## **ORDINARY MEETING OF COUNCIL - 29 JULY 2025 ATTACHMENTS**

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# **TABLE 1 - Surplus Property with Affordable Housing Potential**

ATTACHMENT 7.1.1

Hepburn burn

SHIRE COUNCIL

SHIRE COUNCIL

## 79A Raglan Street, Daylesford



**Current Use**: Vacant Council building to the south of the site, surrounded by unused land. Sizeable land parcel with developable land constraints due to Doctor's Gully waterway and dense woodland.

**Project Setting**: Good potential for an affordable housing project.

**Policy Setting**: Building and surrounding land considered surplus to Council's needs.

Size: 7,717 m<sup>2</sup>; Developable land – 2,540m<sup>2</sup> (approx.)

**Zoning**: NRZ1 – Neighbourhood Residential Zone 1

Overlays: NCO3, NCO4, ESO1, ESO2.

# **TABLE 1 - Surplus Property with Affordable Housing Potential**

ATTACHMENT 7.1.1

Hepburn burn

SHIRE COUNCIL

SHIRE COUNCIL

## 26 Raglan Street, Creswick



Current Use: Vacant land.

**Project Setting**: Good potential for an affordable housing project. Potential to collaborate with DEECA (landowner of southern property) to increase building development opportunity but also possibly large enough land parcel on its own.

Policy Setting: Land considered surplus to Council's needs.

Size: 545 m<sup>2</sup>.

Zoning: GRZ1 – General Residential Zone 1

Overlays: LSIO1, LSIO2, ESO1.

# **TABLE 1 - Surplus Property with Affordable Housing Potential**



## 10 Camp Street, Clunes - "Camp Hill Site"



Current Use: Vacant land.

**Project Setting**: Good potential for an affordable housing project. Potential to collaborate with DEECA (landowner of surrounding vacant land) to increase building development opportunity.

**Policy Setting**: Land considered surplus to Council's needs.

**Size**: 330 m<sup>2</sup>.

**Zoning**: NRZ2 – Neighbourhood Residential Zone 2

Overlays: ESO1, HO776.



# 1 Armstrong Street, Daylesford



Current Use: Vacant land.

Project Setting: Not suitable for an affordable housing project.

**Policy Setting**: Land considered surplus to Council's needs.

**Size**: 292 m<sup>2</sup>.

**Zoning**: NRZ1 – Neighbourhood Residential Zone 1

Overlays: BMO, ESO1, ESO2.



# 10 Semmens Avenue, Creswick



**Current Use**: Vacant land.

Project Setting: Not suitable for an affordable housing project.

**Policy Setting**: Land considered surplus to Council's needs.

**Size**: 483 m<sup>2</sup>.

**Zoning**: GRZ1 – General Residential Zone 1

Overlays: ESO1.



## 313 Clunes Road, Creswick



**Current Use**: Vacant land. Sizeable parcel of land adjacent to railway line and main road. Abuts Road Zone 2.

**Project Setting**: Not suitable for an affordable housing project. Some affordable projects can use planning controls that override the zone to increase density. Located 2km from town so not preferred for affordable housing development. As it is not within the Creswick Township boundary unlikely to be granted permit by Council but could potentially obtain permit through Minister.

Policy Setting: Land considered surplus to Council's needs.

**Size**: 16,245 m<sup>2</sup>.

**Zoning**: RLZ1 – Rural Living Zone 1.

Overlays: ESO1, VP01.



# 2 Creswick Road, Clunes



**Current Use**: Vacant Land. Small parcel of land which is close to Creswick Creek. Abuts Transport Road Zone 2.

**Project Setting**: Not suitable for an affordable housing project.

Policy Setting: Land considered surplus to Council's needs.

**Size**: 335 m<sup>2</sup>.

**Zoning**: NRZ2 – Neighbourhood Residential Zone 2.

Overlays: ESO1.



POLICY NUMBER: 64 (C)

NAME OF POLICY: COMPLAINTS POLICY

DATE OF NEXT REVIEW: XX July 2029

DATE APPROVED: XX July 2025

RESPONSIBLE OFFICER: Director Performance and Transformation

REFERENCES: Local Government Act 2020 (Vic)

Privacy and Data Protection Act 2014 (Vic)
Public Interest Disclosures Act 2012 (Vic)

Gender Equality Act 2020 (Vic)

Charter of Human Rights and Responsibilities Act 2006 (Vic)

Equal Opportunity Act 2010 (Vic) Local Government Regulations

Other Federal and State Legislation

Other Council or Management policies and procedures



#### **SCOPE**

Responding to complaints is a core part of Council business. We value feedback and encourage people to contact us when they have an issue with our services, actions, decisions, and policies. We are committed to:

- enabling members of the public to make complaints about the Council
- responding to complaints by taking action to resolve complaints as quickly as possible
- learning from complaints to improve our services.

