and rural living areas of Daylesford ) reduces the risk

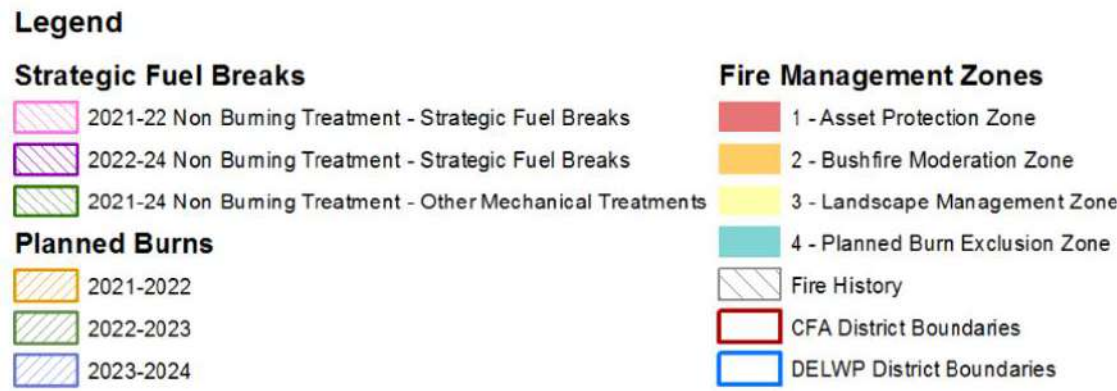


FIGURE 10 BUSHFIRE MANAGEMENT ZONES





**FIGURE 11 DEFENDABLE SPACE , ACCESS AND WATER SUPPLY**



## **Schedule of Bushfire Protection**

### **Measures**

#### **Defendable space**

The area of defendable space will extend from the edges of the buildings to the property boundaries, 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.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

#### **Construction standards**

The buildings will be designed and constructed a minimum Bushfire Attack Level of (BAL) 29.

#### **Water supply**

The tank shown on the plan 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 dwellings 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

## 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 52.03-3 – Dwellings in existing settlements – Bushfire protection objective	AM 1.1	Not applicable	As the site is to be used for accommodation, the proposal needs to satisfy clause 52.03- 4
	AM 1.2	Not applicable	
	AM 1.3	Not applicable	
Clause 52.03-2.1 Landscape, siting and design objectives	AM 2.1	Applicable	This development addresses these clauses.
	AM 2.2	Applicable	
	AM 2.3	Applicable	
Clause 52.03-4.2 Defendable space and construction objectives	AM 3.1	Applicable	Not applicable
	AM 3.2	Applicable	This proposal is for accommodation
	AltM 3.3	Not Applicable	Defendable space contained within the boundaries
	AltM 3.4	Not Applicable	
	AltM 3.5	Not Applicable	
	AltM 3.6	Applicable	This proposal is for accommodation
Clause 52.03-4.3 Water supply and access objectives	AM 4.1	Applicable	Not Applicable.
	AM 4.2	Applicable	This proposal is for accommodation
Clause 52.03-4.4 Subdivision objectives	AM 5.1	Not Applicable	There is no subdivision proposed so Not Applicable.
	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><b>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</b></p> <p><b>Response:</b></p> <p>The site is located to the south east of the town of Daylesford. The town forms a buffer of managed land between the site and large areas of forest to the north, west and south west. There is managed farm and residential land on large lots to the east beyond relatively small areas of forest to the immediate east.</p> <p>BAL 29 defendable space can be achieved within property boundaries for the accommodation buildings.</p>
AM 2.2	<p><b>A building is sited to ensure the site best achieves the following: 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.</b></p> <p><b>Response:</b></p> <p>The development has been planned so that the accommodation buildings are sited in the western part of the site to be close to the road and set back from the hazard to the east.</p> <p>The buildings will have driveways connecting to Nash Lane which joins Jubilee Lake Road to the south, providing adequate access for emergency service vehicles.</p>
AM 2.3	<p><b>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.</b></p> <p><b>Response:</b></p> <p>Any new buildings will be required to meet a BAL of 29. 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**

Alternative Measure	Requirement
AltM 3.6	<p><b>A building used for accommodation (other than a dwelling or dependent person's unit), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defendable space in accordance with table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that:</b>  <b>An integrated approach to risk management has been adopted that considers:</b>  – The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.  – The intended frequency and nature of occupation.  – The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation.  <b>Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment</b></p> <p><b>Response</b></p> <p>Higher BAL construction requirements and less defendable space are considered appropriate due to the generally low threat vegetation to the north , west and south.</p> <p>It is proposed to use the dwellings for short term accommodation. The duration of a stay is usually expected to be less than one week.</p> <p>The building will be used by persons who are generally mobile (arriving by private vehicle and able to evacuate if required).</p> <p>A Bushfire Emergency Management Plan will be prepared prior to building works being completed. The key objective of this plan will be to ensure that human life is prioritised in the event of a bushfire impacting the site. A site manager would adopt the role of Chief Warden and be responsible for coordinating the emergency procedures which will include:</p> <ul style="list-style-type: none"> <li>• Managing and overseeing of any emergency procedures (ensuring they have a list and contact numbers of all guests and travelling to site if any guests are on site in a bushfire event)</li> <li>• Ensuring the site is properly prepared prior to the bushfire season;</li> <li>• Reviewing the effectiveness of emergency procedure exercises and arrange for procedure improvements; and</li> <li>• Accounting for all persons during the emergency procedures</li> </ul> <p>It is not proposed to occupy the buildings on days of extreme or code fire rating. If bookings have been made, Guests would be notified prior to travelling to the site. (High fire danger days are generally forecast several days in advance)</p> <p>Persons would be evacuated to the centre of Daylesford approximately 1 kilometre from the site. Triggers for evacuation would be an uncontrolled bush or grass fire within 10 kilometres of the site or on Catastrophic weather days.</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 4.2	<p><b>A building used for accommodation (other than a dwelling or dependent person's unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with:</b></p> <p><b>A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.</b></p> <p><b>Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-3.</b></p> <p><b>An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency. 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</b></p> <p><b>Response:</b></p> <p>The proposal will require a fire resistant concrete or steel tank which will hold 10,000 litres of water. CFA will need to be able to drive to within 4 metres of the outlet which will need to be located within 60 metres of the proposed accommodation buildings.</p> <p>The access driveway will have a minimum width of 3.5 metres with 4 metres vertical and 4.5 metres of horizontal clearance. The driveway will be capable of providing access for a 15 tonne truck.</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 forest, woodland, managed farmland, grassland 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 proposed use of the land for accommodation purposes.



## 11 REFERENCES

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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](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>

## APPENDIX 1– BUSHFIRE SITE ASSESSMENT

	North east	South west	South east	North West
Vegetation Type	Modified vegetation	Modified vegetation	Forest	Modified vegetation
Distance from the building to vegetation	30	25	32	28
The effective slope under the vegetation	Up	5 - 10	5 - 10	Up
Defendable space	Property boundaries	Property boundaries	25 m*	Property boundaries
BAL	29	29	29	29

- Note Forest on the south east boundary is on a 5 to 10 degree downslope, however, as it would only enable short runs of fire on the downslope of around 100 metres and a fire is more likely to approach the site as a backing fire on an upslope to the north east, 32 metres of defendable space was considered acceptable in discussions with CFA based on the hazard of forest on a 0 to 5 degree down slope

## 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	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.	Yes		No
Native and coniferous shrubs must not be located under the canopy of trees.	Yes		No
Individual and clumps of Native and coniferous shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.	No	Some planted shrubs to be removed	No
Trees must not overhang or touch any elements of the building.	No	Some planted trees to be removed	No
The canopy of Native trees must be separated by at least 5 metres.			No
There must be a clearance of at least 2 metres between the lowest Native tree branches and ground level.			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 corrosion 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 <b>AM4.1</b> .
Length of access is less than 30 metres	Where fire authority access to the water supply is required under <b>AM4.1</b> 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"> <li>▪ All-weather construction.</li> <li>▪ A load limit of at least 15 tonnes.</li> <li>▪ Provide a minimum trafficable width of 3.5 metres.</li> <li>▪ Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.</li> <li>▪ Curves must have a minimum inner radius of 10 metres.</li> <li>▪ The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more</li> </ul>
	<p>than 1 in 5 (20%) (11.3°) for no more than 50 metres.</p> <ul style="list-style-type: none"> <li>▪ Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.</li> </ul>
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"> <li>▪ A turning circle with a minimum radius of eight metres.</li> <li>▪ A driveway encircling the dwelling.</li> <li>▪ 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.</li> </ul>
Length of access is greater than 200 metres	<ul style="list-style-type: none"> <li>▪ Passing bays must be provided at least every 200 metres.</li> <li>▪ Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.</li> </ul>

*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 Measures**

## Defendable space

The area of defensible space will extend from the edges of the dwellings to the property boundaries, 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.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

## Construction standards

The buildings will be designed and constructed a minimum Bushfire Attack Level of (BAL) 29.

## Water supply

The tank shown on the plan 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

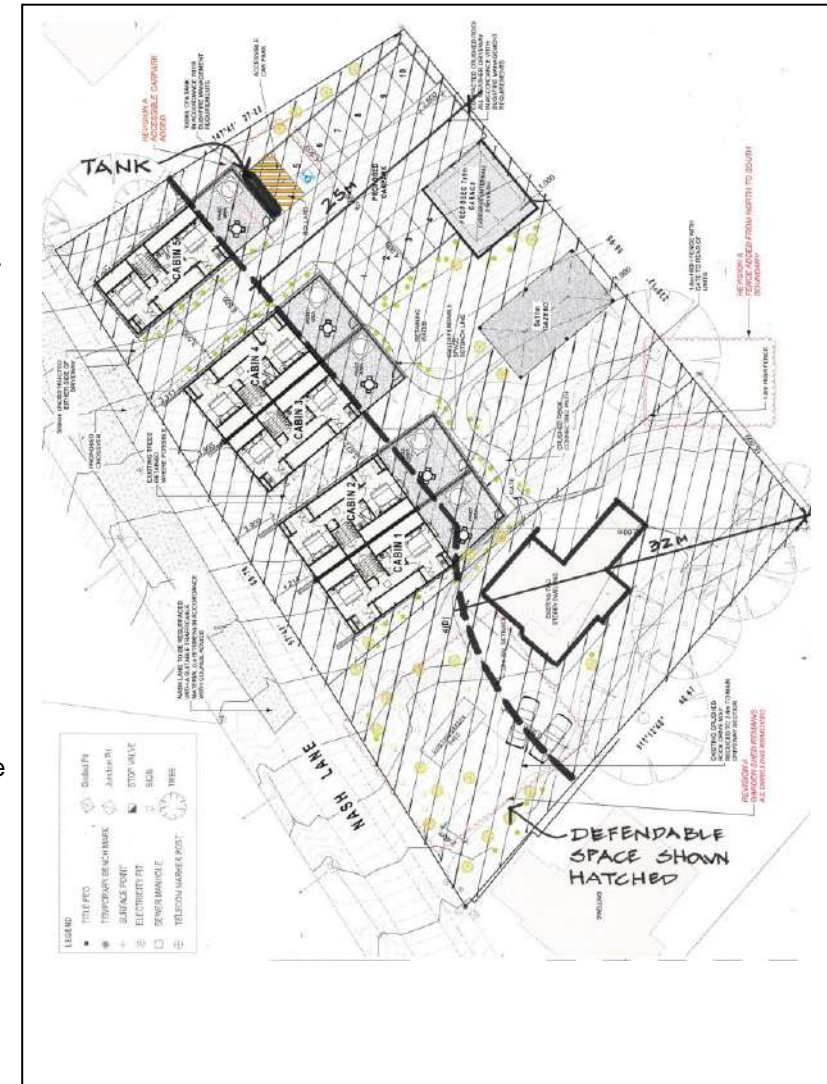
The water supply must also

- 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 dwellings 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



**FIGURE 12 BUSHFIRE MANAGEMENT PLAN**  
**13 Nash Lane Daylesford**  
**Version E 5/3/2024**



## **11 A HEALTHY, SUPPORTED, AND EMPOWERED COMMUNITY**

### **11.1 ARTS AND CULTURE STRATEGY**

Go to 01:14:15 in the meeting recording to view this item.

#### **DIRECTOR COMMUNITY AND CORPORATE**

*In providing this advice to Council as the Creative Communities Officer, I Samantha Thompson have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. Arts and Culture Strategy - 2024 [**11.1.1** - 32 pages]

#### **OFFICER'S RECOMMENDATION**

*That Council:*

1. *Endorses the Hepburn Shire Arts and Culture Strategy (attached);*
2. *Acknowledges the community members, key stakeholders and community organisations who have been involved in the development of the Arts and Culture Strategy, and;*
3. *Notes that officers will write to submitters, key stakeholders and community organisations to advise them of Council's decision.*

#### **MOTION**

*That Council:*

1. *Endorses the Hepburn Shire Arts and Culture Strategy (attached);*
2. *Authorises the Chief Executive Officer to make administrative amendments following the adoption of the Strategy to improve its inclusiveness;*
3. *Acknowledges the community members, key stakeholders and community organisations who have been involved in the development of the Arts and Culture Strategy, and;*
4. *Notes that officers will write to submitters, key stakeholders and community organisations to advise them of Council's decision.*

**Moved:** Cr Jen Bray

**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 Plan 2021 – 2025 - 3.1.3 states “Develop and implement an Arts and Culture Strategy to support local artists to provide creative cultural experiences to enrich community wellbeing.” Meaningful consultation with Djaara has been undertaken which provided culturally significant insight and perspective to the document. Local art groups, historical societies and creative industries also contributed. Additional research from a macro perspective has been included to demonstrate the value of arts and culture to society (beyond Hepburn Shire).

## **BACKGROUND**

An interim draft Arts and Culture Strategy was developed by Spark Consulting in 2022. The Arts and Culture Strategy incorporates industry research and the results of Stage One community consultation conducted by Spark Consulting.

Stage Two community consultation was conducted by Council’s former Community Partnerships Team in March 2023, using an online arts and culture audience survey and a series of onsite pop-ups.

Consultation with Traditional Owners was completed throughout the latter half of 2023 which led to significant language changes. Djaara are supportive of the refined draft Strategy.

A draft Arts and Culture Strategy was developed and was open for public exhibition to gather further stakeholder and community feedback from 28 March 2024 to 14 April 2024. The focus of this communication plan was to give the community further opportunity for input prior to finalisation and seeking endorsement from Council. This was supported through a communications strategy and extensive engagement activities. The feedback was overall positive and minimal changes have been made to the Strategy and the final Strategy is attached.

## **KEY ISSUES**

The development of an Arts and Culture Strategy is a direct outcome from the Council Plan. Local government’s role in delivery of arts and culture services and support for the sector has increased over recent decades as the importance of arts and culture to the health and wellbeing of communities has become better understood. The Arts and Culture Strategy aligns Hepburn Shire Council with practices common in local government by adopting a strategic framework for provision of Arts and Culture services and support.

The development of the Arts and Culture Strategy experienced delays, however, it now incorporates feedback from a wider range of stakeholders and provides a robust

framework to benefit a strategic approach to arts and culture. Hepburn Shire has a vibrant arts and culture sector.

Some data used in the Arts and Culture Strategy is from the Australia Council for the Art's 2019 survey. This is the most suitable year to compare with 2023 given the impacts of COVID-19 on the sector.

The Arts and Culture Strategy has five focus areas:

- A continuous cultural connection;
- Access and equity of opportunity;
- Creative spaces and places;
- A viable and dynamic arts sector; and
- Living local heritage.

The objectives identified under these focus areas are informed by engagement with the community and target community wellbeing, economic development, access and equity of opportunities and inclusive cultural engagement. Oversight of the Arts and Culture Strategy will be with the Economic Development and Visitor Economy Unit and led by the Creative Communities Officer.

The Arts and Culture Strategy is a high-level document that provides the Vision, Strategy Focus areas and Objectives for arts and culture across the Shire now and into the future.

Once the Arts and Culture Strategy is endorsed by Council, Year One and annual Action Plans thereafter will be developed matching the resources that are available.

## **COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS**

### **Council Plan 2021-2025**

A healthy, supported, and empowered community

2.5 Improved mental wellbeing within the community.

Embracing our past and planning for the future

3.1 Partner with and empower our Traditional Owners and broader community to acknowledge, understand, celebrate and preserve our area's cultures, traditions and environs.

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.

