



HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
PUBLIC AGENDA

Tuesday 19 December 2023

Council Chamber
76 Vincent Street Daylesford VIC 3460

5:30PM

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

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76 Vincent Street Daylesford VIC 3460

Commencing at 5:30PM

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BRADLEY THOMAS

CHIEF EXECUTIVE OFFICER

Tuesday 19 December 2023

CONDUCTING COUNCIL MEETINGS VIRTUALLY

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.

Pursuant to the Ministerial Guidelines, should technology problems be encountered and we are unable to broadcast this meeting, the meeting will be adjourned until resolution or postponed.

Council's meeting will be conducted tonight in accordance with:

- The Local Government Act 2020
- The Minister's Good Practice Guideline MGPG-1: Virtual Meetings
- Council's Governance Rules; and
- The Hepburn Shire Council Councillor Code of Conduct.

1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

2 OPENING OF MEETING

COUNCILLORS PRESENT:

OFFICERS PRESENT:

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”

3 APOLOGIES

Mr Bruce Lucas, Director Infrastructure and Delivery

4 DECLARATIONS OF CONFLICTS OF INTEREST

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 21 November 2023 (as previously circulated to Councillors) be confirmed.

6 NOTICES OF MOTION

6.1 STATEMENT OF SOLIDARITY WITH THE TRANS COMMUNITY

The Notice of Motion was put forward by Cr Tessa Halliday on 11 December 2023.

BACKGROUND

The Trans Justice Program calls on individuals and organisations to sign the Statement of Solidarity with the Trans Community. The Statement aligns with our Hepburn Shire Council Plan 2021-2025 and supports our goals for an inclusive community.

The Statement is as follows:

We, the undersigned organisations, pledge to:

- Support the freedom of trans and gender diverse people to be themselves, to have bodily autonomy, and to be safe in their communities. We oppose any move that would threaten the rights, freedom, or safety of the trans community.
- We recognise, in the examples we have seen from the campaigns in the US and the UK, that the anti-equality lobby poses a fundamental threat, not just to the human rights of trans and gender diverse people, but to our democracy, and to the rights and freedom of all people.
- We commit to holding our leaders accountable for anti-trans rhetoric, standing up to the politics of hate and division, and to defend the right of trans and gender diverse people to live free from hatred, violence, harassment, and discrimination.
- We pledge our support for policies which seek to promote affordable and accessible gender-affirming care for everyone who needs it. We oppose any move that would seek to block or restrict trans people's access to this vital health care, or any move that would threaten the bodily autonomy or self-determination of trans people seeking access to care.
- We commit to ensuring our workplaces and/or services are informed and inclusive. We will stand by our trans and gender diverse workers and clients in the face of anti-trans targeting and attacks, including rhetoric that seeks to dehumanise trans and gender diverse people in our organisations and communities.

MOTION AS PROPOSED

That Council request the Chief Executive Officer to sign on behalf of the Hepburn Shire Council the Statement of Solidarity with the Trans Community, as being coordinated through the Trans Justice Program.

7 ITEMS OF URGENT BUSINESS

8 COUNCILLOR AND CEO REPORTS

8.1 MAYOR'S REPORT

Councillor Brian Hood, Coliban Ward

8.2 COUNCILLOR REPORTS

Councillor Jen Bray, Birch Ward

Councillor Lesley Hewitt, Birch Ward

Councillor Tessa Halliday, Cameron Ward

Councillor Don Henderson, Creswick Ward

Councillor Tim Drylie, Creswick Ward

Councillor Juliet Simpson, Holcombe Ward

RECOMMENDATION

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

8.3 CHIEF EXECUTIVE OFFICER'S REPORT

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

CHIEF EXECUTIVE OFFICER UPDATE

The Community Grants Assessment Panel has now completed a review of submissions for Community Grants Round 1 - 2023/2024. Officers were extremely pleased with the number of strong applications and look forward to partnering on many great community driven projects, with the following table indicating those that were successful. There were a number of unsuccessful grant applications and officers will work with those community groups.

Applicant	Project Title	Description	Total Project Cost (\$)	Decision
Creswick Ukestra	Music Connecting Community	Pamphlets, advertising and funding to facilitate workshops and tutoring.	\$3,350	Funded – Partial \$430
Trentham Rail and Tram Association (TRATA)	Heritage Preservation Storage	Purchase of a shipping container to store heritage items during Goods Shed Refurbishment.	\$4,910	Funded – Full \$4,910
Daylesford District Agricultural Society	Purchase of Assets for Daylesford Ag Show	Purchase of marquees, chairs, and tables	\$4,035	Funded – Partial \$2,100
Trentham Sustainability Group	Trentham Fashion Swap	Purchase of items for Trentham Fashion Swap	\$1,897	Funded – Full \$1,897
Daylesford Lawn Tennis Club	Ride-on Mower Replacement	Replacement ride-on lawn mower	\$6,649	Funded – Full \$5,000
Creswick Neighborhood Centre	Lift up for All	Hiring a disability chair lift for Creswick Town Hall @ Cresfest	\$1,500	Funded - \$1,500
Trentham Trumpet	Creative Minds	Web upgrade for Creative Minds competition	\$2,748	Funded – Partial \$430
Clunes District Agricultural Society	Outdoor Games for Children	Purchase of outdoor games for children to use at Clunes District Ag Show	\$1,850	Funded – Full \$1,850



Since the November meeting there has been many meetings, events and projects continuing in the lead up to the end of the year, I encourage community members to follow our website, our social media channels (especially our Facebook page), visit our Participate Hepburn site or sign up to our Hepburn Life eNewsletter to stay up to date with all the activities.

The following arrangements for Council services over the Christmas and New Year period are in place:

Council offices, depots, hubs and libraries - close at 2pm on Friday 22 December and reopen on Tuesday 2 January.

Kerbside collection - There will be no kerbside collections on Christmas Day and New Years Day. From Christmas Day, collections will be pushed back by one day until Monday 8 January 2024. This means if your collection is usually on a Monday (Christmas Day), it will be collected on a Tuesday (Boxing Day), etc.

Transfer Stations - closed on Christmas Day.

Visitor Information Centres - closed on Christmas Day (Boxing Day TBC).

Emergencies - To report an emergency over the closure period phone 0419 587 955 for animal emergencies (e.g. dog attacks and stock on Council roads) or for all other emergencies phone 0419 583 573. Staff involved in emergency management will be on call.

I would like to thank Councillors and the community for their input and support throughout 2023. I also, would like to acknowledge the efforts of our amazing staff, who continue to go over and above for our community – we appreciate your efforts. To everyone, please have a fun and safe Christmas and New Year period.

RECOMMENDATION

That Council receives and notes the Chief Executive Officer's Report for December 2023.

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

9.2 PUBLIC QUESTIONS

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

9.3 REQUESTS TO ADDRESS COUNCIL

Members of our community who have submitted a request in accordance with Council's Governance Rules will be heard.

10 STATUTORY PLANNING

10.1 PLN23/0052 – APPLICATION FOR A PLANNING PERMIT FOR 1946 DAYLESFORD-MALMSBURY ROAD DRUMMOND EXECUTIVE MANAGER DEVELOPMENT

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

ATTACHMENTS

1. PL N 230052- Redacted Combined Documents - 1946 Daylesford Malmsbury Road - Property 204073 [**10.1.1** - 108 pages]
2. PL N 23 0052 - Redacted Combined Objections - 1946 Daylesford Malmsbury Road Drummond - Property 204073 [**10.1.2** - 5 pages]

EXECUTIVE SUMMARY

The application seeks planning approval to use and develop land for a Dwelling, Host Farm, Access to a Road in a Transport Zone 2 (Daylesford-Malmsbury Road) and associated buildings and works. The application is accompanied by a full set of plans, a Land Management Plan (LMP), a Planning Report, and a Land Capability Assessment (LCA).

The site is included in the Rural Living Zone Schedule 1, and Environmental Significance Overlay Schedule 1.

Seven objections have been received, raising matters such as building design, two dwellings on a lot is an undesirable precedent, housing density not in keeping with the RLZ, and the dwellings will lead to an increase in noise and impact on the amenity of the area. All internal and external referral comments received support the application, with some subject to conditions.

Only one dwelling is proposed on the site, with the other building to be used as a *host farm*. A host farm is defined under the Hepburn Planning Scheme as an agricultural property used to provide accommodation for persons away from their normal place of residence to experience living on land used for agricultural purposes. It is not to be used as a permanent second dwelling and approval is not being sought for this.

The application is generally considered consistent with the purposes of the Hepburn Planning Scheme.

OFFICER'S RECOMMENDATION

That Council, having complied with the relevant sections of the Planning and Environment Act 1987, issues a Notice of Decision to Grant a Permit for Application No. PLN23/0052 for the purpose of buildings and works and use of the land for a Dwelling, Host Farm and Access to a Road in a Transport Zone 2, generally in

accordance with the endorsed plans at 1946 Daylesford-Malmsbury Road (Crown Allotment 2, Section 3 Parish of Burke) subject to the following conditions:

Amended Plans

- 1) *Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the application plans but further modified to show:*
 - a. *The location of all trees at the frontage of the site within the road reserve and the location of the proposed crossover to the site.*
 - b. *Relocation of the land application area to within 30m of the frontage as recommended by the LCA prepared by Provincial Geotechnical Pty Ltd dated 30 March 2022.*
 - c. *Contour levels of the site.*
 - d. *The deletion of all references to Bed and Breakfast on the plan.*
 - e. *Appropriate labelling of the Host Farm building.*
 - f. *The location of the existing shed on the site.*
 - g. *Details of the location where vegetation is to be planted and where cooking classes on the site will be conducted.*
 - h. *A Tree Management Plan in accordance with Condition 7.*
 - i. *A Land Capability Assessment Plan in accordance with Condition 6.*
- 2) *The layout of the use(s) and the development as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.*
- 3) *Cooking Classes must not be conducted on the land until a Certificate of Occupancy is provided for the dwelling.*
- 4) *Once commenced, the cooking classes must only operate on Saturdays between the hours of 10am to 3pm unless otherwise agreed in writing by the Responsible Authority.*
- 5) *No more than four (4) patrons may be permitted on the land at any one time unless otherwise agreed in writing by the Responsible Authority.*

Land Capability Assessment Plan

- 6) *Prior to the endorsement of plans pursuant to Condition 1, a Land Capability Assessment must be submitted to the satisfaction of the Responsible Authority and be endorsed by the Responsible Authority. The Land Capability Assessment must be generally in accordance with the Land Capability Assessment prepared by Provincial Geotechnical Pty Ltd, Ref: 19044B Dated: 30/03/2022 but amended to show:*
 - a. *Additional detail on where agricultural plantings will occur and where non-agricultural vegetation will be planted.*

- b. *Detail regarding how the cooking classes will be conducted and managed.*

Tree Management Plan

- 7) *Before the development starts, a tree management plan must be approved and endorsed by the responsible authority. That tree management plan must:*
 - a. *Be prepared to the satisfaction of the responsible authority.*
 - b. *Be prepared by a suitably qualified person.*
 - c. *Be submitted to the responsible authority in electronic form.*
 - d. *Include the following:*
 - i. *The location of trees in the Avenue of Honour in the Daylesford-Malmsbury Road road reserve in close proximity to the proposed access.*
 - ii. *The location of tree protection zones (TPZ) and tree protection fencing for trees in close proximity to the proposed access.*

Tree Protection

- 8) *Before the development starts, tree protection fencing must be erected around trees within the Avenue of Honour along Daylesford-Malmsbury Road in close proximity to the proposed access.*
- 9) *At all times during the carrying out of the development:*
 - a. *The tree protection fencing must remain in place and be maintained around any trees identified for retention on the approved and endorsed plans, in accordance with the approved vegetation management plan and Australian Standard AS4970-2009 - Protection of Trees on Development Sites to the satisfaction of the responsible authority.*
 - b. *Development, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction materials and vehicles of any kind must not occur on or over and must be excluded from any areas inside the tree protection fencing to the satisfaction of the responsible authority.*

The responsible authority may consent in writing to the variation of these requirements.

- 10) *No vehicular or pedestrian access, trenching, storage of materials or equipment or soil excavation is to occur within the Tree Protection Zone unless otherwise agreed in writing by the Responsible Authority.*

Engineering Conditions

- 11) *All stormwater discharged from the subject land shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority. No concentrated stormwater shall drain or discharge from the land to adjoining properties.*

- 12) *Vehicle access/crossing to the land is to be located, constructed, and maintained to the satisfaction of the Responsible Authority.*
- 13) *Before construction works start associated with the provision of carparking, detailed layout plans demonstrating compliance with Austroads Publication 'Guide to Traffic Engineering Practice: Part 11 Parking', Australian Standard 'AS2890: Parking Facilities' and to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions.*
- 14) *Before the use or occupation of the development starts, the area(s) set aside for parking of vehicles and access lanes as shown on the endorsed plans must be:*
 - a. *surfaced with an all-weather surface and treated to prevent dust;*
 - b. *drained in accordance with an approved drainage plan;*
 - c. *provisioned for vehicles to pass on driveways; and*
 - d. *constructed and completed to the satisfaction of the Responsible Authority.*
- 15) *Where the boundary of any car space, access lane or driveway adjoins a footpath or a garden area, a kerb or a similar barrier shall be constructed to the satisfaction of Responsible Authority.*
- 16) *All works must be constructed and completed prior to commencement of use.*
- 17) *All costs incurred in complying with the above conditions shall be borne by the permit holder.*

Environmental Health Conditions

- 18) *The dwelling must be connected to a reticulated sewerage system or, if not available, the wastewater must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.*
- 19) *Before any works commence on the onsite wastewater management system an application for a Permit to Construct/Install/Alter an onsite wastewater management system must be submitted to Hepburn Shire Council (the responsible authority) for assessment by an Environmental Health Officer.*
- 20) *The wastewater to be installed must be an Aerobic Wastewater Treatment System capable of achieving the 20/30 standard, or the equivalent.*
- 21) *The onsite wastewater management system must have a Certificate of Conformity issued by the Conformity Assessment Body (or equivalent approval); these can be viewed on the EPA website. Each system must be installed, operated and maintained in accordance with the relevant Australian Standard and the EPA Code of Practice – onsite wastewater management (Publication 891.4, July 2016).*
- 22) *The onsite wastewater management system effluent field must be installed as per the Land Capability Assessment prepared by Provincial Geotechnical Pty*

Ltd, Ref: 19044B Dated: 30/03/2022. This includes the appropriately selected location, setbacks, and installed cut-off drains.

Department of Transport Conditions

- 23) Prior to commencement of the buildings and/or works, amended plans must be submitted to and approved by the responsible authority. When approved by the responsible authority, the plans will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans date stamped 2 November 2022 but modified to show:
 - a. Closure of all existing informal access to Daylesford-Malmsbury Road and replacement of the gate or gates with farm fencing.**
- 24) Prior to the commencement of the buildings and/or works, the crossover and driveway are to be constructed to the satisfaction of the Head, Transport for Victoria in accordance with VicRoads guideline drawing GD4010A Typical Access to Rural Properties (attached).*
- 25) Within 60 days of the new crossover being constructed, all existing informal access to Daylesford-Malmsbury Road must be removed and the fencing reinstated to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.*

Goulburn-Murray Water Conditions

- 26) All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).*
- 27) All wastewater from the dwelling must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.*
- 28) All wastewater must be applied to land via pressure-compensating sub-surface irrigation installed along the contour.*
- 29) The wastewater disposal area must be located at least: 100m from any waterways, 40m from any drainage lines, 60m from any dams, and 20m from any bores.*
- 30) The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy (based on a minimum 7 occupants), including an appropriately sized disposal area based on a full water balance specific to the proposal and subject land in accordance with the requirements of the current EPA Code of Practice – Onsite Wastewater Management.*

- 31) *The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.*
- 32) *The use of the land must be conducted in accordance with the Land Management Plan endorsed as part of this approval.*

Amenity

- 33) *The use must be managed so that the amenity of the area is not detrimentally affected though the:
 - a. *transport of materials, goods or commodities to or from the land;*
 - b. *appearance of any buildings, works or materials;*
 - c. *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;*
and
 - d. *the presence of vermin,**to the satisfaction of the Responsible Authority.**
- 34) *Any materials or goods must be stored internal to the building or screened from public view to the satisfaction of the Responsible Authority.*
- 35) *All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.*
- 36) *The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.*
- 37) *The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.*

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

- a. *The development is not started within two years of the date of this permit.*
- b. *The development is not completed within four years of the date of this permit.*
- c. *The use is not started within four years of the date of this permit.*
- d. *The use is discontinued for a period of two years.*

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

Notes

Building requirements

This approval does not constitute a Building Permit. You should enquire with Council's Building Services Unit on 5734 6230 to determine if a building permit is required for this proposal.

Health

Wastewater associated with the development of a dwelling on the land must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970, and the installation of any Septic Tank System must comply with the Septic Tank Code of Practice 2008 and Council's Domestic Wastewater Management Plan 2006, to the satisfaction of the Responsible Authority.

An application to install a Septic Tank System must be submitted to the Environmental Health Unit including any prescribed fee and plans detailing the distance of the system from boundaries and the size of the effluent area.

BACKGROUND

Site and Surrounds

The subject site is located on the eastern side of Daylesford-Malmsbury Road approximately 425 metres south of Lauriston-Drummond Road. The site comprises an area of approximately 2.7 hectares, is rectangular in shape and is currently occupied by a shed toward the frontage of the site and a dam on the eastern side of Kangaroo Creek which runs generally north/south through this and adjoining properties.

The site slopes gently to the east and has been cleared of native vegetation. However, the current owners of the land are carrying out weed eradication and revegetation of native species on the site. Access to the site is via Daylesford-Malmsbury Road to the west which is fully sealed.

The site abuts a lot to the north containing a dwelling nearing completion and lots to the south and east each contain a dwelling. Land in the surrounding area is zoned Rural Living Zone and Farming Zone - Schedule 2 (west of Daylesford – Malmsbury Road) and is mostly used for agriculture interspersed with dwellings. Most lots in the Rural Living Zone have dwellings.

No easements are located on the property, and the title does not contain any agreements or covenants. An existing site plan has been submitted with the application.

Planning Permit PA892 was issued 7/8/2015 for the use and development of a dwelling at 1956 Daylesford-Malmsbury Road. A secondary consent has subsequently been approved to increase a building envelope and extensions of time have been granted. The dwelling remains under construction but appears to be nearing completion.

Planning Permit 2004/8373.2 was issued 31/10/2006 for a six (6) lot subdivision for the adjoining Rural Living lots to the east adjacent to Lauriston-Drummond Road. Those lots vary between 6.32ha and 7.9ha and each contain a building envelope for the dwellings and outbuildings. This permit required a S173 to implement both building and effluent envelopes.

It also noted that Planning Permit PlnPA002171 was issued for two (2) sheds and variation of a covenant (to vary the building envelope) at 60C Lauriston-Drummond Road, which is located immediately to the east of the subject site.

Proposal

The application seeks planning approval to use and develop land for a Dwelling, Host Farm, Access to a Road in a Transport Zone 2 and associated buildings and works. The application is accompanied by a full set of plans, a Land Management Plan (LMP), a Planning Report, and a Land Capability Assessment (LCA).

It is proposed that the development will be completed in stages with the host farm accommodation to be constructed in 2024/2025 followed later by the construction of the applicant's dwelling. It is considered reasonable that should a planning be issued that a four-year timeframe is allowed for completion.

The proposed primary dwelling is two storeys with an overall height of 8.76m and will contain three bedrooms, two bathrooms (including an ensuite), a study and an open plan kitchen, living and dining area. The floor area of the proposed dwelling will be approximately 150m² on the ground floor and 70m² on the first floor. The dwelling will be set back approximately 35m from the western (front) boundary and 30m from the southern property boundary.

The proposed one-storey host farm accommodation has an overall height of 6.995m and will comprise one bedroom, one bathroom and an open plan kitchen, living and dining area on the ground floor. It is located approximately 28m north of the primary dwelling and also includes a double car garage and an in-roof space mezzanine floor to provide storage. The floor area will be approximately 125m² on the ground floor and 36m² for the mezzanine. The plans note this building will be setback a minimum 10.8m from the western (front) boundary.

A 4m crossover to Daylesford-Malmsbury Road is to be constructed with an internal driveway to each building.

The LMP notes that the architectural design is inspired by agricultural design principles. The roof pitch is inspired by traditional barn and farm sheds of the area. The plans for cladding are charcoal which blends well in the landscape. The area between the two buildings is to be used and develop for food production. The buildings are simple and contemporary in style. No removal of native vegetation is proposed to be removed or will occur because of this proposal.

The LMP includes the following information regarding the proposed use of the land and how it will be developed to provide the applicant with an independent long-term income:

- Culinary/cooking workshops,
- Self-sufficient 'grow/raise your own' workshops,
- Short-stay accommodation (host farm), and
- Growing of seasonal produce for market.

The LMP notes that the applicant is a recognised author, cook and spokesperson for sustainable culinary practices. For many years he has hosted culinary workshops and demonstrations sharing his knowledge on living with the seasons and embracing a sustainable approach to cooking. For over 12 years he has run many workshops sharing his knowledge of smallholding agricultural practices teaching skills such as developing a productive vegetable garden, permaculture principles, maintaining fruit orchards and animal husbandry skills for smallholding livestock.

For six years, the applicant has operated a veg/fruit box delivery business that sourced organic produce from local producers including Captains Creek Organics, Real Eggs (Yandoit) and The Farmers Larder (Franklinford). The intention is to re-establish and evolve this business by selling seasonal produce grown on the site at the Daylesford Sunday market.

With the cooking classes, the applicant has advised that a maximum of four people will attend at any one time and that the classes will be conducted outside in between the two buildings. The following additional information regarding the cooking classes and small agricultural DIY workshops has also been provided:

- The maximum number of attendees at the cooking classes is to be four and classes are to be conducted on Saturdays (which gives visitors to the region the option to arrive on a Friday, stay in booked accommodation and potentially stay the Saturday which will benefit local accommodation suppliers). The applicants also work weekdays, so Saturdays are best suited for the small cooking classes.
- The classes are to be held 10am-3pm (tentative but most likely) and will include the cooking class and a late lunch, which is the model the applicant has used elsewhere for many years. It is intended to hold a few workshops each season to celebrate the seasonality of food, not as a weekly event.

It is expected the cooking classes meet the relevant planning scheme provisions pertaining to a home-based business and therefore it does not require a planning permit (Clause 52.11). Importantly, the cooking classes cannot commence until the dwelling is established as it can only be a home-based business if occurring at the principal place of residence of the person conducting the business.

In accordance with the requirements of Clause 35.03-2 of the Hepburn Planning Scheme (the Scheme) for the use of a dwelling, the proposed buildings will be connected to a reticulated electricity supply and a new crossover to Daylesford-Malmsbury Road and the driveway will be constructed to provide access to the site and proposed buildings. Reticulated water and sewerage are not available to the site so rainwater tanks will provide a supply of potable water and a secondary wastewater management system (septic) will be installed for wastewater treatment and disposal in accordance with the Land Capability Assessment submitted with the application.

Relevant Planning Ordinance applying to the site and proposal

Zoning:	Rural Living Zone (Schedule 1)	
Overlays:	Environmental Significance Overlay (Schedule 1)	
Particular Provisions	Clause 52.29 – Land Adjacent to the Principal Road Network	
Relevant Provisions of the PPF	Clause 02.03-4 Strategic Directions Clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs Clause 13.02-1S Bushfire Planning. Clause 14.01-1L Protection of Agricultural Land. Clause 14.02-2L Sustainable Agricultural Enterprises. Clause 14.02-2S Water Quality Clause 15.01-6S Design for Rural Areas	
Under what clause(s) is a permit required?	Clause 35.03-1	Use of land for a Host Farm and dwelling
	Clause 45.01-2	Buildings and works
	Clause 52.29	Access to a road in a Transport 2 Zone
Objections?	Seven (7)	

KEY ISSUES

Response to Policy Planning Policy Framework

Clause 02.03-4 of the scheme sets out the strategic objectives for agricultural land within the shire as follows:

The rural areas of the municipality form part of Melbourne's hinterland. Careful planning is required to maintain rural and agricultural land uses and to prevent unrelated housing and other urban development negatively impacting upon or reducing this resource.

The Shire's high quality agricultural land is part of a region supplying important horticulture including vegetables, vines, seeds, and notably potatoes. Emerging rural industries include locally sourced produce, value added food manufacturing and related products and rural tourism.

It is considered that the proposed use sits comfortably with this objective by encouraging horticulture and attracting tourism to the area albeit in a small-scale activity. The use is also in accordance with Clause 02.04 and the Strategic Framework Plan which indicates the area of the subject site being of high to very high-quality agricultural land.

Clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs has as its objective to protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs.

The site has been cleared of vegetation and overrun with invasive weeds and the owners plan to carry out revegetation and new planting in the riparian zone of the creek and along the boundaries of the site, as detailed in the LMP. This will enhance the biodiversity of the area and provide more faunal habitat. As outlined in the LCA, a land application area for treated effluent should be located within the front 30m of the allotment which will minimise the impact of nutrient loads on waterways and native vegetation.

It is noted that the site plan included with the application currently locates the land application area outside of the front 30m of the lot. This requires relocation.

Clause 13.02-1S Bushfire Planning. The purpose of this clause is to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

The subject site is within a Bushfire Prone Area; however, the site is located within a lower risk and defensible area of Drummond. Furthermore, the site has vehicular access to internal roads which provide good access to and from the site in accordance with road safety standards.

Clause 14.01-1L Protection of Agricultural Land has as its objective to protect the Shire's high quality productive agricultural land from the encroachment of

incompatible use and development. One of the strategies of this clause is to encourage small lot agriculture and hobby farms to locate in the Rural Living Zone.

The proposed use is on a lot of approximately 2.7 hectares in area and will use portion of the site for agricultural activity. It will not compromise the use of much larger surrounding land in the Farm Zone for agriculture.

Clause 14.01-2L Sustainable Agricultural Enterprises. A strategy of this clause is to support small agricultural enterprises in the Rural Living Zone.

The proposed use is a small agricultural enterprise within the Rural Living Zone and should therefore be supported pursuant to this clause.

Clause 14.023-2S Water Quality has as its objective to protect water quality.

Goulburn Murray Water has responded and supports the application with conditions to be placed on any permit issued indicating that there are no concerns with the protection of water quality on the subject site and surrounding area. This is also supported by the LCA submitted with the application.

Clause 15.01-6S Design for Rural Areas seeks to ensure that development respects valued areas of rural character. Relevant strategies include:

- Ensure that the siting, scale and appearance of development protects and enhances rural character.
- Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.
- Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridge lines, hilltops, waterways, lakes and wetlands.

Both proposed buildings have been designed with consideration and respect for the surrounding rural landscape and reflect traditional Australian farmhouses and agricultural buildings. The exterior of both proposed buildings will feature reclaimed timber, rammed earth walls and charcoal Colorbond steel wall cladding and roofing materials which are defining elements of rural Australian architecture and will blend in well with the landscape.

Both proposed buildings will also include verandas, which are common in traditional Australian farmhouses and steep roof pitches which are typical of traditional barn and farm sheds in the area. The buildings will be simple and contemporary in style as well as functional, attractive and energy efficient.

Zoning and Overlay Considerations

The site is within a Rural Living Zone (Schedule 1), under Clause 35.03 of the Hepburn Planning Scheme (the Scheme) the purpose of the zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for residential use in a rural environment.
- To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
- To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Under Clause 35.03-1 of the Scheme a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

The proposed dwelling will be able to meet the above requirements.

The cooking classes and workshops which the applicant is proposing on the site fall within the definition of a Home Business under the Scheme. This does not require a permit if the business meets requirements outlined in the planning scheme.

It is considered that the business proposed will adequately meet the requirements. Should the applicant fail to do so then a permit will be required.

Under Clause 35.03-1 a permit is required for a Host Farm. This use is defined under the Scheme as an agricultural property used to provide accommodation for persons away from their normal place of residence to experience living on land used for agricultural purposes. The proposed dwelling also requires a permit as under the schedule to the zone, the lot must be at least 8 hectares to not require a permit. The lot size is 2.7 hectares.

The proposal is consistent with the purpose of the RLZ as it will provide for the use and development of a dwelling and host farm in the rural environment of Drummond.

The proposal will lead to greater protection and enhancement of natural resources, biodiversity and landscape values of the area as the owners of the land are committed to rehabilitating the land on the site through revegetation and weed management as detailed in the Land Management Plan submitted with the application.

Given the lot size is below the minimum lot size in the RLZ1 any planning permit will run with the land, and it is therefore not considered necessary to require a S173 Agreement for a building envelope. If the owner sought to increase the size of the proposed buildings or have additional buildings, further planning approval would be required.

The site is also within an Environmental Significance Overlay (Schedule 1). 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.

Pursuant to Clause 45.01-2 of the Overlay a permit is required to construct a building or construct or carry out works.

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

The measures outlined in the Land Management Plan which include weed management, revegetation and works to repair the riparian zone of Kangaroo Creek, are consistent with the environmental objective of the ESO1 and will be carried out in conjunction with the proposed use and development of the land. Detailed plans, a geotechnical report and Land Capability Assessment report have all been submitted with the application in accordance with the application requirements of the ESO1.

It is noted that the application was referred to Goulburn Murray Water who have provided conditional consent for the proposal.

Neighbourhood Character

Both proposed buildings have been designed with consideration and respect for the surrounding rural landscape and reflect the traditional Australian farmhouses and agricultural buildings. The exterior of both proposed buildings will feature reclaimed timber, rammed earth walls and charcoal Colorbond steel wall cladding and roofing

materials which are defining elements of rural Australian architecture and will blend in well with the landscape.

Both proposed buildings will also include verandas, which are common in traditional Australian farmhouses, and steep roof pitches which reflect traditional barn and farm sheds in the area. The buildings will be simple and contemporary in style as well as functional, attractive and energy efficient.

Environmental and Sustainability Issues

The proposed use and development are not expected to adversely impact the natural physical features and resources of the area. The site has been cleared of vegetation and overrun with invasive weeds and the owners plan to carry out revegetation and new planting in the riparian zone of the creek and along the boundaries of the site, as detailed in the Land Management Plan. This will enhance the biodiversity of the area and provide an improved habitat for local fauna. As outlined in the LCA, a Land Application Area for treated effluent will be located within the front 30m of the allotment which will minimise the impact of nutrient loads on waterways and native vegetation.

Amenity Considerations

The proposed use is unlikely to cause any material detriment to surrounding properties through either noise, odour or traffic issues.

Car Parking

A large double garage is provided for each the dwelling and the host farm which is considered sufficient.

Avenue of Honour trees

It is understood that the Elm Trees within the Daylesford-Malmsbury Road road reserve form part of an Avenue of Honour. It is therefore considered appropriate to require a Tree Management Plan identifying Tree Protection Zones (TPZs) and TPZ fencing to ensure the proposed access does not impact these trees.

Referrals

The application was referred externally to Goulburn-Murray Water, Central Highlands Water and the Department of Transport and Planning. Each authority provided approval with GMW and DTP requiring permit conditions.

The application was referred internally to Engineering and Environmental Health. Each department required permit conditions.

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, seven (7) objections have been received. The issues raised in the objections are addressed individually as follows.

- a. Incorrect details on plan as existing shed not shown.

Should approval be given a requirement can easily be placed on a permit requiring an amended plan be submitted including the existing shed.

- b. Height of proposed buildings is excessive.

There are many large sheds in the surrounding area much larger and higher than the buildings proposed on the subject site.

- c. Two dwellings on site will set an undesirable precedent for other such development and will change the rural nature of the area.

Approval of this proposal will not set a precedent for other such development in the area as each application is considered on its merits and because one such development may be approved does not guarantee approval for further such proposals.

- d. Housing density not in keeping with Rural Living Zone.

The Rural Living Zone has as a discretionary use being Group Accommodation which can permit a number of dwellings to accommodate persons away from their normal place of residence. Residential Villages and Retirement Villages can also be permitted in the Rural Living Zone. What is proposed is significantly smaller than the aforementioned uses.

- e. Will lead to an increase in noise and spoil the amenity of the area.

Apart from possibly four cars entering and leaving the site on one day of the week it is considered that there will be no increase in noise generated by the proposed use. Cooking classes will certainly not cause an increase in noise.

f. Buildings are not in keeping with surrounding area.

While dwellings in the surrounding area are predominantly single storey, in terms of bulk there are many large sheds in the immediate area and a Rural Living Zone does not prohibit dwellings being two storeys. The buildings are considered to be an attractive design and will enhance the area.


g. Vacation rentals should be discouraged.


The smaller building of the two will be the host farm building. It will accommodate couples who want to share the experience of living on land used for agricultural purposes.


Planning Enquiries
Phone: (03) 5348 1577
Web: www.hepburnshire.vic.gov.au


Application for a Planning Permit

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

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

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

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

 Click for further information.

Clear Form

The Land


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

Street Address *

Unit No.:	St. No.: 1946	St. Name: Daylesford-Malmsbury Road
Suburb/Locality: Drummond		Postcode: 3461

Formal Land Description *


Complete either A or B.


 This information can be found on the certificate of title.

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


A	Lot No.:	<input type="radio"/> Lodged Plan	<input type="radio"/> Title Plan	<input type="radio"/> Plan of Subdivision	No.:
OR					
B	Crown Allotment No.:	2		Section No.:	3
Parish/Township Name: Parish of Burke					


The Proposal

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


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

Use and development of a Dwelling and Bed and breakfast.

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

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

Cost \$600,000

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



Existing Conditions i

Describe how the land is used and developed now *

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

Vacant land.

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

Title Information i

Encumbrances on title *

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

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details i

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Name:

Title:

First Name: Rohan

Surname: Anderson

Organisation (if applicable):

Please contact

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Declaration

This form must be signed by the applicant *

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application. **ATTACHMENT 10.1.1**

Signature:

Date: 21/03/2023
day / month / year

If completing this form electronically, please tick the box to the right, include a date and type your name above to serve as a declaration that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.



Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

No Yes
 day / month / year

Checklist

Have you:

- Filled in the form completely?
- Paid or included the application fee? Most applications require a fee to be paid. Contact Council to determine the appropriate fee.
- Provided all necessary supporting information and documents?
 - A full, current copy of title information for each individual parcel of land forming the subject site.
 - A plan of existing conditions.
 - Plans showing the layout and details of the proposal.
 - Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.
 - If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).
- Completed the relevant council planning permit checklist?
- Signed the declaration above?

Lodgement

Lodge the completed and signed form, the fee and all documents with:

Planning Department
 Hepburn Shire Council
 PO Box 21
 Daylesford VIC 3460

Customer Service Centre
 Cnr Duke & Albert Streets
 Daylesford VIC 3460

Contact information:
 Phone: (03) 5348 1577
 Email: shire@hepburn.vic.gov.au

Deliver application in person, by post or by electronic lodgement.

Privacy Statement

Your application and the personal information on this form is collected by council for the purposes of the planning process as set out in the Planning and Environment Act 1987 (PE Act). If you do not provide your name and address, council will not be able to consider your application. Your application will be available at the council office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the PE Act.

You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright. You can request access to your personal information by contacting Councils Governance Department.

The Land

Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

How is land identified?


Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description – the lot and plan number or the crown, section and parish/township details (as applicable) for the subject site. This information is shown on the title.

See **Example 1**.

The Proposal

Why is it important to describe the proposal correctly?


The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

 Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

How do planning schemes affect proposals?

A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting the Planning Schemes Online section of the department's website <http://planning-schemes.delwp.vic.gov.au>

 You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting www.landata.vic.gov.au Contact your local Council to obtain a planning certificate in Central Goldfields, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

See **Example 2**.


Estimated cost of development

In most instances an application fee will be required. This fee must be paid when you lodge the application. The fee is set down by government regulations.

To help Council calculate the application fee, you must provide an accurate cost estimate of the proposed development. This cost does not include the costs of development that you could undertake without a permit or that are separate from the permit process. Development costs should be calculated at a normal industry rate for the type of construction you propose.

Council may ask you to justify your cost estimates. Costs are required solely to allow Council to calculate the permit application fee. Fees are exempt from GST.

 Costs for different types of development can be obtained from specialist publications such as Cordell Housing: Building Cost Guide or Rawlinsons: Australian Construction Handbook.

 Contact the Council to determine the appropriate fee. Go to planning.vic.gov.au to view a summary of fees in the Planning and Environment (Fees) Regulations.

Existing Conditions

How should land be described?

You need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (e.g. single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant building, vacant land, grazing land, bush block).

Please attach to your application a plan of the existing conditions of the land. Check with the local Council for the quantity, scale and level of detail required. It is also helpful to include photographs of the existing conditions.

See **Example 3**.

Title Information

What is an encumbrance?

An 'encumbrance' is a formal obligation on the land, with the most common type being a 'mortgage'. Other common examples of encumbrances include:

- **Restrictive Covenants:** A 'restrictive covenant' is a written agreement between owners of land restricting the use or development of the land for the benefit of others, (eg. a limit of one dwelling or limits on types of building materials to be used).
- **Section 173 Agreements:** A 'section 173 agreement' is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
- **Easements:** An 'easement' gives rights to other parties to use the land or provide for services or access on, under or above the surface of the land.
- **Building Envelopes:** A 'building envelope' defines the development boundaries for the land.

Aside from mortgages, the above encumbrances can potentially limit or even prevent certain types of proposals.

What documents should I check to find encumbrances?

Encumbrances are identified on the title (register search statement) under the header 'encumbrances, caveats and notices'. The actual details of an encumbrance are usually provided in a separate document (instrument) associated with the title. Sometimes encumbrances are also marked on the title diagram or plan, such as easements or building envelopes.

What about caveats and notices?


A 'caveat' is a record of a claim from a party to an interest in the land. Caveats are not normally relevant to planning applications as they typically relate to a purchaser, mortgagee or chargee claim, but can sometimes include claims to a covenant or easement on the land. These types of caveats may affect your proposal.

Other less common types of obligations may also be specified on title in the form of 'notices'. These may have an effect on your proposal, such as a notice that the building on the land is listed on the Heritage Register.

What happens if the proposal contravenes an encumbrance on title?

Encumbrances may affect or limit your proposal or prevent it from proceeding. Section 61(4) of the *Planning and Environment Act 1987* for example, prevents a Council from granting a permit if it would result in a breach of a registered restrictive covenant. If the proposal contravenes any encumbrance, contact the Council for advice on how to proceed.

You may be able to modify your proposal to respond to the issue. If not, separate procedures exist to change or remove the various types of encumbrances from the title. The procedures are generally quite involved and if the encumbrance relates to more than the subject property, the process will include notice to the affected party.

 You should seek advice from an appropriately qualified person, such as a solicitor, if you need to interpret the effect of an encumbrance or if you seek to amend or remove an encumbrance.



Why is title information required?

Title information confirms the location and dimensions of the land specified in the planning application and any obligations affecting what can be done on or with the land.