We treat every complaint we receive on its individual merits, through clear and consistent processes.

It is understandable that people may be frustrated when they make a complaint. Council will not tolerate abusive behaviour, and equally requires a courteous manner from complainants.

During the complaint handling process, Officer's will maintain a professional and respectful evidence-based approach to responding to the complaint.

Our complaints policy applies to all complaints from members of the public about Council staff, Council contractors and decisions made at Council meetings. This policy does not apply to complaints about individual Councillors, they are handled in accordance with the Model Councillor Code of Conduct and 97 (C) Councillor Integrity Policy and Internal Resolution Procedures.

#### WHAT IS A COMPLAINT

We define a complaint as:

"An implied or express statement of dissatisfaction where a response is sought, reasonable to expect or legally required."

Generally, *initial* requests for service, action or information are not complaints, although they do prompt action. *Subsequent* requests will be assessed as an implicit complaint about service, inaction or delay where our customer service standards have not been met.

A complaint includes a communication (verbal or written) to the Council which expresses dissatisfaction, and requires a response about:

- the quality of an action, decision or service provided by Council staff or a Council contractor
- a delay by Council staff or a Council contractor in taking an action, making a decision or delivering a service
- a policy or decision made by the Council, Council staff or a Council contractor.

In this policy:



- 'Council staff' is any person employed by the Council to carry out the functions of the Council, and the Council's CEO.
- 'Council contractor' is any third-party engaged by the Council to carry out functions on the Council's behalf.
- 'the Council' means the body of elected Councillors.

#### A complaint is not:

- 1. An initial submission of feedback
  - We define feedback as:
  - "A compliment, criticism, comment or suggestion where a response is not sought, or not reasonable to expect."
- 2. An Insurance claim;
- 3. A Public Interest Disclosure (i.e. complaints about fraud and corrupt conduct, such complaints are managed by the Public Interest Disclosure process, see Council's Public Interest Disclosure Policy for more details);
- 4. Planning objection (planning objections have an existing process for review and appeal details are available on Council's website);
- 5. Local-laws dispute;
- 6. Disputes about decisions to impose special rates or charges or the validity of an election;
- 7. Feedback related to proposals for public comment (e.g. proposals for comment made under section 223 of the Victorian Local Government Act 1989);
- 8. Matters over which Council has no jurisdiction or is not empowered to resolve; or,
- 9. Matters that are being processed in accordance with their statutory timeframes i.e. planning applications, road management obligations and freedom of information requests. If you have a complaint regarding the application decision within Council there is external agencies to assist with this review.



#### **HOW TO MAKE A COMPLAINT**

Any member of the public can make a complaint. Complaints can be made:

Online: www.hepburn.vic.gov.au

Email: <u>shire@hepburn.vic.gov.au</u>

Post: P.O Box 21, Daylesford Victoria 3460

In person: at one of the Council's customer service points

Phone: (03) 5348 2306 (where you will be assisted to complete the form)

When you make a complaint, please include:

- Your name and how to contact you. You can complain anonymously, but this may limit our ability to resolve your complaint and you will not receive a response;
- the action, decision, service or policy you are complaining about, and why you are dissatisfied;
- Any relevant details, such as dates, times, location or reference numbers, and documents that support your complaint;
- the outcome you are seeking from making your complaint;
- whether you have any particular communication needs.

We are committed to ensuring our complaints process is accessible to everyone. Tell us if you have specific communication needs or barriers, and we can assist you by:

- using an assistance service, such an interpreter or TTY (for free)
- talking with you if you have trouble reading or writing
- communicating with another person acting on your behalf if you cannot make the complaint yourself.



#### **OUR COMPLAINTS PROCESS**

When you complain to us, we will record and acknowledge your complaint within five business days. We will initially assess your complaint to decide how it will be managed. This may happen while we are talking with you.

After our initial assessment, we may:

- take direct action to resolve your complaint;
- refer your complaint to the relevant team or manager for investigation;
- decline to deal with your complaint if you have a right to a statutory review of your complaint (such as a right of appeal to VCAT).

Where possible, we will attempt to resolve your complaint at the time you first contact us. If we decide not to take action on your complaint, we will explain why, and, where possible, inform you about other options.