A dynamic and responsive Council

5.5 Strong asset management and renewal.



3.1.3 of the Council Plan identifies the development and implementation of an Arts and Culture Strategy as a Strategy under Focus Area 3 – Embracing our past and planning for our future, stating that the new strategy should ‘support local artists to provide creative cultural experiences to enrich community wellbeing’.

### **FINANCIAL IMPLICATIONS**

Existing funding is available to implement the Arts and Culture Strategy. An amount of \$35,000 is allocated in Council’s existing budget for Arts and Culture including museums. The same amount has been requested as part of Council’s 2024/2025 budget process. It is also important to note that Council supports arts and culture financially across a number of areas in the Shire including events, youth activities etc.

A Year One Action Plan will be developed matching the resources that are available. It is intended to review and develop an Action Plan beyond Year One on an annual basis which will guide the work of Council’s Creative Communities Officer.

Implementation of Action Plans will rely on Hepburn Shire Council cross-departmental collaborations and volunteer community organisations to work together to implement actions. Specific projects over time will be subject to Council’s annual budgeting process. It is also intended to seek partnership and external funding opportunities that align with annual Action Plans.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Stakeholder conversations involved the following:

Community Engagement 1: Focus was on the Arts and Culture sector (practitioners and businesses). The survey component received 74 external responses. These were supplemented by online and in-person focus groups and targeted stakeholder conversations.

Community Engagement 2: A total of 112 responses were received to a new on-line questionnaire looking at how community members choose the cultural activities they attend or are involved in. Over half of these responses were from respondents who had not engaged in earlier consultation. In addition, 150 people contributed ideas and opinions at engagement pop-ups held in Trentham, Creswick, Clunes and Daylesford during March 2023.

Traditional Owner consultation: A formal consultation process between Djaara and Council focusing on Aboriginal and Torres Strait Islander content.

The draft Arts and Culture Strategy consultation period in April 2024 provided a further opportunity for community. This was supported through a communications strategy utilising:

- Participate Hepburn page inviting submissions/responses/survey;
- Public display at service centres and library branches, including mechanism for receiving hardcopy input at these locations;

- Targeted industry mailout from email list compiled during the Arts and Culture Strategy development (reaches 85 addresses of arts and culture industry stakeholders);
- Traditional Owner stakeholder conversation;
- Media release targeting local media;
- Social media;
- Key stakeholder engagement; and
- Council committees engagement.

A total of 12 responses were received including five written submission and seven community survey respondents.

### **RISK AND GOVERNANCE IMPLICATIONS**

Reputational risk: There have been several delays in the delivery of this project which has been impacted by a range of factors (COVID-19, staff retention and the decision to finalise the Arts and Culture Strategy in-house after the delivery of the consultant's interim draft). The sector is keen to finalise the Arts and Culture Strategy so its benefits can flow and any further delay may expose Council to criticism and reputational damage within the sector.

Process risk: The Arts and Culture Strategy will provide a clear framework to inform and guide progress on several topics that have been identified internally as potentially exposing Council to increased risk. These include current practices associated with Council's management of cultural collections, artefacts and culturally sensitive material.

### **ENVIRONMENTAL SUSTAINABILITY**

There are minimal sustainability implications associated with this report, however the final Arts and Culture Strategy implementation will increase the capacity to use arts and the local creative community to develop creative responses to environmental challenges.

### **GENDER IMPACT ASSESSMENT**

A gender impact assessment has been completed for this work. The informed consultation on the Arts and Culture Strategy has ensured diverse groups and voices were targeted. The Arts and Culture Strategy will also support any future cultural competence and intersectionality training to staff/contractors that strengthens capacity for inclusive service delivery.

The terminology of 'all inclusive' has been used throughout the Arts and Culture Strategy as it includes everyone regardless of cultural background, ability, gender, sexuality or identity. To elaborate on this further information from Council's Municipal Public Health and Wellbeing Plan has been included in the Arts and Culture Strategy.

*Hepburn*  
SHIRE COUNCIL

# Arts and Culture Strategy

Hepburn Shire  
June 2024







# Hepburn

SHIRE COUNCIL



Cover image:  
Jen Cloher at St Peter's Church,  
Daylesford for Winter Sounds 2023  
236



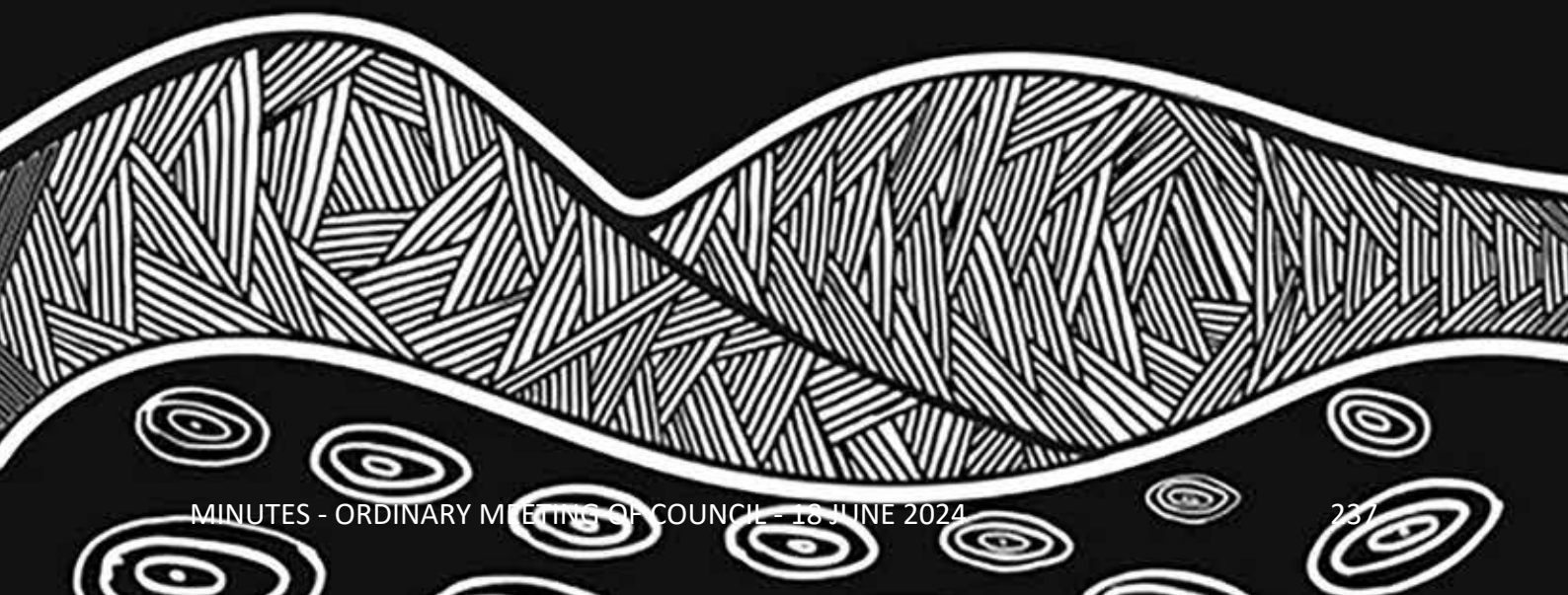
## ARTS, CULTURE AND COUNTRY

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.





**Rodney Carter, Dja Dja Wurrung Group CEO**

It is with a profound sense of pride and optimism that I endorse the Hepburn Shire's Arts and Culture Strategy. It signifies not just a commitment to reconciliation but a genuine partnership in shaping the future of Hepburn Shire, one that is inclusive, respectful and reflective of the rich Djaara heritage that has existed on this land for millennia.

This document serves as a testament to the power of collaboration, where the Council and the community have actively engaged with us, the Djaara people, to recognise and celebrate our culture, history and contributions. It acknowledges that our traditions and stories are not relics of the past but vibrant and integral aspects of the present and future.

It's heartening to see the commitment to inclusivity, youth empowerment and the promotion of Djaara voices and narratives.

The document signals a new era of partnership where we collectively work to dispel stereotypes, empower our youth and ensure that the Shire's arts and culture are a true reflection of the diverse and ancient heritage of this land.

I believe this document is not just a blueprint for the future of arts and culture in Hepburn Shire, but a model of how reconciliation can be achieved through collaboration, respect and a shared vision. It is a testament to our shared commitment to a brighter, more inclusive and culturally rich future for all residents, Indigenous and non-Indigenous alike.

## > MAYOR'S INTRODUCTION

Hepburn Shire benefits from a rich cultural heritage and is home to a diverse and active creative community. We experience culture as part of our day-to-day lives and recognise its valuable contribution to our wellbeing. We benefit from our connection to Dja Dja Wurrung culture and from the influences of more recently arrived cultures. Arts and culture frame the stories we tell that define who we are. Its practitioners – artists, musicians, performers and the storytellers of our heritage, contribute to the local economy directly and indirectly. We are pleased to have developed this strategy to help guide and assist how we support the local arts and cultural community.

Through the Hepburn Together process in 2020/21 and via community engagement for this strategy, members of our community told us how much they valued opportunities for cultural engagement. Whether as artists of one form or another, or as audiences for creative activity in its many public and private forms, our community seeks the enrichment that arts and culture bring.

Council has a role to play in creating an environment that provides opportunities to both experience and create art and culture across our Shire. Through this strategy we aim to ensure Hepburn Shire continues to be an attractive home for artists, artistic organisations and creative businesses. The strategy will ensure that the cultural potential of Council decisions will be taken into account, enabling better integration of cultural outcomes across the broad range of Council services.

In adopting this strategy, Hepburn Shire commits to being a place where access to the enrichment of arts and cultural experiences is available for all. I commend this strategy to you and look forward to what it can help us achieve across the rich spectrum of experiences that make up the arts and culture of Hepburn Shire.



A handwritten signature in black ink, appearing to read 'B. Hood'.

Cr Brian Hood  
Mayor

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# 1> WHY HAVE WE CREATED AN ARTS AND CULTURE STRATEGY?

This strategy aims to connect, support and elevate the already vibrant arts and culture spaces and groups, further empowering them to continue to grow and create. Council offers strategic support and investment in the creative and cultural industries, benefitting the broader community. A culture rich in the arts and respected history is vital for a healthy and connected community. Arts and culture is one of the defining cornerstones of human civilisation and one which we as a culture are remembered for. Hepburn Shire has a long history of art and storytelling on this country, originally from the traditional owners, Djaara, who continue this long history today. More recently we continue this tradition to create and play on Dja Dja Wurrung country. With a large amount of studio-based artists, commercial galleries, several dedicated community art groups facilitating events, live music venues and three local historical museums already in operation, Hepburn is renowned for its creative and inclusive community.

More broadly, Australians from every walk of life participate in and benefit from the arts, culture and creativity. In 2017-18, 82% of Australians attended at least one artistic or cultural activity. During COVID-19 (June 2020-22), this slipped to 62% however has since rebounded. At the end of 2022 Creative Australia's National Arts Participation Survey found that 97% of Australians engaged with the arts in some way (Intergenerational arts and culture: Lessons across middle Australia). This demonstrates the national importance of arts and culture and why every level of society has a role to play.

We are excited to present Hepburn's first Arts and Culture Strategy that provides a framework which Council can implement, providing strategic leadership for an already thriving arts scene. Over 300 community members expressed ideas and opinions that informed a shared vision that Council and the creative community can work towards. From this, Council will endeavour to:

**Measure our  
progress and impact.**

**Establish and  
communicate shared  
priorities with the arts  
sector and broader  
community.**

**Establish the foundations for  
the development of an  
action plan to help Council,  
in partnership with other  
government agencies, the arts  
sector and broader community  
to meet our priorities.**

**Define Council's role  
in supporting arts  
and culture.**

**Focus where we  
invest our resources  
and effort.**

Access to the arts provides an opportunity for the community to consider differing perspectives, and to learn about each other's stories and creates experiences that can alter and change people for the better. The arts and creative industries provide economic outcomes for many within the shire. We are lucky to have many professional artist and creatives industries calling Hepburn Shire home.

A rich heritage of story collection, maintenance and display has resulted in several local museums and historical societies, run and championed by passionate volunteers. The home to these museums are heritage listed buildings that hold important council assets. These institutions prove an invaluable service to the local community and the broader Australian story.

This strategy aims to improve support structures and update collection maintenance and management for these well-established community groups.

The collective of community voices has recorded great enthusiasm for more inclusion and storytelling opportunities for our first nation artists and this strategy will action outcomes to continue to develop positive relationships and outcomes. Engagement with the cultures that have shaped, and continue to shape, the Shire is highly valued in this strategy. In Hepburn Shire this includes support for LGBTIQ+, women, girls, trans and gender diverse communities that continue to contribute significantly to the regions.

## 2> HOW WILL WE SUPPORT DELIVERY OF STRATEGIC OBJECTIVES?

Developing an action plan as a response to this strategy will ensure that we harness its strategic benefits to the fullest extent for the Hepburn community.



*Djaara Elder Aunty Marilyne at Calembeen Park*



*Spudfest 2023*

Council will adopt an 'Arts Development' approach that supports positive outcomes for community members, artists and arts and cultural organisations.

## 3> HOW WILL WE MEASURE OUR PROGRESS?

The strategy's execution will be guided by an annual action plan, which will be created and executed in direct response to this strategy. The action plan will detail the specific projects and initiatives that the Hepburn Shire Council will undertake and provide regular reporting to both the Council and the community to keep everyone informed.

## 4> WHAT ARE THE STRATEGY FOCUS AREAS?

FOCUS AREAS	1. A CONTINUOUS CULTURAL CONNECTION	2. ACCESS AND EQUITY OF OPPORTUNITY	3. CREATIVE PLACES AND SPACES
	Respect, celebrate and foster the sharing of First Nations and Djaara culture, history, and art.	Strengthen equity, access, involvement and support diverse cultural and creative practices.	Activate environments to enable creativity and cultural engagement.

## VISION

- Enhancing wellbeing through culture and creativity.
- To connect local artists with the community, visitors and each other to grow the vibrancy of Hepburn Shire and the wellbeing of all people who live, work or travel here.

**Culture and creativity activities include and are not limited to the following:** Performing, visual and fine arts, music, dance, graphic design, film, digital media and video, literature, arts and culture education, historic preservation, museum curation, crafts, and events. These activities contribute to a thriving local community and evolving creative industries.





4. A VIABLE AND DYNAMIC ARTS SECTOR	5. LIVING LOCAL HERITAGE
Strengthen the arts and cultural economy while providing support to the sector.	Ensure the preservation of our local heritage and the ongoing sharing of our stories.



*The Brass Harpies celebrating culture and storytelling at the Clunes Booktown Festival*

## 5> WHAT ARE THE STRATEGY OBJECTIVES?

FOCUS AREAS	1. A CONTINUOUS CULTURAL CONNECTION	2. ACCESS AND EQUITY OF OPPORTUNITY
OBJECTIVES	1.1 Partner with DJAARA to share and build knowledge on Country.	2.1 Ensure the arts and other expressions of culture are visible within our community and can be enjoyed by everyone.
	1.2 Strengthen DJAARA partnerships for meaningful consultation, centering Djaara knowledge and priorities.	2.2 Support local and visitor participation in diverse cultural events, activities and exhibits located across the Shire.
	1.3 Support the sharing, celebration, and continuous and ongoing heritage, recorded in stories, customs and lore.	2.3 Encourage and support lifelong creative engagement including professional pathways for young and emerging creatives.
	1.4 Partner with and empower Traditional Owners and the broader community to acknowledge, understand, celebrate and preserve cultures, traditions and environments.	2.4 Maximise accessibility to arts and cultural experiences and remove barriers to access for more members of the community.
	1.5 Identify opportunities for First Nations people and Traditional-owner creative professionals to practice and share their art.	2.5 Make information about arts and cultural events, activities and practitioners in Hepburn Shire more broadly available and easily accessible.