As well as describing the land, a full copy of the title will include a diagram or plan of the land and will identify any encumbrances, caveats and notices.

What is a 'full' copy of the title?

The title information accompanying your application must include a 'register search statement' and the title diagram, which together make up the title.

In addition, any relevant associated title documents, known as 'instruments', must also be provided to make up a full copy of the title.

Check the title to see if any of the types of encumbrances, such as a restrictive covenant, section 173 agreement, easement or building envelope, are listed. If so, you must submit a copy of the document (instrument) describing that encumbrance. Mortgages do not need to be provided with planning applications.

⚠ Some titles have not yet been converted by Land Registry into an electronic register search statement format. In these earlier types of titles, the diagram and encumbrances are often detailed on the actual title, rather than in separate plans or instruments.

Why is 'current' title information required?

It is important that you attach a current copy of the title for each individual parcel of land forming the subject site. 'Current' title information accurately provides all relevant and up-to-date information.

Some Councils require that title information must have been searched within a specified time frame. Contact the Council for advice on their requirements.

⚠ Copies of title documents can be obtained from Land Registry: Level 10, 570 Bourke Street, Melbourne; 03 8636 2010; www.landata.vic.gov.au – go direct to "titles & property certificates".

Applicant and Owner Details

This section provides information about the permit applicant, the owner of the land and the person who should be contacted about any matters concerning the permit application.

The applicant is the person or organisation that wants the permit. The applicant can, but need not, be the contact person.

In order to avoid any confusion, the Council will communicate only with the person who is also responsible for providing further details. The contact may be a professional adviser (e.g. architect or planner) engaged to prepare or manage the application. To ensure prompt communications, contact details should be given.

Check with council how they prefer to communicate with you about the application. If an email address is provided this may be the preferred method of communication between Council and the applicant/contact.

The owner of the land is the person or organisation who owns the land at the time the application is made. Where a parcel of land has been sold and an application made prior to settlement, the owner's details should be identified as those of the vendor. The owner can, but need not, be the contact or the applicant.

See **Example 4**.

Declaration

ATTACHMENT 10.1.1

The declaration should be signed by the person who takes responsibility for the accuracy of all the information that is provided. This declaration is a signed statement that the information included with the application is true and correct at the time of lodgement.

The declaration can be signed by the applicant or owner. If the owner is not the applicant, the owner must either sign the application form or must be notified of the application which is acknowledged in the declaration.

⚠ Obtaining or attempting to obtain a permit by wilfully making or causing any false representation or declaration, either orally or in writing, is an offence under the *Planning and Environment Act 1987* and could result in a fine and/or cancellation of the permit.

Need help with the Application?

If you have attended a pre-application meeting with a Council planner, fill in the name of the planner and the date, so that the person can be consulted about the application once it has been lodged.

Checklist

What additional information should you provide to support the proposal?

You should provide sufficient supporting material with the application to describe the proposal in enough detail for the Council to make a decision. It is important that copies of all plans and information submitted with the application are legible.

There may be specific application requirements set out in the planning scheme for the use or development you propose. The application should demonstrate how these have been addressed or met.

The checklist is to help ensure that you have:

- provided all the required information on the form
- included payment of the application fee
- attached all necessary supporting information and documents
- completed the relevant Council planning permit checklist
- signed the declaration on the last page of the application form

⚠ The more complete the information you provide with your permit application, the sooner Council will be able to make a decision.

Lodgement

The application must be lodged with the Council responsible for the planning scheme in which the land affected by the application is located. In some cases the Minister for Planning or another body is the responsible authority instead of Council. Ask the Council if in doubt.

Check with Council how they prefer to have the application lodged. For example, they may have an online lodgement system, prefer email or want an electronic and hard copy. Check also how many copies of plans and the size of plans that may be required.

Contact details are listed in the lodgement section on the last page of the form.

⚠ Approval from other authorities: In addition to obtaining a planning permit, approvals or exemptions may be required from other authorities or Council departments. Depending on the nature of your proposal, these may include food or health registrations, building permits or approvals from water and other service authorities.

Example 1

The Land i

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

Street Address *

Unit No.: 4	St. No.: 26	St. Name: Planmore Avenue
Suburb/Locality: HAWTHORN		Postcode: 3122

Formal Land Description *
Complete either A or B.

A Lot No.: **2** Lodged Plan Title Plan Plan of Subdivision No.: **LP93562**

OR

B Crown Allotment No.: Section No.:

Parish/Township Name:

⚠ This information can be found on the certificate of title.
If this application relates to more than one address, attach a separate sheet setting out any additional property details.

Example 2

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

Construction of two, double-storey dwellings and construction of two new crossovers.

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

Example 3

Existing Conditions i

Describe how the land is used and developed now *

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

Single dwelling.

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

Example 4

Applicant and Owner Details i

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Please provide at least one contact phone number *

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:		
Title: Mr	First Name: Len	Surname: Browning
Organisation (if applicable): Responsible Developers P/L		
<small>Postal Address: If it is a P.O. Box, enter the details here:</small>		
Unit No.: 4	St. No.: 12	St. Name: Ardour Lane
Suburb/Locality: Wycheproof	State: Vic	Postcode: 3527
Contact information for applicant OR contact person below		
Business phone: 9123 4567	Email: tcpl@bigpond.net.au	
Mobile phone: 0412 345 678	Fax: 9123 4567	
Contact person's details* Same as applicant <input type="checkbox"/>		
<small>Name:</small>		
Title: Mr	First Name: Andrew	Surname: Hodge
Organisation (if applicable): Town Planning Consultants		
<small>Postal Address: If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.:	St. Name: PO Box 111
Suburb/Locality: Parkdale	State: Vic	Postcode: 3194
<small>Name:</small> Same as applicant <input checked="" type="checkbox"/>		
Title:	First Name:	Surname:
Organisation (if applicable):		
<small>Postal Address: If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.:	St. Name:
Suburb/Locality:	State:	Postcode:
Owner's Signature (Optional):	Date: <input type="text"/>	
<small>day / month / year</small>		



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

VOLUME 01558 FOLIO 461

Security no : 124104756099D
Produced 20/03/2023 09:06 AM

LAND DESCRIPTION

Crown Allotment 2 Section 3 Parish of Burke.
PARENT TITLE Volume 00040 Folio 880
Created by instrument 0129747 22/04/1884

REGISTERED PROPRIETOR

Estate Fee Simple
TENANTS IN COMMON
As to 1 of a total of 2 equal undivided shares



ENCUMBRANCES, CAVEATS AND NOTICES



For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP782777E FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 1946 DAYLESFORD-MALMSBURY ROAD DRUMMOND VIC 3461

ADMINISTRATIVE NOTICES

NIL

eCT Control 18440T MSA NATIONAL
Effective from 20/12/2021

DOCUMENT END

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Document Identification	TP782777E
Number of Pages (excluding this cover sheet)	1
Document Assembled	20/03/2023 09:20

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TITLE PLAN		EDITION 1	ATTACHMENT 10.1.1 TP 78277E
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Location of Land

Parish: BURKE
Township:
Section: 3
Crown Allotment: 2
Crown Portion:

Last Plan Reference:
Derived From: VOL 1558 FOL 461
Depth Limitation: NIL

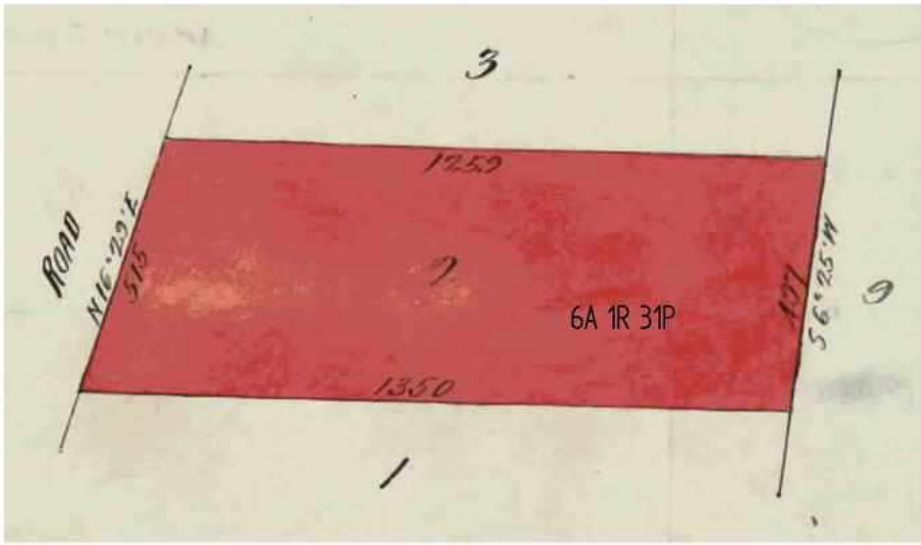
Notations

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land / Easement Information

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT

COMPILED: 13/05/2003
VERIFIED: DA





Department of Environment, Land, Water & Planning

ATTACHMENT 10.1.1

Electronic Instrument Statement

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

Produced 20/03/2023 09:20:41 AM

Status	Registered	Dealing Number	AV162398F
Date and Time Lodged	20/12/2021 01:06:34 PM		

Lodger Details

Lodger Code	18440T
Name	MSA NATIONAL
Address	
Lodger Box	
Phone	
Email	
Reference	

TRANSFER

Jurisdiction	VICTORIA
--------------	----------

Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

Land Title Reference

1558/461

Transferor(s)

Given Name(s)	
Family Name	

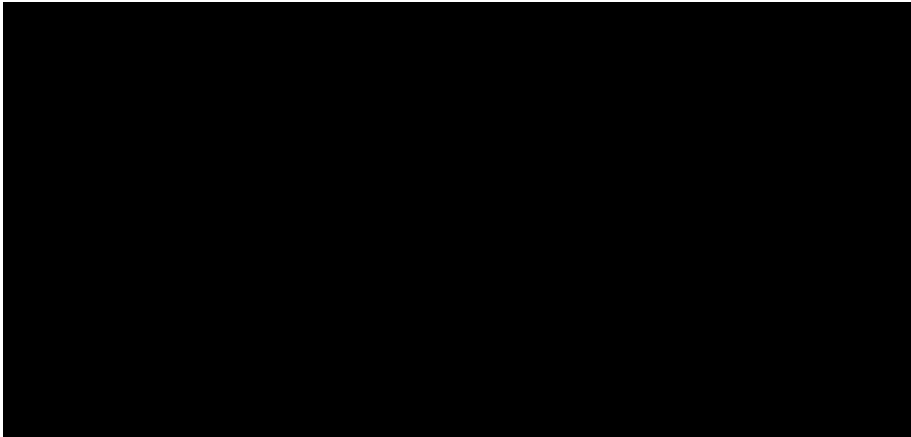
Estate and/or Interest being transferred

Fee Simple



Electronic Instrument Statement

Street Type
Locality
State
Postcode



Duty Transaction ID
5306898

The transferor transfers to the transferee their estate and/or interest in the land specified for the consideration, subject to any restrictive covenant set out or referred to in this transfer.


Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferor or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.




 Signer Role CONVEYANCING PRACTICE
 Execution Date 20 DECEMBER 2021

Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferee or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement 









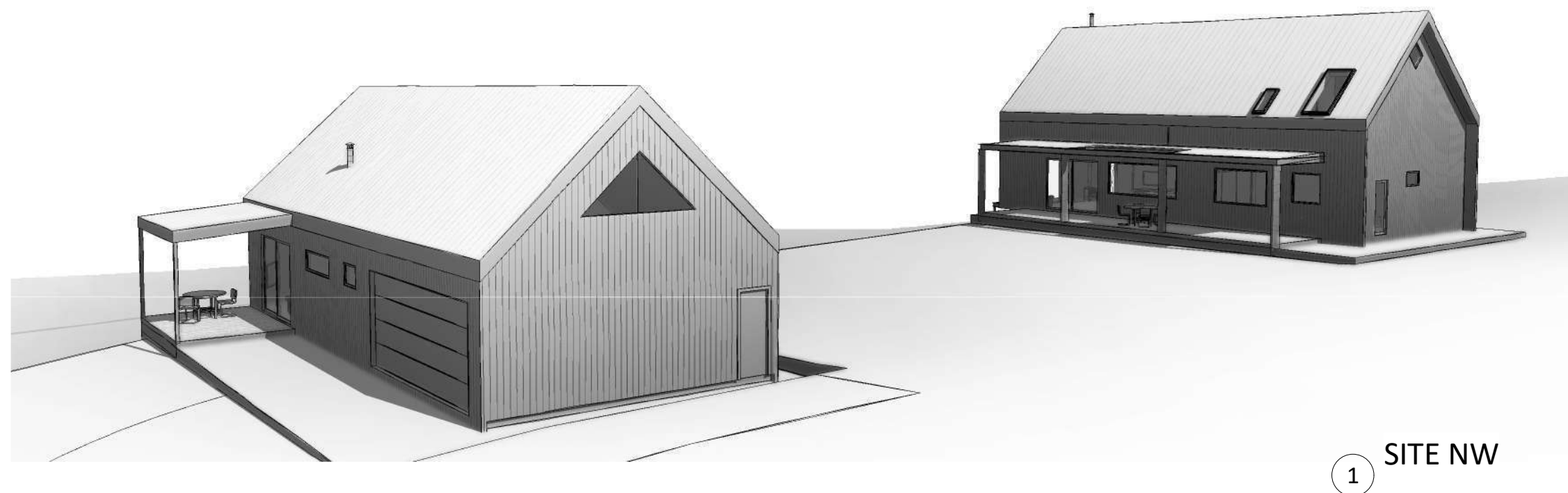

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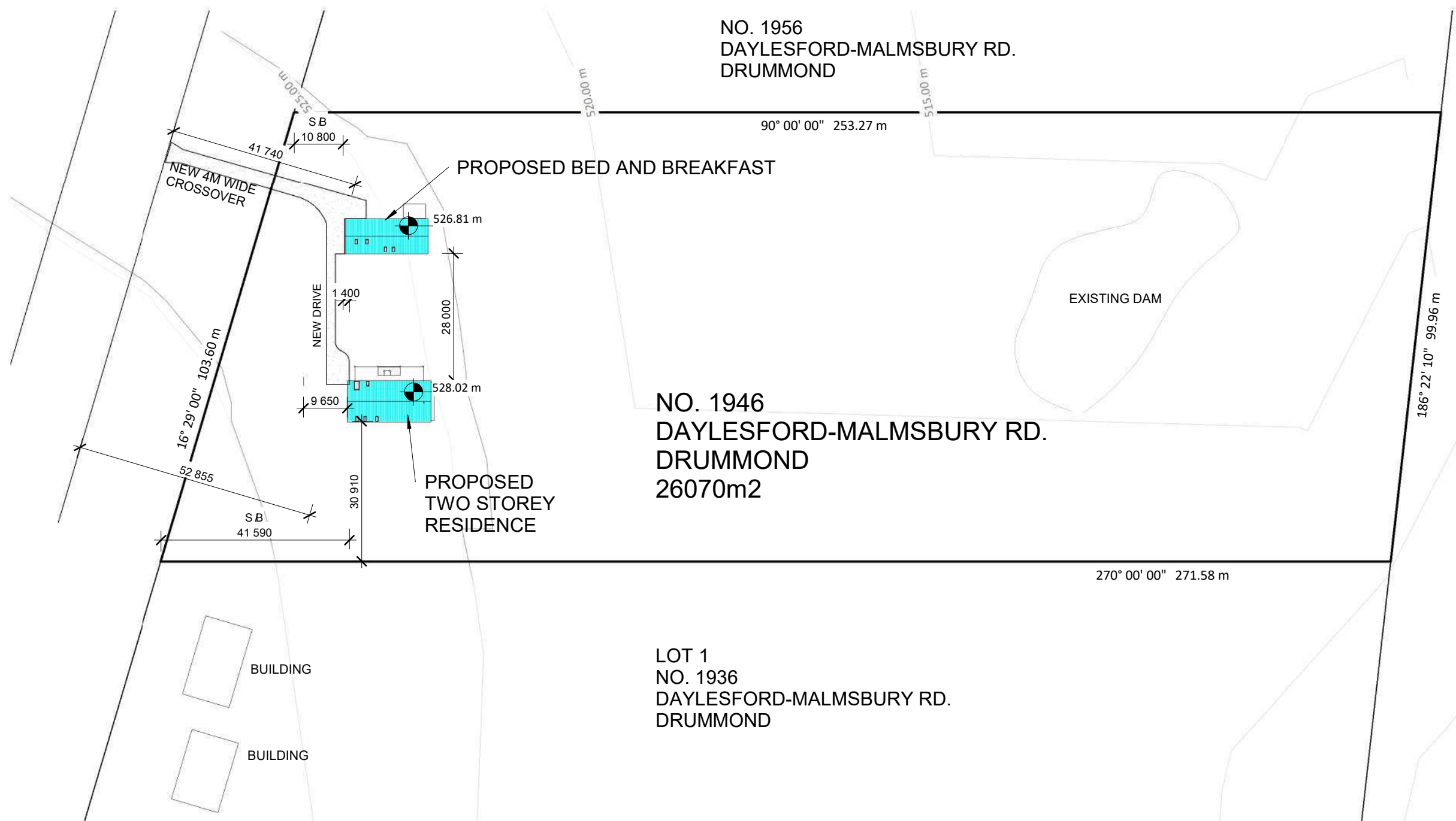
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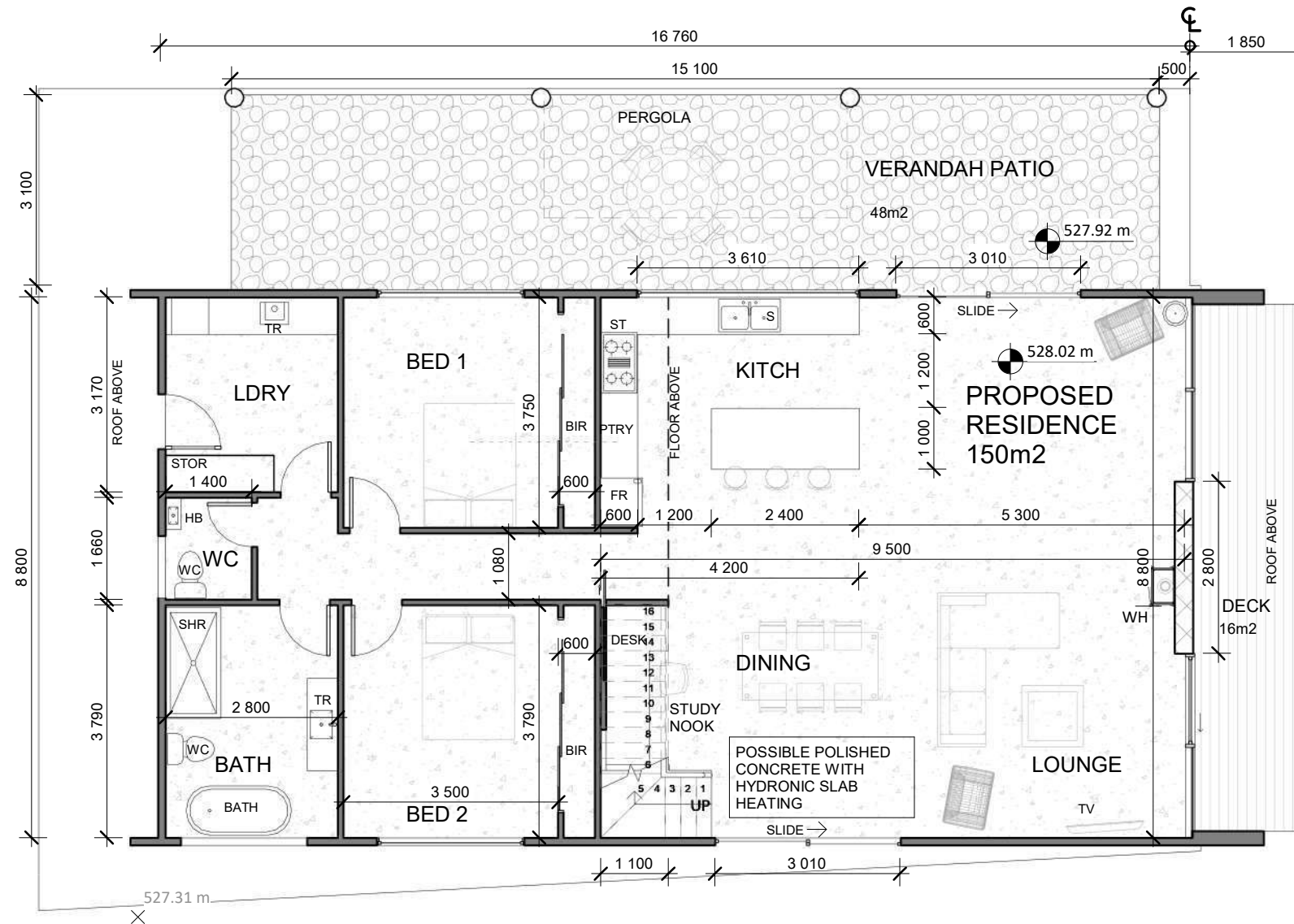
Statement End.





1 PROPOSED SITE
1 : 1000

LEGEND ABBREVIATIONS	
DP	DOWNPIPE
EX DP	EXISTING DOWNPIPE
CL	CLOTHESLINE
EM	ELECTRICITY METER
WM	WATER METER
GM	GAS METER
SAP	SILT ARRESTOR PIT
HWS	HOT WATER SERVICE - MIN 500mm AWAY FROM OPENABLE WINDOW SASH OR DOOR
X	EXHAUST FAN
S/A	SMOKE ALARM
A.J	ARTICULATION JOINT
WIR	WALK IN ROBE
BIR	BUILT IN ROBE
PTRY	PANTRY
WC	TOILET PAN
VB	VANITY BASIN
HB	HAND BASIN
SHR	SHOWER
WM	WASHING MACHINE
TR	TROUGH
ST	STOVE TOP
FR	REFRIGERATOR
D	DRYER- ABOVE
M	SELECTED MIRROR
D/W	DISHWASHER UNDER BENCH
R/H	EXTRACTOR FAN 'RANGHOOD'
R.C	RECESSED CABINET WITH MIRROR DOORS
HL	HIGHLIGHT WINDOW
SL	SKYLIGHT WINDOW
LB	PROPOSED LETTER BOX
DV	DUCTED HEATING VENT TO CEILING
FFL	FINISHED FLOOR LEVEL
SFL	STRUCTURAL FLOOR LEVEL
WH	WOOD HEATER
FL	FIRE FLUE



1 FFL
1 : 100

PROPOSED BnB & DWELLING

COUNCIL - 19 DECEMBER 2023

ROAD DRUMMOND

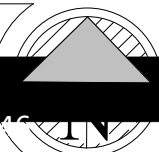
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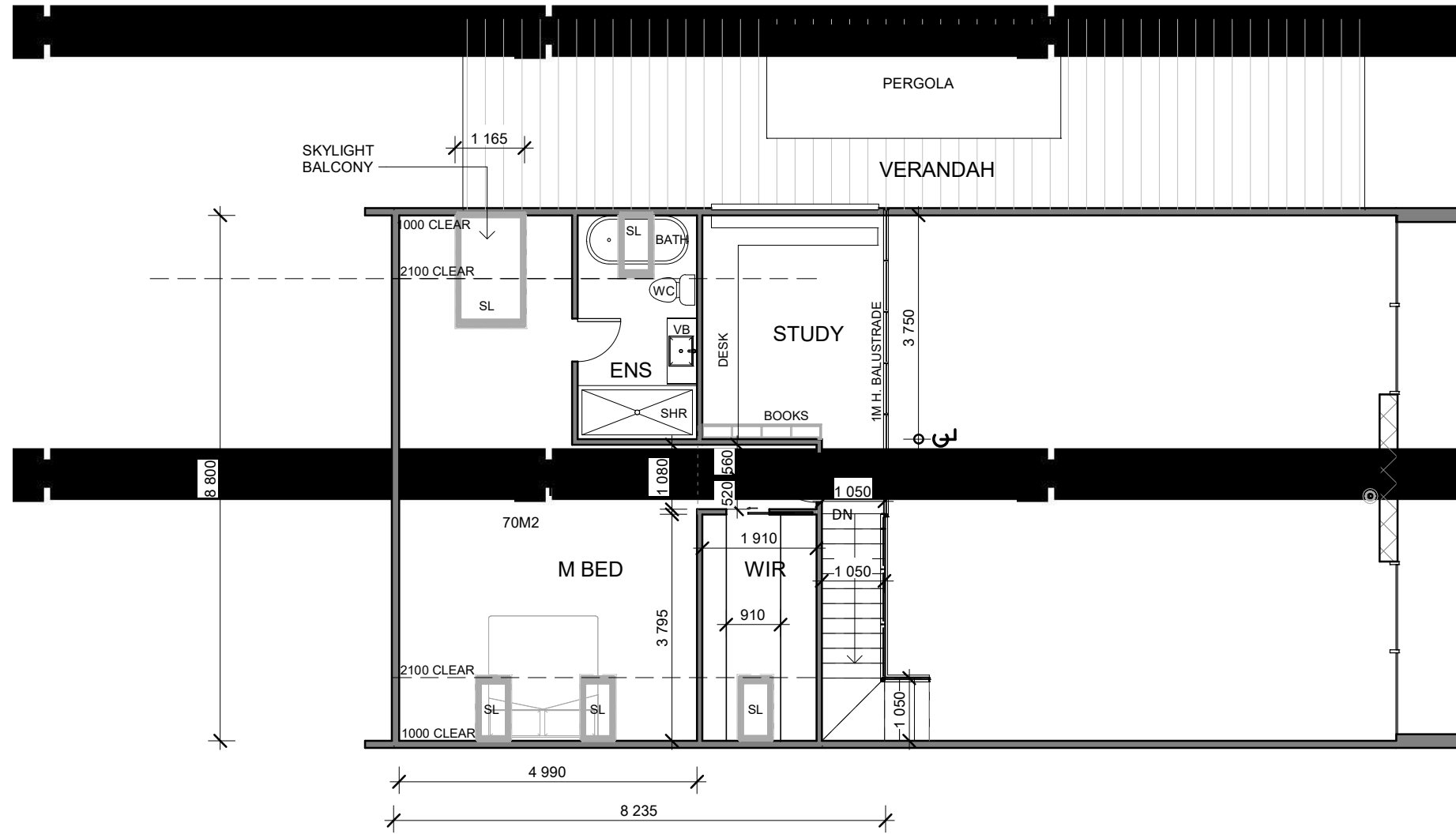
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DRAWN: DAMON SMIT



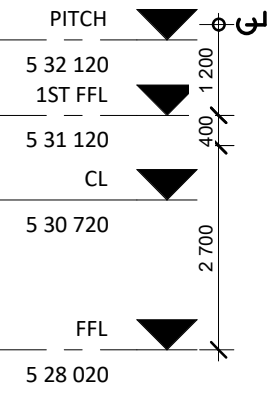
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SFL	STRUCTURAL FLOOR LEVEL
WH	WOOD HEATER
FL	FIRE FLUE



1ST FFL
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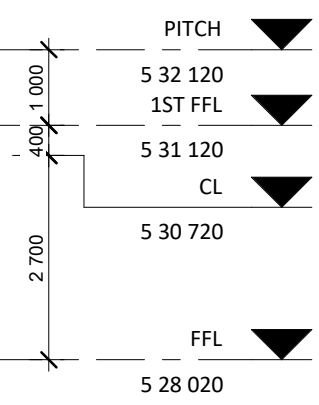
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MATERIAL SCHEDULE¹

SF	SPOUTING WITH SELECTED 'COLORBOND' COLOUR FINISH
PR	POLYCARBONATE 'TRIM DECK' ROOFING
SR	SELECTED 'COLORBOND' SHEET ROOFING @43DEG.
C1	90X90 GALV. COLUMN TO ENGINEER'S DETAILS
ST	STEEL BEAMS- WITH GALV. OR SELECTED PAINT FINISH (BLACK)
CC	CLADDING-ARTICULATED INSTALLED VERTICALLY
RE	RAMMED EARTH WALL
MR	METAL TRAY ROOF 'KLIPOK' OR SIMILAR -INSTALLED TO MANUFACTURERS DETAILS @1 DEG PITCH
NT	NATURAL TRIMBER 'BUSH POLES'
FL	FIRE FLUE



PROPOSED 2 STOREY RESIDENCE

1 EAST
1 : 100



2 NORTH
1 : 100

PROPOSED BnB & DWELLING

1946 DAYLESFORD-MALMSBURY ROAD DRUMMOND

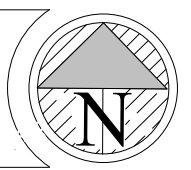
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D	TOWN PLANNING	2-11-22

TOWN PLANNING
REV. D

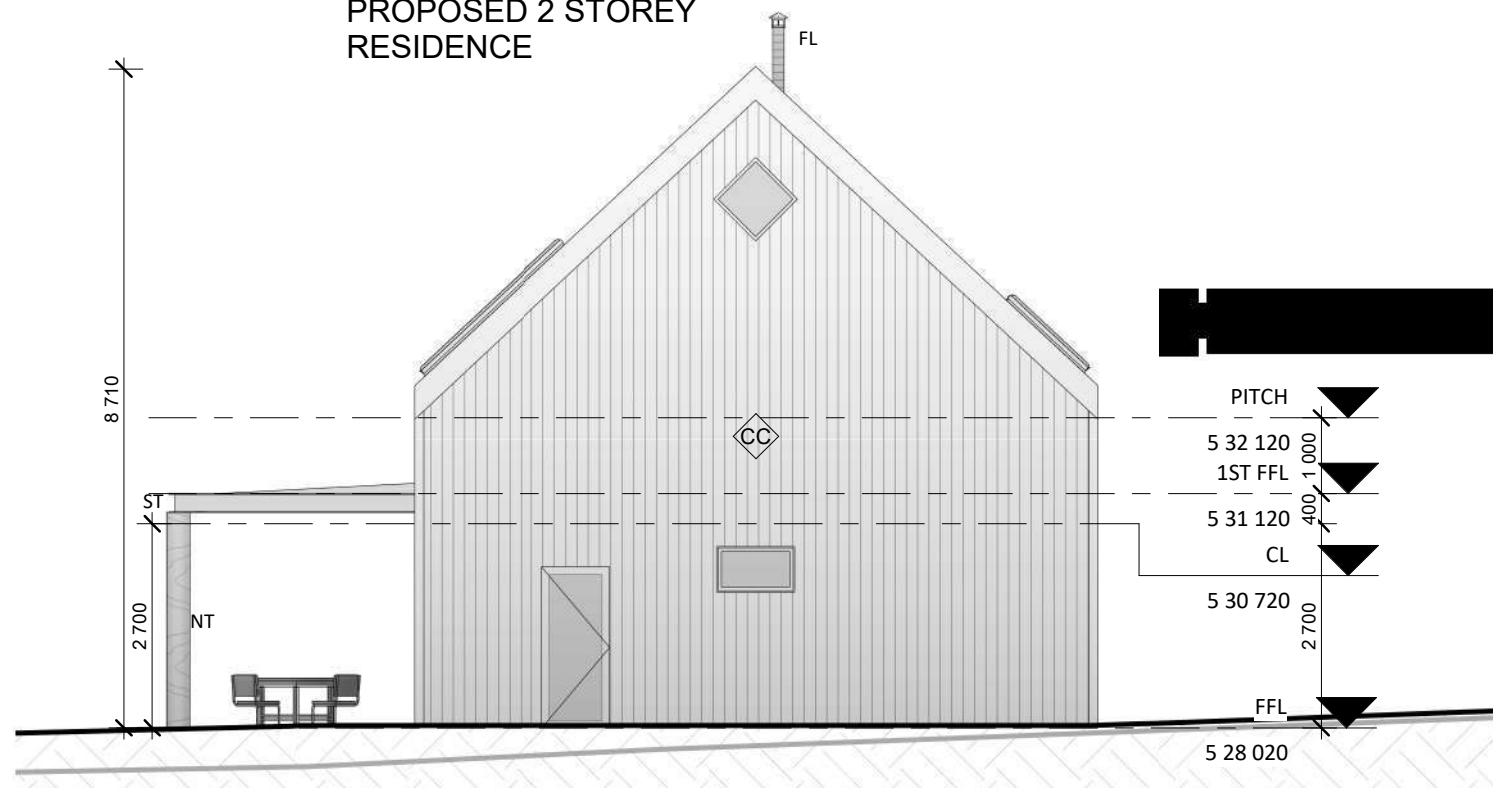
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DWG. No. TP 05

DRAWN: DAMON SMIT



PROPOSED 2 STOREY RESIDENCE



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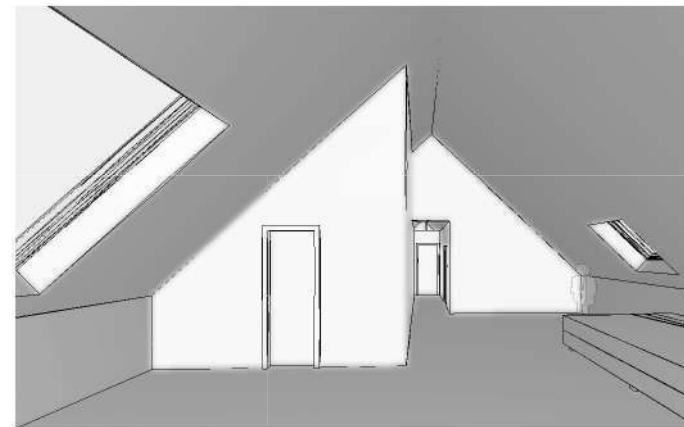
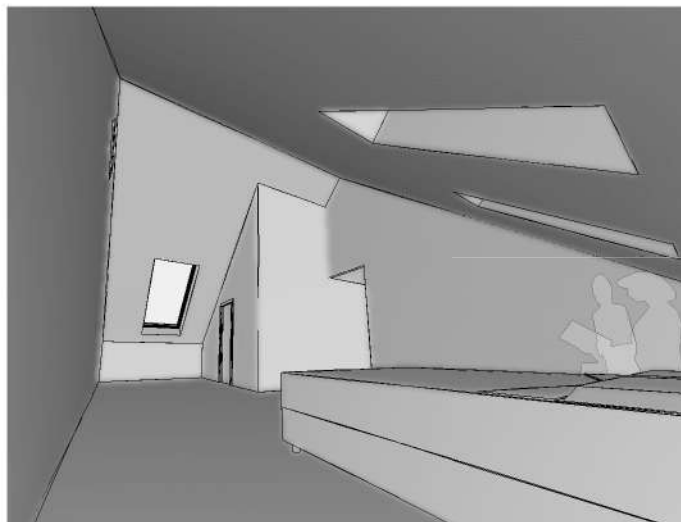
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FL	FIRE FLUE

PROPOSED 2 STOREY RESIDENCE

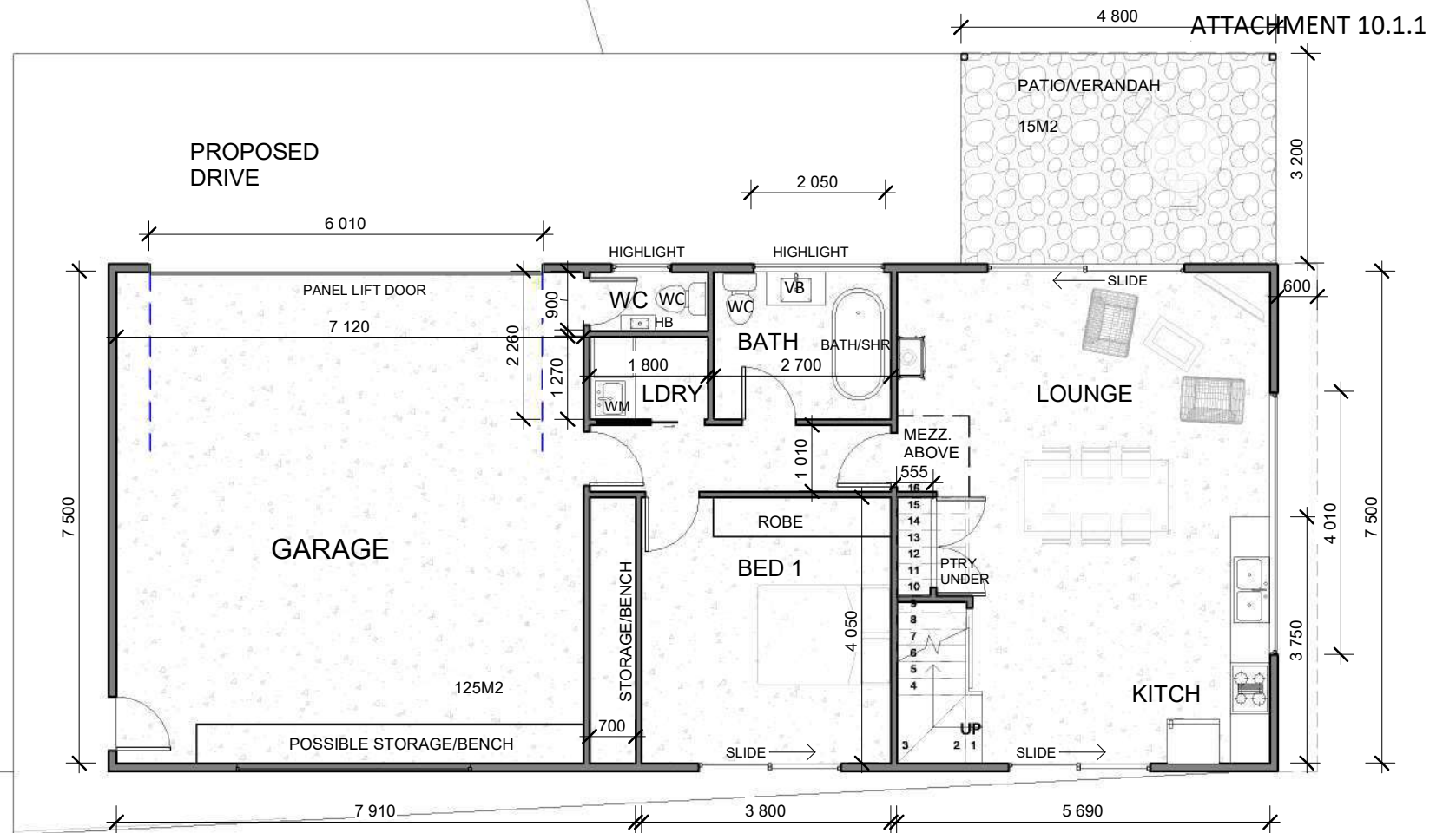


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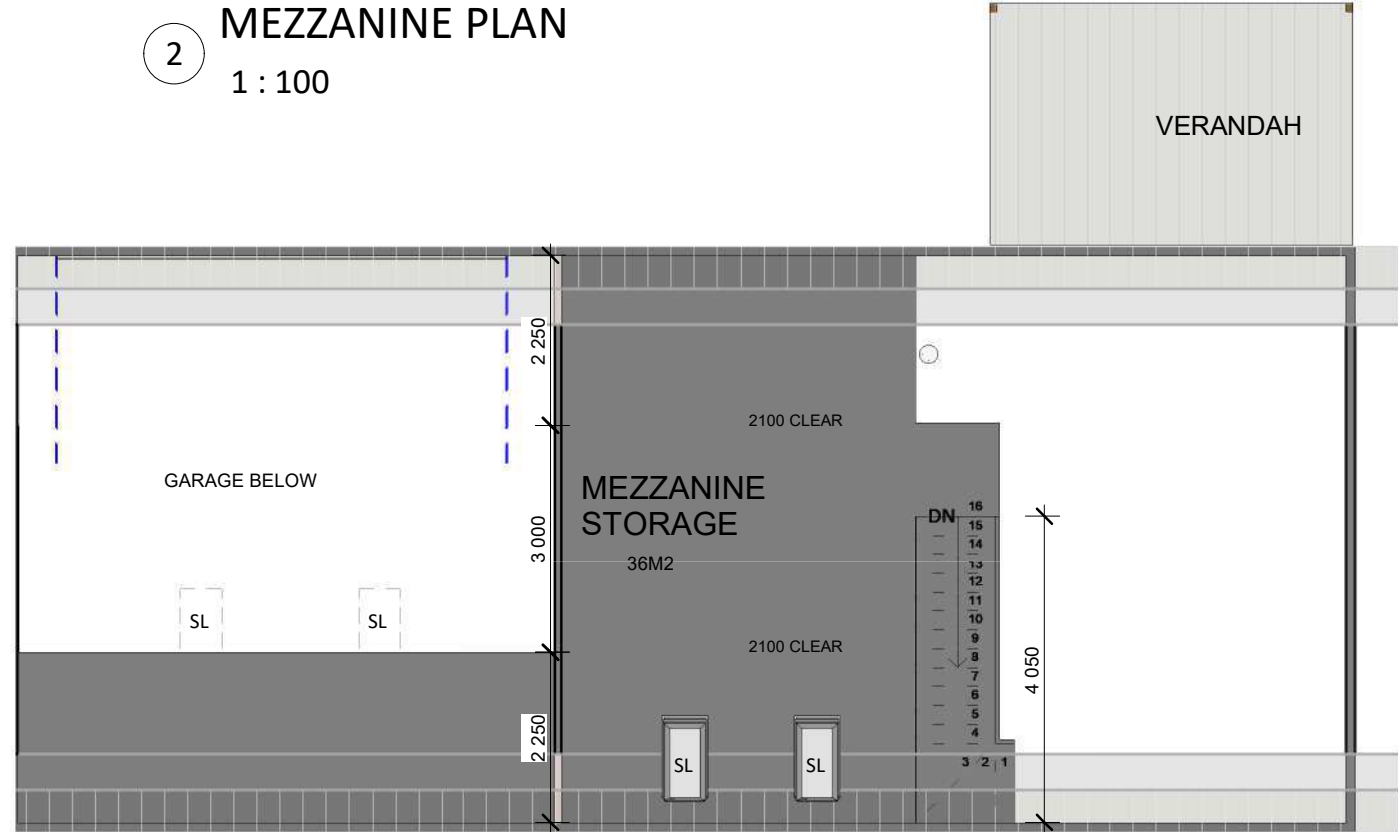