Early resolution of a complaint may involve arranging for the Council to give you advice or explaining why we are not going to take action on your complaint.

It may not be possible to resolve your complaint when you first contact us if your complaint requires deeper consideration or investigation by a particular team or officer, or needs to follow a statutory process or cannot be resolved satisfactorily.

If we cannot resolve your complaint quickly, we will refer it to the relevant team or manager to investigate. We will tell you who you can contact about the investigation.

We aim to complete investigations within 30 calendar days, and will advise you if the investigation will take longer. We will update you regarding the progress of your complaint until the investigation is completed. We will inform you of the outcome of your complaint and explain our reasons.

As part of our investigation we will:

- assess the information against relevant legislation, policies and procedures
- refer to Council documents and records
- meet affected parties to consider possible solutions as required
- advise you in writing of the outcome and our reasons

We require our staff to be respectful and responsive in all of their communications with members of the public. We expect the same of you when you communicate with our staff.



#### WHO IS RESPONSIBLE FOR CONSIDERING AND RESPONDING TO COMPLAINTS

- Complaints about an action, decision or service provided by CEO will be referred to the Mayor;
- Complaints about an action, decision or service provided by a Director will be referred to the CEO;
- Complaints about an action, decision or service provided by a Manager will be referred to the relevant Director;
- Complaints about an action, decision or service provided by any other officer, or a Council contractor, will be referred to the relevant Manager or Director;
- Complaints about a decision made at a Council Meeting will be referred to the Mayor.

#### MANAGING COMPLEX COMPLAINANT BEHAVIOUR

It is understandable that some people may be angry or frustrated when they make a complaint. During the complaint handling process s, Officers will maintain a reasoned, evidence-based approach to responding to the complaint. In a small number of cases, a complainant's conduct may, because of its nature or frequency, raise health or safety issues for staff, or consume a disproportionate amount of our organisation's resources to the detriment of other services.

When we encounter unreasonable behaviour, we will:

- 1. Respond to the complex behaviour as soon as possible,
- 2. Manage and address behaviour that is or becomes unreasonable,
- 3. Consider limiting access to some services or officers until satisfactory behaviour is demonstrated.

Policy 89 (C) Unreasonable Conduct by a Customer (yet to be adopted), will govern the complex behaviour process.

#### WHAT IF I AM NOT SATISFIED WITH THE OUTCOME?

If you are dissatisfied with our decision and how we responded to your complaint, you can request an internal review.

The internal review will be conducted by a senior Council officer who has not had any prior involvement with your complaint.

We will inform you of the outcome of the internal review and explain our reasons within 30 calendar days.



### **HOW TO REQUEST AN EXTERNAL REVIEW**

There are external bodies that can deal with different types of complaints about us.

You can request an external review from the following organisations.

Complaint	Organisation to contact for external review
Actions or decisions of a Council, Council staff and contractors.  This includes failure to consider human rights or failure to act compatibly with a human right under the Charter of Human Rights and Responsibilities Act 2006 (Vic)	Victorian Ombudsman www.ombudsman.vic.gov.au
Breaches of the Local Government Act	Local Government Inspectorate  www.lgi.vic.gov.au
Breach of privacy.  Complaint about a freedom of information application	Office of the Victorian Information Commission www.ovic.vic.gov.au
Corruption or public interest disclosure ('whistleblower') complaints	Independent Broad-based Anti-corruption Commission www.ibac.vic.gov.au
Discrimination	Victorian Human Rights and Equal Opportunity Commission www.humanrights.vic.gov.au
Council elections	Victorian Electoral Commission  www.vec.vic.gov.au
Review of Planning Decisions	Victorian Civil and Administrative Tribunal (VCAT)  Home   VCAT



#### **HOW WE LEARN FROM COMPLAINTS**

Complaints from people who use or who are affected by our services provide us with valuable feedback about how we are performing.

We regularly analyse our complaint data to identify trends and potential issues that deserve further attention. We use this information to come up with solutions about how we can improve our services.

We are open and transparent about the complaints we have received, and what we have done to resolve them.

#### **YOUR PRIVACY**

We keep your personal information secure. We use your information to respond to your complaint, and may also analyse the information you have provided for the purpose of improving services that relate to your complaint.

When you complain to us we ask you to provide and will record:

- your name and contact details;
- whether you have any communication or assistance needs that can be reasonably accommodated;
- demographic information to help us understand the needs of our community (if you consent to giving us this information);
- what you are complaining about;
- what outcome you are seeking.

Where we publish complaint data, or receive a request for information, personal information is removed.