3. CREATIVE SPACES AND PLACES	4. A VIABLE AND DYNAMIC ARTS SECTOR	5. LIVING LOCAL HERITAGE
3.1 Foster accessible arts and cultural spaces available across the Shire that can support the full spectrum of creative activities.	4.1 Explore and promote funding avenues that contribute to and elevate cultural achievements.	5.1 Protect and animate the stories and cultural heritage that continue to influence and shape our community.
3.2 Pursue opportunities to integrate arts and cultural experiences, creating distinctive places that celebrate local environments and values.	4.2 Through building relationships improve the capacity of the creative community to collaborate and facilitate opportunities to share talent, ideas, expertise and resources.	5.2 Nurture partnerships with our museums and cultural institutions.
3.3 Ensure opportunities to include public art in planning and works in public spaces are integrated into capital processes.	4.3 Position arts and culture as an enticing factor for visitors and the tourism sector, in line with the region's Destination Management Plans.	5.3 Gradually adopt and implement best-practice methods for the management of artworks and cultural artifacts by Council.
3.4 Encourage the utilisation of existing spaces and places as creative co-spaces.	4.4 Support industry and community stakeholders to elevate and promote the skills, talent and sustainability of our local creative practitioners.	5.4 Encourage the exploration of local cultural identities, including new ways to tell local stories and identifying new local storytelling voices.
3.5 Support dispersed arts and culture initiatives that drive visitors to different parts of the shire.		



## 6> HOW DID THE HEPBURN COMMUNITY CONTRIBUTE TO THIS STRATEGY?

The Hepburn Shire Arts and Culture Strategy 2024 was developed following consultation with the Hepburn Shire community, partners and staff. This included:

### STAGE 1: MAY – DECEMBER 2022

- Online focus groups with the broader community
- In-person focus groups with the broader community in Daylesford, Trentham, Clunes and Creswick
- Arts and Culture community survey completed by 48 people
- Arts and Culture creative sector survey completed by 26 people
- Arts and Culture staff survey completed by 16 people
- Focus groups with Council staff
- Interviews with key stakeholders including:
  - Daylesford Macedon Tourism
  - Regional Arts Victoria
  - Yandoit Hall
  - Creswick Museum
  - Daylesford Museum
  - Clunes Museum
  - The Lee Medlyn Home of Bottles
  - Trentham Historical Society
- Ideation and Action Planning workshops with Council staff.

### STAGE 2: JANUARY – MARCH 2023

- An online arts and culture participation survey (completed by 103 people)
- Pop-up engagements in Daylesford, Trentham, Clunes and Creswick (observations recorded from 151 conversations)

The input obtained from these consultations was reinforced by conducting desktop research and a review, which included an analysis of local, state and federal government policies and data. Additionally, a preliminary mapping of the creative ecosystem was conducted to identify the existing arts and cultural infrastructure and activities within the local government area. This included consultation with key local stakeholders, Creswick, Daylesford and Clunes Museums and Regional Arts Victoria. This groundwork has served as a foundation for the iterations of this strategy.



*Geordie Williamson, winner of the best in show at the 2023 Daylesford Rotary Art Show  
Image supplied by artist*

## 7> WHAT DID COMMUNITY MEMBERS TELL US?

This Hepburn Shire Arts and Culture Strategy 2024 is informed by the voices of the Hepburn Shire creative community and partner organisations and the general public. We have drawn upon insights gathered during consultations for the Community Visioning and Council Plan processes. We combined these with new insights from our consultations, where we asked artists, organisations, the broader community and our partners about the importance they place on arts and culture in Hepburn Shire.

During discussions, we discovered several strengths within the Shire's art and culture scene, including the rich diversity and the considerable expertise present in the creative sector. However, we also encountered various challenges, such as the complexities of navigating systems and processes, enhancing business capabilities, effectively promoting and marketing the creative sector and ensuring art and culture are accessible and inclusive for everyone.

Some individuals expressed feelings of isolation and a desire for a more connected community that could self-organise and collaborate.

Throughout these conversations, a common theme emerged: the profound influence of art and culture on all aspects of our lives, from our sense of identity and connection to our overall well-being.



Clunes Booktown  
Image by Visit Victoria



“

An expression of our rural culture and shared experiences helps us all feel less alone with the overwhelming emotions we are all experiencing at this difficult time in human existence. Any arts experience is important for anyone and everyone. It creates wellbeing and harmony - making art keeps me engaged with the world. It keeps me thinking and participating about and in the community.

”

“

Creating and making is absolutely essential to my health and well-being. My studio at home is my workspace. Visiting galleries with friends stimulates discussion and has social benefits. I value participating in workshops to learn new skills and challenge myself.”

”



ChillOut Ball  
Image by Tessalated Studios



# COUNCIL PLAN CONSULTATIONS

## INSIGHTS BROUGHT FORWARD

The following summarises community inputs that helped to shape three focus areas detailed in the Council Plan 2021-2025 that intersect with this Arts and Culture Strategy:

### A healthy, supported and empowered community

*A community that values connection, supports diversity, health and wellbeing and is inclusive of all people and their needs.*

Individuals expressed their desire for stronger community connections, community groups, recreational facilities geared towards creativity and educational opportunities to enhance their wellbeing. In particular, young participants in Hepburn's arts and culture activities emphasised how engaging in the arts positively impacted their mental health. This sentiment has been echoed during community consultations, where arts and culture activities have been recognised as a catalyst for improving mental well-being within local community.

### Embracing our past and planning for the future

*We acknowledge and empower the Traditional Owners and other cultures of our area to protect our historical roots while planning for future generations.*

Community members expressed a strong desire to preserve the rural character and overall quality of life in the Shire, while also celebrating its history, including the heritage of first nations people. During consultations, it became evident that people were enthusiastic about safeguarding historical infrastructure and sharing the diverse stories of those who reside in the area.



Clunes Museum

“

I visit galleries and museums as a way to relax. I feel intellectually stimulated by arts and culture and it appeals to my lifelong learning. It's also a way we as family bond and have shared experiences. It's one of the few things my teenage son enjoys doing together as a family which is important in maintaining relationships.

”

## A dynamic and responsive Council

*Council and the community partner to achieve their aspirations through excellent communication and engagement, the delivery of effective services, strong financial management and governance.*

# ARTS AND CULTURE STRATEGY CONSULTATION

## THOUGHTS ON THE BENEFITS OF A HEALTHY ARTS AND CULTURE ENVIRONMENT

Ensuring that arts and culture are accessible to all residents across the Shire emerged as a significant concern for the community, especially for those that are typically underrepresented or underserved. This inclusivity extended to older individuals, which was a recurring theme in our engagement process.

Moreover, the community expressed a desire for increased opportunities for hobbyist and emerging artists to showcase their artwork. This aims to challenge the perception that only professional artists should have a place in creating and selling within the Shire.



*Jason Kerr and Uncle Rick Nelson at Larni  
Barramal Yaluk performing a Smoking Ceremony*

## A connected community of local Arts and Culture

The arts community believes Council can play the role of convener, bringing together creatives, art sector professionals and the wider community. Consultation with arts and culture organisations reported that the local sector was heavily reliant on volunteer support, however there was a lack of recognition and support given to these volunteers.

As in other sectors, continuing to source and maintain volunteers is also an ongoing issue. Partner organisations concurred that there are no formal resources dedicated to connecting with and consistently supporting arts and cultural activity. Residents in Hepburn Shire were looking to Council to provide opportunities for cross connection in the creative sector and historical settings, enabling an environment for arts and culture to thrive across the community.

## Capability building for arts businesses

The arts community called for support to build its entrepreneurial, financial and grant writing capabilities. They sought support to access grants, to strategically position themselves to win funding and more generally to promote and advertise themselves and the cultural sector.

## Rising economic barriers challenge Hepburn Arts and Culture growth

In the wake of COVID-19 and during a period of high inflation, the arts and cultural community in Hepburn Shire faced mounting financial challenges that impacted their ability to be creative and to share their passions with the Hepburn Shire community and beyond. During consultations many said they struggled to find affordable places to make and exhibit their art. Others said they found it difficult to navigate the grants and funding landscape.

Ideas to support the local arts and culture sector included an introduction of subsidised rent for Council sites, facilitation of financial literacy training for the local creative sector and grant writing support for creatives and cultural producers. Consultations with partners indicated a belief that there may be underutilised venues and a willingness to offer shared spaces and hubs for arts and culture activities.

“

**A vibrant creative community would help financial growth of the town, the mental health of the residents and the career opportunities for the generations to come**

”



## Showcasing and building awareness about Hepburn Arts and Culture

The community expects Council to support the arts and cultural sector to demonstrate and advocate its value and impact to the Shire, community and broader Victorian economy. Consultations with regional partners echoed the belief that arts and culture does attract tourism to Hepburn Shire, and with continued collaborative marketing and engagement with the tourism sector would continue to grow. Local Area Action Plans for Hepburn Shire (2024-2029) identify Arts and Culture as a key pillar of the visitor economy. Key actions including better integrating community arts initiatives with the visitor economy, exploring the establishment of contemporary art trails and further improving the visitor experience at existing museums and galleries.

There was also a desire to showcase arts and culture regularly through events and exhibitions. Many felt arts and culture could be better integrated with the tourism infrastructure and ambitions of the Shire to increase the recognition and visibility of the local arts and culture community and sector. Statistics around visitor demographics strongly suggest that this sentiment echos in the research conducted to encourage local tourism.

“

**We need colour in this world. Colourful people, colourful art, colourful music, colourful theatre. We've got colourful cafes and restaurants in Hepburn Shire, but what about matching that with arts and culture. What about some support for this.**

”

## Reactivating spaces

The community is seeking affordable spaces to create and share arts and culture. There was a strong need for spaces that could be used for multi-purpose and interdisciplinary art. Many were open and excited about the prospect of shared facilities, temporary/pop-up creative spaces and cooperatives. There is opportunity to collaborate and partner with existing spaces and services like Libraries, Town Halls, Gallery Spaces and Visitor Information Centres. All these services currently provide some arts and culture activities with the opportunity to be enhanced and reactivated.

“

**I'd like to see more innovative, cutting-edge, thought-provoking art, literature and music in the area with more specific, regular spaces for these.**

**We need art spaces.**

”

Partners highlighted how, in other regional communities, shared hub spaces for the community were a vital enabling infrastructure component supporting the arts and culture sectors. Both accessibility and flexibility were highlighted as key attributes of shared creative and cultural production spaces. The community called for thoughtful urban design and consideration of arts and cultural amenity in future capital planning and works in Hepburn Shire.

“

**A space for dance, clay, metal work, sewing, talking. That space needs to be free. If it's made available then the volunteers will do the rest!**

”

## Inclusion and accessibility

Ensuring all people across the Shire can access arts and culture was important to the community, including people who are either underrepresented or underserved. Specifically, access for older people and youth was a theme during the engagement. Furthermore, the community wanted to see more opportunities for all artists to showcase their work, dispelling the perception that only professional artists required support to create and experience art in the Shire.

There was also a desire to recognise, empower and showcase the work of female, trans and gender-diverse artists across various platforms, exhibitions, and events. Encouraging diversity in programming and ensuring representation in all aspects of cultural endeavours was also highlighted.

People wanted to see arts and culture represent the diverse heritage and stories of Hepburn Shire. Some emphasised how it was important to move away from limiting the identity of Hepburn Shire to 'farming and the gold rush'.



*Wings and Wheels at Chill Out Festival 2023  
Image by Michelle Donnelly Photography*

## BARRIERS TO PARTICIPATION

Stage two consultation identified the main barriers to participation. Timely accurate and accessible information was a primary concern, along with time and financial constraints and difficulty travelling to events.

### Barriers to Involvement (Stage Two Community Engagement)

- |  |              |
|--|--------------|
| • Lack of awareness/information        | <b>49.1%</b> |
| • Cost of tickets/entry                | <b>33.0%</b> |
| • What's on offer isn't relevant to me | <b>26.8%</b> |
| • Travel/too hard to get to            | <b>22.3%</b> |
| • Hard to find the time                | <b>20.5%</b> |
| • Health (physical or mental)          | <b>11.6%</b> |
| • Lack of personal interest            | <b>4.5%</b>  |
| • Safety concerns                      | <b>1.8%</b>  |

“

**We need a one stop shop for women, youth, disabled, disadvantaged, to come and be included whilst exploring creativity and new ideas.**

”

## Acknowledged and empowered First Nations People

Partners emphasised that it was important to exercise cultural sensitivity, respect and have an empowering approach to ensure First Nations voices were included genuinely, and actively participated in arts and culture in Hepburn Shire.

Many expressed the need for greater awareness and showcasing of First Nations history in Hepburn Shire as a priority.

“

It also provides scope to tell stories about a better future. If you don't know where you came from, you will never know where you are going.

”



*Uncle Rick Nelson and Jason Kerr - Welcome to Country*



## 8> WHAT OTHER POLICIES INFLUENCE ARTS AND CULTURE OUTCOMES IN HEPBURN SHIRE?

The policy context for this strategy includes local, state and federal policies that are designed to create sustainable creative industries, healthy and connected regional communities and spaces for the expression and appreciation of Traditional Owner culture. The strategic priorities included in the Hepburn Shire Arts and Culture Strategy 2024 are aligned with and reflect these areas of public policy.

### FEDERAL AND STATE POLICY

#### Creative Australia – National Cultural Policy

- Respecting and celebrating First Nations arts and culture
- Reflecting diversity in the stories that are being shared
- Recognising and supporting artists as critical workers
- Building strong institutions that can sustain the sector
- Reaching new audiences at home and abroad.

#### Creative State 2025 – the Victorian Government's creative industries strategy

- More and better job opportunities and pathways
- Innovative creative products and experiences
- Industry stability and growth
- Equitable access to the creative industries
- New audiences and markets.

### TRADITIONAL OWNERS POLICY

#### Dhelkunya Dja, Dja Dja Wurrung Country Plan 2014-2034

The goals of this strategy require that:

- Every Dja Dja Wurrung person is happy, healthy and secure in their identity, livelihood and lifestyle
- Dja Dja Wurrung customs and practices are alive and respected
- Dja Dja Wurrung cultural heritage is recognised and protected
- Cultural connections with land, plants and animals is recognised and protected
- Rivers and waterways are healthy
- Land is managed to be returned to health
- Self-determination empowers Djaara to manage their affairs
- Traditional Owner economy is strong and diverse
- Aboriginal Title land is solely managed underpinned by joint management principles.

## LOCAL POLICY

Hepburn Shire's Arts and Culture Strategy 2024 supports the Council Vision and is an outcome of the Council Plan 2021-2025. It is both supported by and supports a suite of inter-related local strategic plans that are summarised below.

## COMMUNITY VISION

The Hepburn Shire Community Vision is a product of the Hepburn Together project that articulates the community's aspirations for the region over the next ten years.

*"Hepburn Shire – an inclusive rural community located in Dja Dja Wurrung country where all people are valued, partnerships are fostered, environment is protected, diversity supported, and innovation embraced."*



The Drop in Glenlyon

## COUNCIL PLAN 2021-2025

The Council Plan 2021-2025 reflects state and federal policy settings by focusing on creating a diverse economy and acknowledging and empowering Traditional Owners and other cultures.

It outlines five focus areas that describe how Council and community will work together to progress the Community Vision.

1. A resilient, sustainable and protected environment
2. A healthy, supported and empowered community
3. Embracing our past and planning for the future
4. Diverse economy and opportunities
5. A dynamic and responsive Council

The Council Plan recognises arts as an important part of Hepburn Shire's social and economic fabric. It also acknowledges the impacts on the sector of pandemic measures associated with COVID-19. It is the Council Plan that called for the first ever Arts and Culture Strategy to be developed for the Shire, under the priority area 'Improving mental wellbeing'.

*"3.1.3 Develop and implement an Arts and Culture Strategy to support local artists to provide creative cultural experiences to enrich community wellbeing."*

Hepburn Shire Arts and Culture Strategy 2024 was informed, in part, by the insights garnered from public consultation for the Council Plan. These are described in the section, 'What did community members tell us?'.

## RECONCILIATION ACTION PLAN

The art, culture and heritage of the Traditional owners play a fundamental role in shaping the history and identity of the region, and they will continue to be a cornerstone of arts and culture in the Shire. Hepburn Shire Council is actively working on the development of the Innovate Reconciliation Action Plan, which will build upon the previous Reflect Reconciliation Plan. This new plan aims to deepen our understanding of the most effective approaches to advancing reconciliation in Hepburn Shire.

The overarching focus will remain on fostering relationships within and beyond communities, promoting understanding and showing respect for Dja Dja Wurrung culture. This ongoing effort will also strive to create fresh opportunities for the success of Aboriginal and Torres Strait Islanders and communities.

## PUBLIC ART POLICY

The Public Art Policy recognises that the arts contribute to the beauty of the built and natural environments. This policy guides how Council determines the funding, commissioning, installation, maintenance and de-accessioning of public art. It ensures public art explores themes that are relevant to the community and is suitable for the spaces it activates and enhances.