**BED AND
BREAKFAST**

1
1 : 100



2
MEZZANINE PLAN
1 : 100



PROPOSED BnB & DWELLING

1046 DAYLESFORD MALMSBURY ROAD DRUMMOND

NO.	REVISION:	DATE:
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B	CONCEPTS	
C	CONCEPTS	
D	TOWN PLANNING	2-11-22

TOWN PLANNING

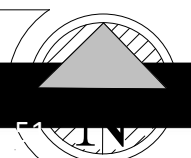
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DRAWN: DAMON SMIT

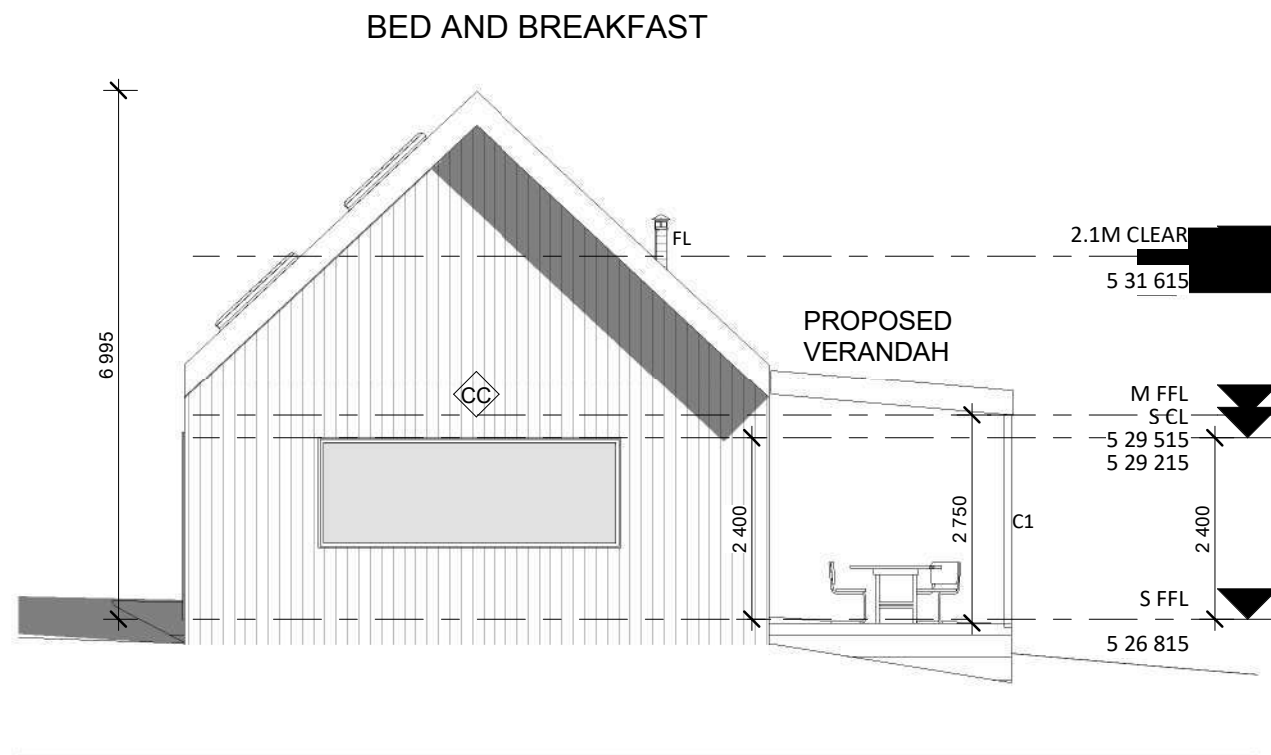


3 KRUISES ROAD
NORTH WARRANDYTE
VICTORIA 3113
Mob. 0428 661 977
Email: entdesigns@yahoo.com.au
BUILDING PRACTITIONER
REGISTRATION No. DP-AD 46575

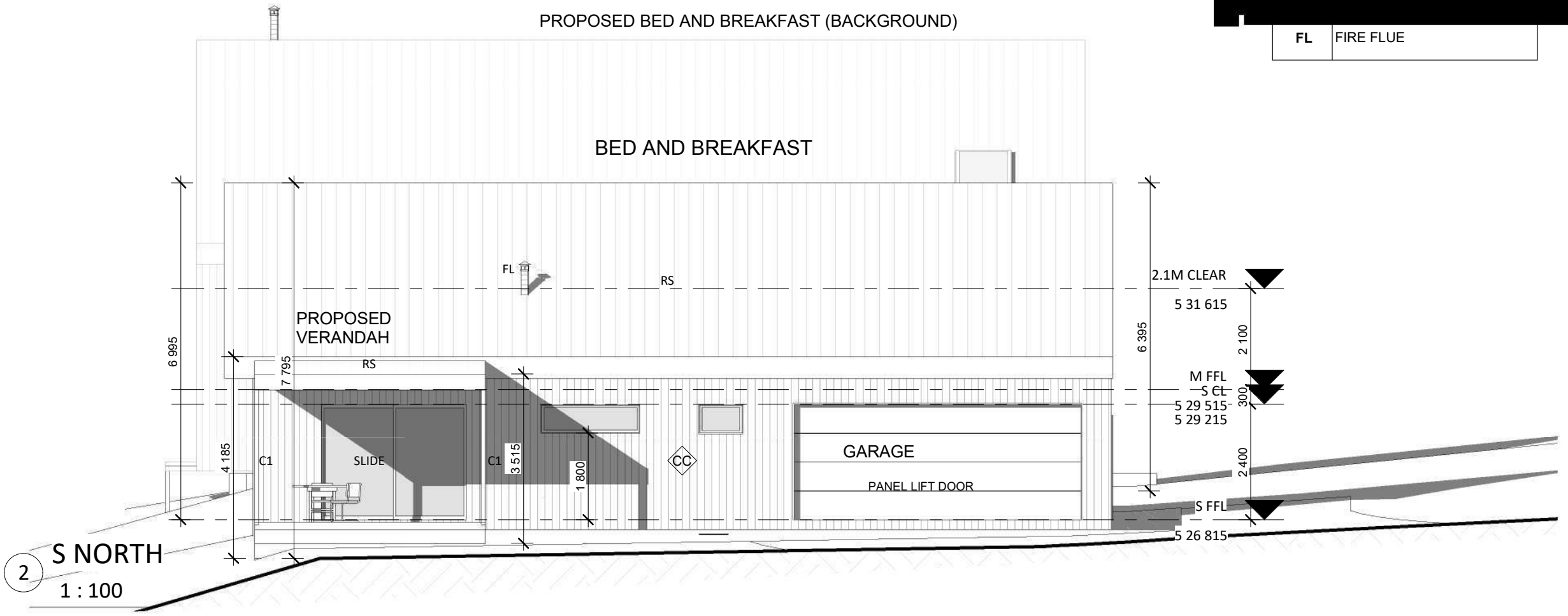


ATTACHMENT 10.1.1
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NT	NATURAL TRIMBER 'BUSH POLES'
FL	FIRE FLUE



1 S EAST
1:100



2 S NORTH
1:100

PROPOSED BnB & DWELLING
1946 DAYLESFORD-MALMSBURY ROAD DRUMMOND

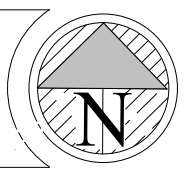
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TOWN PLANNING
REV. D

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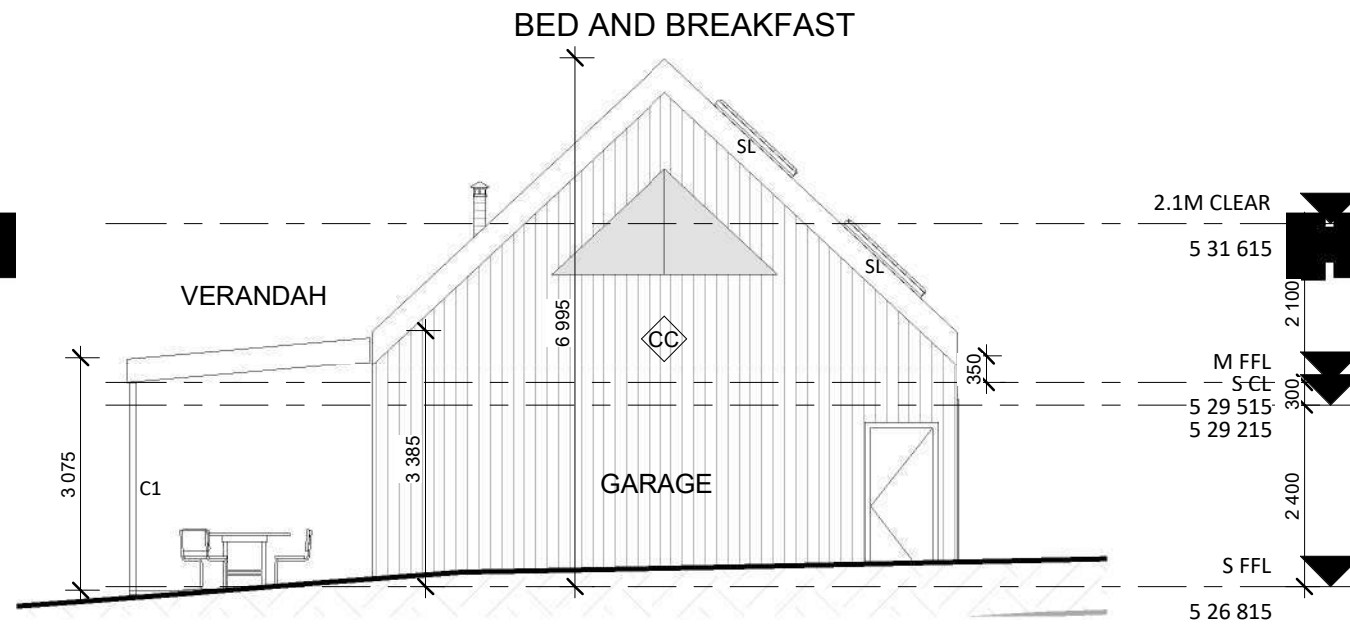
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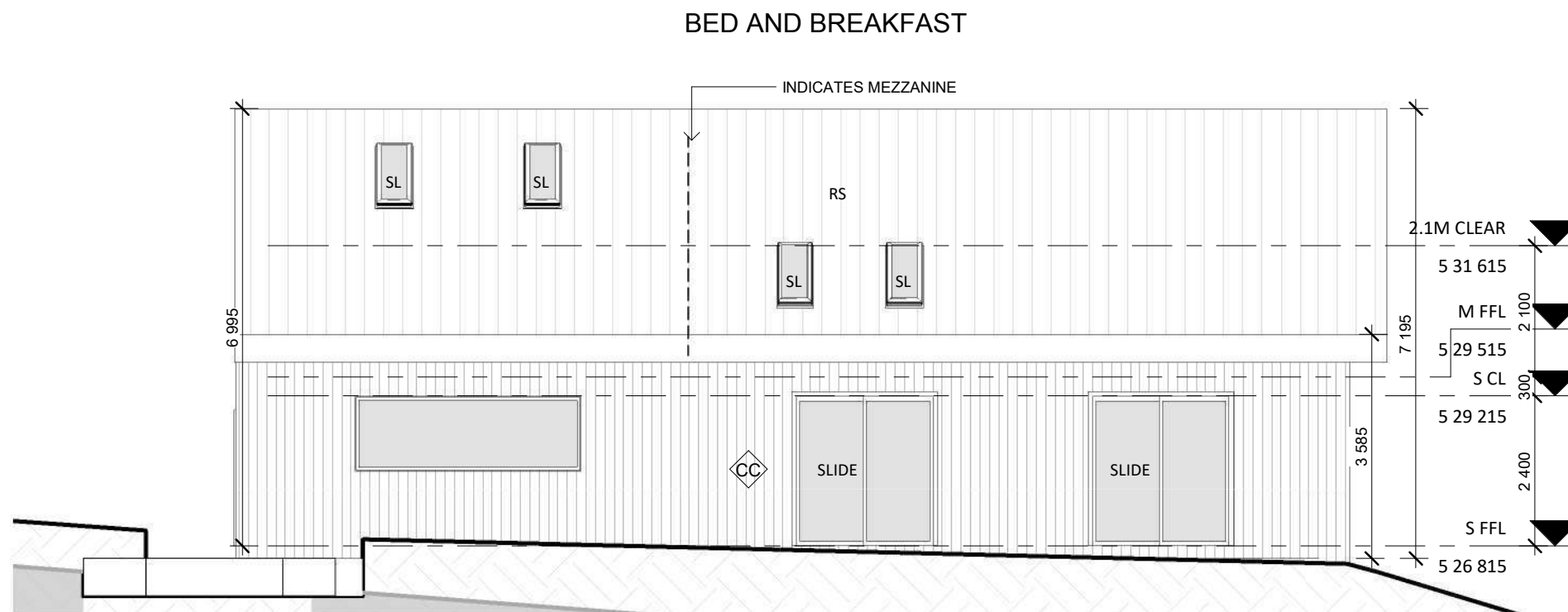


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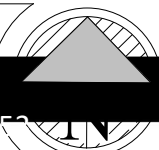
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SL	SELECTED SKYLIGHT



2 S WEST
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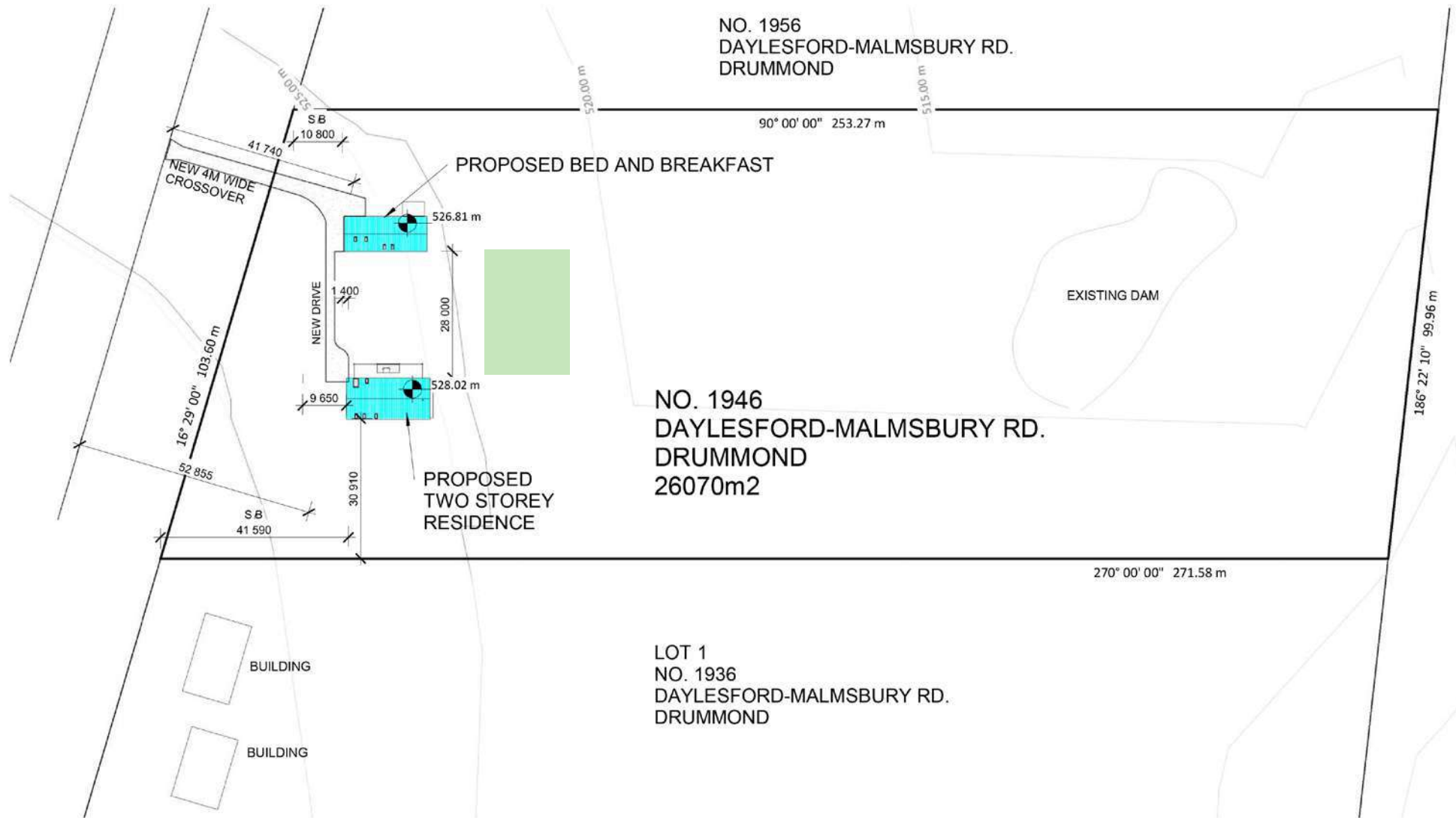


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


Land Application Area - 1946 Daylesford Malmsbury Road
 Septic tank placement

ATTACHMENT 10.1.1



1 PROPOSED SITE
 1 : 1000

 Land Application Area
 450 sqm for 5 bedroom property
 as per LCA.



Land Capability Assessment Report

**1946 Daylesford Malmsbury Road,
DRUMMOND, VICTORIA**



Prepared for:	[REDACTED]
Prepared by:	Andrew Redman
Reference No.	19044B
Date:	30 th March 2022



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1. Introduction
2. Description of the Development
3. Site and Soil Assessment
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 - 3.3 Site Assessment Results
 - 3.4 Soil Key Features
 - 3.5 Soil Survey and Analysis
 - 3.6 Table 2: Risk Assessment of Soil Characteristics
 - 3.7 Overall Land Capability Rating
4. Wastewater Management System
 - 4.1 Treatment System
 - 4.2 Effluent Management System
 - 4.3 Description of the Irrigation System
 - 4.4 Sizing of the Irrigation System
 - 4.5 Siting and Configuration of the Irrigation System
 - 4.6 Buffer Distances
 - 4.7 Installation of the Irrigation System
5. Monitoring, Operation and Maintenance
6. Conclusions
7. References
8. Appendices:
 - i. Land Channel Property Report
 - ii. Aerial and Site Photographs
 - iii. Bureau of Meteorology Climate Report for Creswick
 - iv. Geovic Map
 - v. Test Site Location Plan
 - vi. Borelog Descriptions
 - vii. Analytical Laboratory Results



1. INTRODUCTION

THE CONSULTANTS

Provincial Geotechnical Pty Ltd has been engaged to undertake a Land Capability Assessment (LCA) for a proposed dwelling at 1946 Daylesford Malmsbury Road, Drummond, Victoria.

The field investigation and report have been undertaken and prepared by suitably experienced staff.

Andrew Redman BSc Geology. undertook the site investigation and prepared this report.

Provincial Geotechnical Pty Ltd has appropriate professional indemnity insurance for this type of work.

REPORT SUMMARY

I understand that this report may accompany an application for a Septic Tank Permit to Install submitted to Hepburn Shire Council for an onsite wastewater management system for a private residence that may be developed on the site once subdivision is completed. This document provides information about the site and soil conditions of the proposed LAA envelope.

This report provides a detailed LCA for a proposed dwelling and includes a conceptual design for a suitable onsite wastewater management system including recommendations for monitoring and management requirements. A number of options are provided for both the treatment system and land application area (LAA).

However, the wastewater should be treated to secondary level by a suitable EPA-approved treatment system and the effluent applied to land via sub-surface irrigation.

SITE OVERVIEW

The allotment has been cleared of its original vegetation.

The site is thickly grassed.

There is sufficient land available for sustainable onsite effluent management that maintains satisfactory buffers to protect nearby surface waters and floodways.



2. DESCRIPTION OF THE DEVELOPMENT

Site Address: 1946 Daylesford Malmsbury Road, Drummond, Victoria. A Land Channel Property Report provides a locality plan and indicates the location of the site of the proposed subdivision (Appendix i).

Client/Agent [REDACTED]

Postal Address: 406/9 Dryburgh Street, West Melbourne, VIC 3003.

Con [REDACTED]

Council Area: Hepburn Shire Council.

Zoning: Rural Living Zone (RLZ).

Allotment Size: 2.69 hectares.

Domestic Water Supply: Assume reticulated supply available.

Anticipated Wastewater Load: Assume a residence with full water-reduction fixtures at maximum occupancy. Wastewater generation = 150 L/person/day. (source Table 4 of the EPA Code of Practice 891.4).

Availability of Sewer: The area is unsewered and highly unlikely to be sewerred within the next 10-20 years, due to low development density in the area and the considerable distance from existing wastewater services.

3. SITE AND SOIL ASSESSMENT

I undertook a site investigation on the 12th March 2022.

3.1 SITE KEY FEATURES

Table 1 summarises the key features of the site in relation to effluent management proposed for the site.



3.1 SITE KEY FEATURES CONTINUED

NOTE:

- The site is not likely to experience significant stormwater run-on from Daylesford Malmsbury Road.
- There is no evidence of a shallow watertable or other significant constraints that cannot be mitigated.
- The risk of effluent transport offsite is low.
- There are no significant environmental receptors within 30m of the proposed Land Application Area.
- I did not notice any evidence during my investigation of salinity as an issue on this site.
- I noted a waterway >60m East of the building envelope.

Both aerial and site photographs are appended to provide current site context (Appendix ii).

3.2 Table 1: Risk Assessment of Site Characteristics

Feature	Description	Level of Constraint	Mitigation Measures
Buffer Distances	All relevant buffer distances in Table 5 of the Code (2016) are achievable from the proposed effluent management area.	Major	Appropriately place Land Application Area
Climate	Average annual rainfall 772.5mm Lauriston Reservoir (Climate Station No.088037) (Appendix iii).	Nil	NN
Drainage	No visible signs of surface dampness, spring activity or hydrophilic vegetation in the proposed effluent management area or surrounds. No mottling was observed in any of the assessed soil profiles.	Nil	NN
Erosion & Landslip	No evidence of sheet or rill erosion; the erosion hazard is low. No evidence of landslip and landslip potential is low.	Minor	NN
Exposure & Aspect	Site cleared.	Nil	NN

NN: Not needed



3.2 Table 1: Risk Assessment of Site Characteristics Continued:

Feature	Description	Level of Constraint	Mitigation Measures
Flooding	The proposed effluent management area is located above the 1:100 year flood level (source WSC).	Nil	NN
Groundwater	No signs of shallow groundwater tables to depth of 2.2m. No known groundwater bores within 20m of the proposed effluent management area.	Nil	NN
Imported Fill	No imported fill material was observed anywhere on the site.	Nil	NN
Land Available for LAA	Considering all the constraints and buffers, the site has ample suitable land for land application of treated effluent.	Nil	NN
Landform	Shallow sloping gully side.	Nil	NN
Rock Outcrops	No evidence of surface rocks and outcrops.	Nil	NN
Run-on & Runoff	Negligible stormwater run-on and minor run-off hazard.	Nil	NN
Slope	The proposed effluent management area has slight fall.	Nil	NN
Surface Waters	No surface water within 30m of proposed lot.	Nil	NN
Vegetation	Thickly grassed.	Nil	NN

NN: Not needed



3.3 SITE ASSESSMENT RESULTS

Considering the most constraining site features the overall land capability of the site to sustainably manage all effluent onsite is still satisfactory. The proposed effluent management area is located above the 1:100 flood level and by using secondary treatment and disposal via irrigation there will be ample protection of surface waters and groundwater.

3.4 SOIL KEY FEATURES

The site's soils have been assessed for their suitability for onsite wastewater management by a combination of soil survey and desktop review of published soil survey information.

The soils on site have been derived from Quaternary volcanics (MapCode Qn) which is the regional geological setting. Appended is a Geovic Map indicating the site location (Appendix iv).

3.5 SOIL SURVEY AND ANALYSIS

A soil survey was carried out at the site to determine suitability for application of treated effluent. Soil investigations were conducted at 3 locations in locations that may be potential Land Application Areas, as shown in the Test Site Location Plan (Appendix v), using a hydraulic auger. This was sufficient to adequately characterise the soils as only minor variation would be expected throughout the area of interest.

Two soil types were encountered in these investigations. Full profile descriptions are provided in the Borelogs (Appendix vi). Samples of all discrete soil layers for each soil type were collected for subsequent laboratory analysis of pH, electrical conductivity and Emerson Aggregate Class where it was deemed necessary. Table 2 describes the soil constraints in detail for each of the soils encountered.

The soils encountered are characterised as light clay topsoils overlying a heavy clay. The A1 horizon has a moderate structure.

Full Laboratory data results are appended (Appendix vii).

Table 2 below provides an assessment of the physical and chemical characteristics of the soil type present.



3.6 TABLE 2: RISK ASSESSMENT OF SOIL CHARACTERISTICS

Feature	Assessment	Level of Constraint	Mitigation Measures
Cation Exchange Capacity (CEC)	14.9 MEQ%	Minor	NN
Electrical Conductivity (ECe)	0.028 dS/m	Minor	NN
Emerson Aggregate Class	Topsoil: EA Class 2	Major	Secondary treatment.
	Subsoil: Test not required.	Nil	NN
pH	5.5	Minor	NN
Rock Fragments	<5% coarse fragments throughout the soil profile.	Minor	NN
Sodicity (ESP)	1.1%	Nil	NN
Sodium Absorption Ratio (SAR)	0.04	Nil	NN
Soil Depth	Topsoil: 200mm to 300mm.	Minor	NN
	Subsoil: Up to 2000mm maximum depth.	Minor	NN
Soil Permeability & Design Loading Rates	Topsoil: Light Clay: 0.06-0.12 /day saturated conductivity (K_{sat}) to 3.0 mm/day Design Irrigation Rate (DIR) for irrigation system (Code, 2016).	Minor	NN
	Subsoil: Heavy Clay 2.0mm/day.	Major	Disposal via irrigation
Soil Texture & Structure	Topsoil (<200mm): Moderately structured Light Clay (Category 5b)	Minor	NN
	Subsoil: Moderately structured Heavy Clay (Category 6b).	Major	Disposal via irrigation
Watertable Depth	Groundwater not encountered. Maximum borehole depth 2200mm.	Nil	NN

NN: Not needed



3.7 OVERALL LAND CAPABILITY RATING

For the soils in the proposed land application area a number of features present a moderate to major constraint and require a mitigation measure.

Nonetheless based on the results of the site and soil assessment tabled above and provided in the Appendices, the overall land capability of the proposed effluent management area is not constrained **as long as disposal of secondary treatment effluent by irrigation is used.**

4. WASTEWATER MANAGEMENT SYSTEM

The following sections provide an overview of a suitable onsite wastewater management system, with sizing and design considerations and justification for its selection. Detailed design for the system should be undertaken at the time of the building application and submitted to Council.

4.1 TREATMENT SYSTEM

The secondary effluent quality required is:

- BOD < 20 mg/L;
- SS < 30 mg/L;

Refer to the EPA website for the list of approved options that are available. Any of the secondary treatment system options are capable of achieving the desired level of performance. The property owner has the responsibility for the final selection of the secondary treatment system and must include the details of it in the Septic Tank Permit to Install application form for Council approval.

4.2 EFFLUENT MANAGEMENT SYSTEM

A range of possible land application systems have been considered, such as absorption trenches, evapotranspiration/absorption (ETA) beds wick trenches, subsurface irrigation and mounds.

The nominated and preferred system is pressure compensating subsurface irrigation. Subsurface irrigation will provide even and widespread dispersal of the treated effluent within the root-zone of plants. This system will provide beneficial reuse of effluent, which is always desirable. It will also ensure that the risk of effluent being transported off-site will be negligible.



4.3 DESCRIPTION OF THE IRRIGATION SYSTEM

A detailed irrigation system design is beyond the scope of this report, however a general description of subsurface irrigation is provided here for the information of the client and Council.

Subsurface irrigation comprises a network of drip-irrigation lines that is specially designed for use with wastewater. The pipe contains pressure compensating emitters (drippers) that employ a biocide to prevent build-up of slimes and inhibit root penetration. The lateral pipes are usually 1.0m to 1.5m apart for clay soils, installed parallel along the contour. Installation depth is 150mm to 200mm in accordance with AS/NZS 1547:2012. It is critical that the irrigation pump be sized properly to ensure adequate pressure and delivery rate to the irrigation network.

A filter is installed in the main line to remove fine particulates that could block the emitters. This must be cleaned regularly (typically monthly) following manufacturer's instructions. Vacuum breakers should be installed at the high point/s in the system to prevent air and soil being sucked back into the drippers when the pump shuts off. Flushing valves are an important component and allow periodic flushing of the lines, which should be done at six monthly intervals. Flush water can be either returned to the treatment system, or should be released to a small dedicated gravel-based trench.

All trenching used to install the pipes must be backfilled properly to prevent preferential subsurface flows along trench lines. Irrigation areas must not be subject to high foot traffic movement, and vehicles and livestock must not have access to the area otherwise compaction around emitters can lead to premature system failure.

4.4 SIZING THE IRRIGATION SYSTEM

Example: 4 bedroom dwelling – Five occupants.

To determine the necessary size of the irrigation area water balance modelling has been considered using the method and water balance tool in the Victorian Land Capability Assessment Framework (2014) and the EPA Code (2016). The final sizings of the irrigation system has been undertaken adopting a DIR from Table 9 of the EPA code (2016). The calculations are summarised below.



4.4 SIZING THE IRRIGATION SYSTEM CONTINUED:

The sizings equation can be expressed as:

$$A = Q/DIR$$

A = irrigation area m²

Q = daily flow (L/day)

DIR = Design irrigation rate (m/day) – adopt most constraining horizon.

$$A = 750/2.0 \text{ (heavy clay)}$$

$$= 375\text{m}^2 \text{ (for a 4 bedroom dwelling)}$$

As well as water balance modelling a preliminary nutrient balance has been considered to check that the Land Application Area is of sufficient size to ensure nutrients are assimilated by the soils and vegetation. It is acknowledged that a proportion of nitrogen will be retained in the soil through processes such as mineralisation and volatilisation.

Reference: Victoria Land Capability Assessment Framework Jan 2014 (app 2).

NOTE: Soil has a high PRI (phosphorus retention index) in clayey soils. Phosphorus is readily removed under these circumstances from wastewater fixation in clayey soil by the action of adsorption. Phosphate in dispersed effluent is lost within a few centimetres of the soil.

This leaves nitrogen (N) as the limiting factor in this proposed development.

EPA performance criteria for Aerated Wastewater Treatment Systems (AWTS) is TKN 30mg/L. Adopt as design criteria.

Proposed wastewater loading: 750L/d (Litres/day)

Determine the daily N load:

$$30 \times 750 = 22,500\text{mg/day}$$

Determine the annual N load:

$$22,500\text{mg/day} \times 365 \text{ days}$$

$$\text{Annual N load} = 8,212,000\text{mg/day}$$

Allow 20% loss through denitrification and other processes

$$8,212,000 \times 0.8 = 6,570,000\text{mg/day}$$

$$\text{Annual N load} = 6.570\text{kg/yr}$$

Allow for uptake by plants (application rate) of 220kgn/ha/yr
(This figure is suitable for a regularly maintained grass cover)



4.4 SIZING THE IRRIGATION SYSTEM CONTINUED:

Divided the annual N load by the application rate
 $6.570/220 = 0.2986\text{ha}$
 or = 298m^2

Minimum area required for N uptake = 298m^2 (say 300m^2).

Therefore adopt 375m^2 as required minimal area required for effluent irrigation for a 4 bedroom dwelling (based on most constraining calculation).

I am of the opinion that the area required for nitrogen assimilation and phosphorus can be met by the above sized Land Application Area.

Note: A factor of conservatism is applied to the water and nutrient balance calculations and the Land Application Area sizing must be adopted from the following provided table based upon the number of bedrooms proposed.

Number of Bedrooms	Number of Occupants	Total Daily Wastewater Flow	Recommended Land Application Area Size
2	3	450	225m^2
3	4	600	300m^2
4	5	750	375m^2
5	6	900	450m^2
6	7	1050	525m^2

NOTES:

A more detailed monthly water balance or nutrient balance computation was not considered necessary for this site for the following reasons:

1. Past modeling on similar sites in this area that exhibit the same climatic and soil data.
2. The site size and configuration is large enough to accommodate conservative modeling providing a dedicated Land Application Area in excess of computed requirements.



4.4 SIZING THE IRRIGATION SYSTEM CONTINUED:

Summary and Discussion

It is worth noting that modeling includes several significant factors of conservatism:

- Hydraulic load. This assumes a maximum occupancy of the residence at a rate of 150 Litres/person/day.

It is likely that the actual occupancy and water usage will be less than this;

- From the nutrient balances, in the absence of site specific data very conservative estimates of crop nutrient uptake rates and total nitrogen lost to soil processes are considered.

4.5 SITING AND CONFIGURATION OF THE IRRIGATION SYSTEM

I can confirm the area investigated for the disposal envelope is suitable for a Land Application Area (Appendix v).

I can confirm a specific Land Application Area shown on a scaled site plan if required but the LAA should remain within the front 30m of the allotment.

Final placement and configuration of the irrigation system will be determined by the client and/or system installer, provided it remains within any of these areas and satisfies the minimum area required according to the water balance.

Whilst there is ample area for application of the effluent, it is important that appropriate buffer distances to neighbouring properties be maintained. It is important to note that buffers are measured as the overland flow path for run-off water from the effluent irrigation area.

It is recommended that the owner consult an irrigation expert familiar with effluent irrigation equipment to design the system, and an appropriately registered plumbing/drainage practitioner to install the system. The irrigation plan must ensure even application of effluent throughout the entire irrigation area.

4.6 BUFFER DISTANCES

Setback buffer distances from effluent land application areas and treatment systems are required to help prevent human contact, maintain public amenity and protect sensitive environments.



4.6 BUFFER DISTANCES CONTINUED

The relevant buffer distances for this site, taken from Table 5 of the Code (2016) are:

- 20 metres from groundwater bores.
- 100 metres from potable watercourses.
- 30 metres from non-potable watercourses.
- 3 metres if area up-gradient and 1.5 metres if area down-gradient of property boundaries, swimming pools and buildings (conservative values for secondary effluent).

All buffer distances are achievable based upon secondary treatment but limit the siting of the LAA.

4.7 INSTALLATION OF THE IRRIGATION SYSTEM

Installation of the irrigation system must be carried out by a suitably qualified, licensed plumber or drainer experienced with effluent irrigation systems.

To ensure even distribution of effluent, it is essential that the pump capacity is adequate for the size and configuration of the irrigation system, taking into account head and friction losses due to changes in elevation, pipes, valves, fittings etc. An additional, optional measure to achieve even coverage is to divide the irrigation area into two or more separate sub-zones of equal size; dosed alternately using an automatic indexing or sequencing valve.

The irrigation area and surrounding area must be vegetated or revegetated immediately following installation of the system, preferably with turf. The area should be fenced or otherwise isolated (such as by landscaping), to prevent vehicle and stock access; and signs should be erected to inform householders and visitors of the extent of the effluent irrigation area and to limit their access and impact on the area.

Stormwater run-on is not expected to be a concern for the proposed irrigation area, due to the landform of the site and its relatively gentle slopes. However, upslope diversion berms or drains may be constructed if this is deemed to be necessary during installation of the system, or in the future. Stormwater from roofs and other impervious surfaces must not be disposed of into the wastewater treatment system or onto the effluent management system.



5. MONITORING, OPERATION AND MAINTENANCE

Maintenance is to be carried out in accordance with the EPA Certificate of Approval of the selected secondary treatment system and Council's permit conditions. The treatment system will only function adequately if appropriately and regularly maintained.

To ensure the treatment system functions adequately, residents must:

- Have a suitably qualified maintenance contractor service the secondary treatment system at the frequency required by Council under the permit to use;
- Use household cleaning products that are suitable for septic tanks;
- Keep as much fat and oil out of the system as possible; and
- Conserve water (AAA rated fixtures and appliances are recommended).

To ensure the land application system functions adequately, residents must:

- Regularly harvest (mow) vegetation within the LAA and remove this to maximise uptake of water and nutrients;
- Monitor and maintain the subsurface irrigation system following the manufacturer's recommendations, including flushing the irrigation lines;
- Regularly clean in-line filters;
- Not erect any structures and paths over the LAA;
- Avoid vehicle and livestock access to the LAA, to prevent compaction and damage; and
- Ensure that the LAA is kept level by filling any depressions with good quality topsoil (not clay).



6. CONCLUSIONS

As a result of my investigations I conclude that sustainable onsite wastewater management is feasible with appropriate mitigation measures as outlined for a future residential development on this allotment.

Specifically, I recommend the following:

- Secondary treatment of wastewater by an EPA-accredited treatment system;
- Location of Land Application Area as per this report.
- Land application of treated effluent to a suitably sized subsurface irrigation area (which may be subdivided into two or more evenly sized zones using an indexing or sequencing valve);
- Installation of water saving fixtures and appliances in the new residence to reduce the effluent load;
- Use of low phosphorus and low sodium (liquid) detergents to improve effluent quality and maintain soil properties for growing plants; and
- Operation and management of the treatment and disposal system in accordance with manufacturer's recommendations, the EPA Certificate of Approval, the EPA Code of Practice (2016) and the recommendations made in this report.

ANDREW REDMAN BSc.
GEOLOGIST.
AR: KT



7. REFERENCES

Municipal Association of Victoria, Department of Environment and Sustainability and EPA Victoria (2013) *Victorian Land Capability Assessment Framework*.

Environment Protection Authority (1991). *Guidelines for Wastewater Irrigation* Publication 168.

Standards Australia / Standards New Zealand (2012). AS/NZS 1547:2012 *On-site domestic-wastewater management*.

Isbell, R.F. (1996). *The Australian Soil Classification*. CSIRO Publishing, Melbourne.

Environment Protection Authority (2003). *Guidelines for Environmental Management: Use of Reclaimed Water* Publication 464.2.

Environment Protection Authority (2016). Publication 891.4 *Code of Practice for Onsite Wastewater Management*.

Geary, P. and Gardner, E. (1996). On-site Disposal of Effluent. In Proceedings from the one day conference *Innovative Approaches to the Management of Waste and Water*, Lismore 1996.

APPENDICES

- i. Land Channel Property Report
- ii. Aerial and Site Photographs
- iii. Bureau of Meteorology Climate Report for Creswick
- iv. Geovic Map
- v. Test Site Location Plan
- vi. Borelog Descriptions
- vii. Analytical Laboratory Results



APPENDIX i

LAND CHANNEL PROPERTY REPORT

From www.planning.vic.gov.au at 30 March 2022 12:55 PM

PROPERTY DETAILS

Address: **1946 DAYLESFORD-MALMSBURY ROAD DRUMMOND 3461**
 Crown Description: **Allot. 2 Sec. 3 PARISH OF BURKE**
 Standard Parcel Identifier (SPI): **2-3\PP2293**
 Local Government Area (Council): **HEPBURN** www.hepburn.vic.gov.au
 Council Property Number: **204073**
 Directory Reference: **Vicroads 59 G5**

This property is in a designated bushfire prone area. Special bushfire construction requirements apply. Planning provisions may apply.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>

SITE DIMENSIONS

All dimensions and areas are approximate. They may not agree with those shown on a title or plan.



Area: 26878 sq. m (2.69 ha)
Perimeter: 740 m
 For this property:
 — Site boundaries
 — Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

Calculating the area from the dimensions shown may give a different value to the area shown above

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**
 Urban Water Corporation: **Central Highlands Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **POWERCOR**

STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**
 Legislative Assembly: **MACEDON**

PLANNING INFORMATION

Planning Zone: [RURAL LIVING ZONE \(RLZ\)](#)
[RURAL LIVING ZONE - SCHEDULE 1 \(RLZ1\)](#)
Planning Overlay: [ENVIRONMENTAL SIGNIFICANCE OVERLAY \(ESO\)](#)
[ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 \(ESO1\)](#)

PROPERTY REPORT

Planning scheme data last updated on 24 March 2022.

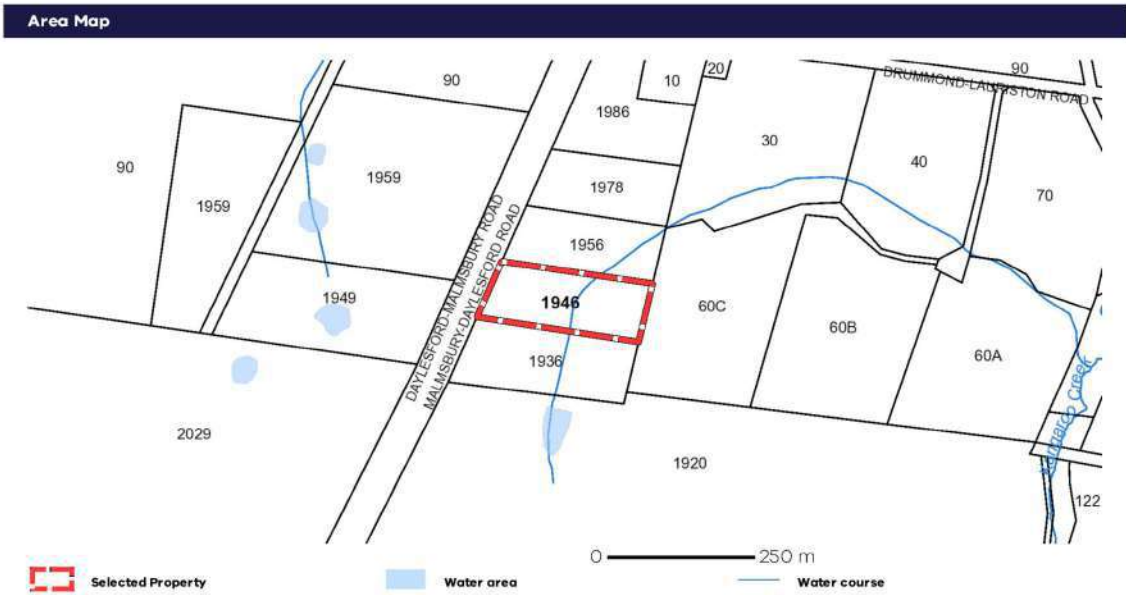
A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <https://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>





APPENDIX ii

AERIAL AND SITE PHOTOGRAPHS



AERIAL PHOTOGRAPH

Client: [REDACTED]
Ref. Number: 19044B
Date: 12/03/2022
Site: 1946 Daylesford Malmsbury Road, DRUMMOND, VICTORIA





SITE PHOTOGRAPHS





SITE PHOTOGRAPHS

Looking South



Looking West





APPENDIX iii

**BUREAU OF METEOROLOGY CLIMATE REPORT
FOR LAURISTON RESERVOIR**

Monthly Rainfall (millimetres)

LAURISTON RESERVOIR

Station Number: 088037 · State: VIC · Opened: 1948 · Status: Open · Latitude: 37.25°S · Longitude: 144.38°E · Elevation: 488 m

Statistics for this station calculated over all years of data

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Mean	44.1	39.4	37.2	51.4	78.9	83.1	90.3	91.3	77.8	71.9	55.5	46.1	772.5
Lowest	0.0	0.0	2.0	6.4	6.4	7.0	11.8	25.4	17.4	2.8	11.6	0.3	378.4
5th percentile	4.3	0.0	5.0	9.4	21.0	24.2	34.8	33.0	26.8	13.6	13.7	9.2	478.0
10th percentile	9.4	1.9	8.2	12.0	31.3	32.7	45.2	41.3	36.4	19.7	24.9	13.8	562.9
Median	32.2	27.8	27.4	40.0	77.4	77.7	89.0	88.1	68.6	65.2	47.9	41.2	770.7
90th percentile	93.6	100.9	78.4	104.0	136.0	137.2	131.4	144.2	130.3	125.2	105.0	82.5	982.3
95th percentile	120.9	126.8	91.7	120.0	153.1	160.3	144.5	157.5	139.0	154.3	108.8	113.2	1012.8
Highest	251.8	199.1	119.0	192.6	181.0	195.2	176.7	233.1	183.0	218.6	169.0	168.2	1216.8

Statistics calculated over the period 1961-1990

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Mean	41.3	31.2	40.7	57.0	89.4	79.8	95.6	96.1	76.7	75.7	44.8	47.3	782.8
Lowest	2.9	0.0	2.0	7.4	19.4	13.0	31.6	25.4	17.4	18.9	11.6	0.3	378.4
5th Percentile	4.6	0.0	6.8	10.5	29.3	31.7	41.2	51.6	28.2	19.4	12.6	9.8	486.7
10th percentile	9.4	0.5	9.5	12.5	37.8	32.8	58.4	52.1	35.7	21.9	13.3	13.2	606.4
Median	31.4	19.4	39.2	45.6	90.9	71.2	86.1	93.0	70.4	62.0	38.7	41.8	762.6
90th percentile	89.7	73.7	79.7	106.7	138.1	129.0	143.4	150.2	132.1	124.9	82.0	84.8	961.5
95th percentile	109.7	86.2	95.2	120.0	148.8	137.9	154.8	159.1	139.5	148.3	102.2	98.6	973.6
Highest	125.9	199.1	119.0	132.9	181.0	157.3	176.7	193.2	165.8	218.6	107.0	129.4	1216.8

1) Calculation of statistics

Summary statistics, other than the Highest and Lowest values, are only calculated if there are at least 20 years of data available.

2) Gaps and missing data

Gaps may be caused by a damaged instrument, a temporary change to the site operation, or due to the absence or illness of an observer.

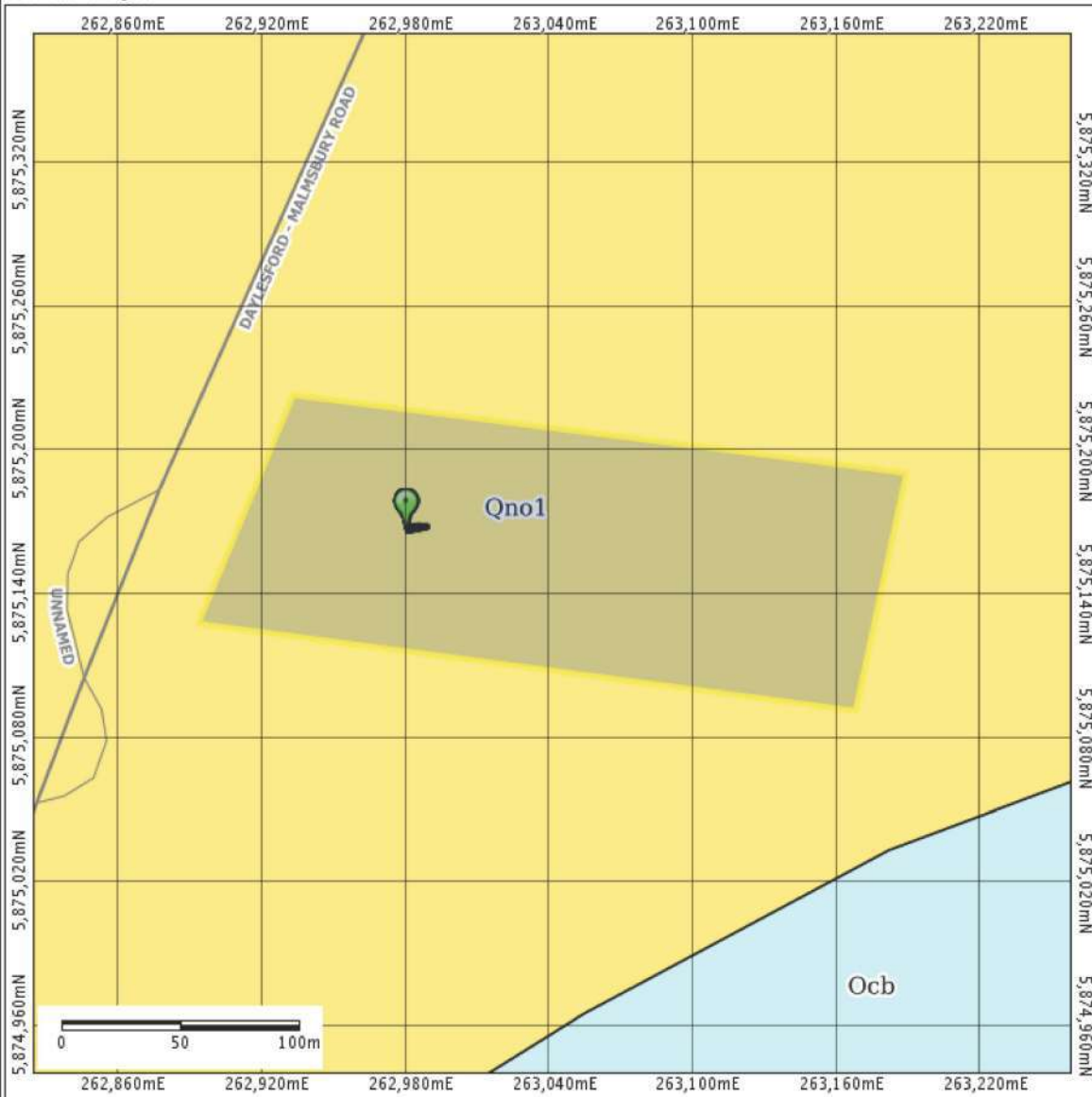
3) Further information

<http://www.bom.gov.au/climate/cdo/about/about-rain-data.shtml>.



APPENDIX iv

GEOVIC MAP



Legend

Towns (25K)

- Locality
- Small Town
- Town
- Large Town
- Major Town
- Regional Centre
- City

Geological Lines & Faults 250K

Map Scale: 1:2,500

Projection: MGA94 55

The map contains zonal grid lines that extends beyond their zone boundary.

Disclaimer: This map is a snapshot generated from Victoria Government data. This material may be of assistance to you but the State of Victoria does not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for error, loss or damage which may arise from reliance upon it. All persons accessing this information should make appropriate enquiries to assess the currency of the data.

Generated from GeoVic 3

Map Created Wed Mar 30 2022 13:17:41 GMT+1100 (AEDT)





APPENDIX v

TEST SITE LOCATION PLAN



TEST SITE LOCATION PLAN

(Not to Scale) - ○ Distances are approximate

Client: [REDACTED]
Ref. Number: 19044B
Date: 12/03/2022
Site: 1946 Daylesford Malmsbury Road, DRUMMOND, VICTORIA





APPENDIX vi

BORELOG DESCRIPTIONS

PROVINCIAL GEOTECHNICAL PTY. LTD.

ATTACHMENT 10.1.1

CLIENT: ROHAN ANDERSON				REFERENCE NUMBER: 19044B				DATE: 12/03/2022						
PROJECT ADDRESS: 1946 Daylesford Malmsbury Road, DRUMMOND, VICTORIA				GEOLOGIST: Andrew Redman				DRILLING METHOD: 100mm diameter drill rig or hand auger						
TEST SITE 1 EXCAVATION METHOD: HYDRAULIC DRILLING RIG				TEST SITE 2 EXCAVATION METHOD: HYDRAULIC DRILLING RIG				TEST SITE 3 EXCAVATION METHOD: HYDRAULIC DRILLING RIG						
Depth mm	SOIL PROFILE	Fill	CAT	Depth mm	SOIL PROFILE	Fill	CAT	Depth mm	SOIL PROFILE	Fill	CAT			
100	SLIGHTLY SILTY CLAY (Light Clay)		5b	100	SLIGHTLY SILTY CLAY (Light Clay)		5b	100	SLIGHTLY SILTY CLAY (Light Clay)		5b			
200		200		200		300		CLAY (Heavy Clay) moderately structured brown moist; stiff				6b	300	CLAY (Heavy Clay) moderately structured brown moist; stiff
300	300	300	400	400	400	400	400		400	400	400			
400	400	400	500	500	500	500	500		500	500	500			
500	500	500	600	600	600	600	600		600	600	600			
600	600	600	700	700	700	700	700		700	700	700			
700	700	700	800	800	800	800	800		800	800	800			
800	800	800	900	900	900	900	900		900	900	900			
900	900	900	1000	1000	1000	1000	1000		1000	1000	1000			
1000	1000	1000	1100	1100	1100	1100	1100		1100	1100	1100			
1100	1100	1100	1200	1200	1200	1200	1200		1200	1200	1200			
1200	1200	1200	1300	1300	1300	1300	1300	1300	1300	1300				
1300	1300	1300	1400	1400	1400	1400	1400	1400	1400	1400				
1400	1400	1400	1500	1500	1500	1500	1500	1500	1500	1500				
1500	1500	1500	1600	1600	1600	1600	1600	1600	1600	1600				
1600	1600	1600	1700	1700	1700	1700	1700	1700	1700	1700				
1700	1700	1700	1800	1800	1800	1800	1800	1800	1800	1800				
1800	1800	1800	1900	1900	1900	1900	1900	1900	1900	1900				
1900	1900	1900	2000	2000	2000	2000	2000	2000	2000	2000				
2000	2000	2000	2100	2100	2100	2100	2100	2100	2100	2100				
2100	END BORE HOLE			2100	END BORE HOLE UNABLE TO PENETRATE BASALT			2100	END BORE HOLE UNABLE TO PENETRATE BASALT					
2200		2200	2200	2200		2200	2200	2200		2200	2200	2200		
2300		2300	2300	2300		2300	2300	2300		2300	2300	2300		
2400		2400	2400	2400		2400	2400	2400		2400	2400	2400		
2500		2500	2500	2500		2500	2500	2500		2500	2500	2500		



APPENDIX vii

LABORATORY RESULTS

Groundswell Batch # : GS22193

Groundswell laboratories

" A New Force in Analytical Testing "

CERTIFICATE OF ANALYSIS

Client Name :	Provincial Geotechnical	Groundswell Batch # :	GS22193
Client Address :	91 Nicholas Street, Newtown, Victoria, 3220	Project Name :	1946 Daylesford Malmesbury Road, Drummond VIC
Client Phone # :	03 5223 1566	Project # :	19044B
Client Fax # :	03 5224 4560	Date Samples Received :	10/03/2022
Project Manager :	Andrew Redman	Sample Matrix :	Soil
E-mail :	admin@pgrvic.com.au	Sample # Submitted :	1
Project Sample Manager :	Andrew Redman	Groundswell Quote # :	Not Applicable
E-mail :	admin@pgrvic.com.au	Date CoFA Issued :	23/03/2022



Paul Woodward
Managing Director
paul@groundswelllabs.com.au

Reference ASS6.Rev4 Date Issued : 19/5/2014

Groundswell Laboratories Pty Ltd ABN 24 133 248 923
116 Moray Street, South Melbourne, Victoria, 3205 Ph (03) 8669 1450 Fax (03) 8669 1451 E-mail : admin@groundswelllabs.com.au
Page 1 of 4

Groundswell Batch #: GS22193

Soil Analysis Results

Client Sample ID		Sample 1	
Laboratory Sample Number		GS22193-1	
Date Sampled		10/03/2022	
Analytes	Units	LOR	
pH	pH Units	0.1	5.5
Electrical Conductivity @ 25°C	dS/m	0.005	0.028
Exchangeable Calcium	mg/kg	1	1060
Exchangeable Magnesium	mg/kg	1	999
Exchangeable Potassium	mg/kg	1	450
Exchangeable Sodium	mg/kg	1	38
CEC	MEQ%	0.1	14.9
ESP	%	0.1	1.1
Sodicity Rating	---	---	Non-Sodic
SAR	---	0.01	0.04

Reference: AF56.Rev4 Date Issued: 19/5/2014

Comments :

- 1- pH & electrical conductivity determined & reported on a 1:5 soil:water extraction
- 2- CEC determined by soil chemical method 15B1 'Exchangeable bases and cation exchange capacity - 1M ammonium chloride at pH 7.0, no pre-treatment for soluble salts'
- 3- ESP, sodicity rating & SAR determined by calculation using the exchangeable cation results
- 4- Measurement Uncertainty available upon request

Groundswell Laboratories Pty Ltd ABN 24 133 248 923
 116 Moray Street, South Melbourne, Victoria, 3205 Ph (03) 8669 1450 Fax (03) 8669 1451 E-mail : paul@groundswelllabs.com.au
 Page 2 of 4

Groundswell Batch #: GS22193

Soil Analysis Results

Client Sample ID	Sample 1	Sample 1	
Laboratory Sample Number	GS22193-1	GS22193-1	
Date Sampled	10/03/2022	10/03/2022	
Analytes	Units	LOR	
Sample Type	Air Dried Aggregates	Re-moulded Ped	
Emerson Aggregate Class - 2 Hours Emerson Class Number	Slaking / Some Dispersion Class 2	Slaking / Some Dispersion Class 2	
Emerson Aggregate Class - 20 Hours Emerson Class Number	Slaking / Some Dispersion Class 2	Slaking / Some Dispersion Class 2	
Addition of 1M HCl	***	***	
1:5 Soil:Water 10 minute extraction	***	***	
Emerson Class Number	***	***	

Reference AF54.Rev4 Date issued: 10/5/2014

Comments :

1- Classification conducted in accordance with Emerson 'A classification of soil aggregates based on their coherence in water', 1967 & AS1289.C8.1-1980

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 116 Moray Street, South Melbourne, Victoria, 3205 Ph (03) 8669 1450 Fax (03) 8669 1451 E-mail : paul@groundswelllabs.com.au
 Page 3 of 4

Groundswell Batch # : GS22193

Inorganics Quality Control Report

Client Sample ID		Laboratory Sample Number		Method Blank		Method Blank		Laboratory Control Standard (LCS)	
QC Parameter		Within GSL Acceptance Criteria (<LOR) (Pass/Fail)		Within GSL Acceptance Criteria (<LOR) (Pass/Fail)		LCS (%R)		LCS (%R) Acceptance Criteria (Pass/Fail)	
Analyte	Units	LOR	NA	Pass	NA	4.10	4.10 ± 0.1 pH Unit	Pass	Pass
pH	pH units	0.1	NA	Pass	NA	101%	80-120%	Pass	Pass
Conductivity	dS/m	0.005	<0.005	Pass	Pass	104%	70-130%	Pass	Pass
Exchangeable Calcium	mg/Kg	1	<1	Pass	Pass	104%	70-130%	Pass	Pass
Exchangeable Magnesium	mg/Kg	1	<1	Pass	Pass	104%	70-130%	Pass	Pass
Exchangeable Potassium	mg/Kg	1	<1	Pass	Pass	101%	70-130%	Pass	Pass
Exchangeable Sodium	mg/Kg	1	<1	Pass	Pass	NA	NA	NA	NA
CEC	MEQ%	0.1	NA	NA	NA	NA	NA	NA	NA
ESP	%	0.1	NA	NA	NA	NA	NA	NA	NA
SAR	---	0.01	NA	NA	NA	NA	NA	NA	NA

Reference AF56.Rev4 Date issued: 3/11/2010

Comments :

- 1- Exchangeable cations LCS values based on independent water standards
- 2- NA = Not Applicable

PROVINCIAL GEOTECHNICAL PTY. LTD.
CONSULTING GEOLOGISTS
A.B.N. 88 090 400 114

ATTACHMENT 10.1.1



PRINCIPAL: ANDREW P. REDMAN BSc.

GEELONG

91 Nicholas Street, NEWTOWN VIC 3220
P.O. BOX 1161, GEELONG VIC 3220
Phone: (03) 5223 1566

BALLARAT

P. O. BOX 1124, BAKERY HILL VIC 3354
Phone: (03) 5338 1770

E-MAIL: admin@pgvic.com.au

11th March 2022

Our Reference: 19044B

Groundswell Laboratories
116 Moray Street
SOUTH MELBOURNE VIC 3205

Dear Sir/Madam,

Re: 1946 Daylesford Malmsbury Road, Drummond, Victoria.

Please perform the following soil tests:

- i Emerson Aggregate Class
- ii Cation Exchange Capacity
- iii Electrical Conductivity (EC)
- iv pH
- v Sodicity – Exchangeable Sodium Percentage (ESP)
- iv Sodium Absorption Ratio (SAR)

For the following One (1) sample from one (1) location:

DATE	SAMPLE	TEST SITE	DEPTH (mm)	MATERIAL	LAB ID
10/03/2022	1	1	200mm	SOIL	

Yours sincerely

ANDREW REDMAN BSc.
GEOLOGIST.
AR: hs

land management plan



Produced by

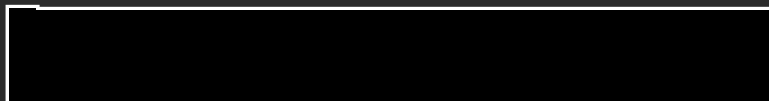


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 - soil test report
 - building envelope



The purpose of this land management plan is not only to provide the required documentation for a planning permit application, but more significantly, its purpose is to outline to Hepburn Shire the long term plans for the land on which we plan to develop.

This Land Management Plan aims to demonstrate the benefits of the proposed development and how it will:

- contribute to the local economy
- foster collaborative tourism opportunities
- continue to promote the region as a culinary and lifestyle destination
- improve environmental biodiversity and repair
- an example of productive small scale, self sufficient agriculture.

Our intentions for the future use of this parcel of land are driven by ecological repair and biodiversity/habitat recovery, self-sufficient food production, agri-tourism focusing on sustainable living practices and the sharing of traditional culinary techniques, mostly lost in the modern era.

This is not a conventional approach to land development, but it has significant policy alignment which we've highlighted through the document.



policy alignment

DIVERSE ECONOMY OPPORTUNITIES

(Hepburn Shire Community Vision 2021-2031 & Council plan 2021 - 2025)

- 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
- 4.4 Develop and promote the circular economy to diversify our local economy and support our sustainable goals.

MAKE HEPBURN SHIRE A DESIRABLE LOCATION FOR PEOPLE TO PRODUCE, TRADE, LIVE, GROW AND VISIT.

(Economic Development Strategy 2016-2021)

VISIT - Invite the world to experience Hepburn Shire and all it has to offer. Mineral springs, forests and trails, food and wine, events, art and culture; these assets are a part of the unique experience that can be found in the Shire. Ensure the visitor experience is positive by presenting a place that is easy to navigate and attractive.



development timeline

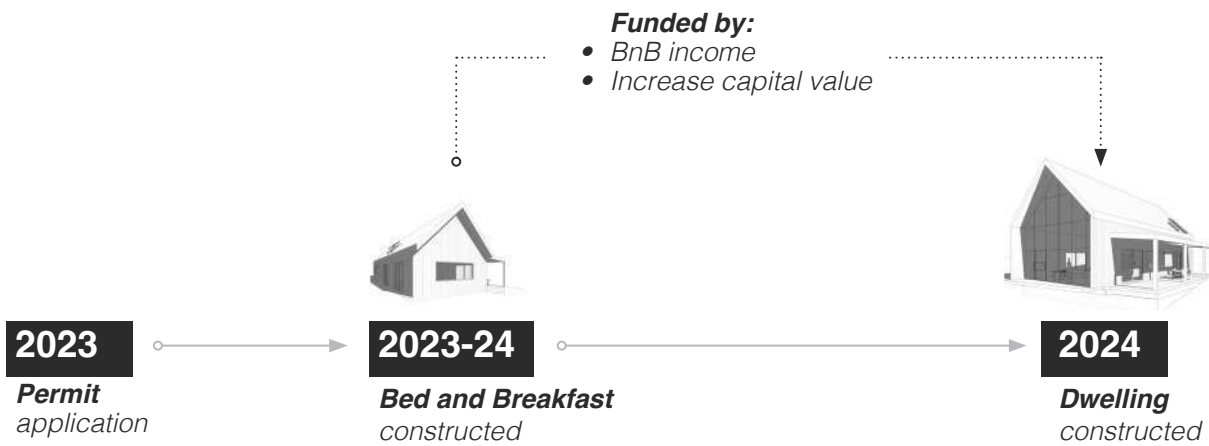
We propose a staggered approach to construction for this development, the motivations behind this are mostly economical but also practical.

We propose the development of a **Bed and Breakfast** and a **Dwelling**. The dwelling would consist of a 3 bedroom family home, while the Bed and Breakfast is significantly smaller, but capable of housing 2-4 pax for boutique, short stay accommodation.

The Bed and Breakfast will serve as a supplementary income source whilst improving the capital value of the property, ultimately assisting in financing the construction of the dwelling.



construction timeline



policy alignment

MAKE HEPBURN SHIRE A DESIRABLE LOCATION FOR PEOPLE TO **PRODUCE, TRADE, LIVE, GROW AND VISIT.**
(Economic Development Strategy 2016-2021)

LIVE - Making Hepburn Shire a great place to live attracts new residents which in turn encourages development. With the construction industry having the greatest economic multiplier of any sector, investment in this area has a great impact on the whole community.

entrepreneurship opportunities

proposed small business activity

We proposed the following economic activity which will provide us with independent long term income.

- /01 Culinary/cooking workshops**
Rohan is a recognised author, cook and spokesperson for sustainable culinary practices. For many years he's hosted culinary workshops and demonstrations sharing his knowledge on living with the seasons and embracing a sustainable approach to cooking.
- /02 Self sufficient 'grow/raise your own' workshops.**
For over 12 years, Rohan has run many workshops sharing his knowledge of smallholding agricultural practices teaching skills such as developing a productive vegetable garden, permaculture principles, maintaining fruit orchards and animal husbandry skills for smallholding livestock.
- /03 Short stay accommodation (Bed and Breakfast)**
We propose developing a Bed and Breakfast for short stay offering which will provide supplementary income.
- /04 Seasonal produce for market.**
For 6 years Rohan operated a veg/fruit box delivery business that sourced organic produce from local producers including Captains Creek Organics, Real Eggs (Yandoit) and The Farmers Larder (Franklinford). Our intention is to re-establish and evolve this business by selling seasonal produce grown on farm at the Daylesford Sunday market.



policy alignment

DIVERSE ECONOMY OPPORTUNITIES

(Hepburn Shire Community Vision 2021-2031 & Council plan 2021 - 2025)

- 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
- 4.4 Develop and promote the circular economy to diversify our local economy and support our sustainable goals.
- 2.4 Assist our community to increase access to healthy food to improve nutrition, reduce chronic disease, improve mental wellbeing and strengthen the local food production system

MAKE HEPBURN SHIRE A DESIRABLE LOCATION FOR PEOPLE TO PRODUCE, TRADE, LIVE, GROW AND VISIT.

(Economic Development Strategy 2016-2021)

TRADE - Support local business and encourage opportunities for increased trade.

VISIT - Invite the world to experience Hepburn Shire and all it has to offer. Mineral springs, forests and trails, food and wine, events, art and culture; these assets are a part of the unique experience that can be found in the Shire. Ensure the visitor experience is positive by presenting a place that is easy to navigate and attractive.

environmental & biodiversity rehabilitation

current state

This parcel of land is currently degraded. Historically cleared with most significant indigenous flora species removed. The land has mostly been utilised for grazing for generations.

Invasive woody weeds including Gorze, Willow, Hawthorn and Briar Rose have taken hold with minimal to no weed management has been implemented to date.



future rehabilitation

Invasive woody weed management:

The initial stage of repairing this parcel of land involves removal of invasive woody weed species including Gorze, Hawthorn, Briar Rose and Willow. Weed removal has commenced and will be an ongoing management approach until all woody weed species are managed.

Revegetation of indigenous flora species and repair of habitat values.

Our commitment is to repair the land by returning the appropriate indigenous species of the area including trees, shrubs, sedges, and native grasses which will provide extra habitat for fauna species and add to existing habitat corridors improving the biodiversity value of the area. Indigenous genetic provenance will be the preferred approach when applicable.

The North, East and South boundaries will be converted into 5m wide habitat plantings of **4,000+** individual indigenous species planted over the next 5 years. **570** indigenous trees and shrubs have already been planted to date.

20 Year riparian repair project (North Central CMA/Coliban Water)

We've contractually signed up to take part in the seasonal creek repair project with North Central CMA. The project forms part of a 20-year plan designed to protect the upper Coliban Catchment. The project will boost habitat connectivity and build cultural and lifestyle value across the region. It will also contribute to the protection of this important water supply catchment.

On-ground works will concentrate on riparian protection through fencing, controlling stock access and the supply of off-stream watering. Woody weeds will be controlled and revegetation will be completed to improve habitat value and maintain water quality.

The project has been developed as a partnership with Coliban Water and the North Central CMA, other stakeholders including Landcare groups, Dja Dja Wurrung Traditional Owners and local councils.

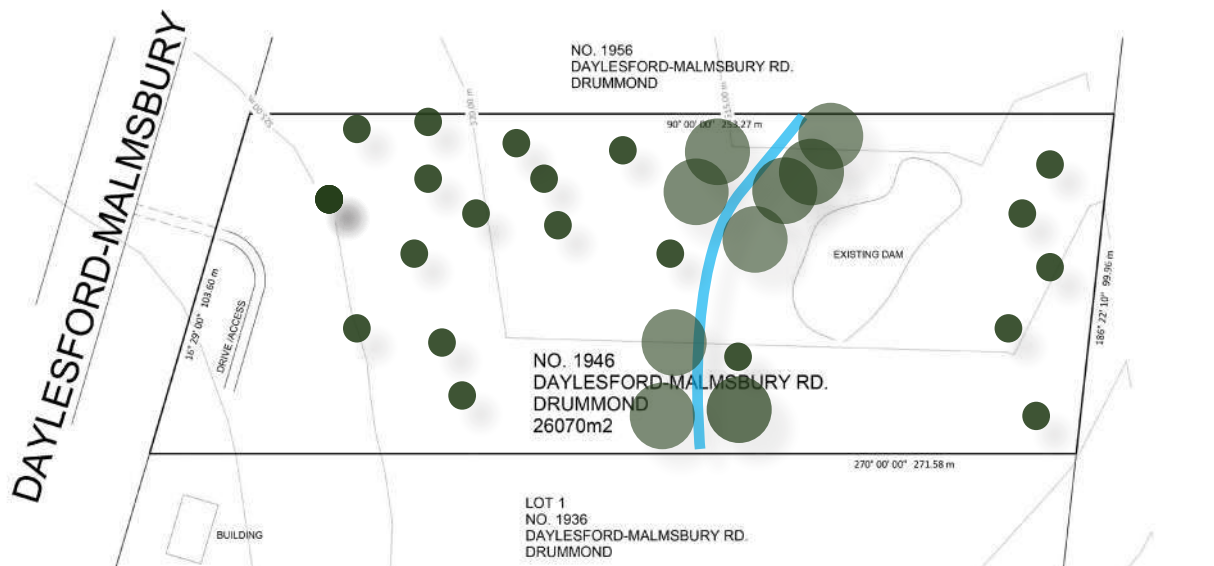
policy alignment



A RESILIENT, SUSTAINABLE AND PROTECTED ENVIRONMENT
(Hepburn Shire Community Vision 2021-2031 & Council plan 2021 - 2025)

- **1.2** Prioritise environmental management, protection, and regeneration.
- **1.3** Transition to ecologically sustainable and accountable tourism.
- **1.5** Protect and regenerate the natural resources of the Shire including soils, water and ecological systems, from both current and future threats.

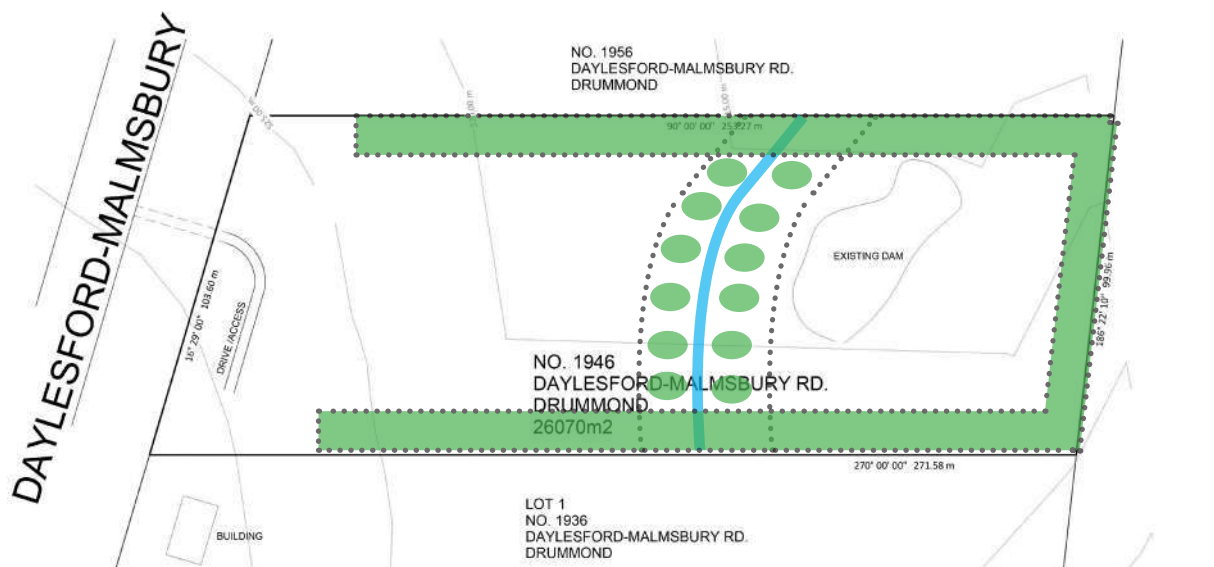
biodiversity rehabilitation





current state



-  Seasonal creek
-  Invasive weed species (Gorse, Willow, Hawthorn, Broom, Briar Rose)

rehabilitated state (planned)



-  Seasonal creek
-  Fencing
-  Revegated and fenced off indigenous plantings
-  Riparian indigenous revegetation

sustainable building approach

sustainable materials

In fitting with our approach of re-rehabilitating the land by removing invasive weed species and returning indigenous flora to improve biodiversity values. So to our approach to building, which aims to reduce our environmental impact by incorporating sustainable building materials where possible, and by installing infrastructure systems that reduce our environmental footprint.

dura panel

Dura panel is a sustainable building material made entirely of straw. It makes use of a waste material, but also has benefits of being fire resistant (FM approved Class 1 construction material), and has great thermal properties as its dense core acts as a natural thermal barrier between external and internal environments.