The focus is on ensuring art reflects community values and emphasises the importance of cultivating and preserving the arts and culture unique to each village in Hepburn Shire.

## HERITAGE STRATEGY

Heritage forms a distinct part of Hepburn Shire's arts and culture, preserving the unique qualities and values that continue to shape the region. The Hepburn Heritage Strategy 2020-2030 sets Council's plan for managing its heritage assets, predominantly in relation to the built environment. Hepburn Shire is home to nearly one thousand heritage places and precincts. This strategy will supplement strategic planning initiatives in protecting heritage sites by protecting other heritage items that hold valuable memories for the community.

## EVENTS STRATEGY

The Hepburn Shire Events Strategy 2020-2025 seeks to bring Hepburn Shire's arts and culture to the forefront of Hepburn's visitor economy. The events strategy presents a clear vision for Hepburn Shire to become a premier Regional Victoria Events destination. The strategy aims to attract, retain, and grow events across the regional tourism brand pillars of Indulge (Food and Drink), Refresh (Escape and Rejuvenate), Learn (History and Culture) and Make (Art and Artisans). While the events strategy supports the promotion of major annual tourism events, there is an opportunity to bring awareness to smaller events in other areas of the Shire that have not been able to garner the same level of engagement.



*Swiss Italian Festa*



## MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN

Arts and culture can supplement primary healthcare and benefit community wellbeing by supporting a social, creative and active lifestyle. Council is committed to supporting the overall health and wellbeing of the community through health promotion, early intervention and primary intervention. Priority areas for community health included tackling climate change and its impact on health, increasing healthy eating, improving mental wellbeing and preventing all forms of violence. It is also recognised that social determinants of health such as gender, employment, inclusion and socioeconomic status need to be addressed through initiatives originating in other areas of Council.

In the Municipal Public Health and Wellbeing Plan (MPHWP), Council highlights a 'Gender Equity Lens'. All MPHWP priority areas, strategies and actions will be developed, implemented, and evaluated with a Gender Equity Lens and also considering impacts of intersectionality. Gender inequality can impact all facets of life and have negative health and wellbeing consequences.

The Gender Equality Act 2020 requires local government to take positive action towards promoting gender equality in their policies, programs and services. A Gender Impact Assessment has been completed in line with the development of this strategy to enable accompanying actions to be inclusive and promote equity.



Daylesford Regional Arts Cooperative members with their displayed work at the Visitor Information Centre, Daylesford Photo supplied by members

## EARLY AND MIDDLE YEARS STRATEGY

Arts and culture will continue to play a critical role in supporting the learning and development of young children socially and cognitively. The Early and Middle Years Strategy 2022-2030 is designed to support family growth and the development needs of early and middle years children. Council recognises that a child's early years provide a foundational basis for their growth and development across their lifetime. In setting up children for success Council is committed to developing and coordinating services, programs, infrastructure and activities that support and impact children aged 0 - 12 years.

## YOUTH DEVELOPMENT STRATEGY

Arts and culture play a vital role in enhancing the social wellbeing of young individuals, offering distinct educational wellbeing of young individuals, offering distinct educational and development experiences and providing opportunities for their voices to be heard. Council's 'The ACE Youth Development Strategy 2022-2030' is centered on advocating for and alongside young people, celebrating their contributions, and empowering them as leaders and decision makers within schools and communities.

The strategy's core objectives include delivering programs that bolster the resilience of young people, support their mental health, foster connections with their culture, encourage peer engagement and enable them to take active roles in their lives.

## POSITIVE AGEING STRATEGY

Arts and culture play an important role in supporting social participation respect and social inclusion, civic participation, and enjoyment of outdoor spaces for older community members. The 'No Barrier' Positive Ageing Strategy 2022-2032 aims to support people aged 55 years+ in leading fulfilling lives.

Positive Ageing is the process of maintaining a positive attitude, keeping physically fit and healthy and fully engaging in social and community life. It means that older members can move through the community with ease, feel respected by others, have access to information and develop the skills to use technology.



## 9> HOW IMPORTANT IS ARTS AND CULTURE?

Research by the Australia Council for the Arts, conducted before COVID-19, provided insights into the importance of Arts and Culture to regional Victorians, which confirmed what we heard from our community during consultations for this strategy. This information is indicative of the issues facing arts audiences in locations such as Hepburn Shire, away from the focus, and major cultural institutions of Melbourne and the largest regional cities. It reinforces the value communities place on local, accessible cultural opportunities.

Because this data was gathered in 2019, immediately pre COVID-19, it provides a very meaningful benchmark for the sector as it recovers from a pandemic that disproportionately impacted arts businesses.

### Arts have a 'big' or 'very big' impact on...

• Stimulating our minds	<b>61%</b>
• Our ability to think creatively and develop new ideas	<b>60%</b>
• Child development	<b>58%</b>
• Our ability to express ourselves	<b>58%</b>
• Our understanding of other people and cultures	<b>55%</b>
• Helping us deal with stress, anxiety or depression	<b>52%</b>
• Our sense of wellbeing and happiness	<b>50%</b>
• Shaping and expressing Australian Identity	<b>43%</b>
• Building creative skills necessary for the future workforce	<b>41%</b>
• Bringing customers to local businesses	<b>35%</b>

### Attitudes toward the Arts

• The arts reflect the diversity of cultures in Australia	<b>76%</b>
• The arts should be an important part of education	<b>75%</b>
• Artists make an important contribution to our society	<b>73%</b>
• The arts help you to understand different perspectives	<b>70%</b>
• The arts make for a richer and more meaningful life	<b>66%</b>
• The arts should receive public funding	<b>64%</b>
• The arts allow me to connect with others	<b>47%</b>
• I have plenty of opportunities to get involved in the arts	<b>45%</b>
• The arts are not really for people like me	<b>28%</b>

# 10 > WHAT IS THE ECONOMIC IMPACT OF ARTS AND CULTURE IN HEPBURN SHIRE?

While less tangible benefits to wellbeing and community cohesion are reason enough to support a healthy local arts and culture environment, the sector also contributes significantly to economic activity in the Shire and more broadly in the region.

Arts and culture is a key drawcard for visitors to the region, with Hepburn Shire attracting 1.4M visitors annually (Tourism Research Australia 2023) with these visitors spending more than \$335M in 2023. Arts and cultural experiences improves the visitor experience and increase in length of stay in-region as well as encourage return visitation. The 2023 REMPLAN data indicates that tourism is the largest employer in the Shire, accounting for 949 jobs in the Shire which is 1 in 6 of total jobs.

Arts and culture also generates direct income and employs people at numerous levels for artists and in the production and delivery of cultural services.



Watty Thompson at Winter Sounds 2023, Clunes Town Hall  
Image by Winter Sounds



## Arts/Culture Professionals in Hepburn - Areas of Practice (ABS, 2021)

• Architecture and Design	<b>37%</b>
• Visual Arts	<b>29%</b>
• Writing and Journalism	<b>20%</b>
• Arts Professionals (NFD)	<b>4%</b>
• Fashion	<b>3%</b>
• Theatre/Performing Arts	<b>3%</b>
• Film and Television	<b>2%</b>
• Music	<b>2%</b>

## Value of Arts and Culture (ABS, 2021 - COVID-19 impacted)

• Value of annual regional exports by the industry sector (\$M):	<b>\$8.17</b>
• Value of sector's contribution to Gross Regional Product (\$M):	<b>\$6.63</b>
• Total value of local expenditure on intermediate goods and services (\$M):	<b>\$4.28</b>
• Value of annual regional imports by the industry sector (\$M):	<b>\$3.02</b>
• Annual wages and salaries earned by people employed by this sector in the region (\$M):	<b>\$2.81</b>
• Total value of sales to industry sectors in the region (\$M):	<b>\$2.31</b>



Winter Sounds at Bullarto  
Image by Winter Sounds



*Reasons To Be Invisible  
Image by Lab Kelpie*

“

“Hepburn Shire – an inclusive rural community located in Dja Dja Wurrung country where all people are valued, partnerships are fostered, environment is protected, diversity supported, and innovation embraced.”

”

**Council Vision** – developed in partnership with our Community



# OUR ARTS AND CULTURE STRATEGY:

## *What will happen now?*

This Strategy establishes a clear mission for arts and culture in Hepburn Shire which focuses on...

**FOSTERING THE CONDITIONS FOR ARTS AND CULTURE TO FLOURISH, FOR OUR CREATIVE COMMUNITY TO THRIVE AND FOR OUR COMMUNITIES TO BE ENRICHED BY CULTURAL EXPERIENCES.**

Hepburn's Arts and Culture Strategy 2024 sets out a roadmap for where we collectively want arts and culture to thrive in coming years. We are home to a talented and energised creative community that is organic and connected and it's Council's role to work with the community and our partners to foster those conditions.

During the initial phase of the strategy delivery Council will:

- Create and promote the first action plan in response to the strategy objectives, setting out clear and specific deliverable objectives
- Commence annual reporting against Strategy key objectives
- Strengthen internal structures to support the strategy, and external partnerships to maximise its potential
- Continue to build on existing programs and relationships

Council is proud to have developed this strategy in support of arts and culture in Hepburn Shire, recognising the value of the sector to the wellbeing, identity and economy of the Shire.




Minna Graham Ceramics  
Image provided by artist





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COUNCIL OFFICES

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DAYLESFORD

Corner Duke &  
Albert Streets, Daylesford

CRESWICK

68 Albert Street,  
Creswick

CLUNES

The Warehouse - Clunes  
36 Fraser Street, Clunes

TRENTHAM

13 Albert Street,  
Trentham

## 11.2 FAIR ACCESS POLICY

Go to 01:30:48 in the meeting recording to view this item.

### DIRECTOR COMMUNITY AND CORPORATE

*In providing this advice to the Council as the Sport and Recreation Officer, I Marli Clark have no interests to disclose in this report.*

### ATTACHMENTS

1. Fair Access Policy - June 2024 [11.2.1 - 11 pages]

### OFFICER'S RECOMMENDATION

*That Council:*

1. *Adopts the Hepburn Shire Fair Access Policy (attached); and*
2. *Acknowledges the community members, key stakeholders and community organisations who have been involved in the development of the Hepburn Shire Fair Access Policy, and;*
3. *Notes that officers will write to submitters, key stakeholders and community organisations to advise them of Council's decision.*

### MOTION

*That Council:*

1. *Adopts the Hepburn Shire Fair Access Policy (attached); and*
2. *Acknowledges the community members, key stakeholders and community organisations who have been involved in the development of the Hepburn Shire Fair Access Policy, and;*
3. *Notes that officers will write to submitters, key stakeholders and community organisations to advise them of Council's decision.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Lesley Hewitt

**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**

As a directive of the state government, a Fair Access Policy for all Victorian local government authorities (LGAs), including Hepburn Shire Council, is required to be formally adopted by Council by 1 July 2024 in order to remain eligible for future state government funding for community sports facilities.

The Hepburn Shire Fair Access Policy (the Policy) seeks to address known barriers experienced by women, girls, trans, non-binary and gender diverse people in accessing and using community sports infrastructure. The Policy aims to progressively build capacity and capabilities of Council in the identification and elimination of systemic causes of gender inequality in policy, programs, communications and delivery of services in relation to community sports infrastructure (refer to attached Hepburn Shire Fair Access Policy).

The Policy's Statement of Intent establishes the expectation that gender equality is considered and prioritised in all current and future Council planning, policy, service delivery and practice that relate to community sports infrastructure.

The scope of the Policy supports Council to take positive action towards achieving gender equity in the access and usage of community sports infrastructure.

The Policy and Action Plan are based on the six Fair Access Principles of inclusivity, full participation, equal representation, encouraging and supporting user groups and prioritising user groups committed to equality.

The Fair Access Policy was released for public exhibition between 27 March 2024 to 17 April 2024 to gather further community and key stakeholder feedback on the draft Policy.

The community key stakeholder engagement undertaken during the public exhibition period included a community survey; direct engagement via email to Hepburn Shire's Gender Equity, LGBTIQ+, Disability and Reconciliation Advisory Committees and an internal staff workshop. The Victorian Office for Women in Sport and Recreation also reviewed Council's Fair Access Policy.

The Hepburn Shire Fair Access Policy has been informed and reflects key insights that were identified throughout the engagement undertaken.

## **BACKGROUND**

The Fair Access Policy is an Australian first policy that aims to give women and girls better and fairer access to community sports infrastructure. Developed by the Office for Women in Sport and Recreation in partnership with VicHealth and Sport and Recreation Victoria, the Policy requires all Victorian LGAs to have in place a gender equitable access and use policy (or equivalent) by 1 July 2024 to remain eligible for state government community sports infrastructure funding.



The Fair Access Policy links with the Gender Impact Assessment (GIA) obligations for LGAs under the *Gender Equality Act 2020* (the Act).

Council is compliant with its obligation under the Act and undertakes Gender Impact Assessments for policies, programs, planning, projects and services and where relevant, the GIAs are reported through Council's reporting procedures.

### **Hepburn Shire Fair Access Policy**

The Hepburn Shire Fair Access Policy seeks to address known barriers experienced by women, girls, trans, and gender diverse people in accessing and using community sports infrastructure. The Policy aims to progressively build capacity and capabilities of Council in the identification and elimination of systemic causes of gender inequality in policy, programs, communications and delivery of services in relation to community sports infrastructure.

The Policy establishes the expectation that gender equality is considered and prioritised in all current and future Hepburn Shire Council planning, policy, service delivery and practice as they relate to community sports infrastructure.

The scope of the Policy is to support Council to take positive action towards achieving gender equity in the access and usage of community sports infrastructure. This complies with the *Gender Equality Act 2020* and aligns with the *Public Health and Wellbeing Act 2008*, the Hepburn Shire Council Plan and Vision (2021-2025) – incorporating the Municipal Public Health and Wellbeing Plan and the Hepburn Shire Active Women and Girls Strategy 2019.

The Policy applies to the following community sports and recreation infrastructure owned and/or managed by Council:

	<b>Facility</b>	<b>Location</b>
1	Daylesford Olympic Swimming Pool	Daylesford
2	Trentham Swimming Pool	Trentham
3	Clunes Swimming Pool	Clunes
4	Doug Lindsay Recreation Reserve	Creswick
5	Victoria Park, Daylesford	Daylesford
6	Victoria Park, Clunes (Clunes Recreation Reserve)	Clunes
7	Hammon Park	Creswick
8	Creswick Trails	Creswick
9	Newlyn Recreation Reserve	Newlyn

10	Daylesford Speedway	Daylesford
11	Trentham Tennis Courts	Trentham
12	Drummond Tennis Courts	Drummond
13	Glenlyon Recreation Reserve	Glenlyon
14	Daylesford Arts, Recreation and Cultural Centre (ARC)	Daylesford
15	Allendale Reserve	Allendale
16	Smeaton Bowling Club Facility	Smeaton
17	Mt Prospect Tennis Facility	Creswick
18	Dean Recreation Reserve	Dean
19	Hepburn Recreation Reserve Netball Facility	Hepburn

Recognising that several private and state government-owned and managed community sport and recreation facilities are located within Hepburn Shire and provide a diversity of sports participation opportunities to our community, Council's Fair Access Policy practices and principles will assist officers to inform any planning and delivery of future development and external funding opportunities at the following facilities:

	<b>Facility</b>	<b>Location</b>
1	Hepburn Recreation Reserve – sports oval and pavilion	Hepburn
2	Trentham Sportsground Reserve	Trentham
3	Clunes Bowls Club	Clunes
4	Trentham Bowls Club	Trentham
5	Daylesford Bowls Club	Daylesford
6	Clunes Golf Club	Clunes
7	Hepburn Springs Golf Club	Hepburn Springs
8	Trentham Golf Club	Trentham
9	Daylesford Lawn Tennis Club	Daylesford

### Fair Access Policy framework

The Policy is designed to comply with the *Gender Equality Act 2020*, and the wider Victorian Government Gender Equality Strategy.

### Fair Access Policy principles

The Fair Access Principles were developed by the Office for Women in Sport and Recreation, Sport and Recreation Victoria and VicHealth, in consultation from government and the state sport and recreation sector. This Policy and Action Plan are based on six principles of inclusivity, full participation, equal representation, encouraging and supporting user groups and prioritising user groups committed to equality.