Dura panel was introduced to us by **Joost Bakker** and has been used in the construction of a house in the Hepburn shire and used in the **FutureFoodSystem** sustainable demonstration house at Federation Square. Dura Panel has also been used in high profile builds including Perth Arena, Melbourne Park Arena Margret Court Arena, Docklands Studio.



environmental friendly insulation

Insulation is a given, especially in a climate such as the Central Highlands. However, we're looking to utilise products such as Knauf Earthwool, an Australian manufactured insulation, produced using recycled materials and offers outstanding thermal properties.



policy alignment

MAKE HEPBURN SHIRE A DESIRABLE LOCATION FOR PEOPLE TO **PRODUCE, TRADE, LIVE, GROW AND VISIT.**
(Economic Development Strategy 2016-2021)
LIVE - Making Hepburn Shire a great place to live attracts new residents which in turn encourages development. With the construction industry having the greatest economic multiplier of any sector, investment in this area has a great impact on the whole community.
ORDINARY MEETING OF COUNCIL - 19 DECEMBER 2023

sustainable building approach

waster water **recycle**

Every house produces waste water and although we're experiencing the wettest season in decades, reliable water supply isn't always a given. We're aiming to install a waste water system that will provide us with recycled water, available for use as a summer water supply for trees and scrubs, supporting our indigenous revegetation.



hydronic **heating**

Our main source of heating will be an efficient wood heater with the back up a solar powered electric split system as winter doesn't provide enough solar to effectively operate an electric heater. The heat generated by the main wood heater will also heat the hot water service for showers and taps but also the dwelling will be plumbed with hydronic radiators in each room, so the entire dwelling will be efficiently warmed by a single wood fire heater. This coupled with the thermal properties of Dura panel and Earthwool will keep the house warm at a consistent temperature through out winter, while making the most of the heat generated by the wood heater



solar **hot water**

In summer when the wood heater isn't in use, we'll rely on a solar hot water system to heat our water. This will provide us with hot water through the warmer season and we'll return to the hydronic heating for cooler months. The dual hot water systems mean we don't burn natural gas to heat our water.



energy efficient **windows**

We aim for our home to be as energy efficient as possible and a significant part of that approach is utilising double glazed windows with the benefits of enhancing the thermal properties our main dwelling, reducing heat loss in winter and to insulate against the penetrating heat of summer.



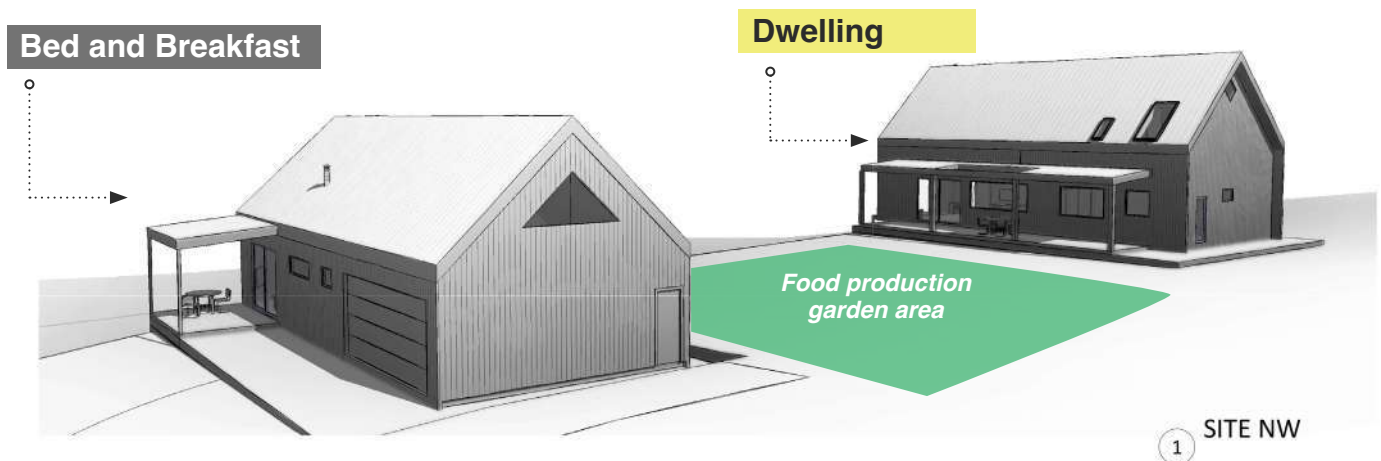
aesthetic consideration

blending with the landscape

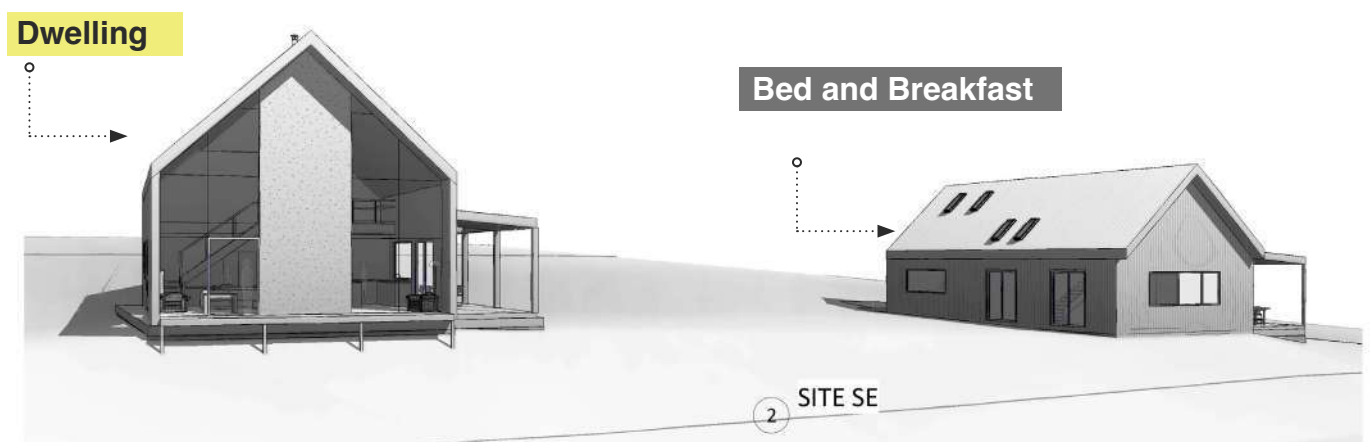
The Hepburn Shire is renowned for its aesthetic and cultural appeal. The region's aesthetics are a significant draw card feature that attracts visitation. We're mindful that development can negatively impact on a region's aesthetic appeal so we're invested in developing a dwelling that has a considered design, sympathetic to the region's aesthetic and agricultural heritage.

Our proposed architectural designs are inspired by agricultural design principles. Roof pitch is inspired by traditional barn and farm sheds of the area. Our plans for cladding are charcoal which blends well in the landscape with a future option to be semi-clad in reclaimed timber. From the roadside our dwelling will appear like a farm shed structure, thus not detracting from the agricultural aesthetic such as a typical modern suburban design.

**View from Daylesford Malmsbury road*



**South eastern view*



appendix

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- land title
- land capability statement
- soil test report
- building envelope



PLANNING REPORT

Use and Development of a dwelling and bed & breakfast at 1946 Daylesford- Malmsbury Road, Drummond



Prepared by Angela Plazzer on behalf of



February 2023

V1

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1. Introduction

This application seeks a planning permit for the use and development of a dwelling and bed and breakfast on Crown Allotment 2 Section 3 Parish of Burke at 1946 Daylesford-Malmsbury Road, Drummond.

The land, shown in Figure 1 below, is zoned Rural Living Zone – Schedule 1 (RLZ1) and is affected by the Environmental Significance Overlay – Schedule 1 (ESO1). This report provides a response to the requirements of the RLZ, ESO1 and the Decision Guidelines of Clause 65 as well as relevant policies of the Hepburn Planning Scheme.

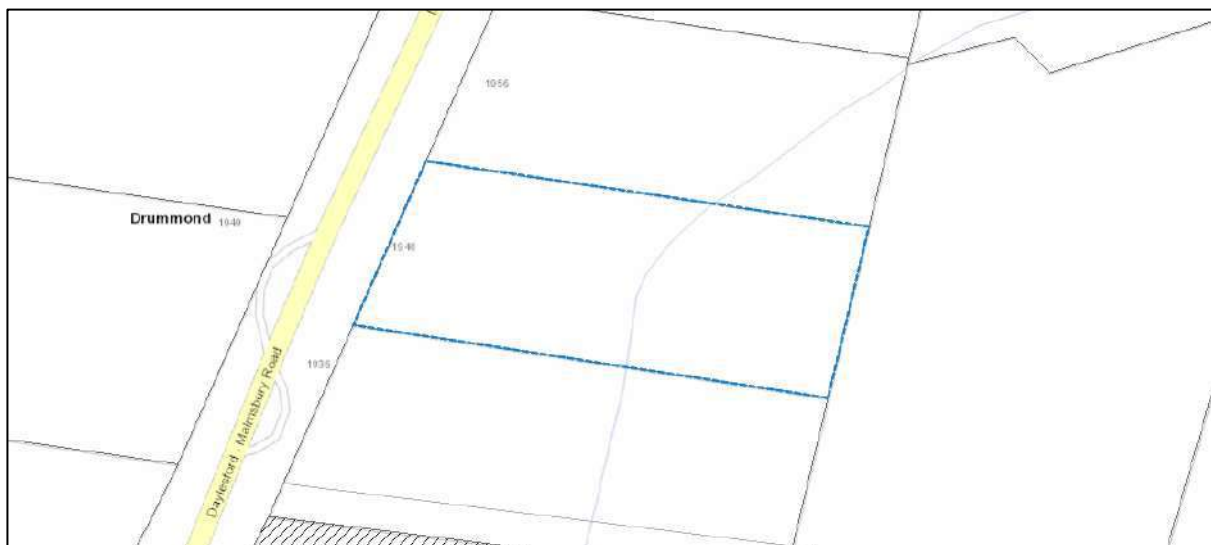


Figure 1 Site outlined in blue (DELWP)

2. Site Description and Context



Figure 2 Aerial photo showing site outlined in blue. Photo does not show the dwelling under construction to the north and dwelling constructed to the east (DEECA)

The subject site comprises Crown Allotment 2 Section 3 Parish of Burke at 1946 Daylesford-Malmsbury Road, Drummond which has an area of approximately 2.7ha and is rectangular in shape. The site is vacant and contains a small shed and a dam on the eastern side of Kangaroo Creek which runs through the site.

The site slopes gently to the east and has been cleared of native vegetation. However, the current owners of land are carrying out weed eradication and revegetation of native species on the site. Access to the site is taken from Daylesford-Malmsbury Road to the west, which is fully sealed.

The site abuts a lot to the north containing a dwelling under construction and lots to the south and east each containing a dwelling. Land in the surrounding is zoned RLZ and Farming Zone - Schedule 2 and is mostly used for agriculture interspersed with dwellings.

3. Proposal

The application seeks a planning permit for the development of a dwelling and bed and breakfast. It is proposed that the development will be completed in stages over 3 years with the bed and breakfast to be constructed in 2023-2024 and the dwelling to be constructed in 2026. The proposed dwelling will contain 3 bedrooms, 2 bathrooms (including an ensuite), a study and an open plan kitchen, living and dining area. The floor area of the proposed dwelling will be approximately 150m² on the ground floor and 70m² on the first floor. The dwelling will be setback approximately 30m from the western (front) boundary.

The proposed bed and breakfast will contain 1 bedroom, 1 bathroom and an open plan kitchen, living and dining area on the ground floor. It will also contain a double car garage and a mezzanine on the first floor, which provides a flexible/storage space. The floor area of the proposed bed and breakfast will be approximately 125m² on the ground floor and 36m² on the first floor. The bed and breakfast will be setback approximately 18m from the western boundary.

In accordance with the requirements of Clause 35.03-2 for the use of a dwelling, the proposed buildings will be connected to a reticulated electricity supply and a new 4m wide crossover to Daylesford-Malmsbury Road and driveway will be constructed to provide access to the site and proposed buildings. Reticulated water and sewerage are not available to the site so rainwater tanks will provide a supply of potable water and a secondary wastewater management system (septic) will be installed for wastewater treatment and disposal.

4. Design response

Both proposed buildings have been designed with consideration and respect for the surrounding rural landscape and take inspiration from traditional Australian farmhouses and agricultural buildings. The exterior of both proposed buildings will feature reclaimed timber and charcoal Colorbond® steel wall cladding and roofing – materials which are defining elements of rural Australian architecture and will blend in well with the landscape.

Both proposed buildings will also include verandahs, which are ubiquitous in traditional Australian farmhouses, and steep roof pitches which are inspired by traditional barn and farm sheds in the area. The buildings will be simple and contemporary in style as well as functional, attractive and energy efficient. The dwelling will feature large windows on the eastern side of the building to maximise views to the surrounding landscape.

5. Permit Triggers

A planning permit is required under the following provisions of the Hepburn Planning Scheme:

- *Clause 35.03-1 to use land for a dwelling*
- *Clause 35.03-4 to construct or carry out works for a building or works associated with a use in Section 2 of Clause 35.03-1*
- *Clause 42.01-2 to construct a building or construct or carry out works*

6. Zoning

Rural Living Zone



Figure 3 Map showing zoning (DELWP)

The purpose of the RLZ outlined at Clause 35.03 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for residential use in a rural environment.*
- *To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.*
- *To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

The proposal is consistent with the purpose of the RLZ as it will provide for the use and development of dwelling and bed and breakfast in the rural environment of Drummond.

The proposal will lead to greater protection and enhancement of natural resources, biodiversity and landscape values of the area as the owners of the land are committed to rehabilitating the land on the site through revegetation and weed management, as detailed in the Land Management Plan submitted with the application.

A response to the decision guidelines of the RLZ under Clause 35.03-5 is in the table below:

Clause 35.07-6 Decision Guidelines	Comments
<p><u>General issues</u></p> <ul style="list-style-type: none"> • <i>The Municipal Planning Strategy and the Planning Policy Framework.</i> • <i>Any Regional Catchment Strategy and associated plan applying to the land.</i> • <i>The capability of the land to accommodate the proposed use or development</i> • <i>Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.</i> • <i>The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.</i> 	<p>As discussed in the body of this report, the proposal is in line with the relevant policy directions set out in the Hepburn Planning Scheme.</p> <p>The proposal will contribute to meeting the priority directions for the Southern Uplands outlined in the North Central Regional Catchment Strategy (2021-27) as the owners of the land are working in collaboration with the North Central CMA/Coliban Water) on a seasonal creek repair project, as detailed in the Land Management Plan.</p> <p>A Land Capability Assessment report has been provided with the application which demonstrates that the land is capable of accommodating the proposed use and development including an on-site wastewater management system.</p> <p>The site is suitable for the proposed use and development as there is an existing dwelling on the land to the south of the site and agricultural uses on land surrounding the site will be sufficiently separated from the proposed buildings and are limited to sheep grazing which has relatively low potential for adverse amenity impacts.</p> <p>There is no land within 500m of the site which a work authority has been applied</p>

	<p>for or granted under the Mineral Resources (Sustainable Development) Act 1990.</p>
<p><u>Agricultural issues</u></p> <ul style="list-style-type: none"> • <i>The capacity of the site to sustain the agricultural use.</i> • <i>Any integrated land management plan prepared for the site.</i> • <i>The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.</i> 	<p>The land has been subject to historical fragmentation which has significantly diminished the productive capacity of the site for conventional agricultural use.</p> <p>The Land Management Plan submitted with the application outlines how the owners of the land intend to carry out productive small-scale agriculture on the site.</p> <p>The potential for the future expansion the proposed use and development on the site is low and would need to be carefully managed to ensure that impacts on adjoining agricultural and other land uses are minimal.</p>
<p><u>Environmental issues</u></p> <ul style="list-style-type: none"> • <i>The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.</i> • <i>The impact of the use or development on the flora, fauna and landscape features of the locality.</i> • <i>The need to protect and enhance the biodiversity of the area, including the need to retain</i> 	<p>The proposed use and development are not expected to adversely impact the natural physical features and resources of the area.</p> <p>The site has been cleared of vegetation and overrun with invasive weeds and the owners plan to carry out revegetation and new planting in the riparian zone of the creek and along the boundaries of the site, as detailed in the Land Management Plan. This will enhance the biodiversity of the area and provide more faunal habitat.</p> <p>As outlined in the LCA report, a Land Application Area for treated effluent will</p>

<p><i>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.</i></p> <ul style="list-style-type: none"> • <i>The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.</i> 	<p>be located within the front 30m of the allotment which will minimise the impact of nutrient loads on waterways and native vegetation.</p>
<p>Design and siting issues</p> <ul style="list-style-type: none"> • <i>The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.</i> • <i>The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.</i> • <i>The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.</i> • <i>Whether the use or development will require traffic management measures.</i> • <i>The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting,</i> 	<p>The proposed buildings are sympathetic to the surrounding rural environment and will be positioned on the eastern portion of the site in line with the setbacks of the buildings on the adjoining lot to the south. This will ensure that the proposal is consistent with the character and appearance of the area and that adverse impacts on the natural environment, vistas and water features are minimised.</p> <p>There will be no traffic management measures required for the proposed use and development and there is no land within 500m of the site which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.</p>

<p><i>dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.</i></p>	
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7. Overlays

Environmental Significance Overlay – Schedule 1

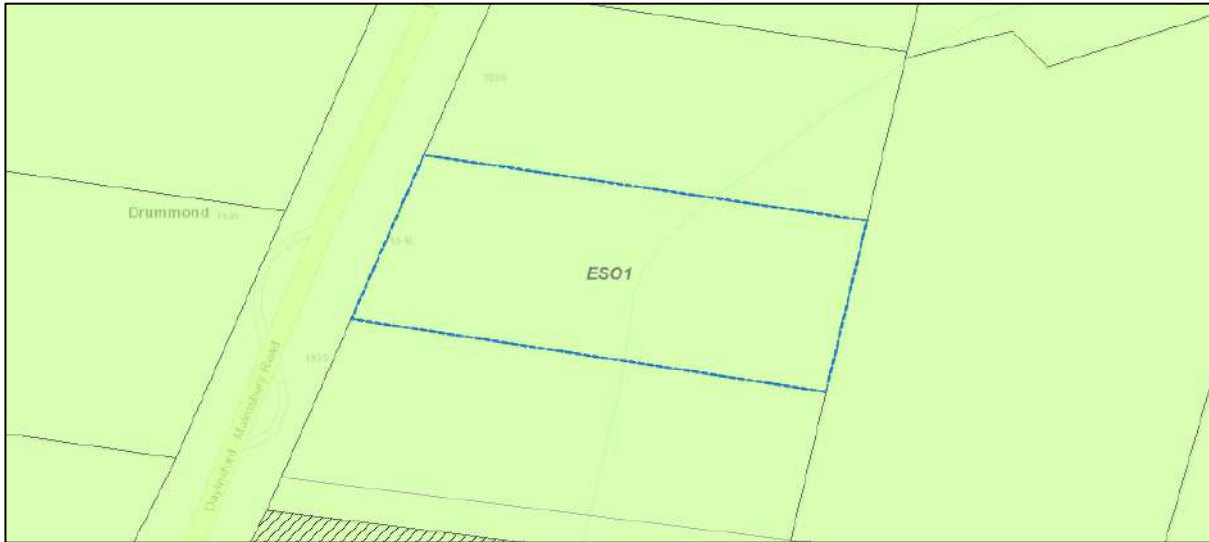


Figure 4 Map showing the ESO1 (DELWP)

The Environmental Significance Overlay – Schedule 1 (ESO1) has been applied to all land in the Hepburn Shire due to the numerous special water supply catchments declared under Schedule 5 of the Catchment and Land Protection Act 1994 in the Shire. The statement of environmental significance for the ESO1 states that the protection, restoration, and enhancement of all waterways within the catchments is essential to ensuring the continued supply and quality of water as well as protecting the health of the natural resources and environmental systems within the catchment.

The environmental objective of the 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 measures outlined in the Land Management Plan submitted with the application, including weed management, revegetation and works to repair the riparian zone of the Kangaroo Creek, are consistent with the environmental objective of the ESO1 and will be carried out in conjunction with the proposed use and development of the land. Detailed plans, a geotechnical report and land capability assessment report have also been submitted with the application in accordance with the application requirements of the ESO1.

8. Planning Policy Framework

The proposal aligns with the following state, regional and local policies outlined in the Hepburn Planning Scheme:

Clause 02.02 (Vision) outlines the Council’s mission for the Shire as follows:

“Hepburn Shire will maintain, promote, protect and enhance the district’s unique social, cultural, environmental and heritage characteristics. This will be achieved through effective, caring management and responsible governance. We will strive to gain maximum advantage for our community by protecting and enhancing our natural and built environment.” The policy also outlines key land use and development directions to deliver the mission, which include:

- *Carefully manage the development of housing and services for residents in keeping with the heritage and rural feel of those areas.*
- *Protect and manage the municipality’s valued landscapes from unsympathetic development or major change.*
- *Manage the Shire’s natural resources sustainably and protect them for future generations.*
- *Support tourism as an important industry based on the Shire’s beautiful townships and countryside.*

Clause 13.07-1S (Land use compatibility) seeks to facilitate development for appropriate commercial and other uses with potential adverse off-site impacts whilst protecting community amenity, human health and safety.

To achieve this, the policy outlines strategies including:

- *Ensuring that the development of land is compatible with adjoining and nearby land uses*
- *Avoiding locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoiding or otherwise minimising adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*

The subject site is situated approximately 20m from dwellings on the western side of Madden Street. In line with the policy, the proposed development and future use of the land for an office is not expected to cause any unreasonable adverse amenity impacts as it has been designed with consideration for the nearby dwellings.

Clause 15 (Built Environment and Heritage) recognizes the role of urban design, building design, heritage and energy and resource efficiency in creating liveable and sustainable cities, towns and neighbourhoods.

The policy seeks to ensure that development is responsive to its surrounding landscape and character, valued built form and cultural context. The policy seeks to support communities through the delivery of functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design. The policy also promotes environmentally sustainable development that minimizes detrimental impacts on the built and natural environment.

Clause 15.01-6S (Design for rural areas) seeks to ensure that development respects valued areas of rural character. To achieve this, it outlines the following strategies:

- *Ensure that the siting, scale and appearance of development protects and enhances rural character.*
- *Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.*
- *Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.*

The proposal is consistent with this policy because the proposed new dwelling has been designed with consideration for the appearance and character of the area. The proposed dwelling will utilize materials including Colorbond steel, which are common in both traditional and contemporary rural dwellings and will ensure a high-quality and attractive finish.

Clause 17 (Economic Development) seeks to achieve economic prosperity through a strong and innovative economy.

Clause 17.01-1S (Diversified economy) seeks to strengthen and diversify the economy. The policies outlines strategies to achieve this including:

9. Clause 65 Decision Guidelines

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in section 60 of the Act.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *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.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*

Comment

All relevant clauses of the Hepburn Planning Scheme have been addressed by the applicant and the proposal is consistent with the objectives of planning in Victoria. As discussed in section 6 of this report, the proposal meets the purpose and requirements of the RLZ and does not conflict with the ESO1.

The proposal is consistent with the orderly planning of the area and will not cause any unreasonable adverse amenity impacts on nearby dwellings or any other uses. The proposal will not have any significant impacts on traffic flow or road safety and the provision of 2 car parking spaces in the garage is considered sufficient for the proposed uses.

The proposal will not result in land degradation, salinity or the deterioration of the quality of water or stormwater within and exiting the site. The site is located within a Designated Bushfire Prone Area and the land will continue to be managed to mitigate the risk of bushfire to an acceptable level. The proposed building has been designed to appropriately respond to the flood risk on the site and there will be no native vegetation impacted as the site is clear.

10. Conclusion

It is considered that the proposal will have an overall positive outcome with regard to state, regional and local planning policies, will not result in any unreasonable adverse amenity impacts on surrounding land uses and will provide a net community benefit. On this basis, the proposal should be supported subject to fair and reasonable conditions.



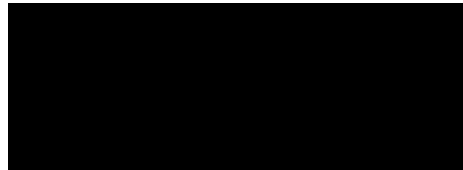
SITE CLASSIFICATION REPORT

COMMISSION:

Site Classification to AS2870-2011: Residential slabs and footings.

Site Address: 1946 Daylesford Malmsbury Road,
DRUMMOND

Client:



Date: 12/3/2022

File No: 19043B

Author: Andrew P Redman

Contact: admin@pgvic.com.au



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- i. Geovic Map
- ii. Photographic Evidence
- iii. Test Site Location Plan
- iv. Borelog Descriptions



1. INTRODUCTION

Provincial Geotechnical Pty Ltd has been commissioned to provide a Site Classification pursuant to AS2870-2011 Residential slabs and footings for a proposed residential development at the nominated address.

At the time of this report we understand that a new dwelling on a concrete slab on ground/stump footings is proposed.

The site classification hereby reported has been carried out with regard to the information supplied to us by our client or client's agents at the date of our commission. Should the client or his agent have omitted to supply us with relevant information or make significant changes to the building type, building envelope, or site our report may be irrelevant and/or inappropriate. No responsibility will be accepted by us for the consequences of such action.

The client should acknowledge that this is a Site Classification report specifically prepared for the proposed building development at the identified location and does not extend beyond that brief.

Specifically, this report does not address retention of vertical batters (retaining walls) or any other structures requiring footings unless nominated in the report brief. This also includes pavements. Where proposed, the designing engineer is advised to commission further investigation for defined design parameters.

All site works related to the building project must be undertaken to comply with the relevant Codes and Standards and must not potentially adversely impact upon the building envelope or nearby infrastructure. Provincial Geotechnical Pty Ltd accepts no liability or responsibility for any site works outside of our specific commission.

The conclusions and recommendations contained in this report are based on:-

- (i) the building specifications and site treatment indicated to us by the client;
- (ii) the results of our investigation at the nominated Test Site Locations;
- (iii) the present "state of the art" in both testing and design.

2. CLASSIFICATION: AS2870-2011: RESIDENTIAL SLABS AND FOOTINGS

CLASS H1 (Highly Reactive Clay)

This classification is appropriate for the site pursuant to the site and soil conditions encountered at the time of our investigation.

Classification is based upon Section 2 Clauses 2.2 of AS2870 - 2011. The methods adopted for clay sites includes 2.2.1 (a) and Clause 2.2.1 (b), classification based on site reactivity and classification by characteristic surface movement respectively.

The following soil and site characteristics may or will lead to footing design in excess of the standard minimum requirements within AS2870-2011: Residential Slabs and Footings.



3. SOIL CHARACTERISTICS

SOIL TYPES:

NATURAL: Silty clays overlying clays, typical of area's geology.

FILLING: None encountered.

GEOLOGY:

Quaternary Volcanics

Identification assisted by reference to appropriate geological survey maps. This report contains a geology map obtained from the Department of Natural Resources Geovic website including the site under investigation. It is provided as a guide to mapping of the local geology only and not to be used as a basis for design (Appendix i).

Clays derived from the above volcanic origin are generally considered highly reactive.

UNSUITABLE FOUNDATION CONDITIONS: Top soil at time of testing was in a satisfactory condition for proposed footing system.

Beam deepening to the underlying clay may be required if the integrity of these soils cannot be maintained.

PERCHED WATER INFLUENCE: The installation of suitable site drainage should ensure that destabilisation of the foundation soils does not occur.

GROUND WATER:
None encountered.

BEDROCK: Present but inconsequential to proposed footing system/site works.

FLOATERS: Present but inconsequential to proposed footing system/site works.

4. SITE CHARACTERISTICS

1. LOCATION: East side of road.

2. SLOPE: Slight gradient over the building envelope to the East.

3. DRAINAGE: SURFACE: Fair.
SUB-SURFACE: Fair/Poor. Permeable topsoils overlying impermeable clays may become inundated during wet periods.
Installation of cut off drains may be required.

4. SITE FILLING: None encountered.

5. SITE CUTS: EXISTING: None encountered.
PROPOSED: None proposed at time of testing.

Substantial site cutting can alter a Site Classification and potentially increase surface movement. A maximum site cut of 500mm may be excavated within the building envelope without reconsideration of the Site Classification.



4. SITE CHARACTERISTICS CONTINUED:

Where site cuts in excess of 500mm are undertaken within the building envelope an increased classification must be reconsidered by the designing engineer.

6. CLIMATIC ZONE: CZ 3

7. VEGETATION WITHIN OR IN PROXIMITY TO BUILDING ENVELOPE:

GRASSES: Yes. Thick.

SHRUBS: None present within or close proximity to building envelope.

TREES: None present within or close proximity to building envelope.

Grub holes should be clear of all significant vegetation and organic matter then be back-filled with suitable material to the proper degree of compaction.

8. INFRASTRUCTURE WITHIN OR IN PROXIMITY TO BUILDING ENVELOPE: No.

9. ABNORMAL MOISTURE CONDITIONS:

No existing vegetation on this or adjoining allotments within influence distance.

NOTE: The designing engineer should review available aerial mapping data and/or available site context information to assess the current or pre-existing conditions in respect to design considerations for Abnormal Moisture Condition's.

This report may provide photographic evidence of either existing or pre-existing site context (Refer to Appendix ii).

10. SITE REACTIVITY (NATURAL): High.

11. CHARACTERISTIC SURFACE MOVEMENT (ys): 60mm.

NOTE: The above values are only provided as a guide for a natural classification of sites that are not problematic – ie subject to filling, abnormal moisture conditions or any other feature that negates a natural classification.

Where sites are problematic the designing engineer should consider the above values as a minimum design requirement.

5. TESTING PROGRAMME

Three (3) test sites were established and excavated using a 100mm direct drive drilling rig at the approximate locations shown on the appended Test Site Location Plan (Appendix iii).

Where soil conditions dictated, investigation was assisted by the use of a penetrometer to confirm profile depth and condition. Where penetrometer testing is not undertaken the soil profile depths and conditions may be extrapolated from our knowledge of the geology and soils in this area.

Disturbed samples were collected and hand classified.



5. TESTING PROGRAMME CONTINUED

A vane shear apparatus was used to determine the strength of all cohesive soils in conjunction with tactile assessment when deemed necessary.

Site history: The client is advised that site classification can be altered by past activities on this site not known at the time of our site investigation and report preparation. The client is advised that failure to investigate and report past history may invalidate the report.

6. FINDINGS

The soil profiles encountered are shown on the appended borelog sheet (Appendix iv).

The cohesion value obtained is quoted on the log sheet.

The volcanic nature of the Quaternary aged soils indicates a high soil reactivity and seasonal heave potential.

The client should recognise that the soil profiles encountered during our testing are deemed representative of the building envelope for the purpose of classifications. The client should be aware however that in some cases soil conditions can change dramatically over short distances and although all effort is made to determine possible soil profile variations, no responsibility is taken for any undetected variations. The most careful exploration programme may not locate all soil profile variations due to time and economic restraints.

If foundation excavations reveal soil conditions differing from those shown on the log sheet in this report, we recommend that Provincial Geotechnical be contacted immediately to carry out further testing to confirm or revise our conclusions and recommendations.

7. CONCLUSIONS AND RECOMMENDATIONS

1. SLAB-ON-GROUND:

We have classified this site as CLASS H1 (Highly Reactive Clay) for a slab-on-ground in accordance with AS2870-2011 – Residential slabs and footings.

We are of the opinion that this classification is best suited to the site and soil conditions observed at the time of our investigation.

This natural classification is provided on the basis that Abnormal Moisture Condition's are not present on this site at the time of reporting. To ensure a future long term stable soil moisture regime the client should consider the location of future planting and removal of any proximate existing immature vegetation that may generate Abnormal Moisture Condition's in the future.



SLAB-ON-GROUND RECOMMENDATIONS:

Edge and load-bearing beams should be founded in natural bearing material of firm consistency or better. They must penetrate through any fill material or soft soils and founded at least 100mm into the recommended founding material.

The recommended foundation material is any of the natural undisturbed soils that underlay any filling that may exist on site.

At the above recommended foundation depths and deeper the minimum Allowable Bearing Pressure required by AS2870 of 50kPa may be used (Section 2.3.5). However, a maximum Allowable Bearing Pressure of 100kPa may be used at a depth of 100mm into the natural recommended founding material.

Slab panels and non load-bearing internal beams can be founded in the natural soil profile or in compacted surface filling. Compacted filling used to raise levels beneath panels must be placed and compacted as per specifications for Controlled or Rolled fill in accordance with section 6.4.2 AS2870-2011. Total fill depths beneath slab panels and internal stiffening (including any existing filling on site) must not exceed that specified in clause 6.4.2 AS 2870-2011.

WAFFLE RAFT RECOMMENDATIONS:

A waffle footing system appropriate to a CLASS H1 (Highly Reactive Clay) site classification may be appropriate for this site. (Refer AS – 2870 Fig 3.4.).

We recommend that the waffle raft slab be designed by a suitable qualified and experienced engineer fully familiar with the soil and site condition present.

THE FOLLOWING MINIMUM FOUNDATION CONDITIONS ARE REQUIRED:

- | | | | |
|------|---|---|------------------------------|
| i. | Minimum Allowable Bearing Pressure | - | 50kPa. |
| ii. | Minimum Foundation Depth below finished Surface Level | - | 100mm. |
| iii. | Recommended Foundation Soil | - | natural
undisturbed soil. |

Waffle slab construction may be founded on controlled or rolled filled placed as part of site preparation works in accordance with AS2870.

Where fill or soft soil is encountered, bored piles or backhoe slot piers supporting the Waffle Raft should be founded a minimum of 200mm into the underlying natural undisturbed soil where an Allowable Bearing Pressure of 200kPa is available.

All relevant design requirements and appendices of AS2870.1 should be adopted by the designer and/or builder. Owners must recognise their responsibilities as per the - C.S.I.R.O. document BTF 18-2011 Foundation Maintenance and Footing Performance: A Home Owners Guide.

7. CONCLUSIONS AND RECOMMENDATIONS

2. STUMP-FOOTINGS:

At the recommended foundation depths we have classified this site as CLASS H1 (Highly Reactive Clay) for pad footings.

These footings should be founded a minimum of 200mm into the natural stiff clay which is the recommended foundation material on this site or at the standard CLASS H1 (Highly Reactive Clay) depths - **WHICHEVER IS DEEPER.**

The client should note that to provide a suitable foundation it may be necessary to excavate beyond the minimum foundation depths supplied in AS2870 for this sites classification.

All relevant design requirements and appendices of AS2870 should be adopted by the designer and/or builder. Owners must recognise their responsibilities as per the supplied document C.S.I.R.O. BTF 18-2011 Foundation Maintenance and Footing Performance: A Home Owners Guide, the compliance of which is recommended.

During our investigation a suitable foundation level was found at the following depths:

SITE	FOUNDATION DEPTH	FOUNDATION MATERIAL	ALLOWABLE BEARING PRESSURE
1	1000mm	Natural stiff clay	200kPa
2	1000mm	Natural stiff clay	200kPa
3	1000mm	Natural stiff clay	200kPa

NOTE:

The client should recognize that the presence of shallow bedrock may cause difficulties during excavations.

This may result in variable widening and deepening of the footings.

Where the recommended depths cannot be maintained, the footing depth may be reduced at the Building Surveyor’s discretion.

IMPORTANT ADVICE RELEVANT TO THIS SITE:

If footing excavations reveal soil conditions differing from those shown on the appended bore logs in this report, we recommend that Provincial Geotechnical be contacted immediately to carry out further testing to confirm or revise our conclusions and recommendations.

Excavations beyond those depths recommended in this report are the responsibility of the owner and /or builder and may impact upon the integrity of the footing design.



8. DRAINAGE

Clients must ensure that close attention is given to site drainage. Excessive build up of water under footings can create a moisture differential in clay soils which in turn can cause heave or settlement in the footing system. Cracked brickwork and/or structural damage of the dwelling may be the result of such movement.

On cut and filled sites, sealed open surface drains should be used to divert water from the house site. Dish drains may be required on the high side of the batter if the face is likely to scour.

On some sloping sites where permeable topsoils overly impermeable clays a perched water table can develop adjacent to the footing on the high side of the site. This moisture build up can create localised swelling of the clay which in turn may cause footing movement with cracked brickwork and/or structural damage resulting.

Where this occurs it is recommended that an agricultural drain be installed to divert the flow of water around the house site. Any such drain should penetrate the impermeable clay by approximately 200mm. Further discussion of site drainage maintenance is contained in the C.S.I.R.O. Information Sheet BTF 18-2011.

9. ARTICULATION

Although the weight and stiffness of solid masonry buildings reduces expansive clay movement, the sensitivity of this form of construction to small distortions can create special problems.

It is recommended on REACTIVE CLAY SOILS that structures be articulated to allow flexibility of the building in response to footing movements that may occur.

Provision for wall articulation (control joints) should be considered during the design stage of dwellings and from aesthetic viewpoint clients should consult architects and/or building designers.

It is recommended that the client consult the Cement and Concrete Association of Australia; Construction Note TN61 titled, "Articulated Walling", 1992. This leaflet provides a comprehensive discussion of the necessity of articulation on reactive site.

10. SERVICE TRENCHES

Past investigations of distressed dwellings indicates that incorrectly backfilled service trenches within proximity to a building can cause substantial foundation soil movement. Loose clay backfill can become inundated resulting in localised soil swelling and heave.

All service trenches should be properly backfilled with the excavated soils at the optimum moisture content to ensure that sub-surface inundation does not occur. On reactive clay sites, effort should be made to locate service trenches away from the building to eliminate the potential of movement that can be caused by surface trench inundation.



11. ANGLE OF REPOSE

Notwithstanding the recommendations made in this report, we also recommend that wherever footings are close to an excavation or easement and are founded in soil, they should be deepened so that the projection from the underside of the excavation to the underside of the footings makes an angle not exceeding 40 degrees to the horizontal. We do not recommend using a steeper angle unless sufficient testing is carried out to indicate otherwise or unless the footings in that area are founded on competent rock. Service excavations adjacent to the existing footings must also comply with the above guideline.

12. SITE MAINTENANCE

Clients are advised to obtain and refer to both the C.S.I.R.O. Information Service Leaflet BTF 18-2011; "Foundation Maintenance and Footing Performance: A Home Owners Guide" and the Victorian Building Authority (VBA) "Minimising foundation movement and damage to your house, Issued August 2015. Copies of these leaflets can be obtained online from relevant building agencies. All parties must recognise that these publications are to be regarded as an integral part of AS2870 and the recommendations are to be applied to all sites investigated where relevant.

13. SITE CONSTRAINTS

EXCAVATION/CONSTRUCTION DIFFICULTIES

SITE VEHICLE ACCESS: Good.

SITE VEHICLE MANEUVERABILITY: Fair. Site may become boggy/slippery during winter/wet periods.

EXISTING STRUCTURES AROUND CONSTRUCTION AREA: No.

VEGETATION AROUND CONSTRUCTION AREA: No.

WET WEATHER IMPACT: Possible.

Sites without good natural or installed drainage can be adversely impacted upon during construction. The client should be aware that the following impacts can occur after wet weather, especially during winter and in spring seasons.