### Fair Access Policy Action Plan

		Fair Access Principle Addressed	Implementation Timeline
1	Councillors and staff to promote a gender-aware and gender-responsive culture and community and champion the Fair Access Policy.	All	July 2024 to June 2028
2	Audit existing community sport and recreation infrastructure to identify gaps in the provision of women, girls, trans, non-binary and gender diverse people friendly facilities. <i>Action implementation is subject to achieving external funding.</i>	All	By June 2028
3	Continually share upskilling opportunities with sport and recreation clubs through networks as they arise.	All	July 2024 to June 2028
4	Encourage implementation of fair access practices and principles by sports infrastructure users when considering or reviewing access agreements.	All	July 2024 to June 2028
5	Council's Grants Program to embed fair access principles in the guidelines for Community Grants and Quick Response Grants.	All	By June 2025



6	Monitor Fair Access Policy compliance.	All	July annually  Final 4-year Policy review in June 2028
7	Relevant Council staff attend sector training and awareness programs.	All	July 2024 to June 2028
8	Collect annual gender diverse participation data from Hepburn Shire sport and recreation clubs, including officials, players, committee members and members.	All	July annually
9	Undertake regular promotion of sport and recreation participation opportunities for women, girls, trans, non-binary and gender diverse people.	All	July 2024 to June 2028
10	Promote and encourage committees to aim for a gendered balanced committee.	All	July 2024 to June 2028

### **Fair Access Policy implementation**

Implementation of the Policy will be undertaken through the following avenues:

- Direct engagement with local and state sport and recreation clubs and organisations.
- Direct engagement with Council's Gender Equity, Disability, LGBTIQ+ and Reconciliation Advisory Committees.
- Direct engagement with Council's internal services responsible for implementation of the Fair Access Policy principles and actions.
- Community communications through local and social media networks, Hepburn Shire Council websites and community newsletters.

### **Fair Access Policy review**

The Policy will be reviewed in line with the Policy's key measures of success and Council's policy review process every four years or sooner if required by legislation or organisational changes.

The Policy will reinforce the intersectional gender lens already incorporated into the planning and development of community sports infrastructure and participation opportunities undertaken by Council.

This is evidenced by the inclusion of gender inclusive design features in recently delivered sport infrastructure projects including the Trentham Sportsground pavilion redevelopment and netball changerooms, Hepburn Recreation Reserve netball and football/cricket changerooms.

An intersectional gender lens has also been an important tool to inform the development of recent community sport and recreation planning projects such as the Active Women and Girls Strategy, Playspace Strategy, Aquatics Strategy, Trentham Sportsground Participation Plan and several recreation reserve masterplans.

## KEY ISSUES

Across three weeks in March and April 2024, community engagement was undertaken to inform the implementation of the Fair Access Policy.

This stage of the community and key stakeholder engagement focused on gaining feedback on the draft Fair Access Policy from community and key stakeholders.

### Engagement findings

Engagement was captured across three broad categories including the draft Policy's strengths, weaknesses and gaps.

Strengths of the draft Policy:

- It was well received that there is a policy being developed and implemented for equality in community sporting infrastructure.

Weaknesses of the draft Policy:

- Three of the six principles are focused on women and girls. All principles do not refer to trans and gender diverse people. This does not reflect the statement of intent in the Policy.
- Throughout the Policy, the term usage refers to participants using the infrastructure or facility. The principles should either define "user groups" as managers or bodies or refer to them as described in the Policy: "facility owners and managers".

What are the gaps of the draft Policy:

- Action on promoting the opportunities for inclusive sports participation within our region.
- Audit to include trans and gender diverse people friendly facilities.
- No measures of success for action items.
- Inclusion of an action that local sport and recreation clubs could implement.

### Key issues identified

Key Issues	Response	Changes to the Policy
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Increased promotion of female, trans, non-binary and gender diverse sport and recreation opportunities.	<p>The promotion of inclusive sport and recreation opportunities is embedded in the Sport and Recreation team's portfolio; however, including an action into the Fair Access Policy would strengthen the commitment to regularly undertake this work.</p> <p>It is recommended that a new policy action is added to the Policy.</p>	New Action 9 included: <i>Undertake regular promotion of sport and recreation participation opportunities for women, girls, trans and gender diverse people.</i>
Consistent inclusive language throughout the policy.	The Policy will be amended to ensure consistent inclusive language – "women, girls, trans and gender diverse people" is used throughout.	Fair Access Policy Principles and Action item 2 has been amended to include: "women, girls, trans and gender diverse people".
Supporting clubs to become women, girls, trans and gender diverse people welcoming.	Feedback addressed in Action 3 of the Policy. <i>Continually share upskilling opportunities with sport and recreation clubs through networks as they arise.</i>	No changes to the Policy.
Sport and recreation infrastructure is women, girls, trans and gender diverse people friendly.	Feedback is addressed in Action 2 of the Policy.	Action 2 has been amended to include consistent inclusive language: "women, girls, trans and gender diverse people".
<p>Throughout the Policy, the term usage refers to participants using the infrastructure or facility.</p> <p>The principles should either define "user groups" as managers or bodies or refer to them as described in the Policy: " facility owners and</p>	Noted. The Fair Access Principles have been developed by the Office for Women in Sport and Recreation, Sport and Recreation Victoria and VicHealth, in consultation government and the state sport and recreation sector.	Definitions section of the Policy has been updated to include: "User Groups – Formal and informal users of sport and recreation facilities within the Hepburn Shire Council area, including women, girls, trans, non-binary and gender diverse



managers".	These principles provide clear direction, while also enabling adaption to the specific environment of the Hepburn Shire Council's area. As such, no amendments have been made to the Policy Principles.	people".
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A review of Council's Fair Access Policy by the Office for Women in Sport and Recreation identified policy gaps such as no inclusion of key success measures or a policy action where the responsibility to implement could be placed on community sport and recreation clubs or organisations.

In response to the feedback received the following key measures of success have been included in the Hepburn Shire Fair Access Policy.

#### **Key measures of success**

1. 100% of existing community sport and recreation infrastructure audited to identify gaps in the provision of women, girls, trans, non-binary and gender diverse people friendly facilities by June 2028. Subject to achieving external funding to undertake Action 2 of the Policy.
2. Annual participation data collected from 100% of local sport and recreation clubs.
3. The annual sport and recreation participation data identifies an up to 5% increase in women, girls, trans, non-binary and gender diverse people participating in club operations and/or activities.

A new action that is specifically implemented by local sport and recreation clubs or organisations has not been included in the Policy, as it is considered that a club's responsibility in taking positive action towards achieving equity in accessing community sport and recreation opportunities is inherent throughout the Policy.

The information collected from the engagement activities undertaken during the public exhibition period has been used to inform the Hepburn Shire Fair Access Policy.

#### **Next steps**

Should the Policy be endorsed by Council, further work is required to be undertaken as part of the implementation of action items.

### **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.

2.3 Optimise the use of public spaces to increase participation and community connection.

2.5 Improved mental wellbeing within the community.

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

5.6 Be a leader in gender equality and equity and promote respect and safety in our community.

## **FINANCIAL IMPLICATIONS**

Without an adopted Fair Access Policy, Council will be ineligible for any future infrastructure funding through the state government as of 1 July 2024.

Most Fair Access Policy actions will be undertaken within existing resources.

However, recommended Action 2 – *Audit existing community sport and recreation infrastructure to identify gaps in the provision of women, girls, trans, non-binary and gender diverse people friendly facilities*, would require funds to implement. Based on similar infrastructure audits undertaken recently by other Victorian local Councils, it is estimated that an audit of this type would cost \$120,000.

Action 2 of the Policy is currently unfunded and would need to be considered in line with Council's long term financial planning and annual budget processes. Action 2 of the Policy is subject to external funds being sourced to implement this action.

Officers will explore external funding opportunities that may be relevant to fund Action 2 of the Fair Access Policy.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

A public exhibition engagement period of the draft Fair Access Policy was undertaken for three weeks during late March to mid-April 2024.

Engagement activities undertaken included:

- A community survey through the project's Participate Hepburn page.
- Email correspondence with key stakeholders.
- A Hepburn Shire Council internal staff workshop.
- Engagement reach.

The engagement reach through this phase of community and stakeholder engagement included:

- 99 views of the Participate Hepburn project page resulting in one community survey response.
- Two club survey respondents.
- One internal staff workshop.
- Direct engagement with Council's Gender Equity, LGBTIQA+, Disability and Reconciliation Advisory Committees.
- Review of draft Policy by the Victorian Office for Women in Sport and Recreation.

The information collected from the engagement activities undertaken during the public exhibition period has informed the Hepburn Shire Fair Access Policy.

### **RISK AND GOVERNANCE IMPLICATIONS**

The development and implementation of a Fair Access Policy is crucial to ensure Council continues to be eligible for future community sports infrastructure funding through the state government.

The Policy will ensure Council's compliance with the *Gender Equality Act 2020* in the provision of community sports infrastructure and participation opportunities.

### **ENVIRONMENTAL SUSTAINABILITY**

The continuous improvement of the planning and delivery of community sports and recreation infrastructure and participation opportunities can have positive impacts to the Shire's economic and social sustainability.

### **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 a direct and significant impact on the public.

It is widely recognised that female and gender-diverse people are underrepresented in community sport and active recreation.

The Fair Access Policy aims to breakdown these social roles by enabling all people to actively participate in sport and recreation equally.

Through the Policy it is expected that participants of different genders will continue to have the opportunity to access and utilise sport and recreation facilities. However, it is expected that female access to sporting opportunities will increase following the implementation of the Policy.

Council's Fair Access Policy reform agenda objectives align with how the Gender Impact Assessment has informed the Policy development process and Action Plan as follows:



1. Build capacity and capabilities of Hepburn Shire Council in the identification and elimination of systemic causes of gender inequality in policy, programs, communications and delivery of services in relation to community sport and recreation.
2. Ensure an effective place-based response for the gender equitable use and access of community sports infrastructure.
3. Promote gender equality through an intersectional lens in policies, programs, communications, and services as they relate to community sports infrastructure.

► FAIR ACCESS POLICY

POLICY NUMBER:	TBC
NAME OF POLICY:	FAIR ACCESS POLICY
DATE OF NEXT REVIEW:	June 2028
DATE APPROVED:	TBC
RESPONSIBLE OFFICER:	Sport and Recreation Officer
REFERENCES:	Gender Equality Act 2020 Local Government Act 2020 Public Health and Well Being Act 2008 Hepburn Shire Council Plan and Vision (2021 – 2025) – incorporating the Municipal Public Health and Wellbeing Plan. Hepburn Shire Active Women and Girls Strategy 2019

## ► FAIR ACCESS POLICY

**INTRODUCTION**

The Fair Access Policy (the Policy) seeks to address known barriers experienced by women, girls, trans and gender diverse people in accessing and using community sports infrastructure. The Policy aims to progressively build capacity and capabilities of Hepburn Shire Council in the identification and elimination of systemic causes of gender inequality in policy, programs, communications and delivery of services in relation to community sports infrastructure.

Hepburn Shire Council will undertake the necessary and proportionate steps towards implementation of the Fair Access Policy.

**BACKGROUND**

Sport is a highly visible and valued feature of Hepburn Shire Council's culture and identity. The sport and recreation sector provides opportunities for enriching our communities through the promotion of respect and fair mindedness for all people, while also supporting the physical and mental wellbeing of all Victorians. Hepburn Shire Council is well positioned to design and implement place-based, integrated action plans that progress gender equality in community sport.

The Victorian Government is committed to developing an environment for all Victorians to live in a safe and equal society, have access to equal power, resources and opportunities, and are treated with dignity, respect and fairness. A reform agenda has been developed to change the systems that have perpetuated gender inequality by designing an enduring structure that requires implementation and tracking of progress over time.

This reform agenda includes addressing the traditional structures and way community sport and recreation organisations operate through the implementation all nine (9) recommendations from the 2015 Inquiry into Women and Girls in Sport and Active Recreation. This includes recommendation six (6):

"...encourage facility owners and managers to review access and usage policies to ensure women and girls have a fair share of access to the highest quality facilities at the best and most popular times."

and

"facilitating a universal adoption of policies, strategies and audit tools that will drive change further."



## ► FAIR ACCESS POLICY

As a defined entity of the Gender Equality Act 2020, Hepburn Shire Council will be required from 31 March 2021 to conduct Gender Impact Assessments (GIA) on all new policies, programs, communications and services, including those up for review, which directly and significantly impact the public (Gender Equality Act 2020). The access and use of community sports infrastructure is an example of policy that has a direct and significant impact on the public.

**STATEMENT OF INTENT**

This Statement of Intent establishes the expectation that gender equality is considered and prioritised in all current and future Hepburn Shire Council's planning, policy, service delivery and practice as they relate to community sports infrastructure.

- a. Hepburn Shire Council recognises that gender equality is the attainment of equal rights, responsibilities and opportunities of women, men, trans and gender diverse people. Equality does not mean that women, men, trans and gender diverse people will become the same but that their rights, responsibilities and opportunities will not depend on their gender.
- b. Hepburn Shire Council recognises that gender equity is the provision of fairness and justice in the distribution of benefits and responsibilities based on gender. The concept recognises that people may have different needs and power related to their gender and these differences should be identified and addressed in a manner that rectifies gender related imbalances.

**SCOPE**

The Policy enables effective and efficient integration of the requirements of the *Gender Equality Act 2020*, the *Local Government Act 2020* and the *Public Health and Wellbeing Act 2008* and other legislative frameworks.

The scope of the Policy is to support Hepburn Shire Council to take positive action towards achieving gender equity in the access and usage of community sports infrastructure. This complies with the *Gender Equality Act 2020* and aligns with Municipal Public Health and Wellbeing Plans or Council Strategies:

► FAIR ACCESS POLICY

Reform Agenda	Objectives
<b>To support Hepburn Shire Council to take positive action towards achieving gender equity in the access and use of community sports infrastructure</b>	<p>To build capacity and capabilities of Hepburn Shire Council in the identification and elimination of systemic causes of gender inequality in policy, programs, communications and delivery of services in relation to community sport and recreation.</p> <p>To ensure an effective place-based response for the gender equitable use and access of community sports infrastructure.</p> <p>To promote gender equality through an intersectional lens in policies, programs, communications and services as they relate to community sports infrastructure.</p>

For Hepburn Shire Council, the Policy applies to the following community sports infrastructure owned and/or managed by Council:

	Facility	Location
1	Daylesford Olympic Swimming Pool	Daylesford
2	Trentham Swimming Pool	Trentham
3	Clunes Swimming Pool	Clunes
4	Doug Lindsay Recreation Reserve	Creswick
5	Victoria Park, Daylesford	Daylesford
6	Victoria Park, Clunes (Clunes Recreation Reserve)	Clunes
7	Hammon Park	Creswick
8	Creswick Trails	Creswick
9	Newlyn Recreation Reserve	Newlyn
10	Daylesford Speedway	Daylesford

► FAIR ACCESS POLICY

<b>11</b>	<b>Trentham Tennis Courts</b>	<b>Trentham</b>
<b>12</b>	<b>Drummond Tennis Courts</b>	<b>Drummond</b>
<b>13</b>	<b>Glenlyon Recreation Reserve</b>	<b>Glenlyon</b>
<b>14</b>	<b>Daylesford Arts, Recreation and Cultural Centre (ARC)</b>	<b>Daylesford</b>
<b>15</b>	<b>Allendale Reserve</b>	<b>Allendale</b>
<b>16</b>	<b>Smeaton Bowling Club</b>	<b>Smeaton</b>
<b>17</b>	<b>Mt Prospect Tennis Facility</b>	<b>Creswick</b>
<b>18</b>	<b>Dean Recreation Reserve</b>	<b>Dean</b>
<b>19</b>	<b>Hepburn Recreation Reserve Netball Facility</b>	<b>Hepburn</b>

Recognising that several private and Victorian Government owned and managed community sport organisations sports facilities are located within the Hepburn Shire and provide a diversity of sports participation opportunities to the community. The Hepburn Shire Council Fair Access Policy practices and principles will assist officers to inform any planning and delivery of future development and external funding opportunities at the following facilities:

	<b>Facility</b>	<b>Location</b>
<b>1</b>	<b>Hepburn Recreation Reserve – sports oval and pavilion.</b>	<b>Hepburn</b>
<b>2</b>	<b>Trentham Sportsground Reserve</b>	<b>Trentham</b>
<b>3</b>	<b>Clunes Bowls Club</b>	<b>Clunes</b>
<b>4</b>	<b>Trentham Bowls Club</b>	<b>Trentham</b>
<b>5</b>	<b>Daylesford Bowls Club</b>	<b>Daylesford</b>
<b>6</b>	<b>Clunes Golf Club</b>	<b>Clunes</b>
<b>7</b>	<b>Hepburn Springs Golf Club</b>	<b>Hepburn Springs</b>
<b>8</b>	<b>Trentham Golf Club</b>	<b>Trentham</b>
<b>9</b>	<b>Daylesford Lawn Tennis Club</b>	<b>Daylesford</b>



► FAIR ACCESS POLICY

### **Policy Framework**

The Policy is designed to comply with the *Gender Equality Act 2020* and the wider Victorian Government gender equality strategy.