EXCAVATION/CONSTRUCTION DIFFICULTIES CONTINUED

- * Site may become slippery and boggy.
- * Permeable topsoils may become inundated and unworkable which could lead to their required removal and replacement with granular fill.
- * Site drainage or additional site drainage may need to be installed.
- * Site may need to be abandoned for a period to allow natural drainage to occur.
- * Deeper footings or additional earthworks may be required.
- * Footing design may need to be altered.

ANDREW REDMAN BSc.
GEOLOGIST.
AR: ML

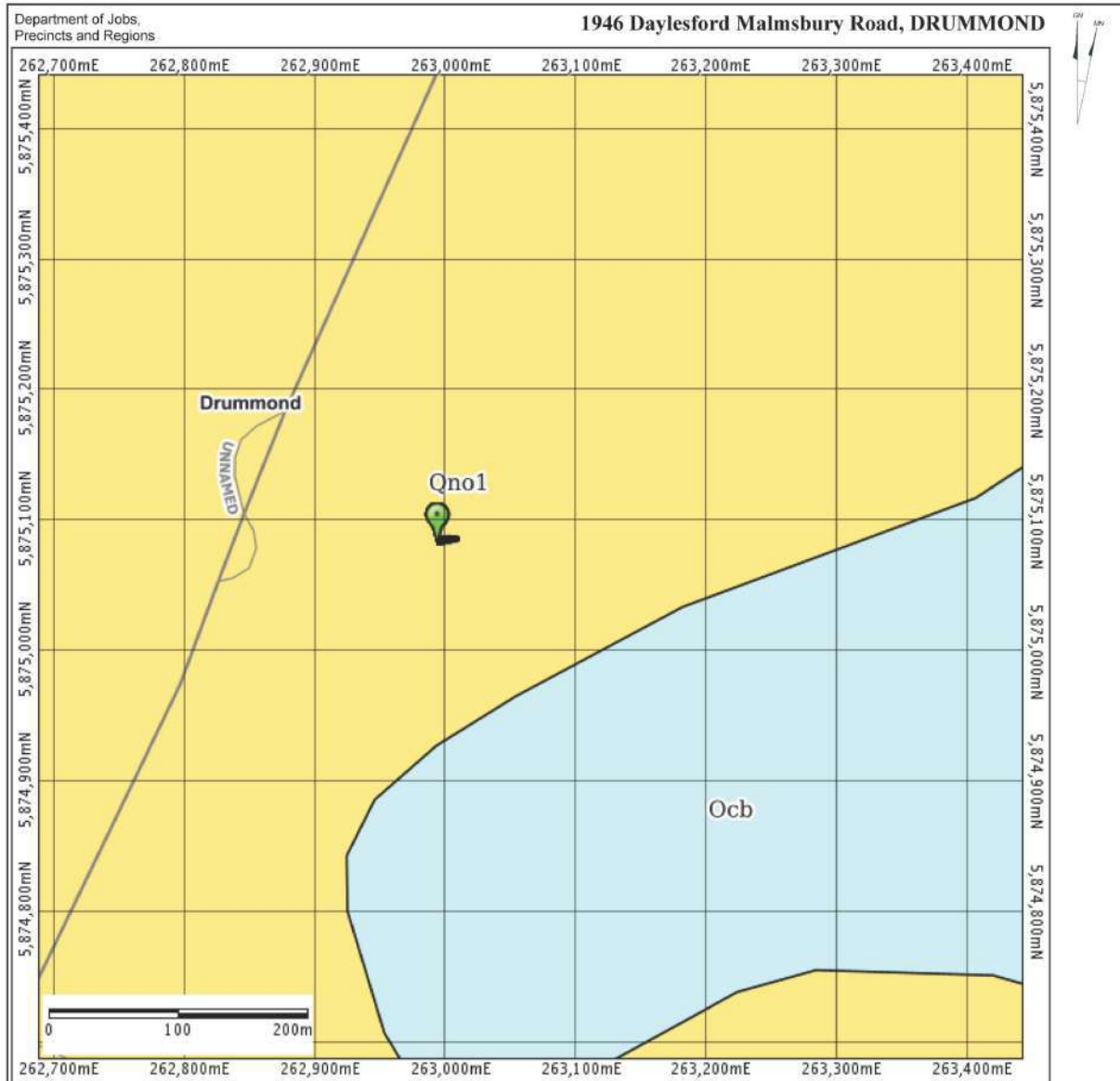


APPENDICES

- i. Geovic Map
- ii. Photographic Evidence
- iii. Test Site Location Plan
- iv. Borelog Descriptions

GEOVIC MAP

APPENDIX i



- Legend**
- Towns (25K)
 - Locality
 - Small Town
 - Town
 - Large Town
 - Major Town
 - Regional Centre
 - City
 - Geological Lines & Faults 250K

Map Scale: 1:4,352
Projection: MGA94 55
The map contains zonal grid lines that extends beyond their zone boundary.

Disclaimer: This map is a snapshot generated from Victoria Government data. This material may be of assistance to you but the State of Victoria does not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for error, loss or damage which may arise from reliance upon it. All persons accessing this information should make appropriate enquiries to assess the currency of the data.

Generated from GeoVic 3

Map Created Sat Mar 12 2022 12:29:51 GMT+1100 (AEDT)



AERIAL PHOTOGRAPH

(Approximate Location)

Client: [REDACTED]
File No: [REDACTED]
Date: 12/3/2022
Site: 1946 Daylesford Malmesbury Road, DRUMMOND



SITE PHOTOGRAPHS

APPENDIX ii



SITE PHOTOGRAPHS

APPENDIX ii





TEST SITE LOCATION PLAN

○ - Approximate borehole locations

Client:



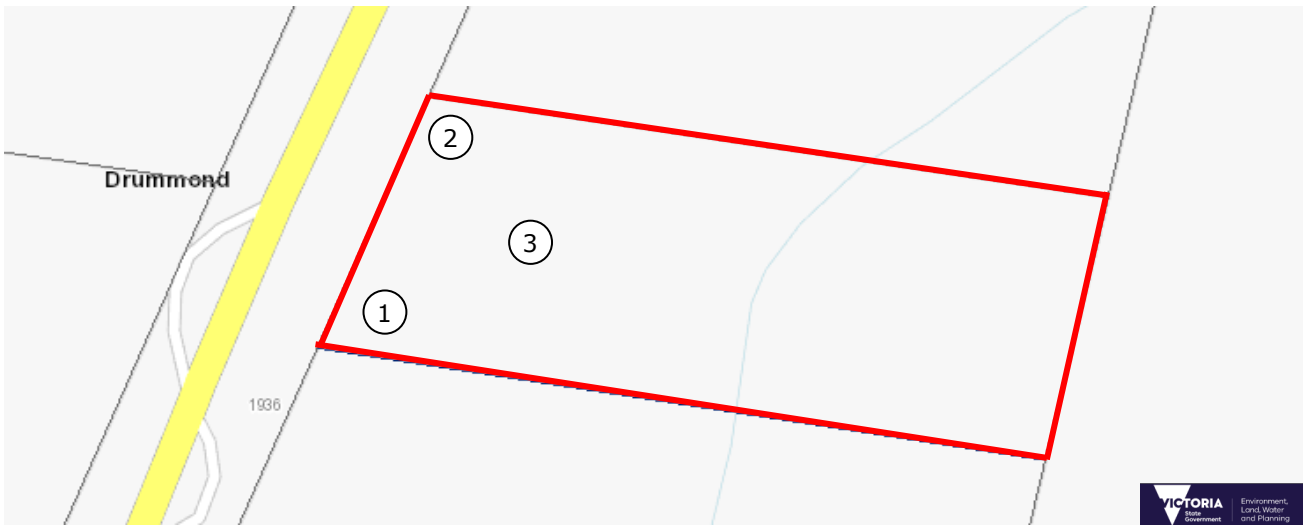
File No:

Date:

12/3/2022

Site:

1946 Daylesford Malsbury Road, DRUMMOND



CLIENT: [REDACTED]	REFERENCE NUMBER: 19043B
PROJECT ADDRESS: 1946 Daylesford Malmsbury Road, DRUMMOND	DATE: 12/3/2022 GEOLOGIST: Andrew Redman

TEST SITE 1 EXCAVATION METHOD: HYDRAULIC DRILLING RIG					TEST SITE 2 EXCAVATION METHOD: HYDRAULIC DRILLING RIG					TEST SITE 3 EXCAVATION METHOD: HYDRAULIC DRILLING RIG				
Depth mm	FILL	SOIL PROFILE	"C"	ABP	Depth mm	FILL	SOIL PROFILE	"C"	ABP	Depth mm	FILL	SOIL PROFILE	"C"	ABP
100		SILTY CLAY		100	100		SILTY CLAY		100	100		SILTY CLAY		100
200		dark brown			200		dark brown			200		dark brown		
300		CLAY brown moist; stiff	130+		300		CLAY brown moist; stiff	130+		300		dry; firm		
400					400					400		CLAY		
500					500					500		brown		
600					600					600		moist; stiff		
700					700					700				
800					800					800				
900					900					900		BASALT		
1000					1000					1000		Extremely weathered		
1100					1100					1100		brown/grey		
1200					1200					1200		END BORE HOLE		
1300		1300		1300		UNABLE TO PENETRATE								
1400		1400		1400		BASALT								
1500		1500		1500										
1600		1600		1600										
1700		1700		1700										
1800		1800		1800										
1900		1900		1900										
2000		2000		2000										
2100		END BORE HOLE			2100					2100				
2200					2200					2200				
2300					2300					2300				
2400					2400					2400				
2500					2500					2500				
2600					2600					2600				

ABP = Allowable Bearing Pressure

"C" = Cohesion (V.S.T)



Dear Hepburn Shire, Planning Dept,

We wish to object to the proposed development of the land for two dwellings at 1946 Daylesford Malmsbury Road, Drummond. Property number 204073.

We are concerned that this development does not fit in with the character of the area. The zone is RLZ1 and the block size (2.69 hectares) is small for two dwellings especially as the proposed development is bordered by RLZ1, where most of the block sizes are 8 hectares or more, and Farming zone.

There is also no mention of sheds or other structures, which would be needed to house items used to maintain the two dwellings. Run off from other structures was not considered in the environmental impact statement and may impact on the effluent management system, especially in this area with heavy clay soils.



Reasons for my objection:

Zoning: The plans before the Shire are for two dwellings on a 2.69 hectare property. Adjacent properties are zoned for 1 dwelling. Dual occupancy on such a small property could set a precedent for adjacent small undeveloped properties and nearby RLZ properties. An earlier subdivision neighbouring this property is limited to a single dwelling on each 7 hectare property.

Proposed building plans: The main house is double storey. Adjacent properties all have single storey buildings. A double storey house will not blend in with neighbouring houses and the rural vistas that currently exist.

Roof heights: 8.7m for the main dwelling and 6.9m for the proposed B&B are much higher than surrounding buildings and will not be in keeping with the neighbourhood.

Main dwelling Window height: the 4+ metre windows overlooking the valley are unnecessary and will both dominate and overlook surrounding single storey buildings, substantially reducing the liveability of overlooked properties.

In summary, this is an unsympathetic development, resulting in increased noise in the area and a general loss of amenity.

RE Letter of OBJECTION to PLN23/0052 at 1946 Daylesford Malmsbury Road.

To the Hepburn Planning Department.

I apologise for this letter being late, however I was overseas when the letter reached my mailbox and just returned this weekend. I am happy to provide documentation to support this if requested.

Because I was out of the country, I ask that you please make an exception and accept this late submission as it concerns a block of land that directly abuts my property and therefore has the real potential to impact me significantly. I believe that I should have the same opportunity as my neighbours to have a say on this development.

I object to this permit application for the following reasons:

- **The proposal for dual occupancy dwelling is not in line with the intent of the Rural Living Zoning.** Rural Living is intended to decrease housing density with large blocks that should be used for a single family dwelling and to support lifestyle agriculture and protection of habitat. Dual occupancy is contrary to this and has the potential to place un-necessary stress on the natural systems including the need for dual septic systems in proximity to a creek line and natural spring (partially up the slope and always holds water) as well as increased use of water from the underground aquifer with two households using water from a bore. This rural living lot should be used for low density residential uses and be a single family dwelling only.
- **Multi story dwelling is not in line with the established neighbourhood character where there are single story dwellings along the Daylesford Malmsbury Road.** Because the Rural Living blocks along this stretch of the Daylesford Malmsbury Road have a small road frontage with the bulk of the land extending toward the Joey Creek, the visual presence of the homes along the highway corridor has a greater impact. A large, multi-story home along the road will stick out and erode the neighbourhood character which is established with single story homes. Further, because of the prominence of the proposed dwelling, it will impact people in a much wider area than just those properties on its border. Because of this an increased area for a letter drop may be indicated.
- **The proposal hinges on the use of the proposed dwellings relies on renting the homes as vacation rentals.** While this is not expressly prohibited, it is questionable given the housing shortage and lack of affordable housing in the area. I believe that 1 of 7 dwellings in the Shire are vacation rentals. Businesses in the area are struggling to find staff because staff can't find housing or they can't find housing they can afford because of the proliferation of vacation rentals. This is grossly unfair and it is something that Council's promise to address the housing crisis should address. A part of this is discouraging vacation rentals in favour of family homes or affordable rentals.
Vacation rentals also detract from the sense of community in a neighbourhood and are used by people who do not have any care for the area, they do not pay commercial rates and take from the residential community without giving back. If Council is sincere in its declarations to support local business and its residents, it seems like vacation rentals are something that should be discouraged or regulated.

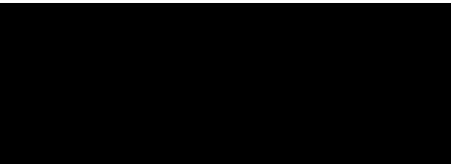
This is a particularly important issue as the impacts of development in this area in the past few years have been intense, with inappropriate development running unchecked and breaches of planning permits and Council's local laws going unenforced by Council officers. For example, the new dwelling at 1920 Daylesford Malmsbury Road has had a dramatic negative impact on the neighbourhood and several existing residents including myself. This is unfair and makes me feel as if my local

government does not support me or care about impacts made by (what I see as) inappropriate development.

The dwelling at 1920 is a 5 bedroom vacation rental built on 100 acres of farmland under the guise of it being a vineyard. The home is managed by Houses of Daylesford for over \$1,000 per night. The home has large plate glass windows and bright spotlights that pierce the night sky and shine onto my property and are visible across the valley by homes there as well as from as far away as the primary school. There is also a plunge pool and a deck. There have been several times this winter where the sounds of screeching, music and loud voices have been clearly audible in my home. This will only increase over summer as the wind increases and the vegetation dies back.

Further, the owners of the vacation rental are promoting the conversion of their 'farm shed' into a wedding venue. Surely this is not the best use of farming land and is contrary to what is permitted to take place on this land. It seems clear to me that the owners of this vacation rental had no serious intention of using this land for farming as a vineyard as they have made zero effort to plant vines or install infrastructure to support farming.

I do not want this to happen on the other property on my border as well. Rural Living zoning should be reserved for low density single family dwellings, provision of habitat and lifestyle farming. Please consider these concerns as you review the planning permit.

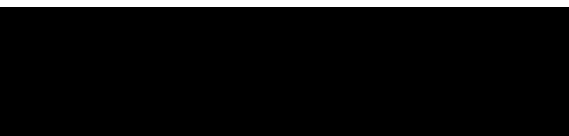


To whom it may concern,

We would like to make an objection of several points to the proposed land at 1946 Daylesford-Malmsbury rd Drummond. Application reference PLN23/0052.

1. Incorrect detail to submitted plans. There is currently a shed structure used to house a caravan of approximately 50sqm not drawn on plans.
2. The overall height of the larger dwelling is quite substantial and taking in the fall of the land, from ground the roof line will exceed 10m on the west elevation. We do not believe this is in keeping with the current aesthetics of the area that consists of single storey dwellings.
3. The two dwellings. Objection to this is based on the precedence it sets for other small lots in the locale yet developed or to be redeveloped to follow suit. Thus affecting the rural living atmosphere Drummond currently has.

Regards,

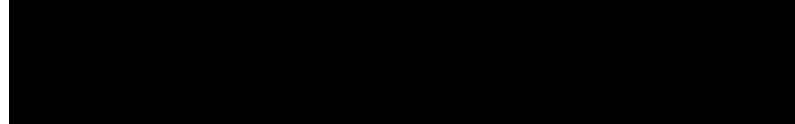
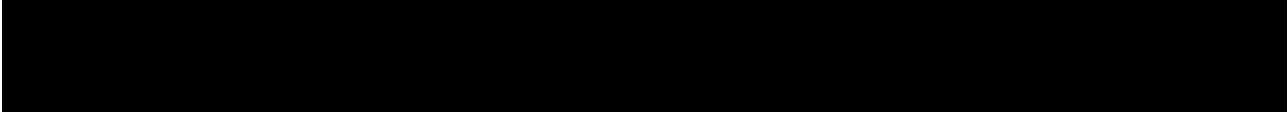


Attention: Planning Department

Reason for objections

Sets a Precedent ,that is if approved ,we can all apply and should be granted a permit to erect more than one dwelling on one title ,under the 'guise' of bed and breakfast.

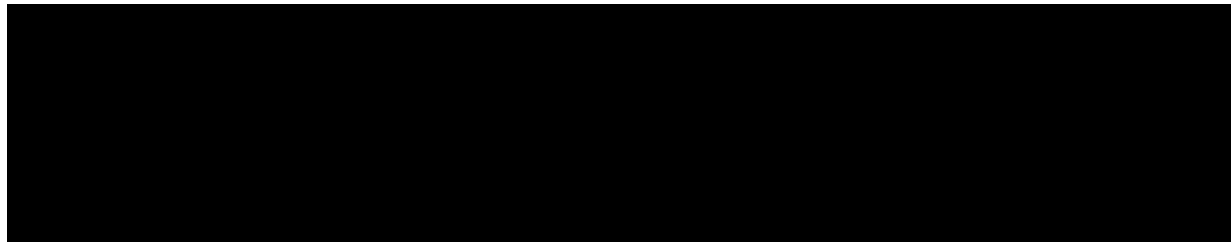
Understood the rural living zone was designed to 'encourage small scale agricultural activities, not bed and breakfast/motel developments Np one to 'police' activities of people using the B and B as applicant will not be building his own dwelling for at least 2-3 years I note no mention of sheds and out buildings on proposal, although there is already a shed on property (permit ?)



Reason(s) for the submission/objection - I wish to lodge an objection to the above planning application because of the two dwellings being requested for the property.

I believe it will set a precedent for dual occupancy on small blocks and change the rural appeal of the area. The reason we moved to the area.

The block is quite small and close to a water water.



To: Shire of Hepburn Planning Dept



20th August 2023

Reference: PLN23/0052

Dear Planning Department,

We are objecting to a request for Planning Permission for 2 dwellings at 1946 Daylesford-Malmsbury Road, Drummond.

Higher housing density is not in keeping with the purpose of a RLZ, and approval for 2 dwellings on this small holding would set an alarming precedent for the several adjacent small parcels not yet developed.

It opens the door for inappropriate over-development and is arguably an informal subdivision.

The directly adjoining RLZ subdivision (6 x approx. 8-hectare blocks) has strict single-dwelling planning restrictions, hard won over many years of local consultation. Approving 2 dwellings on a much smaller lot is demonstrably not in keeping with neighbourhood character.

In addition, the double storey dwelling with 2-storey glass walls on an elevated site would not 'blend in with the landscape' or be in scale with what surrounds it. At 8.7M and 6.9M both these buildings would be excessive in height, particularly relative to the 10 single storey dwellings in the immediate vicinity, all of which are visible from Daylesford-Malmsbury Road and/or Drummond-Lauriston Road.

Yours sincerely,



11 A HEALTHY, SUPPORTED, AND EMPOWERED COMMUNITY

11.1 AWARD OF HEPBU.RFT2023.234 CENTRAL SPRINGS RESERVE – STAGE 1 CONSTRUCTION (PICNIC AND PUMPS AREA) – SELECTIVE RFT ACTING DIRECTOR INFRASTRUCTURE AND DELIVERY

In providing this advice to Council as the Manager Projects, I Ben Grounds have no interests to disclose in this report.

ATTACHMENTS

1. CONFIDENTIAL REDACTED - Tender Evaluation Report HEPBU.RFT2023.234 Central Springs Reserve [11.1.1 - 8 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *Awards Contract Number HEPBU.RFT2023.234 for the fixed lump sum of \$878,158.60 inclusive of GST to Naturform Pty Ltd;*
2. *Acknowledges a current funding shortfall of \$836,667 exclusive of GST and commit Council to funding the shortfall from the Mineral Springs Reserve Fund;*
3. *Delegates the Chief Executive Officer to sign and seal the contract documents on behalf of Council; and*
4. *Resolves that the attached Tender Evaluation Report remain confidential and that the minutes record the successful tenderer and the accepted tender price.*

EXECUTIVE SUMMARY

This report seeks Council's endorsement to award Contract Number HEPBU.RFT2023.234 for the fixed lump sum of \$878,158.60 inclusive of GST to Naturform Pty Ltd.

Two submissions were received through a public expression of interest and selective request for tender process undertaken in accordance with Council's Procurement Policy.

The scope of this contract will be the first stage in the delivery of the 2021 masterplan for Central Springs Reserve. The remaining elements of the master plan will be delivered in future stages.

BACKGROUND

A master plan for the Central Springs Reserve was adopted by Council in September 2021. Based on the adopted master plan, a detailed design process was commenced in late 2022.

In August 2023, an Expression of Interest (Eoi) was conducted seeking experienced contractors to deliver a portion of the planned works at the reserve. Following the Eoi, a shortlist of contractors was invited to a selective Request for Tender (RFT). The RFT closed in November and an evaluation of the submissions was completed.

The works described in the masterplan will be delivered in stages. The portion of works proposed for the first stage of delivery includes:

- Creek improvement works
- Connection of the new mineral spring bore to a redesigned pump area incorporating a Djaara artistic interpretation
- Revitalisation of the Hard Hills Spring and hydroelectric infrastructure
- Picnic and shelter area
- Landscaping and path network to connect features of the reserve

The remaining elements of the master plan will be delivered in future stages.

KEY ISSUES

Staging Considerations

The staging of the works takes into consideration access and cost factors.

Access into the reserve for the purposes of construction is only from the western end of the reserve. The north, south and east are bounded by a steep embankment, Wombat Creek and Lake Daylesford respectively. Works will be staged to ensure newly constructed areas are not impacted by subsequent construction activity. The constraint of only being able to enter and exit through a narrow section, limits what works could be deferred to later stages without impacting on completed sections and adding make-good costs to future stages of the project.

The cost of staging the works and deferring elements of the scope, adds a cost premium to the total project cost – the work in question will only be more costly to complete in future. This approach, to deliver the five sections of work described above, maximises the works that can be delivered now, minimises the cost premium to future stages and minimises the impact of construction on completed works.

Officers have developed the first stage of construction that includes five key sections of the masterplan. Based on this approach, officers have undertaken a rigorous procurement process that puts Council in an excellent position to undertake a significant amount of works towards completing the Central Springs Masterplan.

Mineral Springs Reserve Fund

The additional draw on the Financial Reserve Fund in the short term is manageable. The balance and recharge of the reserve can accommodate all planned works, including the subject works of this report and other planned works funded from the Reserve.

Tender Process

Submissions for HEPBU.RFT2023.234 were invited via a selective RFT process on 9 October 2023 following an Expression of Interest process via public advertisement on Council's website and on Tenders.net on 26 August 2023.

Two tender submissions were received and evaluated by a panel against the mandatory criteria as set out in the Procurement Policy.

The outcome of the tender evaluation is detailed in the attached Confidential Tender Evaluation Report.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

A healthy, supported, and empowered community

2.3 Optimise the use of public spaces to increase participation and community connection.

Embracing our past and planning for the future

3.3 Build and maintain quality infrastructure that supports and promotes liveability and active living in the community.

FINANCIAL IMPLICATIONS

The adopted project budget in 2023-24 is \$627,200 (excl. GST).

Income	
Federal Funding	\$350,000
DEECA Mineral Springs Fund	\$10,726
HSC (drawn from Mineral Springs Reserve Fund)	\$277,200
Total	\$637,926
Expenditure	
Expenditure to date (11/12/2023)	\$248,915
Commitments to date (11/12/2023)	\$75,627
Contract HEPBU.RFT2023.234	\$798,326
Djandak/Djaara costs	\$85,000
<i>Construction stage documentation for shelter</i>	
<i>Construction stage supervision for shelter</i>	
<i>Signage design and construction</i>	
<i>Shelter construction</i>	
Other costs	\$96,725
<i>Landscape architect construction stage supervision</i>	
<i>Early works for power supply</i>	
<i>Early works for tree removal</i>	

<i>New mineral spring bore variation</i>	
<i>Direct purchase of park furniture</i>	
<i>Allowance for make good works on completion</i>	
Sub-Total	\$1,304,593
Contingency	\$120,000
Project management	\$50,000
Total	\$1,474,593
Shortfall	\$836,667

The Mineral Springs Reserve Fund had an opening balance of \$1,485,252 in July 2023, and is forecast to have a closing balance of \$1,185,252. The Mineral Springs Reserve Fund is replenished annually by approximately \$500,000.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Extensive community consultation was undertaken during the master plan development. Relevant stakeholders have been further consulted throughout the detailed design of the works.

RISK AND GOVERNANCE IMPLICATIONS

The Central Springs Reserve masterplan identified that the reserve required improvements to mineral spring water, amenity, accessibility and indigenous history representation. This stage of works addresses these objectives and eliminates the risk of leaving the reserve in its current condition. This approach maximises the cost efficiency of delivering multiple aspects of the master plan in a single stage and reduces the cost premium of deferring works to later stages.

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

ENVIRONMENTAL SUSTAINABILITY

There are no sustainability implications associated with this report.

GENDER IMPACT ASSESSMENT

The Central Springs Masterplan was undertaken prior to the *Gender Equality Act* introduction and requirements for a Gender Impact Assessment. Nonetheless, inclusive principles have been a core part of the development of the masterplan, a strength of the designer, and a driver in the significant First Nations peoples' involvement.

12 EMBRACING OUR PAST AND PLANNING FOR OUR FUTURE

12.1 AWARD OF TENDER HEPBU.RFT2023.22 – RECONSTRUCTION OF SMEATON ROAD, CAMPBELLTOWN ACTING DIRECTOR INFRASTRUCTURE AND DELIVERY

In providing this advice to Council as the Coordinator Engineering, I Tim Powell have no interests to disclose in this report.

ATTACHMENTS

1. CONFIDENTIAL REDACTED - Tender Evaluation Report - HEPBU.RFT 2023.22 - Reconstruction of Smeaton Road, Campbelltown [12.1.1 - 8 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *Awards Contract HEPBU.RFT2023.22 - Reconstruction of Smeaton Road, Campbelltown to Berne Fleming Civil Pty Ltd for the fixed lump sum of \$363,749.10;*
2. *Authorises officers to make variations to the contract and scope in accordance with approved budgets and financial delegations.*
3. *Authorises the Chief Executive Officer to sign contract documents on behalf of Council; and,*
4. *Resolves that the tender evaluation report remain confidential and that the minutes record the successful tender.*

EXECUTIVE SUMMARY

The purpose of this report is for Councillors to consider the award of construction contract HEPBU.RFT2023.22 Reconstruction of Smeaton Road, Campbelltown.

As part of Council's 2023/2024 Capital works program, approximately 700m of Smeaton Road (sometimes referred to as Campbelltown-Carisbrook Road) and the intersection with Glengower Road, was identified for reconstruction.

The road reconstruction process includes rebuilding or upgrading road sub-base and base courses of pavement along with bituminous sealing of the pavement all to specifications which meet the current IDM standards.

BACKGROUND

In 2020 Council conducted a road condition audit, from which each road was given a condition rating for the pavement and surface. In 2023/2024, as a result of flooding and consecutive wet winters, Council also conducted a detailed defects audit of all

sealed roads. Due to a combination of condition rating and defects found, Smeaton Road was prioritised for reconstruction.

Incorporated in this 700m segment is the intersection of Smeaton Road and Glengower Road. There is a history of vehicle accidents here, therefore the project will incorporate intersection upgrade works to improve safety.

KEY ISSUES

Consecutive wet winters has led to deterioration in all the regions road condition and the higher prevalence of defects. It will take many years for LGAs to negate the damage caused over the past few years and many more to improve roads conditions beyond the 2019 baseline.

The west side of the municipality is particularly prone to pavement condition deterioration, in wet weather, because of the reactive clays that make up the sub-base in most roads.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

A dynamic and responsive Council
5.5 Strong asset management and renewal.

FINANCIAL IMPLICATIONS

The current recommended contract award fits within the Council approved budgets, although this tender process has highlighted the incremental increase in construction costs since last financial year.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are no community or stakeholder engagement implications associated with this report, however Council officers will promote the works prior to on ground commencement in the new year.

RISK AND GOVERNANCE IMPLICATIONS

No additional risk or governance implications have been identified to date.

ENVIRONMENTAL SUSTAINABILITY

The proposed design maximises the re-use of suitable road pavement materials that exist onsite. All other environmental risks will be managed through the project delivery team and the contractor.

GENDER IMPACT ASSESSMENT

A Gender Impact Assessment was conducted for the proposed works. Although the assessment identified areas of impact, no additional recommendations have been deemed necessary for the project.

12.2 AWARD OF TENDER HEPBU.RFT2023.80 – TRANSFER STATION BULK BINS ACTING DIRECTOR INFRASTRUCTURE AND DELIVERY

In providing this advice to Council as the Coordinator Waste, I James Hendy have no interests to disclose in this report.

ATTACHMENTS

1. CONFIDENTIAL REDACTED - Tender Evaluation Report - HEPB U. RF T 2023.80 Supply, Cartage and Processing of Transfer Station B [12.2.1 - 94 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *Awards contract HEPBU.RFT2023.80 - Supply, Cartage and Disposal of Bulk Bins for an estimated annual cost of \$1,057,390.92 to Veolia Recycling and Recovery Pty Ltd in accordance with schedule of rates;*
2. *Authorises officers to make variations to the Contract within approved officer delegations and within approved budgets;*
3. *Authorises the Chief Executive Officer to sign the contract documents on behalf of Council; and,*
4. *Resolves that the tender evaluation report remain confidential and that the minutes record the successful tenderer.*

EXECUTIVE SUMMARY

The purpose of this report is for Councillors to consider awarding contract HEPBU.RFT2023.80 - Supply, Cartage and Processing of Transfer Station Bulk Bins.

Officers have undertaken a public tender process in accordance with Council's Procurement Policy to invite submissions for the services of Supply, Cartage and Disposal of Bulk Bins at Council's transfer stations.

Three tender submissions were received with one tender submission found to be non-conforming, it is considered that the tender submission of Veolia Recycling and Recovery is preferred.

BACKGROUND

At the 20 June 2023 Ordinary Council Meeting, a six-month extension of Contract HEPBU.RFT.2020.288 - Supply, Cartage and Disposal of Bulk Bins between Hepburn Shire Council and Veolia Australia Pty Ltd commencing on 1 August 2023 was approved. This allowed time for a competitive tender process and engagement of a probity adviser.

Bulk bins (hook lift bins) are used at all transfer stations to house and transport waste and recyclables.

The bulk bin service includes:

- Bulk bin rental
- Bulk bin transport to landfill and landfill fees
- Bulk bin transport to recycling facilities

KEY ISSUES

The bulk bin service ensures cohesive collection of most waste and recycling material collected at Council's three transfer stations. Without the provision of this service, the transfer station sites will be unable to operate and will have a significant impact for residents and the organisation.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

Diverse Economy and Opportunities

4.4 Develop and promote the circular economy to diversify our local economy and support our sustainability goals

Sustainable Hepburn Strategy 2022-2026

Theme 3: A Low Waste Shire

- Improve operations at Transfer Stations.

FINANCIAL IMPLICATIONS

The funding for this service this financial year will be drawn from the current financial year budget allocation of \$760,000.00. The cost of this contract in future years will be appropriately budgeted for out of the waste service rates charge.

Total annual spend under this contract based on Schedule of Rates and Council assumptions	\$1,057,390.92
Shortfall on contract for remainder of FY 2023/2024	\$143,211.94
Funding source for shortfall for FY 2023/2024	Waste Reserve

COMMUNITY AND STAKEHOLDER ENGAGEMENT

No specific community engagement has been undertaken as part of this procurement process however Council has continued to work with residents on Ajax Road, Daylesford over an extended period regarding windblown rubbish. The specifications of this tender require a working lid/cover for all bulk bins.

RISK AND GOVERNANCE IMPLICATIONS

The *Circular Economy Act* requires Council to provide a waste and recycling service. Transfer stations provide this service to residents without a kerbside service.

ENVIRONMENTAL SUSTAINABILITY

The award of this contract aligns with objectives from the Sustainable Hepburn Strategy 2022-2026 - Theme 3: A low waste shire improving operations at transfer stations.

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report.

12.3 EXTENSION OF CONTRACT NO. HEPBU.RFT2021.33 - KERBSIDE AND PUBLIC BIN COLLECTION AND LANDFILL WASTE DISPOSAL ACTING DIRECTOR INFRASTRUCTURE AND DELIVERY

In providing this advice to the Council as the Manager Facilities and Circular Economy, I Sean Ludeke have no interests to disclose in this report.

ATTACHMENTS

- Nil

OFFICER'S RECOMMENDATION

That Council:

- 1. Endorses the variation of Contract No. HEPBU.RFT2021.33, with new schedule bin lift rates of \$1.90 fortnightly general waste and \$2.08 weekly food and garden organics for an estimated additional year 1 cost of \$452,875.87(ex GST);*
- 2. Approves the extension of Contract No. HEPBU.RFT2021.33 for both Part A (kerbside and public bin collection and landfill disposal) and Part B (recyclables acceptance and sorting) for 2 years as per Clause 4.2 of the contract;*
- 3. Authorises Council officers to make variations to the Contract within approved Officer Delegations and within approved budgets; and,*
- 4. Authorises the Chief Executive Officer to sign the contract variation documents on behalf of Council.*

EXECUTIVE SUMMARY

The purpose of this report is to seek Council support for the variation of rates in Contract No. HEPBU.RFT2021.33 - Kerbside and Public Bin Collection and Landfill Disposal, Recyclables Acceptance and Sorting Contract between Council and Veolia Recycling and Recovery Pty Ltd (Veolia) (formerly Suez). The proposed rates variation is to allow for the implementation of the new weekly kerbside Food Organics and Garden Organics (FOGO) collection service and for the altered (weekly to fortnightly) kerbside collection of general household waste in all Council residential areas.

The report also recommends that Council extends both Part A (kerbside and public bin collection and landfill disposal) and Part B (receiving and processing of recyclables) of the existing contract to secure competitive rates as part of the negotiations for the rollout of FOGO and reduction of general waste service as per the 19 September 2023 decision of Council.

BACKGROUND

Contract No. HEPBU.RFT2021.33 commenced on 1 July 2021 and consists of two separable parts.

For the purposes of this report, we refer to Part A, being:

- Residual waste and recycling kerbside collection
- Public litter and recycling bin collection
- Residual waste and recycling transport
- Residual waste disposal
- Special events bin collection, transport and disposal.

Part A of the contract currently expires on 30 June 2026.

Part B is the recycling processing component of the contract currently scheduled to expire on 30 June 2024.

The contract conditions allow for the Principal (Council) to have the option to extend the contract term for two periods of one year (i.e. up to two years) beyond the initial expiry date of each separable part, if the Principal gives notice of its intention to extend the contract term of each part at least 90 days prior to the expiry date of each part.

The contract also provides for the Superintendent, at any time during the contract term, to issue a written direction to the contractor to provide a kerbside FOGO collection and transportation service.

Council resolved at the 19 September 2023 Ordinary Meeting (in part) to:

- Award Contract No. HEPBU.RFT2022.167 FOGO Processing in Creswick to Gaia Envirotech for the processing of food and garden organics at the Creswick Transfer Station; and
- Commence the provision of a kerbside FOGO collection and transportation service to all residential properties that currently have a 120 litre general waste bin within the townships of Clunes, Creswick, Daylesford, Hepburn Springs, Hepburn and Trentham; and
- Alter the current weekly kerbside collection of general household waste from the above residential properties to a fortnightly collection service.

KEY ISSUES

The contract variation (both of rates and term) is a critical component for the expanded FOGO collection and reduction to a fortnightly waste kerbside service for all residential properties that currently have a 120L general waste weekly collection within the townships of Clunes, Creswick, Daylesford, Hepburn, Hepburn Springs and Trentham as per Council's decision.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

A resilient, sustainable and protected environment

1.1 Adapt to and mitigate climate change to reach net-zero community emissions by 2030.

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.

Embracing our past and planning for the future

3.3 Build and maintain quality infrastructure that supports and promotes liveability and active living in the community.

Diverse economy and opportunities

4.4 Develop and promote the circular economy to diversify our local economy and support our sustainability goals.

Annual reduction in tonnes of waste to landfill per capita.

Review waste services to ensure alignment with the new Victorian Government's Circular Economy policy and program.

Ensure every Victorian household has access to food and garden waste recycling services or local composting by 2030.

FINANCIAL IMPLICATIONS

Costs are to be funded from the Waste Reserve Fund (WRF) in the first year, meaning that an additional charge will not apply to property owners until the 2024/2025 financial year. Funding the project from the WRF as previously determined will minimise the financial impact to our residents, but also give Council the opportunity to more accurately budget and charge for the service in the 2024/2025 fees and charges. For example, income from the potential sale of compost from the organic's processing facility has not been factored into costings and may be able to further reduce the estimated cost.

Indicative charges of \$660 are still predicted, per the 19 September 2023 Ordinary Meeting.

Grant funding is available to implement a range of these initiatives, including bin purchases, community education and facilitation of drop off services for our three transfer stations. Officers are pursuing these opportunities to further reduce costs for council and our community.

The total of all costs associated with providing and implementing the new FOGO and the amended General Household Waste kerbside collection services will be met by the property owners benefitting from the services via Council levied annual kerbside waste collection charges in future years from 2024/2025.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are no Community Engagement issues associated with the acceptance of this variation.

RISK AND GOVERNANCE IMPLICATIONS

The *Circular Economy (Waste Reduction and Recycling) Act 2021* requires all Victorian councils to implement a FOGO collection service by 2030, and our community has told Council that it is a priority for them through the development of the Sustainable Hepburn Strategy and Council Plan.

The recent awarding of the contract for the processing of FOGO at the Creswick Transfer Station enables implementation of the FOGO kerbside collection service in early 2024.

ENVIRONMENTAL SUSTAINABILITY

Introduction of the new FOGO kerbside collection service is very closely aligned with the four objectives listed below from the Sustainable Hepburn Strategy 2022-2026, Theme 3: A low waste Shire:

- Reduce waste to landfill and make improvements to kerbside collection.
- Improve operations at transfer stations.
- Be part of a thriving circular economy.
- Provide education and awareness to the community on transitioning to a low waste Shire.