Hepburn Shire Council acknowledges:

- a. the disadvantaged position some individuals have had in the sport and recreation sector because of their gender; and
- b. that achieving gender equality will require diverse approaches for women, men, trans, non-binary, and gender diverse people to achieve similar outcomes for people of all genders.

Hepburn Shire Council will:

1. engage fairly and equitably with all staff, governance working groups, state sporting organisations, regional sport assemblies (where applicable) and members of our sport and recreation community, regardless of gender, cultural background and ability in a positive, respectful and constructive manner; and
2. engage in the process of gender impact assessments through an intersectional lens to assess any planned actions, including policies and communications. This is a strategy for making all voices, concerns and experiences an integral dimension of the design, implementation and monitoring of policies and programs.

### **Fair Access Principles**

The Fair Access Principles have been developed by the Office for Women in Sport and Recreation, Sport and Recreation Victoria and VicHealth, in consultation from government and the state sport and recreation sector. This Policy and any resultant action plan are based on six (6) principles of inclusivity, full participation, equal representation, encouraging and supporting user groups and prioritising user groups committed to equality.

Hepburn Shire Council considers that these principles provide clear direction, while also enabling adaption to the specific environment of Hepburn Shire Council's area.

- 1) Community sports infrastructure and environments are genuinely welcoming, safe and inclusive.
- 2) Women, girls, trans, non-binary and gender diverse people can fully participate in all aspects of community sport and active recreation, including as a player, coach, administrator, official, volunteer and spectator.

► FAIR ACCESS POLICY

- 3) Women, girls, trans, gender diverse and non binary people will have equitable access to and use of community sport infrastructure:
  - a. Of the highest quality available and most convenient.
  - b. At the best and most popular competition and training times and locations.
  - c. To support existing and new participation opportunities, and a variety of sports.
- 4) Women, girls, trans, non-binary and gender diverse people should be equitably represented in leadership and governance roles.
- 5) Encourage and support all user groups who access and use community sport infrastructure to understand, adopt and implement gender equitable access and use practices.
- 6) Prioritise access, use and support to all user groups who demonstrate an ongoing commitment to gender equitable access and use of allocated community sport infrastructure.

### **Compliance and Monitoring**

a. Actions

Hepburn Shire Council commits to undertake a GIA on all current community sports infrastructure access and use policies and processes, and to consider opportunities to strengthen gender equitable access and use of community sports facilities in alignment with the Fair Access Principles.

If the process of assessing current policies and processes identifies opportunities to develop or strengthen gender equitable access and use of community sports facilities in alignment with the Fair Access Principles, Hepburn Shire Council commits to developing and adopting a locally relevant Fair Access Policy and action plan by 1 July 2024.

Hepburn Shire Council acknowledges that the requirement to have a gender equitable access and use policy and action plan (or equivalent) in place, and the ability to demonstrate progress against that policy and action plan (or equivalent), will form part of the eligibility criteria for Victorian Government funding programs relating to community sports infrastructure from 1 July 2024.

► FAIR ACCESS POLICY

b. Responsibility

Management personnel, staff, volunteers and stakeholders at Hepburn Shire Council have a shared responsibility to support the policy, as outlined in the Fair Access Action Plan below:

Item number	Action Item	Fair Access Principle Addressed	Implementation
1	Councillors and staff to promote a gender-aware and gender-responsive culture and community and champion the Fair Access Policy.	All	July 2024 – June 2028
2	Audit existing community sport and recreation infrastructure to identify gaps in the provision of women, girls, trans non-binary and gender diverse people friendly facilities.  <i>Action implementation is subject to achieving external funding.</i>	All	By June 2028
3	Continually share upskilling opportunities with sport and recreation clubs through networks as they arise.	All	July 2024 – June 2028
4	Encourage implementation of Fair Access practices and principles by sports infrastructure users when considering or reviewing access agreements.	All	July 2024 – June 2028
5	Councils grants program embed Fair access principles in the guidelines for Community Grants and Quick Response grants.	All	Complete June 2024
6	Monitor Fair Access Policy compliance	All	July annually  4 year policy review and



► FAIR ACCESS POLICY

			renewal in June 2028
7	Relevant Council staff attend sector training and awareness programs	All	July 2024 – June 2028
8	Collect annual gender diverse participation data from Hepburn Shire sport and recreation clubs, including officials, players, committee members and members.	All	July annually
9	Undertake regular promotion of sport and recreation participation opportunities for women, girls, trans, non-binary and gender diverse people.	All	July 2024-June 2028
10	Promote and encourage committees to aim for a gendered balanced committee	All	July 2024 to June 2028

### Key Measures of Success

1. 100% of existing community sport and recreation infrastructure audited to identify gaps in the provision of women, girls, trans non-binary and gender diverse people friendly facilities by June 2028. Subject to achieving external funding to undertake Action 2 of the Policy.
2. Annual participation data collected from 100% of local sport and recreation clubs.
3. The annual sport and recreation participation data identifies an up to 5% increase in women, girls, trans, non-binary and gender diverse people participating in club operations and/or activities.

## ► FAIR ACCESS POLICY

**DEFINITIONS**

The following terms are referred to in the policy.

<b>Term</b>	<b>Definition</b>
Council	Hepburn Shire Council
Council Staff	Includes permanent and temporary full-time and part-time council employees, and contractors and consultants while engaged by Council.
The Act	<i>Local Government Act 2020</i>
User Groups	Formal and informal users of sport and recreation facilities within the Hepburn Shire Council area, including women, girls, trans, non-binary and gender diverse people.

**FURTHER INFORMATION**

Any enquiries about the Fair Access Policy should be directed to Hepburn Shire Council's Sport and Recreation Officer.

**IMPLEMENTATION**

Implementation of the Hepburn Shire Council's Fair Access Policy will be undertaken by the Hepburn Shire Council's Sport and Recreation Team through the following avenues, however not limited to:

- Direct engagement with Local, State and National sport and recreation clubs and organisations.
- Direct engagement with Council's Gender Equity, Disability, LGBTIQ+ and Reconciliation Advisory Committees.
- Direct engagement with Hepburn Shire Council's internal services responsible for implementation of the Fair Access Policy principles and actions.
- Whole of community communications through local and social media networks, Hepburn Shire Council websites and community newsletters.
- Review by Victorian Government agencies such as the Office for Women in Sport and Recreation and Sport and Recreation Victoria.

► FAIR ACCESS POLICY

**REVIEW**

The Fair Access Policy will be reviewed every four (4) years or sooner if required by legislation or organisational changes.

The officer responsible for the review of this policy is Hepburn Shire Council's Sport and Recreation Officer.



## **12 A DYNAMIC AND RESPONSIVE COUNCIL**

### **12.1 RECORDS OF COUNCILLOR ATTENDANCE**

Go to 01:40:41 in the meeting recording to view this item.

#### **DIRECTOR COMMUNITY AND CORPORATE**

*In providing this advice to Council as the Governance Administration Officer, I Brigitte Longmore have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. Record of Councillor Attendance - Councillor Briefing - 5 March 2024 [**12.1.1** - 4 pages]
2. Record of Councillor Attendance - Councillor Briefing - 12 March 2024 [**12.1.2** - 5 pages]
3. Record of Councillor Attendance - Pre-Council Meeting Briefing - 19 March 2024 [**12.1.3** - 1 page]
4. Record of Councillor Attendance - Councillor Briefing - 26 March 2024 [**12.1.4** - 4 pages]
5. Record of Councillor Attendance - Councillor Briefing - 2 April 2024 [**12.1.5** - 4 pages]
6. Record of Councillor Attendance - Sustainable Hepburn Advisory Committee Meeting - 4 April 2024 [**12.1.6** - 11 pages]
7. Record of Councillor Attendance - Councillor Briefing - 9 April 2024 [**12.1.7** - 5 pages]
8. Record of Councillor Attendance - Pre-Council Meeting Briefing - 16 April 2024 [**12.1.8** - 1 page]
9. Record of Councillor Attendance - Councillor Briefing - 23 April 2024 [**12.1.9** - 4 pages]
10. Record of Councillor Attendance - Councillor Briefing - 7 May 2024 [**12.1.10** - 4 pages]
11. Record of Councillor Attendance - Councillor Briefing - 14 May 2024 [**12.1.11** - 4 pages]
12. Record of Councillor Attendance - Pre-Council Meeting Briefing - 21 May 2024 [**12.1.12** - 1 page]
13. Record of Councillor Attendance - Councillor Briefing - 28 May 2024 [**12.1.13** - 5 pages]

#### **OFFICER'S RECOMMENDATION**

*That Council receives and notes the Records of Councillor Attendance as detailed in the report.*

#### **MOTION**

*That Council receives and notes the Records of Councillor Attendance as detailed in the report.*

**Moved:** Cr Juliet Simpson  
**Seconded:** Cr Lesley Hewitt  
**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 receive and note Records of Councillor Attendance, formerly known as Assemblies of Councillors records which were required to be presented under provisions of the *Local Government Act 1989*.

## BACKGROUND

Under the *Local Government Act 1989* (the Act), Council was required to keep records of assemblies of Councillors as defined under the Act:

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

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

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

With this section of the 1989 Act now repealed, Council's Governance Rules, chapter 6 section 1, requires that:

*If there is a meeting of Councillors that:*

1. *is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;*
2. *is attended by at least one member of Council staff; and*
3. *is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting*

*the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:*

- a. *tabled at the next convenient Council meeting; and*
- b. *recorded in the minutes of that Council meeting.*

To fulfill this requirement and promote transparency, Records of Councillor Attendance are kept where the above definition is met and brought to Council for noting, as attached.

## KEY ISSUES

The following Records of Councillor Attendance are reported:

Date	Committee Name	Location
5 March 2024	Councillor Briefing	Council Chambers
12 March 2024	Councillor Briefing	Council Chambers
19 March 2024	Pre-Council Meeting Briefing	Council Chambers
26 March 2024	Councillor Briefing	Council Chambers
4 April 2024	Sustainable Hepburn Advisory Committee	Council Chambers
9 April 2024	Councillor Briefing	Council Chambers
16 April 2024	Pre-Council Meeting Briefing	Council Chambers
23 April 2024	Councillor Briefing	Council Chambers
7 May 2024	Councillor Briefing	Council Chambers
14 May 2024	Councillor Briefing	Council Chambers
21 May 2024	Pre-Council Meeting Briefing	Council Chambers
28 May 2024	Councillor Briefing	Council Chambers

## COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

### Council Plan 2021-2025

A dynamic and responsive Council

5.2 Actively communicate, inform and engage with our community about events and decision-making

5.3 A sustainable and agile organisation with strong corporate governance that supports excellent operations

## FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.



## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

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

## **RISK AND GOVERNANCE IMPLICATIONS**

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

If Records of Councillor Attendance are not included in the Public Agenda at a Council Meeting, Council would be in breach of its Governance Rules as adopted on 25 August 2020.

## **ENVIRONMENTAL SUSTAINABILITY**

There are no sustainability implications associated with this report.

## **GENDER IMPACT ASSESSMENT**

There are no gender equity implications associated with this report.

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Councillor Briefing	<b>DATE</b>	Tuesday, March 05, 2024
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	<b>TIME</b>	9:00am – 12:23am
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Community and Corporate – Karina Lamb <input type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Manager Governance and Risk – Rebecca Smith Coordinator Governance – Dannielle Kraak Manager Facilities and Circular Economy – Sean Ludeke Creative Communities Officer – Samantha Thompson Manager Community and Economy – Kendall Sinclair Acting Coordinator Economic Development and Visitor Economy – Bridgette O’Brien Grants Specialist – Jarrod Hodgson		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/10271

OR

List matters considered:

*As per agenda.*

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

NOTES:

Cr Henderson left the Briefing at 11:32am and returned at 11.56am.

▶ RECORD OF COUNCILLOR ATTENDANCE

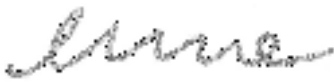
Cr Drylie left the Briefing at 12.05 and did not return.

RECORD COMPLETED BY

Other:

Governance Advisor – Catherine Nurse

Signed:





Tuesday 5 March 2024  
Daylesford Town Hall, 76 Vincent Street Daylesford  
9:00am – 11:15am

*Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.*

*The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).*

**BRADLEY THOMAS**

CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Discussion	Councillor and CEO-Only Time	Chief Executive Officer	5
1.2	9:30am	Discussion	Committees Update	Director Community and Corporate	6
1.3	9:45am	Report	CEO Annual Report to Council on the Activities and Performance of Community Asset Committees 2023/2024	Manager Governance and Risk Acting Coordinator Governance	13
1.4	10:00am	Presentation/Discussion	New Good Practice Guidelines for Waste Service Rates and Charges	Manager Facilities and Circular Economy	29
1.5	10:30am	Report	Arts and Culture Strategy	Creative Communities Officer Acting Manager Community Life Manager Community and Economy Coordinator Economic Development	43
1.6	11:00am	Presentation/Discussion	Update: Grants review and draft Grants Funding Policy	Grants Specialist Director Community and Corporate	94
2.	11:15am	Close of Meeting			

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Councillor Briefing	<b>DATE</b>	Tuesday, March 12, 2024
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: <a href="#">Click or tap here to enter text.:</a>	<b>TIME</b>	10:15am – 12:45am
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Acting Manager Financial Services – Natalie Martin Manager Projects – Ben Grounds Sustainability and Climate Resilience Coordinator – Manny Pasqualini Circular Economy Officer – Jodi Newcombe Manager Facilities and Circular Economy – Sean Ludeke		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/11936

OR

List matters considered:

*As per agenda.*

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>

NOTES:

Cr Jen Bray was an apology for the first part of the Briefing and attended from 11am.

Cr Tessa Halliday was an apology for the Briefing.

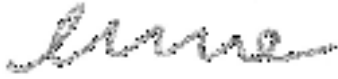


▶ RECORD OF COUNCILLOR ATTENDANCE

RECORD COMPLETED BY

Governance Advisor – Catherine Nurse

Signed:



Tuesday 12 March 2024  
Daylesford Town Hall, 76 Vincent Street Daylesford  
10:15am – 12:15pm

*Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.*

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**BRADLEY THOMAS**

CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		

No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:15am	Presentation/Discussion	Quarterly Finance Reports – Quarter 2 2023/2024	Acting Manager Financial Services	5
1.2	10:45am	Presentation/Discussion	Mid-Year Budget Review	Acting Manager Financial Services Manager Projects	45
1.3	11:15am	Report	Sustainable Hepburn Action Plan	Sustainability and Climate Resilience Coordinator Biodiversity Officer Circular Economy Officer Manager Facilities and Circular Economy	60
1.4	11:45am	Discussion	Read-Only Reports	Chief Executive Officer	103
1.5		Read Only Report	Council Priorities Update	Chief Executive Officer	104
1.6		Read Only Report	Corporate Performance Report Q2 2023/2024	Executive Manager People and Transformation	108



1.7		Read Only Report	Victorian Government Regional Community Sports Infrastructure Fund	Sport and Recreation Project Officer Coordinator Sport and Recreation Manager Community and Economy	114
2	12:15pm	Close of Meeting			115

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Pre-Council Meeting Briefing	<b>DATE</b>	Tuesday, March 19, 2024
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other: <a href="#">Click or tap here to enter text.:</a>	<b>TIME</b>	3:00pm - 4:30pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Manager Governance and Risk – Rebecca Smith Manager Projects – Ben Grounds		

MATTERS CONSIDERED

List matters considered:

As per Council Meeting Agenda

CONFLICT OF INTEREST DISCLOSURES

Nil.

NOTES:

Nil.

RECORD COMPLETED BY

Manager Governance and Risk – Rebecca Smith

Signed: 

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Councillor Planning Briefing	<b>DATE</b>	Tuesday, March 26, 2024
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	<b>TIME</b>	10:15am – 1:15pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Manager Planning and Building – Amy Boyd Coordinator Statutory Planning – Mish Watt Acting Manager Community & Economy – Kathie Schnur Sport and Recreation Officer – Marli Clark Sport and Recreation Projects Officer – Gary Learmonth		

MATTERS CONSIDERED

☒ Agenda attached – CM Reference: DOC/24/14429

OR

List matters considered:

*As per agenda.*

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

NOTES:

Both Crs Simpson and Hewitt in apology.

RECORD COMPLETED BY

▶ RECORD OF COUNCILLOR ATTENDANCE

- ☐ CEO – Bradley Thomas
- ☐ Director Infrastructure and Delivery – Bruce Lucas
- ☐ Director Community and Corporate – Karina Lamb
- ☐ Executive Manager People and Transformation – Brooke Holmes
- ☐ Executive Manager Development – Ron Torres

Other:

Governance Administration Officer – Brigitte Longmore

Signed:





Tuesday 26 March 2024  
Daylesford Town Hall, 76 Vincent Street Daylesford  
10:15 – 1:15pm

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**BRADLEY THOMAS**

CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		

No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:15am	Discussion	Councillor and CEO- Only Time	Chief Executive Officer	5
1.2	10:45am	Planning Report	PLN23/0147 – 110 Steeles Road, Yandoit – Two lot subdivision	Coordinator Statutory Planning	6
1.3	11:15am	Planning Report	PLN23/0128 – 116 Hepburn-Newstead Road, Elevated Plains – Two lot subdivision (re-subdivision) and use and development of a dwelling	Manager Planning & Building	74
1.4	11:45am	Presentation	Draft Fair Access Policy	Sport and Active Recreation Officer Coordinator Sport and Active Recreation Manager Community and Economy	217
1.5	12:15pm	Read Only Report	Draft Glenlyon Recreation Reserve Masterplan	Manager Economic Development and Recreation Sport and Active Recreation Projects Officer	247
	12:45pm		Lunch		
2	1:15pm		Close of Meeting		354

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Councillor Briefing	<b>DATE</b>	Tuesday, April 02, 2024
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: <a href="#">Click or tap here to enter text.:</a>	<b>TIME</b>	10:30pm – 4:30pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Manager Projects – Ben Grounds Property Officer – Karen Menne Project Officer – Tom McCarthy Manager Planning and Building – Amy Boyd Coordinator Major Projects and Policy – Nicola McGowan Manager Strategic Planning – Bronwyn Southee		

MATTERS CONSIDERED

☒ Agenda attached – CM Reference: DOC/24/15923

OR

List matters considered:

*As per agenda.*

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>

NOTES:

Crs Simpson and Hewitt were in apologies.

► RECORD OF COUNCILLOR ATTENDANCE

RECORD COMPLETED BY

- ☐ CEO – Bradley Thomas
- ☐ Director Infrastructure and Delivery – Bruce Lucas
- ☐ Director Community and Corporate – Karina Lamb
- ☐ Executive Manager People and Transformation – Brooke Holmes
- ☐ Executive Manager Development – Ron Torres

Other:

Governance Administration Officer – Brigitte Longmore

Signed:





Tuesday 2 April 2024  
Daylesford Town Hall, 76 Vincent Street Daylesford  
10:30am – 4:30pm

*Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.*

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**BRADLEY THOMAS**

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CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		Councillor Lesley Hewitt, Birch Ward Bruce Lucas – Director Infrastructure and Delivery

No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:30am	Discussion	Councillor and CEO-Only Time	Chief Executive Officer	5
1.2	11:00am	Discussion	Committees Update	Director Community and Corporate	6
1.3	11:15am	Presentation/Discussion	Appointment - Independent Member to the CEO Employment and Remuneration Committee	Executive Manager People and Transformation	13
1.4	11:30am	Presentation/Discussion	Council Property Assessment	Manager Projects Property Officer Project Officer	20
1.5	12:00pm	Presentation/Discussion	Planning Systems Improvement Project	Manager Planning and Building Coordinator Major Projects and Policy System Improvement Officer	34
	12:30pm	Lunch			
1.6	1:30pm	Presentation/Discussion	Rural Strategy	Executive Manager Development Manager Strategic Planning	35
2.	4:30pm	Close of Meeting			133

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Sustainable Hepburn Community Advisory Committee	<b>DATE</b>	Thursday, April 04, 2024
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other: <a href="#">Click or tap here to enter text.:</a>	<b>TIME</b>	
<b>COUNCILLORS PRESENT</b>	<input type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input type="checkbox"/> Cr Tessa Halliday <input type="checkbox"/> Cr Don Henderson <input type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input type="checkbox"/> CEO – Bradley Thomas <input type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input type="checkbox"/> Director Community and Corporate – Karina Lamb <input type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Jodi Newcombe, Circular Economy Officer Manny Pasqualini, Coordinator Climate Resilience and Sustainability Andrew Littlejohn, Administration Officer - Strategic Planning		

MATTERS CONSIDERED

☒ Agenda attached – CM Reference: DOC/24/17536

OR

List matters considered:

[Click or tap here to enter text.](#)

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>

NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY

☐ CEO – Bradley Thomas

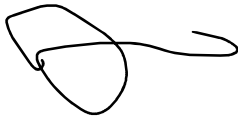
▶ RECORD OF COUNCILLOR ATTENDANCE

- ☐ Director Infrastructure and Delivery – Bruce Lucas
- ☐ Director Community and Corporate – Karina Lamb
- ☐ Executive Manager People and Transformation – Brooke Holmes
- ☐ Executive Manager Development – Ron Torres

Other:

Jodi Newcombe, Circular Economy Officer

Signed:





## MINUTES

### ► SUSTAINABLE HEPBURN ADVISORY COMMITTEE

**Date:** 4 April 2024  
**Time:** 5- 7pm  
**Location:** Council Chambers, Daylesford Town Hall  
**Chair:** Cr Hood

#### AGENDA ITEMS:

##### 1. ACKNOWLEDGEMENT OF CUSTODIANS OF THE LAND

Cr Hood made the Acknowledgement of Country

##### 2. ATTENDEES

###### **Councillors**

Councillor Hood (Chair)

Councillor Drylie

###### **Community members:**

Peter Rice

Katherine Lewisohn

Nikki Marshall

Diana Martinez Valadez

Stuart Jonas

Sandra Nichols

Karl Fitzgerald

Michelle Stephenson

###### **Council staff:**

Jodi Newcombe, Circular Economy Officer

Manny Pasqualini, Coordinator Sustainability and Climate Resilience

Andrew Littlejohn, Administration Officer - Strategic Planning, (Minutes)

##### 3. APOLOGIES

Linda Hancock

Jo-Beth Taylor

## MINUTES

### ► SUSTAINABLE HEPBURN ADVISORY COMMITTEE

#### 4. MINUTES OF THE PREVIOUS MEETING

4.1 Minutes from previous meeting approved.

#### 5. ACTIONS ARISING FROM PREVIOUS MEETING

ACTION - Jodi agreed to send through the Sustainable Hepburn Strategy Quarterly update. **The latest summary report was sent along with this agenda.**

ACTION – Jodi to send invitation to SHAC members who are interested about next steps to play the Adaptation game and train as a facilitator. – **Jodi to provide update in meeting.**

ACTION – Jodi to share the FOGO video links when completed. – **See Council website for all videos.**

ACTION – Jodi to share Circular Economy Roadmap and Toolkit when completed, and invite feedback and engagement with the work to those interested. – **DONE.**

ACTION – SHAC members to look up the Participate Hepburn page for Future Hepburn, see: [FUTURE HEPBURN | Participate Hepburn](#)

ACTION – Manny will check with strategic planning team re sharing Engagement pool names to help connection within the local community. **Unfortunately we are not able to share names of participants as they did not agree to have their details shared when signing up to the engagement pool.**

ACTION - SHAC members recommended to review the action plans in the Sustainable Hepburn Strategy.

ACTION – Manny to send through the background information on the Carbon Sequestration pilot program. See: [Community Carbon | North Central Catchment Management Authority \(nccma.vic.gov.au\)](#)

ACTION – **Biodiversity team to provide further information on Council gorse removal as it arises. Currently working on a Roadside Conservation Strategy as well as doing Vegetation Management Plans for the four major Council managed reserves by end of next financial year.**

ACTION - Jodi to follow up separately regarding engagement with Sustainable Hepburn Day. **DONE**

ACTION – Jodi to arrange date for next meeting after Sustainable Hepburn Day. **DONE.**

## 6. OTHER ITEMS OF BUSINESS

6.1. Congratulations to Nikki Marshall on entering the International Women's Day Honor Roll  
 Cr Hood congratulated Nikki on induction and Jodi read bio on Nikki's achievements, Jodi thanked Nikki for contribution. Nikki noted that and acknowledged the honour, acknowledging others on the Committee. Cr Hood noted that there are additional community awards from council available to group contribution to the community.

6.2 Opportunity for Committee members to share updates on their projects or initiatives (15 mins)

Peter Rice – Held recent conversation with a community representative from Ausnet about including renewable energy discussion on website, important to keep the discussions positive. Met with Sandra in Clunes to discuss setting up a repair Clunes.

Nikki – Reported on the Repair Café stall at the Sustainable Hepburn provided an excellent opportunity to engage with wider community. Attendance helped by good weather on the day and allowed for a community alert to the upcoming FOGO rollout next Monday 8 April. FOGO rollout will facilitate discussion around opportunities for small scale composting at local level, not just by Council, such as YIMBY in Mount Alexander Shire.

Cr Drylie – Commented on his recent visit to the Adelaide Hills. Provided a great occasion to meeting SA and Adelaide Shires. Commented on a lack of LGA sustainability activities in SA as more a state-based initiative and can miss out on local input. Also met with a professional group providing facilitation for alternative housing – has extended an invitation to talk with HSC community about housing issues.

Cr Hood – Resilience discussion – Trentham power unplanned interruptions Council and Bank to look at a micro grid with battery back up – working through business case looking for federal grant. Model like the Yackandandah example – (Manny noted that a Trentham sustainability grant has been applied for).

Karl Fitzgerald – Noted that he is looking forward to conducting a cool burn gorse reduction on property. Also working with local community members on sustainable housing project that utilises a \$140k single bedroom house made in China. Very impressed to discover old Hepburn Caravan Park – DEECA owned maintained by council opposite the Bathhouse in Hepburn could provide potential location subject to approvals for sustainable housing location. Look at other potential unutilized land sites – what can be done to maximise

► SUSTAINABLE HEPBURN ADVISORY COMMITTEE

affordable housing opportunities. Action HSC to investigate available sustainable housing unutilised land sites. Comment from Nikki about build form and associated energy attraction/cost of construction, look at a standard for “build” miles, develop some criteria to support local materials and builders like “food” miles.

Michelle – Comments from the Sustainable Hepburn Day, observed significant and demonstrable “resilience energy” from the Community.

Sandra – Has been away for a while – set up small committee for sustainability group in Clunes. Example, Clothes swap in Clunes organised for Sunday 28 April 1 to 3pm. Looking at three events a year (Jodi recommend to add Council Sustainability QR code to community clothes swap event desk) (Cr Hood noted that there are three clothes swaps in Trentham locality – talk to the local groups in Trentham. Friend of Sandra, a 16 year old male has organised a greenhouse gas reductions petition looking for 5000 people to sign petition (circulated at meeting) – want to make an national campaign related to the council.

Nikki – repair café is moving around the shire to engage more widely about emission reduction. Mens Shed in Clunes – look at opportunities to leverage not duplicate.

Diana – participated in the Hepburn Sustainable day out – what can be done to better leverage facilities at the neighbourhood centres to promote Sustainable education programmes.

Katherine – Take opportunities to leverage festivals/markets throughout the shire to promote sustainability education, also explore education opportunities through the neighbourhood centres as venues and advertising locations. Share resources between neighbourhood centres such as at the Mt Alexander shire. (Manny noted we have multiple sustainability groups in the Goldfields region)

Stuart - Compliments to HSC for the compost delivered 3 weeks ago from Creswick perhaps not 100% pasteurized but good quality. Mobile abattoir – Ag Vic and Prime Safe have approved using a shipping container for this purpose. – (Manny commented there are issues with farmers markets supply of abattoir facilities, what can be done to assist)

6.2. Presentation of Sustainable Hepburn Day Outcomes and Evaluation – Jodi Newcombe, Circular Economy Officer followed by discussion of next steps (with a view to advise ET/Councillor briefing).

Jodi – This was the second Sustainable Hepburn Day run by HSC. First in Trentham October 2022



## MINUTES

### ► SUSTAINABLE HEPBURN ADVISORY COMMITTEE

Attendance estimated at 500-1000

Cost \$38k 40% to Infrastructure Marquees etc signs given staff costs etc probable actual costs x2.

Stallholders input noted.

Focus on Resource Recovery and Circular Economy.

Survey 40 responses – results see Jodi’s report/ what worked well qualitative quotes from – overall comment needed more public to attend, perhaps rebranding to attract more attendance.

Katherine – questions about event timing. Learnings on how to improve. Alternative dates consider what options – weather in October could be good.

Questions from the group on report.

Peter – absolutely a necessary event – what would be a better investment than the sustainability day – marketing is the challenge to drive up numbers

Michelle – from the dishwashing stall, comments from attendee, “this is amazing” experience washing his own dishes – moved from this is ridiculous to this is possible!

Katherine – the space was large and not filled with people, question what motivated people to attend the Sustainability Day. Teaching people through council about responsibility to sustainability, what activities have a greater impact on sustainability – there are many sustainability/recycling alternatives. Lots of hidden costs on top of the \$38k spent.

Nikki – certainly got people thinking about sustainability and diversity and involvement from HSC. Questioning the cost – significant cost on infrastructure what can be done to reduce this element of the cost by choosing a venue that reduces infrastructure costs, more \$ available for marketing and kick starting the sustainability day.

Karl – venue was too big perhaps a location near lake Daylesford, how to get message out to tourists perhaps. Maybe through AirBNB to get money back into the community, make more a festival approach like a comedy show.

Michelle – target market – AirBNB energy consumption, heaters left on

Cr Drylie. Questions on resourcing issues – cost of marquees is to be considered, what options to reduce costs – can we use existing resources leverage existing markets and

## MINUTES

### ► SUSTAINABLE HEPBURN ADVISORY COMMITTEE

festivals like booktown to promote sustainability through these smaller events and activities.

Diana – promote people from schools to attend and learn, do we need multiple events to provide a better educational opportunity – repeat learning opportunities. Thought the event was great , but what can be done to better promote a learning experience.

Nikki – venue was too spread out, perhaps one big marquee, the kids loved the event, maybe could rename as a “community celebration” through a sustainability lens– think like ChillOut done as a sustainable event and promote. Need to get more school age people involved as educational event/experience.

Jodi – question from Peter, what was done to engage with the local schools. Two incursions held on waste + art at Daylesford Primary School, with a view to parading the creations at the festival, but didn’t lead to students attending the event.

Cr Drylie – impacts of cost of living has reduced numbers at markets etc

Stuart – what can be done to boost numbers, did not get time to walk around, surprised by the number and variety of stalls, thought size of venue was ok but needed more people to attend and fill the space.

Manny – site was not very accessible for walking to

Sandra – missed the site first time driving to location, Vic Park a bit out of the way.

Katherine – have pop up events leading up to Sustainability day to drive increased demand. – what other demand generation activities. Offer to wash peoples dishes?

Cr Hood - Liked the idea of working with the schools – how to drive a greater attendance. Need to track demographics of those that attended. Not fixed on the venue. Like the idea of having a presence at the other festival/events like Spudfest and ChillOut. The word sustainability means so much and can differ interpretation between individuals. Need to make tangible so people identify.

Sandra – the meaning of sustainability needs a clear definition

Peter – delineate the definition of sustainability – marketing is everything – need to be clear on the target market for the sustainability day and drive message and call to action to that segment. How do you get people to feel about sustainability so they act?

Michelle – continue to build wider knowledge in the community and the word will spread.

## MINUTES

### ► SUSTAINABLE HEPBURN ADVISORY COMMITTEE

Cr Hood – positive reaffirming that the group is supportive of continuing the sustainability day.

Nikki – need time to digest the discussion tonight and respond with further ideas

Jodi – community – HSC partnership – greater partnership with other sustainability group in shire and adjacent shires? What about a different name next time: eg Regenerate Hepburn?

#### 6.3. Discussion of Circular Economy Toolkit dissemination next steps

Jodi – how to drive out the circular economy toolkit into the community?

Do we need a round table discussion on the toolkit?

Nikki – where are copies available?

Jodi – has about 30 kits left. Invitation to all to disseminate these into the community.