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report.

13 A DYNAMIC AND RESPONSIVE COUNCIL

13.1 LEASES AND LICENSING POLICY

ACTING DIRECTOR INFRASTRUCTURE AND DELIVERY

In providing this advice to Council as the Property Officer, I Karen Menne have no interests to disclose in this report.

ATTACHMENTS

1. Draft Council Policy 9 (C) - Leases and Licences [13.1.1 - 11 pages]

OFFICER'S RECOMMENDATION

That Council endorses and adopts the Council Policy 9 (C) - Leases and Licences Policy.

EXECUTIVE SUMMARY

The existing Policy 9 (C) - Council Owned and Controlled Property was adopted by Council in January 1997. In the meantime, there have been significant changes in property management practices in local government and the introduction of new legislation.

The policy has now been split into two updated policies:

1. Policy 9 (C) - Leases and Licences, and
2. Policy 93 (C) - Disposal and Acquisition of Land.

This report focuses on Policy 9 (C) - Leases and Licences, which has been reviewed by internal consultation with other Council teams, the Executive team, at Councillor Briefing and through community engagement.

The draft Policy is now being presented to Council for final endorsement and adoption.

BACKGROUND

The need for an updated Property Policy was required as the existing policy was adopted by Council in 1997.

The new draft Policy 9 (C) - Leases and Licences has been developed by the Property/Facilities team in conjunction with Anita Craven of Crave N Change Consultancy and has been modelled on similar policies utilised at other Victorian local councils.

There has been internal consultation with key stakeholders from Community Life, Governance, Customer Experience, Economic Development, Sport and Recreation and Parks and Open Spaces. The Policy has also been reviewed by the Executive Team and Councillors and has been presented in draft to the Hepburn Shire community for feedback.

KEY ISSUES

Council's standard lease and licence documents have been modelled on the DEECA templates. This provides consistency of terms as well as ease of implementation and monitoring.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

A healthy, supported, and empowered community

2.3 Optimise the use of public spaces to increase participation and community connection.

A dynamic and responsive Council

5.3 A sustainable and agile organisation with strong corporate governance that supports excellent operations

Local Government Act 2020

Crown Land (Reserves) Act 1978

Department of Energy, Environment & Climate Action (DEECA) Policies and Guidelines

S5 – Instrument of Delegation – Council to CEO

S7 – Instrument of Sub-delegation by CEO

Other Council policies and plans.

FINANCIAL IMPLICATIONS

In the implementation of this policy, financial implications will be considered on a property-by-property basis.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The core purpose of the policy is to maximise public value and community benefit.

There has been internal consultation with key stakeholders from Community Life, Governance, Customer Experience, Economic Development, Sport and Recreation and Parks and Open Spaces. The Executive Team and Councillors have been briefed and consulted.

Community Engagement was undertaken via the Participate Hepburn website:

[Review of Council Policy – Council Owned & Controlled Property Policy | Participate Hepburn](#).

A copy of the draft Council Policy 9 (C) - Leases and Licences was available to the community and the public could provide feedback between 2-27 October 2023. The invitation to review the policy and provide feedback was publicised in the Hepburn Life eNewsletter and on Council's Facebook page. An email was also sent to 50+ stakeholders to invite them to review the policy.

A total of six submissions were received and the majority of the feedback agreed that the policy process will provide Council with a consistent, equitable and transparent approach to decision-making in managing the use of our assets.

The respondents agreed that the policy was important to allow consistency and clarity of process and resultant documentation, management and implementation.

RISK AND GOVERNANCE IMPLICATIONS

Council owned and managed land is a valuable public asset, and it is essential that it is managed carefully to maximise social, environmental, and economic benefits to the Hepburn Shire community. The policy applies a consistent, equitable and transparent approach when considering, negotiating and finalising all occupancy agreements. A key risk mitigation is that all use of Council owned or managed land will be formalised through binding agreements.

ENVIRONMENTAL SUSTAINABILITY

In the implementation of this policy, sustainability implications will be considered on a property-by-property basis.

GENDER IMPACT ASSESSMENT

A Gender Impact Assessment has been completed and we consider that the policies are non-discriminatory, with gender neutral wording, and all people have the same access and opportunities.

However, additional supporting material will be developed such as fact sheets, webpages and application forms to assist with increased understanding of the policy process and to simplify access.

The availability of policies and notice of review of Council policies will be published via print media (including newsletters, community publications, etc.) and hard copies of related information and policies made available at our customer service centres and hubs.

▶ LEASES & LICENCES POLICY

POLICY NUMBER: 09 (C)

NAME OF POLICY: LEASES AND LICENCES POLICY

DATE OF NEXT REVIEW: <insert month> 2027

DATE APPROVED: <Insert date adopted by Council>

RESPONSIBLE OFFICER: Manager Facilities and Circular Economy

- REFERENCES:
- *Local Government Act 2020*
 - *Local Government Act 1989*
 - *Crown Lands (Reserves) Act 1978*
 - *Retail Leases Act 2003*
 - *Planning and Environment Act 1987*
 - *Building Act 1993*
 - *Department of Energy, Environment & Climate Action (DEECA) Policies and Guidelines*
 - *Victorian Government Land Transactions Policy and Guidelines 2016*
 - *Council Policy No. 79 (C) – Community Engagement Policy*
 - *Approved Masterplans and Strategies that are relevant to Property Management*
 - *Asset Plan 2022-2032*
 - *S5 – Instrument of Delegation – Council to CEO*
 - *S7 – Instrument of Delegation Sub-delegation by CEO*

This Policy has been developed to complement applicable legislation relating to the lease and licence of Council owned and managed land. All lease and licence activities undertaken by Hepburn Shire Council will be in accordance with the applicable legislation and in line with relevant DEECA policies and guidelines as well as Council's policy, strategies and delegations.

▶ LEASES & LICENCES POLICY

INTRODUCTION

The Lease and Licence Policy supports decision making in relation to occupancy arrangements on public land, which includes land or facilities that are Council owned (freehold) or managed (Crown land where Council is the appointed Committee of Management, used or occupied by third parties).

It applies a consistent, equitable and transparent approach when considering, negotiating and finalising all occupancy agreements.

The Lease and Licence Policy provides direction to maximise occupancy and utilisation of Council owned and managed assets including multi-use occupancies to maximise public value and the delivery of services to support our community.

The power for Council to deal with property is granted under the *Local Government Act 2020* [LGA20]. Council may also be appointed as a Committee of Management of Crown land under the *Crown Land (Reserves) Act 1978* [CLRA]. The LGA20 also gives Council the power to appoint Community Asset Committees to manage community assets in the municipal district.

Council owned and managed land is a valuable public asset, and it is essential that it is managed carefully to maximise social, environmental, and economic benefits to the Hepburn Shire community.

SCOPE

This Policy applies to leases and licences for all Council property assets, including land and facilities on Crown and freehold land, occupied by community groups, not-for-profit organisations, private individuals, and commercial entities.

This Policy does not apply to:

- ad-hoc or casual hire of facilities;
- unused roads and easements;
- subdivisions;
- disposal and acquisition of property; or
- where Council is the tenant or licensee.

This Policy applies to all Council Officers, tenants, and licensees regarding land and/or facilities that the Council owns or manages.

▶ LEASES & LICENCES POLICY

POLICY

1. Identifying available facilities & assessment and selection of tenants and licensees

In the management of its property, Council may determine that certain land, buildings, or facilities are available for use through lease or licence occupancy agreements.

Selection of a tenant / licensee may be required if a facility/building, or part of a facility/building, becomes available. There may also be a requirement to assess an existing tenant / licensee whose Agreement is expiring, before offering a new Agreement. Council may also determine, in its absolute discretion, to identify a new purpose or direction for any of its facilities.

The assessment and selection of suitable uses and/or tenants / licensees must be in line with associated Policies and Strategies for the provision of services and other benefits to the community.

Council recognises some tenants / licensees have historical affiliations with assets they currently use. Council acknowledges that this is relevant to the decision-making process.

When facilities become vacant or at the expiry of the term of an existing Agreement, Council Officers will consider the ongoing future use of the facility and determine a suitable use / tenant / occupier(s) for the facility in consultation with appropriate Council departments.

Under certain circumstances Agreements may be allowed to go into overholding. The overholding period will be at CEO's discretion.

The occupation of Council's facilities may be subject to an expression of interest (EOI) or a tender process and/or community engagement. In addition, for Crown land, Council may require DEECA/Ministerial approval.

To support consistent and transparent assessment and selection, the following process will be used:

Step 1: Review / Identify – this may originate from a variety of sources

- a) Agreements due to expire;
- b) available facilities (including the status of the land, which determines useability);
- c) demand/interest (consider use/service, community benefit).

These matters should be referred to Council's Property Officer.

Step 2: Internal Consultation – by Property Team

- a) review with relevant Council Department (or Contract Manager, if applicable);

▶ LEASES & LICENCES POLICY

- b) consult Organisational Leadership Team / Organisational Management Team & Executive Team (may require a review committee for evaluation/recommendation (Property Assessment Committee)).

An assessment will be conducted to determine if Community Engagement and/or Public EOI process is required. Each individual property matter will be assessed against the Hepburn Shire Community Engagement Policy and/or State Legislation/Policy/Guidelines to determine the appropriate action to be taken.

Step 3: Recommendation / Approval

- a) CEO or Director Infrastructure & Delivery confirms proposed recommendation (at the Director's discretion, a briefing paper can be provided to ET for endorsement and / or for CEO approval).

Notwithstanding the process outlined above, the CEO has the right to exercise their judgement and determine if any property matter should be referred to Councillors for a briefing and/or to Council for a decision at any stage of this process.

2. Decision to grant and execute a Lease or Licence

In accordance with the *S5 Instrument of Delegation – Council to CEO* made under s.11 of LGA20, Council has delegated the power to grant a Lease to the CEO up to the value specified in the delegation. The value of the Lease is determined by the total rental income over the life of the Lease, including option periods, if any, OR the market rental value of a property being granted under a Community Use Lease.

Under *S7 Instrument of Delegation Sub-delegation by CEO*, the Director Infrastructure & Delivery has the power to grant and enter into a licence for the occupation or use of Council owned or managed property.

3. Standard Documentation

A suite of standard template documents and reference to relevant policy and strategies will form the basis of all new and renewed Agreements. Terms and conditions will be standardised as much as possible and will only be amended in circumstances where Council (at the discretion of the CEO) considers it is appropriate to do so.

Any organisation entering into an agreement with Council must be able to prove they are competent to do so. An Agreement will only be entered into with a legal entity – an individual, a company or registered partnership or an incorporated body – unincorporated groups, committees etc. will not be considered.

All use of Council owned or managed land will be formalised through binding agreements.

▶ LEASES & LICENCES POLICY

The status (ownership) of the land must be clearly defined and understood as that will determine what use agreements can be offered. Occupation of Council owned or managed land under this Policy will be formalised through a lease or a licence.

4. Tenure

	Type	Tenure	References
Crown Land	Lease	Up to 21 years	Refer <i>Crown Land (Reserves) Act 1978</i> and Department of Energy, Environment & Climate Action (DEECA) policies
	Licence	3 – 10 years	
Council Land	Lease	6 – 15 years	Refer <i>Local Government Act 2020</i>
	Licence	3 years	

5. Lease and Licence Categories

Each lease or licence application will be assessed against the following categories to determine under which category the lease or licence falls.

Category	Definition
Category A – Community Use	<p>1. Full Community Use The site is used by community organisations i.e. not-for-profit organisations run mostly by volunteers that provide, as a primary purpose, community, cultural, sporting, recreational, social engagement, public health and wellbeing, protection of public land values or similar facilities or activities, and provide significant public benefits.</p> <p>2. Mixed-use The site is used by community use tenants but differs from a Full Community Use lease in that they conduct commercial activities on site but have a low to medium capacity to generate profit.</p>

▶ LEASES & LICENCES POLICY

	<p>3. High profit The site is used by community use tenants but differs from Full Community Use and Mixed-use leases in that the tenant has a high capacity to generate profit/revenue from the use of the leased premises.</p>
<p>Category B – Commercial</p>	<p>Commercial entities carrying out commercial activities for profit; The site is used predominantly for commercial or private purpose. In exchange for exclusive use of public land the tenant may provide some public benefits but there is no discount of market rent.</p>

Community Use Lease or Licence Category

To be considered for a Community Use Lease or Licence, prospective tenants must:

1. be a not-for-profit organisation,
2. be competitively neutral,
3. be managed mostly by volunteers,
4. manage the lease primarily for the community, and
5. meet compulsory public benefit criteria such as: social engagement, service is non-discriminatory, there are no barriers to participation and a demand exists for the service.

Council also needs to know if the tenant undertakes any ancillary revenue raising activities (e.g. commercial or fund-raising) and what these might be, if any.

Council will require prospective Community Use tenants to provide information/documentation, including, but not limited to:

1. confirmation of their Not-for-Profit status,
2. a copy of their Constitution/Rules,
3. Business Plan (that establishes the purpose of the enterprise), and
4. annual profit and loss statements for at least the last 3 years.

The Community Use status of a tenant will be re-assessed periodically as required and at least at the commencement of every lease term or in accordance with Department of Energy, Environment & Climate Action (DEECA) policy.

▶ LEASES & LICENCES POLICY

6. Rent / Fees

The *Victorian Government Land Transactions Policy and Guidelines 2016* (Land Transaction Guidelines) apply to all land transactions by Victorian Government agencies (other than licensing) and stipulate strict rent requirements for government when leasing land. The Land Transaction Guidelines also state that government agencies must not grant a lease at a price which is less than the current market rental value of the land except where the leased area is for a public or community purpose.

The procedures and new rental amounts outlined in this document will be applied to all new leases (including ‘renewal’ of leases). Council discretion should be used to determine whether a phase in strategy is required.

Annual Rent will be set as per the category under which each lease is determined to fall. The method of determining Licence Fees will be decided by Council Officers from time to time and is subject to any relevant legislation, policies, and strategies.

All Leases and Licences will contain provision for an annual increase (fixed %, CPI and/or market).

The Goods and Services Tax (GST) will be applied to all rental or licence fees before they are invoiced to tenants.

Category	Rent / Fee
Category A – Community Use	<p>1. Full Community Use Administrative rent based on cost recovery with reference to DEECA policy and guidelines, which is currently \$421 (ex GST) per annum.</p> <p>2. Mixed-use Administrative rent plus proportional market rent for area used for a permanent commercial activity.</p> <p>3. High profit Market rent with a possible discount based on public benefits or contribution to asset improvement.</p>
Category B – Commercial	Market Value as determined by a Qualified Valuer or as determined by the market through competitive public EOI process.

The level of subsidy and/or administrative rent compared to market rental will be a key consideration in the assessment of rental or fee by Council and must be approved by the Director Infrastructure & Delivery or CEO. A Market Rent Valuation will be undertaken in order to assess

▶ LEASES & LICENCES POLICY

subsidy levels. A prospective tenant has the responsibility of justifying being granted a rental subsidy from market rent.

A Market Rental Assessment will also be undertaken at the completion of each individual term i.e. on expiry/renewal/start of a Lease or at the commencement of each further (option) term within a Lease.

7. Sub-letting and Transfer of Lease

A Tenant may only sublet or Transfer a Lease with the written consent of the CEO and, for Crown Land, DEECA or its successor. The consideration of these proposals will be subject to terms and conditions specified in the Lease. All associated expenses, including but not limited to Council legal costs, will be borne by the Tenant.

A Licensee cannot issue a sub-licence nor can their Licence be transferred. Any organisation interested in licensing a Council owned or managed facility must contact Council.

Where Council has appointed a Community Asset Committee (CAC) under s.65 of the *Local Government Act 2020* by an Instrument of Delegation, the CAC is not permitted to issue a Lease, Licence or Memorandum of Understanding (MoU) for that property. A Lease or Licence in this circumstance can only be issued by Council.

8. Insurance and Risk Management

Council insures its own assets.

All Tenants and Licensees are required to maintain Public Liability Insurance for minimum \$20M or a value determined by Council as detailed in their Agreement. A copy of the Public Liability Insurance is to be provided to Council on an annual basis as evidence of cover.

Tenants and Licensees should be aware that any possessions they use, leave or store in a Council facility is done so at their own risk and subject of their own Contents Insurance, if any.

Council will also require appropriate risk management measures in all Leases and Licences, which will include but not be limited to:

- Indemnity provisions contained in the Lease or Licence;
- Maintenance of appropriate insurance, security and limitation of access;
- Ensure that appropriate documentation and insurance is in place for occasional or hired use of the premises by third parties (Leases only);
- Implement appropriate Emergency Evacuation procedures and other Essential Services Measures (Leases only);
- Implement a Risk Management Plan that identifies the risks associated with the tenant / licensee's use of the premises and how such risks will be addressed;

▶ LEASES & LICENCES POLICY

- Only use appropriately qualified tradespeople to undertake repairs (Leases only).

9. Maintenance and Asset Management

Use, maintenance and development of community assets will be prioritised for Council owned or managed facilities.

Leases

To provide a consistent and fair framework for the conduct of maintenance on Council premises, maintenance schedules will be developed, and each tenant is required to maintain the facility in accordance with the maintenance schedule attached to the Lease. The maintenance schedule will specify the responsibilities of Council and the tenant including responsibility for maintaining the structure, the building fixtures, fittings and grounds.

Licences

Due to the shared use of the premises and facilities, Council will require Licensees to be respectful of use by others and for them to keep the premises/facility clean, secure and free from rubbish. Any damage or uncleanliness caused by Licensees will be rectified by Council at the Licensee's expense.

No construction works or service connections are to be carried out by a tenant or licensee without the permission of Council as landowner or manager.

Council assets will not be used for any commercial purpose without Council permission.

Tenants or Licensees may be required to participate in a regular condition inspection and report of the premises as determined by Council. Council will periodically undertake condition audits of its facilities.

DEFINITIONS

The following terms are referred to in the policy.

Agreement

means the contract providing rights granted for use or occupancy of a property.

Committee of Management (CoM)

when Council is the committee of management (CoM) as appointed to manage Crown Land under the *Crown Land (Reserves) Act 1978*.

Contract Managers

means the Council Officer who manages the Agreement as the single point of contact on all matters and monitors compliance.

▶ LEASES & LICENCES POLICY

<i>Crown Land</i>	Lands reserved and/or administered under the <i>Crown Land (Reserves) Act 1978, Land Act 1958 and Forests Act 1958</i>
<i>Council</i>	Hepburn Shire Council
<i>Council Officers</i>	Includes permanent and temporary full-time and part-time council employees, and contractors and consultants while engaged by Council.
<i>Lease</i>	Where exclusive use of a Council owned or managed land or building is granted to a Tenant for a fixed term in exchange for an agreed rental.
<i>Licence</i>	Where non-exclusive use of a Council owned or managed land or building is granted to a user for a fixed term in exchange for an agreed licence fee.
<i>Licensee</i>	An individual or organisation who is granted a Licence.
<i>Property Assessment Committee</i>	Council Managers and Officers representing Property, Contract Managers, Risk, Governance and Asset Management to assess evaluations and recommendations for decision making.
<i>Property Officer</i>	Council Officer responsible to oversee the issuing of leases/licences , including monitoring and managing all legal and contractual obligations and provide advice and guidance to Contract Managers.
<i>Tenant</i>	An individual or organisation who is granted a Lease.

FURTHER INFORMATION AND IMPLEMENTATION

Any enquiries about the Lease and Licence Policy should be directed to Council’s Manager Facilities and Circular Economy.

This policy will be available on the Council website and at Council Hubs in Daylesford, Trentham, Clunes and Creswick.

▶ LEASES & LICENCES POLICY

REVIEW

The Lease and Licence Policy will be reviewed every four years or sooner if required by legislation or organisational changes.

The Council Officer responsible for the review of this policy is the Manager Facilities and Circular Economy.

13.2 DISPOSAL AND ACQUISITION OF LAND POLICY ACTING DIRECTOR INFRASTRUCTURE AND DELIVERY

In providing this advice to Council as the Property Officer, I Karen Menne have no interests to disclose in this report.

ATTACHMENTS

1. Draft Council Policy 93 (C) - Disposal and Acquisition of Land [**13.2.1** - 10 pages]

OFFICER'S RECOMMENDATION

That Council endorses and adopts the Council Policy 93 (C) - Disposal and Acquisition of Land Policy.

EXECUTIVE SUMMARY

The existing Policy 9 (C) - Council Owned and Controlled Property was adopted by Council in January 1997. In the meantime, there has been significant changes in property management practices in local government and the introduction of new legislation.

The policy has now been split into two updated policies:

1. Policy 9 (C) - Leases and Licences; and
2. Policy 93 (C) - Disposal and Acquisition of Land.

This report focuses on Policy 93 (C) - Disposal and Acquisition of Land, which has been reviewed internally including consultation with other key Council teams, the Executive Team, at Councillor Briefing and through community engagement.

The draft Policy is now being presented to Council for final endorsement and adoption.

BACKGROUND

The new draft Policy 93 (C) - Disposal and Acquisition of Land has been developed by the Property/Facilities team in conjunction with Anita Craven of Crave N Change Consultancy and has been modelled on similar policies utilised at other Victorian local councils.

The Policy has been reviewed internally including consultation with key stakeholders, the Executive Team and Councillors, and has been presented in draft to the Hepburn Shire community for feedback.

KEY ISSUES

This policy has been developed to compliment applicable legislation and Government policy and guidelines relating to the disposal and acquisition of land as well as Council policy and strategies.

The policy does not apply to roads, easements or subdivisions.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

A healthy, supported, and empowered community

2.3 Optimise the use of public spaces to increase participation and community connection.

A dynamic and responsive Council

5.3 A sustainable and agile organisation with strong corporate governance that supports excellent operations

5.5 Strong asset management and renewal.

Local Government Act 2020

Local Government Act 1989

Land Acquisition and Compensation Act 1986

Victorian Government Land Transactions Policy 2022

Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land (June 2009)

Council Policy No. 79 (C) - Community Engagement Policy

FINANCIAL IMPLICATIONS

In the implementation of this policy, financial implications will be considered on a property-by-property basis.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The draft policy has been reviewed with internal stakeholders from Major Projects, Governance, Strategic Planning, Economic Development, Sport and Recreation, Engineering and Parks and Open Spaces. The Executive Team and Councillors have been briefed and consulted.

Community Engagement was undertaken via the Participate Hepburn website: [Review of Council Policy – Council Owned & Controlled Property Policy | Participate Hepburn](#). A copy of the draft Policy 93 (C) - Disposal and Acquisition of Land was available to the community and the public could provide feedback between 13 November – 1 December 2023. The invitation to review the policy and provide feedback was publicised in the Hepburn Life eNewsletter and on Council's Facebook page.

There were five submissions received and the majority of them agreed that the policy process will provide Council with a consistent, equitable and transparent approach to decision-making in managing the use of our assets.

RISK AND GOVERNANCE IMPLICATIONS

An endorsed Council policy provides transparency for the application of a consistent approach to dealing with Council property. This gives the community a recognised and reliable process that will be undertaken in Council's consideration of disposal or acquisition of land.

ENVIRONMENTAL SUSTAINABILITY

In the implementation of this policy, sustainability implications will be considered on a property-by-property basis.

GENDER IMPACT ASSESSMENT

A Gender Impact Assessment has been completed and it is considered that the policies are non-discriminatory, with gender neutral wording, and all people having the same access and opportunities.

However, additional supporting material will be developed such as fact sheets, webpages and application forms to assist with increased understanding of the policy process and to simplify access.

The availability of policies and notice of review of Council policies will be published via print media (including newsletters, community publications, etc.) and hard copies of related information and policies made available at our customer service centres and hubs.

▶ DISPOSAL AND ACQUISITION OF LAND POLICY

POLICY NUMBER:	93 (C)
NAME OF POLICY:	DISPOSAL AND ACQUISITION OF LAND POLICY
DATE OF NEXT REVIEW:	<Insert Month> 2027
DATE APPROVED:	<Insert date adopted by Council>
RESPONSIBLE OFFICER:	Manager Facilities and Circular Economy
REFERENCES:	<i>Local Government Act 2020</i> <i>Local Government Act 1989</i> <i>Land Acquisition and Compensation Act 1986</i> <i>Victorian Government Land Transactions Policy 2022</i> <i>Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land (June 2009)</i> <i>Council Policy No. 79 (C) – Community Engagement Policy</i> Asset Plan 2022 Recreation and Open Space Strategy

This Policy has been developed to compliment applicable legislation and Government policy and guidelines relating to the Disposal and Acquisition of Land as well as Council policy and strategies.

▶ DISPOSAL AND ACQUISITION OF LAND POLICY

INTRODUCTION

Hepburn Shire Council manages an extensive property portfolio. Council owned land is a valuable public asset, and it is essential that it is used to maximise the social, environmental, and economic benefits to the Hepburn Shire community.

Council responds to the needs of the community by selling surplus land and strategically acquiring additional properties. The Disposal and Acquisition of Land Policy provides a framework to guide decision making in relation to the sale and acquisition of land.

Under the *Local Government Act 2020* [LGA20], Council is able to acquire, hold, deal with or dispose of property (including land) for the purposes of performing its function and exercising its powers.

The purpose of this Policy is to ensure that Council:

- has a consistent, equitable and transparent process in relation to the disposal and acquisition of land;
- complies with best practice and legislative requirements when undertaking the sale or acquisition of land;
- strategically manages its property portfolio for the long-term best interests of the community, including the rationalisation of commitments for financial sustainability; and
- achieves best value (both financial and non-financial) in all of its land dealings.

SCOPE

This Policy applies to the way Council acquires and disposes of land within the Hepburn Shire. It is a general policy that outlines Council's principles and is intended as a framework that will assist Council in the process of acquiring and disposing of land. This Policy applies to all Council freehold land or land vested in Council.

This Policy does not apply to:

- roads, easements or sub-divisions;
- land sold by Council for non-payment of rates;
- land where Council is the appointed Committee of Management (CoM) under the *Crown Land (Reserves) Act 1978* except to the extent that Council may wish to

▶ DISPOSAL AND ACQUISITION OF LAND POLICY

request/recommend the appointment or revocation of the appointment as the CoM of a Reserve.

POLICY

1. Disposal of Land

1.1. Land Disposal

The following criteria should be considered to determine if Council Land could be sold:

- Does not or will not support, facilitate or contribute to current or future service delivery outcomes as identified in the Council Plan.
- Does not contribute economic, environmental, strategic or community benefit to Hepburn Shire to justify its retention and, if sold, would contribute strategically or financially to other Council objectives.
- Has limited or no strategic value/significance to Council on a long-term basis.
- Is identified in a Council strategy, plan, budget, study, policy or planning scheme as being surplus to its requirements or not required to be owned by Council.

1.2. Disposal Principles

Council must comply with legislative obligations and apply the following principles for disposals:

- Ensure that the sale of Council Land provides the best result (both financial and non-financial) for Council and its community.
- Ensure Council Land is appropriately zoned prior to being offered for sale.
- Sell Council Land for the highest and best use of the land unless there is some derived community benefit not to.
- Not sell Council Land at a price which is less than the current market value assessed by a Qualified Independent Valuer, unless there is some derived community benefit that justifies the circumstances to sell the land at less than market value.

▶ DISPOSAL AND ACQUISITION OF LAND POLICY

1.3. Property Land Assessment

To ascertain if Council Land is suitable for disposal, Council will undertake a property land assessment and consider the following:

- Legal issues including title details, verifying ownership and how the land was purchased by Council.
- No longer meets the community needs / no longer required (service, economic, strategic need/use) and/or review in the context of other assets fulfilling or capable of fulfilling this need/requirement.
- Planning and zoning requirements/status.
- Site specific information, including survey issues, land boundaries, site constraints and opportunities plus building asset condition and maintenance considerations (risks), environmental (including contamination).
- Conservation values including historical, cultural, heritage and Native Title considerations.
- Methods of sale.
- Other management options.

This assessment will be undertaken through a process of internal consultation within Council. The evaluation criteria and assessment will be clearly documented, and records must be kept and stored appropriately.

1.4. Process for Disposals

The following steps are required in accordance with the LGA20:

Step 1: Council Decision

Once a Property Land Assessment has been undertaken and it is determined that the Council Land can be proposed for sale, a Council Report will be prepared to recommend the land for sale and commence the statutory process for the sale of Council Land.

Step 2: Community Engagement

If the recommendation is supported, Council will undertake a community engagement process in accordance with its community engagement policy.

Step 3: Council Decision

Report on the outcomes of Step 2 to Council and make recommendation whether or not the land is to be sold or prospects for retention / considerations for alternate use.

▶ DISPOSAL AND ACQUISITION OF LAND POLICY

Step 4: Community Information

Inform the community of the Council decision.

Step 5: Land Disposal (if proceeding)

Commence process for disposal of land following the statutory process for the sale of Council Land. Council may choose to publicise the successful sale after its completion.

1.5. Valuation of Land

An independent market valuation of Council Land will be carried out as part of the Land Assessment (see Section 1.3). It is a statutory requirement that a market valuation of Council Land will be carried out not more than six (6) months prior to the sale of the land and timing of the sale will determine if a new valuation is needed. The valuation will be used to set the sale / reserve price, taking into account the highest and best use of the Council Land and any conditions Council may place on the sale. Council Land will not be sold for less than market value unless there is some derived community benefit associated with the sale.

For land being sold to an adjoining owner, the valuation will be assessed on an added-value basis and the sale price will be consistent with the differences in values based on a before and after approach.

1.6. Method of Disposal

The sale of any Council Land should be conducted through a public process, i.e. auction / tender (open or selected) or Expression of Interest (EOI) unless circumstances warrant proceeding directly to sale by private treaty. A public notice of the intention to proceed with a proposed sale must be published at least four (4) weeks prior to the sale.

1.6.1. Auction / Tender

A licensed real estate agent must conduct the sale of Council Land by public auction or tender.

The reserve price for the sale of Council Land by public auction or tender must be set prior to the day of auction or close of tender and must not be less than the current market value of the Council Land as determined by a Valuer.

▶ DISPOSAL AND ACQUISITION OF LAND POLICY

If the reserve price is not met at auction or close of tender, the real estate agent may negotiate with the highest bidder in an attempt to meet the reserve price. If negotiation with the highest bidder fails to meet the reserve price, the Council Land may remain on the market and sold by private treaty.

1.6.2. Expression of Interest (EOI)

An EOI method of sale may also be appropriate in the following (but not limited to) circumstances:

- For the sale of large or strategically located Council Land which has significant development potential or significant development barriers.
- Where, in addition to selling the land, Council wishes to control the future use or development of the land.
- Where Council is seeking to expose the land to the market to determine potential development options.
- Where Council is seeking to achieve a specific development outcome or policy objective in relation to the sale of the land.

Council may appoint a licensed real estate agent to conduct the EOI campaign. For large or complex transactions, Council should also engage a probity auditor to provide independent assurance that the EOI process is appropriate and is completed satisfactorily.

1.6.3. Private Treaty

There may be circumstances where it may be more appropriate to sell land by private treaty – which will depend on:

- the nature of the land that is proposed for sale;
- how the proposed sale is initiated;
- previous unsuccessful public methods of sale (if applicable).

Council should provide the reasons to the community why the private treaty method is the preferred method of sale, how the sale was initiated and the future use / development of the land.

Council will appoint a probity auditor to oversee the probity of the transaction.

▶ DISPOSAL AND ACQUISITION OF LAND POLICY

1.7. Proceeds of Sale

Proceeds from the sale of all Council Land should be dispersed in accordance with Council's adopted annual budget, Council's adopted long term financial plan or any other resolution of Council.

If the land sold was public open space land, the proceeds will be allocated in accordance with Section 24A(8) *Subdivision Act 1988*.

2. Acquisition of Land

2.1. Land Acquisition

Council may purchase or compulsorily acquire¹ any land which is or may be required by the Council for or in connection with, or as incidental to, the performance of its functions or the exercise of its powers, i.e. for public purpose.

Council must ensure that where a land acquisition is proposed it can be demonstrated that the land is a required to support or facilitate the delivery of a current or future service to the Hepburn Shire community and must consider option to consolidate uses within existing facilities.

Funds to acquire land must be apportioned in the current financial year budget otherwise a Council Resolution is required to approve the financial expenditure for the acquisition of the land prior to purchase.

Records must be kept and stored appropriately of the process related to the purchase of property.

2.2. Acquisition of Land Assessment

To ensure an acquisition meets the strategic justification for Council ownership, a land assessment will be undertaken and consider the following:

- service, social, economic and strategic needs and uses;
- legal issues, including title details and verifying ownership;

¹ Compulsory Acquisition is only in accordance with the *Land Acquisition & Compensation Act 1986*

▶ DISPOSAL AND ACQUISITION OF LAND POLICY

- planning and zoning requirements;
- site specific information, including survey issues, land boundaries, site constraints and opportunities plus building asset condition and maintenance considerations (risks), environmental (including contamination);
- financial considerations and value;
- conservation values including historical, cultural, heritage and Native Title considerations;
- Council Strategies / Policies;
- methods of acquisition.
- Consideration of whether need can be met elsewhere.

This assessment will be undertaken through a process of internal consultation within Council.

2.3. Method of Acquisition

2.3.1. General

Land may be acquired by Council via a public process (i.e. auction, EOI), by private negotiation / treaty or by Compulsory Acquisition.

Council should engage an independent real estate professional for property purchases.

2.3.2. Victorian Government – First Right of Refusal

Pursuant to the Victorian Government's Landholding Policy, upon declaring land surplus to agency requirements, the Department of Energy, Environment & Climate Action will give notice to Victorian government agencies, local government and the Commonwealth Government of any surplus land (First Right of Refusal).

This First Right of Refusal process provides municipalities in which surplus land is located the opportunity to express an interest to acquire the land for public or community purposes. All government agencies have 60 days from the date of notification in which to submit an expression of interest to acquire the surplus government land. If an

▶ DISPOSAL AND ACQUISITION OF LAND POLICY

expression of interest is received, the parties are required to negotiate in good faith to attempt to agree on the terms of sale.

The landholding Minister may approve the sale of land for a community purpose at a price less than market value of the land as determined by the Valuer-General Victoria.

Council regularly receives updates to the First Right of Refusal land register from the Department of Treasury and Finance. Any surplus government land identified within the municipality will be assessed against the criteria outlined in 2.2 of this Policy to determine whether Council should submit an expression of interest to acquire the surplus government land.

2.3.3. Gifts of Land

Council will not automatically accept a gift or bequeathment of land. Before accepting or making a commitment to accept gifted land, Council must follow the processes outlined in this policy. A proposal of a gift of land or bequeathment must be referred to the Director Infrastructure & Delivery.

2.4. Market Valuation

When acquiring land, Council must obtain a Market Valuation as part of the Land Assessment (see Section 2.2) and this will determine the maximum price that Council will pay for the land, unless there is some significant community benefit associated with the purchase or other cost / time savings associated with the transaction.

Where the acquisition of land is strategically important, but the compulsory acquisition process is not used, or available, Council may consider a higher purchase price is warranted given the circumstances.

2.5. Statutory Requirements

All acquisitions of land must comply with the LGA20, Council's Community Engagement Policy, the *Land Acquisition and Compensation Act 1986*, the *Planning and Environment Act 1987* and the Best Practice Guidelines, where relevant.

▶ DISPOSAL AND ACQUISITION OF LAND POLICY

DEFINITIONS

The following terms are referred to in the policy.

Term	Definition
Acquisition	the process of gaining ownership or control of land, or an interest in land through purchase, vesting, transfer or exchange
Best Practice Guidelines	Local Government Best Practice Guideline for Sale / Exchange of Land June 2009, as amended, prepared jointly by Local Government Victoria and the Government Land Monitor and the Department of Planning and Community Development
Committee of Management	when Council is the appointed Committee of Management to manage Crown Land under the <i>Crown Land (Reserves) Act 1978</i>
Council	Hepburn Shire Council
Council Land	Council owned or vested land, excluding where Council is the Committee of Management of Crown Land
LGA20	<i>Local Government Act 2020</i>
Valuer	means a person with suitable qualifications and experience as specified in the <i>Valuation of Land Act 1960</i>

FURTHER INFORMATION AND IMPLEMENTATION

Any enquiries about the Disposal and Acquisition of Land Policy should be directed to Council's Manager Facilities and Circular Economy.

This policy will be available on the Council website and at Council Hubs in Daylesford, Trentham, Clunes and Creswick.

REVIEW

The Disposal and Acquisition of Land 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 the Manager Facilities and Circular Economy.

13.3 RECORDS OF COUNCILLOR ATTENDANCE DIRECTOR COMMUNITY AND CORPORATE

In providing this advice to Council as the Coordinator Governance, I Danielle Kraak have no interests to disclose in this report.

ATTACHMENTS

1. Record of Councillor Attendance - Reconciliation Advisory Committee Meeting - 7 August 2023 [**13.3.1** - 3 pages]
2. Record of Councillor Attendance - LGBTIQ A+ Advisory Committee Meeting - 4 September 2023 [**13.3.2** - 2 pages]
3. Record of Councillor Attendance - Councillor Briefing - 5 September 2023 [**13.3.3** - 5 pages]
4. Record of Councillor Attendance - Councillor Briefing - 12 September 2023 [**13.3.4** - 4 pages]
5. Record of Councillor Attendance - Pre-Council Meeting Briefing - 19 September 2023 [**13.3.5** - 1 page]
6. Record of Councillor Attendance - Reconciliation Advisory Committee - 2 October 2023 [**13.3.6** - 4 pages]
7. Record of Councillor Attendance - Councillor Briefing - 3 October 2023 [**13.3.7** - 8 pages]
8. Record of Councillor Attendance - Disability Advisory Committee - 9 October 2023 [**13.3.8** - 3 pages]
9. Record of Councillor Attendance - Councillor Briefing - 10 October 2023 [**13.3.9** - 4 pages]
10. Record of Councillor Attendance - Pre-Council Meeting Briefing - 17 October 2023 [**13.3.10** - 1 page]
11. Record of Councillor Attendance - Councillor Briefing - 24 October 2023 [**13.3.11** - 4 pages]
12. Record of Councillor Attendance - Councillor Briefing - 31 October 2023 [**13.3.12** - 5 pages]
13. Record of Councillor Attendance - Disability Advisory Committee - 13 November 2023 [**13.3.13** - 3 pages]
14. Record of Councillor Attendance - Councillor Briefing - 14 November 2023 [**13.3.14** - 4 pages]
15. Record of Councillor Attendance - Pre-Council Meeting Briefing - 21 November 2023 [**13.3.15** - 1 page]
16. Record of Councillor Attendance - Councillor Briefing - 28 November 2023 [**13.3.16** - 4 pages]
17. Record of Councillor Attendance - Sustainable Hepburn Advisory Committee - 30 November 2023 [**13.3.17** - 4 pages]

OFFICER'S RECOMMENDATION

That Council receives and notes the Records of Councillor Attendance as detailed in the report.