#### 6.4. The Adaptation Game – update and next steps; Jodi Newcombe

Jodi- we created a bespoke game, multilayered game – note no one yet has watched the video.

The video runs for 10 minutes – link has been circulated.

Sometimes need to gamify something – helps guide on what is needed for sustainability. Scenario oriented game. Please send ideas on the game from the group. The game will evolve – strengthening community engagement,

Manny – form a community and council working group to review the game and then look at facilitation of the game to be/how played.

Katherine - what time commitment to be part of the workshop?

Jodi response - 4 hours to play the game, plus time to train as facilitator, advise on strategy and play game with others. Probably 24 hours spread over 4-5 days (over a few months)

Manny – game for the family, but not young kids – teenagers can join in

## MINUTES

### ► SUSTAINABLE HEPBURN ADVISORY COMMITTEE

Diana – set up local community groups – Jodi commented resources would require allocation to set up such groups. Manny commented on some resource sustainability tool from Sydney Australia wide application [clarify].

Nikki / Cr Drylie – build up sustainable groups in the wider community.

Manny – some group is now longer active – [clarify]

#### 6.5 FOGO update – share challenges, how can SHAC help?

Jodi – alerted to Council’s You Tube videos on the FOGO roll out and invitation to spread the word to wider community – please watch and share

#### 6.6 Sustainable Hepburn Strategy Implementation update; Manny Pasqualini

Strategy document circulated, alert committee to any items of concern.

Manny – reporting internally on a quarterly basis, and presenting twice a year to Councillors, there is a PCG meeting quarterly, there are 5 actions plans, one is overarching. High level numbers – of the 74 active, 66 actions or 89.2% are either on track or completed.

Any comments from the group or reflections on the report i sent through or the way you’d like to engage with the action plans?

Peter – an item that refers to the “tip” shop – e-waste, from the perspective of electronic repairer the tip shop needs to be improved. Needs to be taken further than what the transfer station staff – needs to be reclaimed by council and the model put out to social enterprises.

Stuart – review the policy of sale of second-hand electrical equipment – second-hand and broken appliances – compliance with the test and tag laws. Question what is HSC doing to come into line with test and tag state laws? can be a sticker that says not able to be tested. Council to review this policy. Has been raised as an agenda item.

Jodi – workshop held at the “tip shop” there is a working group to improve the tip shop – Keep Peter in the loop.



## MINUTES

### ► SUSTAINABLE HEPBURN ADVISORY COMMITTEE

#### 7. ACTIONS ARISING FROM MEETING

ACTION - HSC to investigate available sustainable housing unutilised land sites

ACION: - HSC include Council Sustainability Link QR code to collateral such as community clothes swap flyers and other events/activities that relate to sustainability.

ACTION – Jodi make available remaining Circular Economy Toolkits at Duke Street for collection, plan a round table to discuss community roll out.

ACTION – Jodi circulate report on Sustainable Hepburn day.

ACTION – Keep Peter in the loop regarding “tip” shop improvements

ACTION – Jodi to send out next meeting email invitation to members when date locked in.

ACTION – Interested members to watch TAG video, Jodi to invite members to a future meeting to advise on TAG rollout strategy.

ACTION – all members to watch the FOGO videos to learn key messages and share with community members

Note: Greenhouse Gas Reduction petition circulated for signature from Sandra

#### 8. NEXT MEETING

Cr Hood, next meeting discussed. Target 3 meetings per year, next meeting late July early August, date TBA.

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Councillor Briefing	<b>DATE</b>	Tuesday, April 09, 2024
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: <a href="#">Click or tap here to enter text.:</a>	<b>TIME</b>	9:00am – 3:15pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Manager Strategic Planning – Bronwyn Southee Principal Strategic Planner – Matt Rogers Project Manager – Alison Blacket Manager Governance and Risk -Rebecca Smith Coordinator Governance – Dannielle Kraak Manager Community and Economy – Kendall Sinclair Coordinator Healthy Communities – Kate Procter		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/16668

OR

List matters considered:

*As per agenda.*

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>

NOTES:

▶ RECORD OF COUNCILLOR ATTENDANCE

Cr Lesley Hewitt was an apology for this Briefing.

Cr Juliet Simpson was an apology for this Briefing.

Cr Don Henderson left the Briefing at 9:47am and returned at 10:45am.

RECORD COMPLETED BY

Governance Advisor – Catherine Nurse

Signed:



Tuesday 9 April 2024  
Daylesford Town Hall, 76 Vincent Street Daylesford  
9:00am – 3:15pm

*Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.*

*The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).*

**BRADLEY THOMAS**

CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		Councillor Lesley Hewitt, Birch Ward



No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Presentation/Discussion	Township Structure Plans and Rural Strategy Update	Manager, Strategic Planning Executive Manager, Development	5
	10:30am	Break			
1.2	10:45am	Presentation/Discussion	Revisiting of Strategic Risk Treatment Plans	Manager Governance and Risk	6
1.3	11:15am	Presentation/Discussion	Rainbow Action Plan	Inclusion Officer Coordinator Healthy Communities Manager Community and Economy	13
1.4	11:45am	Discussion	Read-Only Reports	Chief Executive Officer	52
1.5		Read Only Report	Review of Governance Policies: Privacy, Public Interest Disclosures and Councillor Resources and Expenses	Manager Governance and Risk Coordinator Governance	53
1.6		Presentation/Discussion	Hepburn Pavilion and Kiosk - Request for Proposal for New Lease	Property Officer Coordinator Facilities Manager Facilities and Circular Economy	144
	12:15pm	Lunch			

1.7	12:45pm	Presentation/Discussion Budget/LTFP	Manager Financial Services	159
2	3:15pm	Close of Meeting		

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Pre-Council Meeting Briefing	<b>DATE</b>	Tuesday, April 16, 2024
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	<b>TIME</b>	3:00pm – 4:30pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Manager Governance and Risk – Rebecca Smith Manager Planning and Building – Amy Boyd Manager Projects – Ben Grounds		

MATTERS CONSIDERED

List matters considered:

As per the Council Meeting Agenda for 16 April 2024.

CONFLICT OF INTEREST DISCLOSURES

Nil.

NOTES:

Cr Lesley Hewitt was an apology.

RECORD COMPLETED BY

Manager Governance and Risk – Rebecca Smith



Signed:

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Councillor Briefing	<b>DATE</b>	Tuesday, April 23, 2024
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: <a href="#">Click or tap here to enter text.:</a>	<b>TIME</b>	9:00am – 3:45pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Manager Strategic Planning – Bronwyn Southee Manager Financial Services – Natalie Martin Principal Strategic Planner – Matt Rogers		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/19733

OR

List matters considered:

[Click or tap here to enter text.](#)

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>

NOTES:

Cr Hewitt was in apologies.

RECORD COMPLETED BY

☐ CEO – Bradley Thomas



▶ RECORD OF COUNCILLOR ATTENDANCE

- ☐ Director Infrastructure and Delivery – Bruce Lucas
- ☐ Director Community and Corporate – Karina Lamb
- ☐ Executive Manager People and Transformation – Brooke Holmes
- ☐ Executive Manager Development – Ron Torres

Other:

Governance Administration Officer – Brigitte Longmore

Signed:



Tuesday 23 April 2024  
Daylesford Town Hall, 76 Vincent Street Daylesford  
9:00am – 3:45pm

*Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.*

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**BRADLEY THOMAS**

CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Discussion	Councillor and CEO-Only Time	Chief Executive Officer	4
1.2	9:30am	Presentation/Discussion	Western Renewables Link Project overview and update	Ausnet	5
	10:30am		Break		
1.3	10:45am		Structure Plan and Rural Strategy Check-In	Manager Strategic Planning	6
	12:15pm		Lunch		
1.4	12:45pm	Presentation/Discussion	Budget/LTFP	Manager Financial Services	7
	3:45pm		Close of Meeting		

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Councillor Briefing	<b>DATE</b>	Tuesday, May 07, 2024
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: <a href="#">Click or tap here to enter text.:</a>	<b>TIME</b>	9:00am – 3:23pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Acting Manager Emergency Management – Kylie Richardson Acting Manager Operations – Tim Powell		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/22182

OR

List matters considered:

[Click or tap here to enter text.](#)

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>

NOTES:

Cr Henderson joined the meeting at 10:45am.

Cr Juliet Simpson joined the meeting at 10:59am.

Cr Simpson left the meeting at 2:45pm.



► RECORD OF COUNCILLOR ATTENDANCE

Cr Hewitt left the meeting at 2:55pm.

Cr Halliday left the meeting at 3:10pm.

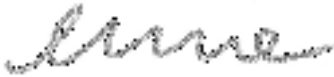
The meeting ended at 3:23pm.

RECORD COMPLETED BY

Other:

Governance Advisor – Catherine Nurse

Signed:



Tuesday 7 May 2024  
Daylesford Town Hall, 76 Vincent Street Daylesford  
9:00am – 2:30pm

*Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.*

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**BRADLEY THOMAS**

CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		Karina Lamb – Director Community and Corporate

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Presentation/Discussion	School visit to Daylesford College	Chief Executive Officer	5
	10:30am		Break		
1.2	10:45am	Discussion	Committees Update	Director Community and Corporate	6
1.3	11:00am	Presentation/Discussion	Road Infrastructure and Storm Recovery Update	Manager Emergency Management Infrastructure Officer	23
1.4	11:30am	Discussion	Read-Only Reports	Chief Executive Officer	32
1.5		Read Only Report	Solar Savers - Declaration of a special rates charge	Coordinator Sustainability and Climate Resilience	33
1.6		Read Only Report	Annual Plan Progress Report Q3 - 2023/2024	Executive Manager People and Performance	48
1.7		Read Only Report	Corporate Performance Report - Q3 - 2023/2024	Executive Manager People and Transformation	88
	12:00pm		Lunch		
1.8	12:30pm	Presentation/Discussion	Budget/LTFP Workshop	Manager Financial Services	94
	2:30pm		Close of Meeting		95

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Councillor Briefing	<b>DATE</b>	Tuesday, May 14, 2024
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: <a href="#">Click or tap here to enter text.:</a>	<b>TIME</b>	10:15am – 12:15pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Manager Financial Services – Natalie Martin Manager Governance and Risk – Rebecca Smith Manager Projects – Ben Grounds Project Manager – Tom McCarthy Manager Community and Economy – Kendall Sinclair Coordinator Economic Development and Visitor Economy – Bridgette O'Brien Creative Communities Officer – Samantha Thompson		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/23682

OR

List matters considered:

[Click or tap here to enter text.](#)

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
<b>Cr Jen Bray</b>	1.4 Contract Award for HEPBU.RFT2024.11 – Architectural and Design Services – Daylesford Community Facilities	11:10am	11:25am
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>



▶ RECORD OF COUNCILLOR ATTENDANCE

NOTES:

<Record late arrivals or early departures>

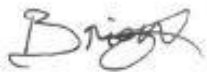
RECORD COMPLETED BY

- ☐ CEO – Bradley Thomas
- ☐ Director Infrastructure and Delivery – Bruce Lucas
- ☐ Director Community and Corporate – Karina Lamb
- ☐ Executive Manager People and Transformation – Brooke Holmes
- ☐ Executive Manager Development – Ron Torres

Other:

Governance Administration Officer – Brigitte Longmore

Signed:



Tuesday 14 May 2024  
Daylesford Town Hall, 76 Vincent Street Daylesford  
10:15am – 12:15pm

*Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.*

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**BRADLEY THOMAS**

CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		

No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:15am	Presentation/Discussion	Quarterly Finance Reports – Quarter 3 2023/2024	Manager Financial Services	4
1.2	10:45am	Presentation/Discussion	Review of the Audit and Risk Committee Charter	Manager Governance and Risk	52
1.3	11:00am	Report	Recommendations from the Audit and Risk Committee meeting held on 27 March 2024	Manager Governance and Risk	71
1.4	11:15am	Presentation/Discussion	Contract Award for HEPBU.RFT2024.11 – Architectural and Design Services – Daylesford Community Facilities	Manager Projects	103
1.5	11:45am	Presentation/Discussion	Arts and Culture Strategy	Manager Community and Economy Coordinator Economic Development and Visitor Economy Creative Communities Officer	105
2	12:15pm	Close of Meeting			181

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Pre-Council Meeting Briefing	<b>DATE</b>	Tuesday, May 21, 2024
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other: <a href="#">Click or tap here to enter text.:</a>	<b>TIME</b>	3:00pm – 4:30pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Community and Corporate – Karina Lamb Others (Position Title and Name): Manager Projects – Ben Grounds Manager Governance and Risk – Rebecca Smith		

MATTERS CONSIDERED

As per the Council Meeting agenda for 21 May 2024.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
<b>Cr Jen Bray</b>	Item 11.1 Daylesford Community Facilities Project Advisory Group – Membership Appointment	3:40pm	4:03pm
<b>Dr Karina Lamb</b>	Item 12.1 Appointment of an Acting CEO	4:08pm	4:09pm

NOTES:

Cr Hewitt arrived at 3:31pm due to a conflicting commitment.

RECORD COMPLETED BY

Manager Governance and Risk – Rebecca Smith

Signed:





▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Councillor Planning Briefing	<b>DATE</b>	Tuesday, May 28, 2024
<b>LOCATION</b>	<input type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other: <a href="#">Click or tap here to enter text.:</a>	<b>TIME</b>	9:00am – 1:30pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): <a href="#">Click or tap here to enter text.</a>		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/26416

OR

List matters considered:

[Click or tap here to enter text.](#)

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Henderson	1.2 – Planning Enforcement Process Update	10:39am	11:15am
Cr Halliday	1.4 PLN24/0015 - 504 Mckenzie's Road Clunes, 2 Lot Subdivision	11:47am	12:15pm
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>

NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY

- ☐ CEO – Bradley Thomas  
☐ Director Infrastructure and Delivery – Bruce Lucas

▶ RECORD OF COUNCILLOR ATTENDANCE

- ☐ Director Community and Corporate – Karina Lamb
- ☐ Executive Manager People and Transformation – Brooke Holmes
- ☐ Executive Manager Development – Ron Torres

Other:

Governance Administration Officer – Brigitte Longmore

Signed:



Tuesday 28 May 2024  
Daylesford Town Hall, 76 Vincent Street Daylesford  
9:00am – 1:30pm

*Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.*

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**BRADLEY THOMAS**

CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		

No	Time	Type	Agenda Item	Presenter	Page No
	9:00am	CEO/Councillor ONLY time			
1.1	9:30am	Planning Report	PLN23/0068 - Application for use and development of the land for group accommodation (five accommodation units) and removal of vegetation at 13 Nash Lane, Daylesford	Senior Statutory Planner Manager Planning and Building	5
1.2	10:30am	Presentation/Discussion	Planning Enforcement Process Update	Manager Planning and Building	130
	11:00am	Break			
1.3	11:15am	Planning Report	PA3458 - 23 Albert Street, Creswick - Extension to existing building	Manager, Planning and Building Executive Manager, Development	131
1.4	11:45am	Presentation/Discussion	PLN24/0015 - 504 McKenzies Road Clunes, 2 lot subdivision (house lot excision)	Manager Planning and Building Executive Manager Development	209



1.5	12:15pm	Presentation/Discussion	Fair Access Policy	Sport and Active Recreation Officer Coordinator Sport and Active Recreation Manager Community and Economy	243
	12:45pm	Lunch			
	1:30pm	Special Council Meeting			

## 2. Close of Meeting

## **13** GENERAL BUSINESS

### **13.1** LEAVE OF ABSENCE FOR CR JULIET SIMPSON

Go to 01:41:54 in the meeting recording to view this item.

#### **OFFICER'S RECOMMENDATION:**

*That Council grants Cr Juliet Simpson a leave of absence from 26 June to 10 July 2024 inclusive, noting that Cr Simpson will be an apology for Briefings and Council Meetings that may be scheduled during her leave.*

Cr Juliet Simpson left the meeting at 7:13pm due to a conflict of interest for item 13.1.

#### **MOTION**

*That Council grants Cr Juliet Simpson a leave of absence from 26 June to 10 July 2024 inclusive, noting that Cr Simpson will be an apology for Briefings and Council Meetings that may be scheduled during her leave.*

**Moved:** Cr Lesley Hewitt

**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:** Nil

**Abstained:** Nil

Cr Simpson returned to the meeting at 7:14pm and was advised of the outcome.

#### 14 CLOSE OF MEETING

The Meeting closed at 7:15pm.