EXECUTIVE SUMMARY

The purpose of this report is for Council to receive and note Records of Councillor Attendance.

BACKGROUND

Council's Governance Rules, chapter 6 section 102.1, require 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	Meeting/Committee Name	Location
7 August 2023	Reconciliation Advisory Committee	Trentham Neighbourhood House
4 September 2023	LGBTIQA+ Advisory Committee	The Warehouse, Clunes
5 September 2023	Councillor Briefing	Council Chamber, Daylesford Town Hall
12 September 2023	Councillor Briefing	Council Chamber, Daylesford Town Hall
19 September 2023	Pre-Council Meeting Briefing	Council Chamber, Daylesford Town Hall

2 October 2023	Reconciliation Advisory Committee	The Warehouse, Clunes
3 October 2023	Councillor Briefing	Council Chamber, Daylesford Town Hall
9 October 2023	Disability Advisory Committee	Victoria Park, Daylesford
10 October 2023	Councillor Briefing	Daylesford Town Hall
17 October 2023	Pre-Council Meeting Briefing	Council Chamber, Daylesford Town Hall
24 October 2023	Councillor Briefing	Council Chamber, Daylesford Town Hall
31 October 2023	Councillor Briefing	Council Chamber, Daylesford Town Hall
13 November 2023	Disability Advisory Committee	Victoria Park, Daylesford
14 November 2023	Councillor Briefing	Council Chamber, Daylesford Town Hall
21 November 2023	Pre-Council Meeting Briefing	Council Chamber, Daylesford Town Hall
28 November 2023	Councillor Briefing	Council Chamber, Daylesford Town Hall
30 November 2023	Sustainable Hepburn Advisory Committee	Council Chamber, Daylesford Town Hall

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

The report fulfills Council's requirements under the Governance Rules.

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 ISSUES

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 the 16 August 2022.

ENVIRONMENTAL SUSTAINABILITY

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

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report.

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Reconciliation Advisory Committee	DATE	Monday, August 07, 2023
LOCATION	<input type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input checked="" type="checkbox"/> Other: Trentham Neighbourhood House:	TIME	
COUNCILLORS PRESENT	<input type="checkbox"/> Cr Jen Bray <input 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		
OFFICERS PRESENT	<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 Others (Position Title and Name): Manager People and Culture – Ireeney Mc Creevy Reconciliation officer – Carolyn Sanders Inclusion officer- Brett Dunlop		

MATTERS CONSIDERED

Agenda attached – CM Reference: [Click or tap here to enter text.](#)

OR

List matters considered:

Council’s position on the Voice to Parliament

The Clydesdale Hall issue of an inappropriate image on the wall

Condorook Portraits exhibition at the Daylesford Museum

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.
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NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY

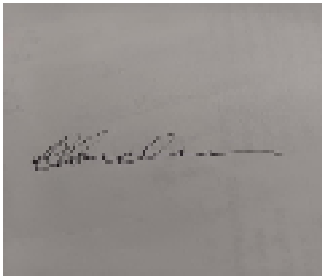
▶ RECORD OF COUNCILLOR ATTENDANCE

- Director Infrastructure and Delivery – Bruce Lucas
- Director Community and Corporate – Karina Lamb
- Executive Manager People and Transformation – Brooke Holmes
- CEO – Bradley Thomas

Other:

Reconciliation Officer – Carolyn Sanders

Signed:

A rectangular area containing a handwritten signature in dark ink on a light-colored background. The signature is cursive and appears to be 'Carolyn Sanders'.

Reconciliation Advisory Committee (RAC) Agenda

Monday 7 August 2023, 9.30am-11.30am

Trentham Neighbourhood House, Trentham

Invited Mayor Cr. Brian Hood (Chair), Craig Barrett, Jason Boston, Barry Golding, Erica Higgins, Gary Lawrence, Dale McDonald, Nola Orr, Rod Poxon, Noah Tyler
 Organiser Carolyn Sanders (Reconciliation Officer)

AGENDA

Item	
1. Acknowledgement of Country	Mayor
2. Minutes from the previous meeting	Carolyn
3. Business arising from previous meeting	
3.1 Sorry Day, Reconciliation week and NAIDOC Week feedback	Carolyn
4. Other Business	
4.1 Larni Barramal Yaluk Renaming Ceremony feedback and next steps	Carolyn
4.2 The Voice to Parliament Council Brief. Reconciliation Advisory Committee to make a clear recommendation to Councillors on a direction for briefing council on the Voice referendum.	Mayor
4.3 Co-naming and new interpretive sign for Mt Franklin /Lalgambook	Carolyn
4.4 Clydesdale Hall – Image of Sturts Party and Aboriginal people in conflict. Update	
4.5 Reports from members	
4.6 Develop the next Reconciliation Action Plan- Innovate Timeline and process.	
5. Next meeting	
Monday 02 October- Clunes The Warehouse	

▶ **LGBTIQA+ Advisory Committee
 RECORD OF COUNCILLOR ATTENDANCE**

MEETING	LGBTIQA+ Advisory Committee	DATE	Monday, September 04, 2023
LOCATION	<input type="checkbox"/> The Warehouse, 36 Fraser Street, Clunes	TIME	10:00am-12:10pm
COUNCILLORS PRESENT	<input type="checkbox"/> Cr Tessa Halliday		
OFFICERS PRESENT	Manager Community and Economy – Kendall Sinclair Inclusion Officer – Brett Dunlop		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/23/47824

List of matters considered: As per Agenda, plus:

- Activities for Trans Awareness Week, Trans Day of Remembrance, and World AIDS Day.
- Insurance at ChillOut Festival 2023.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
n/a	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:

RECORD COMPLETED BY

Inclusion Officer – Brett Dunlop

Signed:

B Dunlop

AGENDA

▶ LGBTIQA+ ADVISORY COMMITTEE

Date: Monday 4 September 2023
Time: 10am – 12noon
Location: The Warehouse, 36 Fraser Street, Clunes
Chair: Cr Tessa Halliday

AGENDA ITEMS:

1. ACKNOWLEDGEMENT OF CUSTODIANS OF THE LAND

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. ATTENDEES

Committee Members: Belinda Brain, Lyall Brooks, Grace Lee, Tass Mousaferiadis, Ian McKnight, Jac Nancarrow, Trish Power, Max Primmer

Council Representatives: Cr Tessa Halliday (Chair), Kendall Sinclair (Manager Community & Economy), Brett Dunlop (Inclusion Officer)

3. APOLOGIES

4. MINUTES OF THE PREVIOUS MEETING

That the Committee adopts the Minutes of the previous meeting held on 19 June 2023.

5. ACTIONS ARISING FROM PREVIOUS MEETING

5.1. ANTI-VIOLENCE INITIATIVES

- A. Daylesford Police invited as guest speakers at December meeting.
- B. “16 Days of Activism” against gender-based violence 25 Nov – 10 Dec 2023.

5.2. REVIEW OF WEAR IT PURPLE 2023 EVENT

5.3. RAINBOW ACTION PLAN SCHEDULE

6. OTHER ITEMS OF BUSINESS

6.1. REVIEW OF TERMS OF REFERENCE

7. NEXT MEETING

10am-12noon, **4 December 2023**, Council Chambers, Daylesford Town Hall

DOC/23/47824

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, September 05, 2023
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	9:00am – 3:37pm
COUNCILLORS PRESENT	<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		
OFFICERS PRESENT	<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 Others (Position Title and Name): Governance Advisor – Catherine Nurse Grants and Corporate Reporting Officer – Kelly Lewis Acting Manager Waste Facilities and Community Safety – Sean Ludeke Coordinator Work Health and Safety – John Keehner Communications Officer – Lisa Shiner Coordinator Economic Development – Hugh Fitzpatrick Manager Financial Services – Kathy Fulton Coordinator Finance and Procurement – Natalie Martin Procurement Officer – Catharine Densley Coordinator Waste – James Hendy Waste Officer – Candice Regan Waste Education Officer – Sophie Pritchard Property Officer – Karen Menne Coordinator Facilities – Victoria O'Halloran Manager Strategic Planning – Bronwyn Southee Senior Strategic Planner – Alison Blacket Manager Community and Economy – Kendall Sinclair		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/23/48309

OR

List matters considered:

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CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
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▶ RECORD OF COUNCILLOR ATTENDANCE

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NOTES:

Cr Lesley Hewitt in apologies.

Meeting ran overtime by approx. an hour and twenty mins.

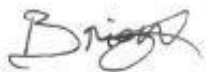
RECORD COMPLETED BY

- Director Infrastructure and Delivery – Bruce Lucas
- Director Community and Corporate – Karina Lamb
- Executive Manager People and Transformation – Brooke Holmes
- CEO – Bradley Thomas

Other:

Governance Administration Officer – Brigitte Longmore

Signed:



Tuesday 5 December 2023
Council Chamber, 76 Vincent Street Daylesford VIC 3460
9:00am – 4:30pm

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 "Burning Issues" Discussion and Executive Issues Update	Chief Executive Officer	6
1.2	9:30am	Discussion	External Committees Update	Director Community and Corporate	7
1.3	9:45am	Discussion	Nominations for the Community Awards 2024	Manager Governance and Risk Coordinator Governance	23
	10:15am		Break		
1.4	10:30am	Presentation	Fire Danger Period (FDP) Commencement Update	Manager Emergency Management Municipal Fire Prevention Officer (MFPO)	120
1.5	11:15am	Presentation	Early Years Update	Coordinator Inclusive Communities Manager Community and Economy	129
1.6	11:45am	Discussion Presentation	Live4Life – Youth Mental Health Program	Coordinator Early Years and Healthy Communities Health and Wellbeing Officer, Daylesford College Youth Team Leader	142

1.7	12:15pm	Report	Corporate Performance Report 2023/2024 - Quarter 1	Executive Manager People and Transformation Grants and Projects Officer	151
	12:30pm	Lunch			
1.8	1:00pm	Briefing Only	Long Term Financial Plan	Director Community and Corporate Manager Financial services	203
1.9	2:00pm	Briefing Only	Pool and spa compliance - Planning laws	Manager Planning and Building	209
1.10	2:30pm	Report	Extension of Contract No. HEPBU.RFT2021.33- Kerbside and Public Bin Collection and Landfill Waste Disposal	Manager Facilities and Circular Economy	213
	3:00pm	Break			
1.11	3:15pm	Report	Office Accommodation	Manager Projects	214
1.12	4:15pm	Report	Award of HEPBU.RFT2023.234 Central Springs Reserve – Stage 1 Construction (Picnic and Pumps Area) – Selective RFT	Manager Projects Project Manager	215
2	4:30pm	Close of Meeting			

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, September 12, 2023
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	10:15am – 3:15pm
COUNCILLORS PRESENT	<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		
OFFICERS PRESENT	<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 Others (Position Title and Name): Manager Governance and Risk – Rebecca Smith Coordinator Governance – Dannielle Kraak Acting Manager Projects – Sam Hattam Project Manager – Susan Pinzon Manager Financial Services – Kathy Fulton		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/23/50010

OR

List matters considered:

As per agenda.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
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Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
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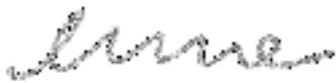
Cr Juliet Simpson left at the lunch break and returned at 1:03pm.

▶ RECORD OF COUNCILLOR ATTENDANCE

RECORD COMPLETED BY

Governance Advisor – Catherine Nurse

Signed:



Tuesday 12 September 2023
Daylesford Town Hall, 76 Vincent Street Daylesford
10:15am – 3pm

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 Brooke Holmes – Executive Manager People and Transformation Amy Boyd – Acting Executive Manager Development
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		

No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:15am	Discussion	Risk Management: Risk Maturity Workshop 1	Manager Governance and Risk Coordinator Governance Waymark Advisory Waymark Advisory	5
1.2	12:15pm	Report	Office Accommodation and Town Hall Project	Manager Projects Project Manager	6
	12:45pm		Break		
1.3	1:15pm	Report	Annual Financial Statements and Performance Statements 2022/2023	Manager Financial Services	7
1.4	1:45pm	Presentation	General Valuation Data 2023 Presentation	Manager Financial Services Appointed Valuer - VRC Property	8
1.5	2:15pm	Report	Projects Carried Forward Budget Review	Manager Financial Services Manager Projects Financial Business Partner	21
2	3pm		Close of Meeting		

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Pre-Council Meeting Briefing	DATE	Tuesday, September 19, 2023
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	3:00pm – 4:30pm
COUNCILLORS PRESENT	<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		
OFFICERS PRESENT	<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 Governance and Risk – Rebecca Smith Manager Planning and Building – Amy Boyd Manager Financial Services – Kathy Fulton Acting Manager Waste Facilities and Community Safety – Sean Ludeke		

MATTERS CONSIDERED

As per Council Meeting agenda.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Nil.			

NOTES:
 Nil.

RECORD COMPLETED BY

Manager Governance and Risk – Rebecca Smith

Signed: 

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Reconciliation Advisory Committee	DATE	Monday, October 02, 2023
LOCATION	<input type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input checked="" type="checkbox"/> Other: The Warehouse Clunes	TIME	09.30
COUNCILLORS PRESENT	<input type="checkbox"/> Cr Jen Bray <input 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		
OFFICERS PRESENT	<input type="checkbox"/> CEO – Bradley Thomas <input 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 Others (Position Title and Name): Reconciliation officer – Carolyn Sanders		

MATTERS CONSIDERED

Agenda attached – CM Reference: [Click or tap here to enter text.](#)

OR

List matters considered:

New projects for consideration: The Mt Franklin mineral springs site/ the Flour Mills

LiDAR mapping of Mt Franklin and the surrounding protectorate sites

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:

<Record late arrivals or early departures>

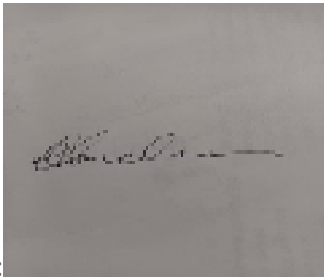
RECORD COMPLETED BY

▶ RECORD OF COUNCILLOR ATTENDANCE

- Director Infrastructure and Delivery – Bruce Lucas
- Director Community and Corporate – Karina Lamb
- Executive Manager People and Transformation – Brooke Holmes
- CEO – Bradley Thomas

Other:

Reconciliation Officer – Carolyn Sanders



Signed:

Reconciliation Advisory Committee (RAC) Agenda

Monday 2 October 2023, 9.30am-11.30am

Invited Mayor Cr. Brian Hood (Chair), Craig Barrett, Jason Boston, Barry Golding, Erica Higgins, Gary Lawrence, Dale McDonald, Nola Orr, Rod Poxon, Noah Tyler
 Organiser Carolyn Sanders (Reconciliation Officer)
 Karina Lamb (Director Community and Corporate)

AGENDA

Item	
1. Acknowledgement of Country	Mayor
2. Minutes from the previous meeting	Carolyn
3. Business arising from previous meeting.	
3.1 The Council position on an Indigenous Voice to Parliament	Mayor
Other Business	
4.1 Co-naming and new interpretive sign for Mt Franklin /Lalgambook	Carolyn
4.2 Signage for Daylesford and Hepburn Springs acknowledging Dja Dja Wurrung Country	Carolyn
4.3 Develop a new interpretive sign for the Franklinford Aboriginal Station site and Franklinford Streamside reserve.	Carolyn
4.4 Re- naming Hepburn Shire	Erica
4.5 Landscape and maintenance plan for Manna Gums.	Carolyn
4.6 Clydesdale Hall – Image of Sturts Party and Aboriginal people in conflict. Update	Carolyn
4.7 Reports from members	
4.8 Clunes Museum wish to commence an engagement with Djaara to check cultural protocols across displays, collection and processes.	Gary

4.9 The Coranderrk Portraits NRW exhibition is now on the short list.
for Austn Museums & Galleries award Gary

4.10 Develop the next Reconciliation Action Plan- Innovate
Timeline and process. Carolyn

5. **Next meeting**

4 December Daylesford (Venue TBA)

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, October 03, 2023
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	10:15am – 2:30pm
COUNCILLORS PRESENT	<input 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		
OFFICERS PRESENT	<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): Communications Officer – Maria Abate Communications Officer – Lisa Shiner Acting Manager Governance and Risk – Dannielle Kraak Governance Advisor – Catherine Nurse Project Manager – Elizabeth Atkin Sustainability and Climate Resilience Coordinator – Manny Pasqualini Waste Coordinator – James Hendy Biodiversity Officer – Brian Bainbridge Circular Economy Officer – Jodi Newcombe Manager Facilities and Circular Economy – Sean Ludeke		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/23/54043

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.

▶ RECORD OF COUNCILLOR ATTENDANCE

NOTES:

Cr Jen Bray in apology.

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 3 October 2023
Daylesford Town Hall, 76 Vincent Street Daylesford
10:15am – 3:30pm

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	10:15am	External Presentation	AusNet Monthly Briefing	Manager Strategic Planning Stakeholder Engagement Specialist, AusNet WRL Planning and Approvals Manager	5
1.2	11:00am	Report	Annual Report 2022/2023	Communications Officer Communications Officer	6
1.3	11:30am	Report	Communications and Social Media Policy	Communications Officer Communications Officer	104
1.4	11:45am	Report	Council Meeting and Briefing dates 2024	Acting Manager Governance and Risk	113
	12pm		Lunch		
1.5	12:30pm	Report	Naming of the Trentham Hub	Project Manager	117
1.6	12:45pm	Report	Daylesford Hanging Rock Rail Trail Progressed Feasibility	Project Manager - Creswick Trails	121

1.7	1:30pm	Report	Sustainable Hepburn Action Plan	Sustainability and Climate Resilience Coordinator Waste Coordinator Biodiversity Officer Circular Economy Officer	202
1.8	2:15pm	Report	Sustainable Hepburn Advisory Committee - Appointment of Members	Circular Economy Officer	266
	2:30pm		Break		
1.9	2:45pm	Discussion	Councillor "Burning Issues" Discussion and Executive Issues Update	Chief Executive Officer	307
1.10	3:15pm	Discussion	External Committees Update	Chief Executive Officer	308
2	3:30pm		Close of Meeting		309

Tuesday 3 October 2023
Daylesford Town Hall, 76 Vincent Street Daylesford
10:15am – 3:30pm

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

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	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
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1.10	3:15pm	Discussion	External Committees Update	Chief Executive Officer	308
2	3:30pm		Close of Meeting		309

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Disability Advisory Committee	DATE	9 October 2023
LOCATION	Sports Pavilion Victoria Park, Daylesford	TIME	11.30am-2.15pm
COUNCILLORS PRESENT	Cr Lesley Hewitt		
OFFICERS PRESENT	Inclusion Officer, Brett Dunlop Coordinator Sport & Active Recreation, Kathie Schnur Sport & Active Recreation Project Officer, Justyne Carr		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/23/56319

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
None	n/a	n/a	n/a

NOTES

- Kathie Schnur and Justyne Carr attended from 12.30pm-1.30pm

RECORD COMPLETED BY

Inclusion Officer, Brett Dunlop

Signed: *B Dunlop*

AGENDA

▶ DISABILITY ADVISORY COMMITTEE

Date: 9 October 2023
Time: 11.30am-2.30pm
Location: Sports Pavilion, Victoria Park, Daylesford
Chair: Cr L Hewitt

AGENDA ITEMS:

1. ACKNOWLEDGEMENT OF CUSTODIANS OF THE LAND

2. ATTENDEES

Committee Members: Andrew Brown, John Condon, Graham Downey, Kaylene Howell, Darren Manning, David Moten, Jo Pegg, Peter Waters.

Guests: Kathie Schur, Justyne Carr (presenter).

Council Representatives: Cr Lesley Hewitt (Chair), Brett Dunlop (organiser).

3. APOLOGIES

4. MINUTES OF THE PREVIOUS MEETING

5. ACTIONS ARISING FROM PREVIOUS MEETING

- 5.1. NEW FOOTPATHS IN CRESWICK AND CLUNES
- 5.2. INTEGRATED TRANSPORT STRATEGY CONSULTATION
- 5.3. QUEENS PARK & PIONEER PARK MASTERPLAN CONSULTATION
- 5.4. NDIS LATROBE COMMUNITY HEALTH, COMMUNITY CAPACITY BUILDING
- 5.5. COUNCIL STAFF TRAINING SUGGESTIONS
- 5.6. INTERNATIONAL DAY FOR PEOPLE WITH DISABILITY (IDPWD)

AGENDA

▶ DISABILITY ADVISORY COMMITTEE

6. OTHER ITEMS OF BUSINESS

6.1. REPORTS FROM MEMBERS

7. NEXT MEETING

Monday 13 November, Victoria Park Pavilion, **DAYLESFORD**, 11.30am–2.30pm

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, October 10, 2023
LOCATION	<input type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input checked="" type="checkbox"/> Other: Daylesford Town Hall	TIME	9:15am – 4:00pm
COUNCILLORS PRESENT	<input 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		
OFFICERS PRESENT	<input checked="" type="checkbox"/> Acting CEO – Bruce Lucas <input checked="" type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres <input checked="" type="checkbox"/> Executive Manager People and Transformation -Brooke Holmes <input checked="" type="checkbox"/> Acting Director Infrastructure and Delivery – Tristan May Others (Position Title and Name): Manager Planning and Building – Amy Boyd Manager Strategic Planning – Bronwyn Southee Manager Community and Economy – Kendall Sinclair Coordinator Economic Development - Hugh Fitzpatrick Events Officer – Bridgette O’Brien Manager Emergency Management – Adam Wright Coordinator Customer Experience – Sally Schimleck Environmental Works Officer – Lauren Linke Work Health and Safety Advisor – David Stewart		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/23/55208

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.

▶ RECORD OF COUNCILLOR ATTENDANCE

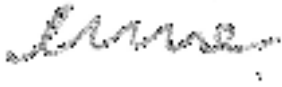
NOTES: Cr Bray is an apology.

RECORD COMPLETED BY

Other:

Governance Advisor – Catherine Nurse

Signed:



Tuesday 10 October 2023
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	Bruce Lucas – Acting Chief Executive Officer Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bruce Lucas – Acting Chief Executive Officer
APOLOGIES:		Bradley Thomas

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am		Nyaninyuk Wind Farm Project Update	Manager Planning and Building	5
1.2	10:00am	Report	CresFest – Signature/Iconic Event Support	Manager Community and Economy Coordinator Economic Development	6
	10:30am		Break		
1.3	10:45am	Presentation	Road Condition and Maintenance Update	Manager Operations	47
1.4	11:15am	Report	Pre Fire Danger Period Update	Manager Emergency Management	48
	12:00pm		Lunch		
1.5	12:30pm	Presentation	Customer Service Training	Coordinator Customer Experience Environmental Works Officer Work Health and Safety Advisor	51
2	3:45pm		Close of Meeting		52

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Pre-Council Meeting Briefing	DATE	Tuesday, October 17, 2023
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	3:00pm – 4:30pm
COUNCILLORS PRESENT	<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		
OFFICERS PRESENT	<input type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Acting CEO – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Infrastructure and Delivery – Ben Grounds <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): Rebecca Smith – Manager Governance and Risk Manager Planning and Building – Amy Boyd Coordinator Planning and Projects – Nicola McGowan		

MATTERS CONSIDERED

As per Council Meeting agenda

CONFLICT OF INTEREST DISCLOSURES

Nil.

NOTES:

Apologies: Bradley Thomas, CEO, and Brooke Holmes, Executive Manager People and Transformation.

RECORD COMPLETED BY

Rebecca Smith, Manager Governance and Risk



Signed:

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, October 24, 2023
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	10:15am – 3:10pm
COUNCILLORS PRESENT	<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		
OFFICERS PRESENT	<input checked="" type="checkbox"/> Acting CEO – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Infrastructure and Delivery – Ben Grounds <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 Governance and Risk – Rebecca Smith Coordinator Governance – Dannielle Kraak Coordinator Economic Development – Hugh Fitzpatrick Manager Planning and Building – Amy Boyd Manager Emergency Management – Adam Wright		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/23/58062

OR

List matters considered:

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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:

CEO Bradley Thomas was an apology.

Cr Lesley Hewitt was an apology.

▶ RECORD OF COUNCILLOR ATTENDANCE

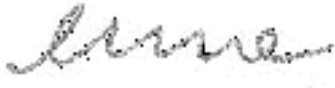
Cr Juliet Simpson left the meeting at 2.23pm and did not return.

RECORD COMPLETED BY

Other:

Governance Advisor – Catherine Nurse

Signed:



Tuesday 24 October 2023
Daylesford Town Hall, 76 Vincent Street Daylesford
10:15am – 3:00pm

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	Bruce Lucas – Acting Chief Executive Officer Ben Grounds – Acting 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 Bruce Lucas – Acting Chief Executive Officer
APOLOGIES:		Bradley Thomas – Chief Executive Officer

No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:15am	Discussion	Risk Management: Risk Maturity Workshop 2	Manager Governance and Risk Coordinator Governance Waymark Advisory	5
	12:15pm		Lunch		
1.2	12:45pm	Report	PLN22/0259 – 12 Vanina St Hepburn Springs	Coordinator Major Projects and Policy Manager Planning and Building Executive Manager Development	55
1.3	1:45pm	Presentation	Lonza Briefing	Manager Planning and Building	155
1.4	2:30pm	Briefing Only	The Victorian Government's Housing Statement and Short-Stay Levy Impacts	Executive Manager Development	245
	3:00pm		Close of Meeting		300

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, October 31, 2023
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	9:00am – 3:15pm
COUNCILLORS PRESENT	<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		
OFFICERS PRESENT	<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): Grants and Corporate Reporting Officer – Kelly Lewis Manager Strategic Planning – Bronwyn Southee Property Officer – Karen Menne Manager Facilities and Circular Economy – Sean Ludeke Acting Manager Facilities and Circular Economy – Victoria O'Halloran Circular Economy Officer – Jodi Newcombe Coordinator Governance – Dannielle Kraak Manager Governance and Risk – Rebecca Smith IT Helpdesk and Support Officer – Steve McLeod		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/23/59607

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.

▶ RECORD OF COUNCILLOR ATTENDANCE

NOTES:

Brooke Holmes and Cr Halliday in apology.

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 31 October 2023
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.

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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 "Burning Issues" Discussion and Executive Issues Update	Chief Executive Officer	6
1.2	9:30am	Discussion	External Committees Update	Director Community and Corporate	7
1.3	9:45am	Presentation	Regional Precincts and Partnerships Development and Planning Grant Program	Chief Executive Officer	21
1.4	10:00am	Report	Annual Plan 2023/2024 - Quarter 1 Progress Report	Executive Manager People and Transformation Grants and Corporate Reporting Officer	22
	10:30		Break		
1.5	10:45am	External Presentation	AusNet Monthly Briefing	Manager Strategic Planning Stakeholder Engagement Specialist, AusNet WRL Planning and Approvals Manager	43
1.6	11:30am	Report	Clunes Caravan Park Lease - Amendment to New Lease Proposal	Property Officer Acting Manager Facilities and Circular Economy	44
1.7	12:00pm	Report	Disposal and Acquisitions of Land Policy	Property Officer Acting Manager Facilities and Circular Economy	134

1.8	12:30pm	Report	Circular Economy Update	Circular Economy Officer Sustainability and Climate Resilience Coordinator	147
	1:00pm	Lunch			
1.9	1:30pm	Presentation	Councillor Intranet Site Overview	Coordinator Governance Manager Governance and Risk IT Helpdesk and Support Officer	196
1.10	1:45pm	Report	Review of Council's Risk Management Policy	Manager Governance and Risk Coordinator Governance	207
1.11	2:00pm	Report	Recommendations from the Audit and Risk Committee meeting held on 11 September 2023	Manager Governance and Risk	216
1.12	2:15pm	Report	Appointment of Independent Audit and Risk Committee Members	Manager Governance and Risk	252
1.13	2:45pm	Report	In Camera: Councillor representation on Committees, Boards and External Bodies	Manager Governance and Risk	260
2	3:15pm	Close of Meeting			

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Disability Advisory Committee	DATE	Monday, November 13, 2023
LOCATION	<input type="checkbox"/> Victoria Park Pavilion, Daylesford.	TIME	11.30am-2.25pm
COUNCILLORS PRESENT	<input type="checkbox"/> Cr Lesley Hewitt		
OFFICERS PRESENT	<input type="checkbox"/> Coordinator Inclusive Communities – Kate Procter <input type="checkbox"/> Inclusion Officer – Brett Dunlop		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/23/60461

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
none	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

NOTES:

William McDougal (consultant) attended from 11.30am-12noon to present on Integrated Transport Strategy consultation to date.

Damien Ray (Latrobe Community Health) attended from 11.30am-1.30pm to present on NDIS Community Capacity Building.

RECORD COMPLETED BY

Inclusion Officer – Brett Dunlop

Signed:

B Dunlop

AGENDA

▶ DISABILITY ADVISORY COMMITTEE

Date: 13 November 2023
Time: 11.30am-2.30pm
Location: Sports Pavilion, Victoria Park, Daylesford
Chair: Cr L Hewitt

AGENDA ITEMS:

1. ACKNOWLEDGEMENT OF CUSTODIANS OF THE LAND

2. ATTENDEES

Committee Members: Andrew Brown, John Condon, Graham Downey, Kaylene Howell, Darren Manning, David Moten, Jo Pegg, Peter Waters.

Guests: Damien Ray (Latrobe Community Health), Kylie Richardson (HSC Emergency Management)

Council Representatives: Cr Lesley Hewitt (Chair), Brett Dunlop (organiser), Kate Procter (Coordinator Inclusive Communities).

3. APOLOGIES

4. MINUTES OF THE PREVIOUS MEETING

5. ACTIONS ARISING FROM PREVIOUS MEETING

- 5.1. NDIS LATROBE COMMUNITY HEALTH, COMMUNITY CAPACITY BUILDING
- 5.2. EMERGENCY MANAGEMENT PLANNING
- 5.3. INTERNATIONAL DAY FOR PEOPLE WITH DISABILITY (IDPWD)

6. OTHER ITEMS OF BUSINESS

6.1. TERMS OF REFERENCE - REVIEW

6.2. MEETING DATES 2024 –

5 February,	Doug Lindsay Reserve, Creswick
6 May,	Trentham Sportsground Pavilion, Trentham
5 August,	The Warehouse, Clunes
11 November,	Victoria Park Pavilion, Daylesford

6.3. REPORTS FROM MEMBERS

7. NEXT MEETING

Monday 5 February 2024, Doug Lindsay Reserve, Creswick, 11.30am–2.30pm

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Strategic Councillor Briefing	DATE	Tuesday, November 14, 2023
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	1:15pm – 5:00pm
COUNCILLORS PRESENT	<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		
OFFICERS PRESENT	<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 – Kathy Fulton Manager Community and Economy – Kendall Sinclair Coordinator Economic Development – Hugh Fitzpatrick Events Officer – Bridgette O'Brien		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/23/62873

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.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
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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:

<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:

Governance Administration Officer – Brigitte Longmore

Signed:



Tuesday 14 November 2023
Daylesford Town Hall, 76 Vincent Street Daylesford
12:30pm – 5:00pm

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
	12:30pm		Lunch		
1.1	1:15pm	Discussion	Daylesford Incident	Chief Executive Officer	4
1.2	2:15pm	Report	Quarterly Finance Reports - Quarter 1 2023/2024	Acting Manager Financial Services Financial Business Partner	5
1.3	2:45pm	Report	Lake House Property Boundary Encroachment	Director Infrastructure and Deliver	43
	3:15pm		Break		
1.4	3:30pm	Report	Heather Mutimer IWD Honour Roll Inductee Recommendations	Manager Community and Economy Coordinator Economic Development Events Officer	55
1.5	4:00pm	Discussion External Presentation	Tourism Midwest Victoria Local Area Action Plan Feedback	Coordinator Economic Development Manager Community and Economy Stafford Strategy Tourism Midwest Victoria	61
1.6	4:45pm	Discussion	Pre-Meeting Briefing - Statutory Meeting	Manager Governance and Risk	76
	5:00pm		Close		

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Pre-Council Meeting Briefing	DATE	Tuesday, November 21, 2023
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	3:30pm – 4:30pm
COUNCILLORS PRESENT	<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		
OFFICERS PRESENT	<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 Governance and Risk – Rebecca Smith		

MATTERS CONSIDERED

As per Council Meeting Agenda for 21 November 2023.

CONFLICT OF INTEREST DISCLOSURES

Nil.

NOTES:

Nil.

RECORD COMPLETED BY

Manager Governance and Risk – Rebecca Smith

Signed:



▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Planning Briefing	DATE	Tuesday, November 28, 2023
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	10:15am – 2:22pm
COUNCILLORS PRESENT	<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		
OFFICERS PRESENT	<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): Coordinator Major Projects and Policy – Nicola McGowan Statutory Planner – Julie Lancashire Ben Grounds – Manager Projects		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/23/65654

OR

List matters considered:

As per agenda.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
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NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY

CEO – Bradley Thomas

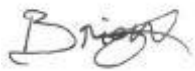
▶ RECORD OF COUNCILLOR ATTENDANCE

- 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:

Governance Administration Officer – Brigitte Longmore

Signed:



Tuesday 28 November 2023
Daylesford Town Hall, 76 Vincent Street Daylesford
10:15am – 2:00pm

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	Briefing Only	PLN23/0052 – 1946 Daylesford-Malmsbury Road, Drummond	Statutory Planner	4
1.2	11:15am	Briefing Only	PLN23/0119 – 135 Napier Street Creswick	Manager Planning and Building	128
	12:15pm		Lunch		348
1.3	12:45pm	Discussion	Outdoor Dining Safety following the incident at the Royal Hotel	Director Infrastructure and Delivery	348
1.4	1:15pm	Presentation	Council Property Assessment Project: Review of Surplus Land and Buildings	Manager Projects	349
2	2:00pm		Close of Meeting		

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Sustainable Hepburn Community Advisory Committee	DATE	Thursday, November 30, 2023
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	
COUNCILLORS PRESENT	<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		
OFFICERS PRESENT	<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 Sustainability and Climate Resilience		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/23/67840

OR

List matters considered:

Introduction of new committee members, discussion of terms of reference, presentation of achievements of Sustainable Hepburn Strategy, presentation of community facing projects, discussion of preferences of committee members regarding engagement in those projects.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
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NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY

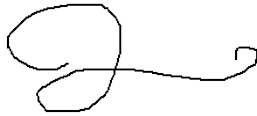
▶ RECORD OF COUNCILLOR ATTENDANCE

- 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:

Jodi Newcombe, Circular Economy Officer

Signed:



AGENDA

▶ SUSTAINABLE HEPBURN ADVISORY COMMITTEE

Date: 30 November 2023
Time: 5- 7pm
Location: Council Chambers, Daylesford Town Hall
Chair: Cr Hood

AGENDA ITEMS:

1. ACKNOWLEDGEMENT OF CUSTODIANS OF THE LAND

2. ATTENDEES

Councillors

Councillor Hood (Chair)

Councillor Drylie

Community members:

Linda Hancock

Peter Rice

Katherine Lewisohn

Nikki Marshall

Diana Martinez Valadez

Stuart Jonas

Sandra Nichols

Jo Taylor

Karl Fitzgerald

Michelle Stephenson

Council staff:

Jodi Newcombe, Circular Economy Officer

Manny Pasqualini, Coordinator Sustainability and Climate Resilience

3. APOLOGIES

4. MINUTES OF THE PREVIOUS MEETING

N/A

5. ACTIONS ARISING FROM PREVIOUS MEETING

N/A

6. OTHER ITEMS OF BUSINESS

- 6.1. Overview of the SHAC Terms of Reference - Jodi Newcombe, Circular Economy Officer (5 minutes)
- 6.2. Round robin introductions (1-2 mins each, 20-30 mins)
- 6.3. Presentation of Sustainable Hepburn Strategy Implementation Report & Governance Arrangements – Manny Pasqualini, Sustainability and Climate Resilience Coordinator (10 mins)
- 6.4. Presentation of Headline Sustainable Hepburn Community Engagement Projects – Jodi Newcombe, Circular Economy Officer (10 mins)
- 6.5. Discussion of Priority focus areas for the SHAC (15 mins)
- 6.6. How we work together moving forward: formation of working groups around specific projects, communications, code of conduct and future meeting dates. (10 mins)
- 6.7. Focus on Sustainable Hepburn Day: ideas, partnership, and promotion (20 mins)

7. NEXT MEETING

14 GENERAL BUSINESS

14.1 LEAVE OF ABSENCE FOR CR TESSA HALLIDAY

OFFICER'S RECOMMENDATION:

That Council grants Cr Tessa Halliday a leave of absence from 20 December 2023 to 24 January 2024 inclusive, noting that Cr Halliday will be an apology for Briefings and Council Meetings that may be scheduled during her leave.

14.2 LEAVE OF ABSENCE FOR CR JULIET SIMPSON

OFFICER'S RECOMMENDATION:

That Council grants Cr Juliet Simpson a leave of absence from 2 January to 16 January 2024 inclusive, noting that Cr Simpson will be an apology for Briefings and Council Meetings that may be scheduled during her leave.

14.3 LEAVE OF ABSENCE FOR CR TIM DRYLIE

OFFICER'S RECOMMENDATION:

That Council grants Cr Tim Drylie a leave of absence from 20 December 2023 to 24 January 2024 inclusive, noting that Cr Drylie will be an apology for Briefings and Council Meetings that may be scheduled during his leave.

15 CONFIDENTIAL ITEMS

15.1 CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Pursuant to section 66(1) of the *Local Government Act 2020* (the Act) Council or delegated committee must keep a meeting open to the public unless the Council or delegated committee considers it necessary to close the meeting to the public because a circumstance specified in subsection (2) applies.

The circumstances detailed in section 66(2) of the Act are:

- a) the meeting is to consider confidential information; or
- b) security reasons; or
- c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

RECOMMENDATION

That in accordance with sections 66(1) and 66(2)(a) of the Local Government Act 2020, the meeting to be closed to members of the public for the consideration of the following confidential items:

1.1 HEATHER MUTIMER IWD HONOUR ROLL INDUCTEE RECOMMENDATIONS

- *Because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;*
- *The ground applies because the successful nominations to the Heather Mutimer Honour Roll details the proposed nominees for Council approval, and if released would unfairly expose the nominees to the community and their names which are intended to be announced at the International Women's Day event in March 2024.*

1.2 NOMINATIONS FOR THE COMMUNITY AWARDS 2024

- *Because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;*

- *The ground applies because if released in open council meeting the nominees for the Community Awards will unfairly be released prior to Council making a decision and it is proposed that will be announced at the Community Awards and Civic Ceremony on 25 January 2024.*

1.3 OFFICE ACCOMMODATION

- *Because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and*
- *The ground applies because the agenda concerns the progress of ongoing contractual negotiations that would, if prematurely released, diminish the strength of Council's position in those negotiations.*

16 CLOSE OF MEETING