



HEPBURN SHIRE COUNCIL ORDINARY MEETING OF COUNCIL PUBLIC AGENDA

Tuesday 17 September 2024

Council Chamber - 24 Vincent Street
24 Vincent Street Daylesford

5:30PM

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

AGENDA

Tuesday 17 September 2024

Council Chamber - 24 Vincent Street

24 Vincent Street Daylesford

Commencing at 5:30PM

TABLE OF CONTENTS

1	ACKNOWLEDGEMENT OF TRADITIONAL OWNERS	4
2	SAFETY ORIENTATION	4
3	OPENING OF MEETING	4
4	APOLOGIES	5
5	DECLARATIONS OF CONFLICTS OF INTEREST	5
6	CONFIRMATION OF MINUTES	6
7	NOTICES OF MOTION	6
7.1	PUBLIC AVAILABILITY OF THE MAYOR'S DIARY.....	6
8	ITEMS OF URGENT BUSINESS	8
9	COUNCILLOR AND CEO REPORTS.....	8
9.1	MAYOR'S REPORT.....	8
9.2	COUNCILLOR REPORTS	8
9.3	CHIEF EXECUTIVE OFFICER'S REPORT	9
10	PUBLIC PARTICIPATION TIME	17
10.1	PETITIONS	18
10.2	REQUESTS TO ADDRESS COUNCIL	18
10.3	PUBLIC QUESTIONS.....	19
11	STATUTORY PLANNING	19
11.1	PLN23/0025, 423 CLUNES ROAD, CRESWICK - USE AND DEVELOPMENT OF THE LAND FOR A CONTRACTORS DEPOT	19
11.2	PLN23/0061 – THREE LOT SUBDIVISION – 6 GOLF LINKS ROAD, HEPBURN.....	107
12	A RESILIENT AND SUSTAINABLE ENVIRONMENT	314
12.1	CLIMATE RISK MANAGEMENT POLICY.....	314

13 A HEALTHY, SUPPORTED, AND EMPOWERED COMMUNITY	328
13.1 INDOOR AQUATICS PROVISION FEASIBILITY STUDY AND BUSINESS CASE.....	328
14 EMBRACING OUR PAST AND PLANNING FOR OUR FUTURE.....	334
14.1 GLENLYON RECREATION RESERVE COMMUNITY PAVILION – DESIGN UPDATE	334
14.2 DAYLESFORD COMMUNITY FACILITIES PROJECT.....	373
14.3 AWARD OF TENDER - HEPBU.RFT2024.153 - DAYLESFORD TOWN HALL CONDITION UPGRADE PROJECT	377
14.4 LOCAL GOVERNMENT INSPECTORATE - CONCLUSION OF INVESTIGATION.....	380
14.5 AWARD OF CONTRACT HEPBU.RFT2024.E1 - SEALED ROAD PATCHING 2024/2025	386
15 A DYNAMIC AND RESPONSIVE COUNCIL	388
15.1 2023/2024 FINANCE CARRY FORWARD REPORT.....	388
15.2 ANNUAL FINANCIAL STATEMENTS AND PERFORMANCE STATEMENTS 2023/2024	393
15.3 ANNUAL REPORT 2023/2024	471
15.4 REVISION OF INSTRUMENTS OF DELEGATION FROM COUNCIL TO THE CEO (S5) AND COUNCIL TO COUNCIL STAFF (S6) AND ELECTION PERIOD ARRANGEMENTS.....	574
15.5 INSTRUMENTS OF APPOINTMENT TO AUTHORISED OFFICERS UNDER THE PLANNING AND ENVIRONMENT ACT 1987 & ENVIRONMENT PROTECTION ACT 2017	719
15.6 RECORDS OF COUNCILLOR ATTENDANCE	724
16 CONFIDENTIAL ITEMS.....	786
16.1 CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC.....	786
17 CLOSE OF MEETING	787

BRADLEY THOMAS

CHIEF EXECUTIVE OFFICER

Tuesday 17 September 2024

CONDUCTING HYBRID COUNCIL MEETINGS

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

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

1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

2 SAFETY ORIENTATION

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

3 OPENING OF MEETING

COUNCILLORS PRESENT:

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”

4 APOLOGIES

5 DECLARATIONS OF CONFLICTS OF INTEREST

6 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 20 August 2024 and the Minutes of the Special Meeting of Council held on 3 September 2024 and the Minutes of the Special Meeting of Council held on 10 September 2024 (as previously circulated to Councillors) be confirmed.

7 NOTICES OF MOTION

7.1 PUBLIC AVAILABILITY OF THE MAYOR'S DIARY

The Notice of Motion was put forward by Cr Tim Drylie on 2 September 2024.

The Notice was submitted as follows:

OVERVIEW

The purpose of this motion is to promote transparency and accountability by making the mayor's diary publicly available on a retrospective basis to the residents of Hepburn Shire Council, while providing Councillors with advance access. The retrospective availability ensures public insight into the mayor's engagements while maintaining necessary security around sensitive or confidential matters.

This motion introduces mechanisms for ensuring omissions are justified and limited to matters of privacy, security, or legal confidentiality. It is designed to comply with the Local Government Act 2020, the Victorian Information Privacy Act, and other relevant legal frameworks.

MOTION AS PROPOSED

That Council:

1. *Approves the retrospective public availability of the mayor's Diary:*

Endorses the initiative to make the mayor's diary publicly available on a retrospective basis, with updates made within 30 days, ensuring that all past meetings, events, and engagements are accessible to the residents of Hepburn Shire Council.

2. *Establishes a protocol for disclosure:*

Directs the Chief Executive Officer (CEO) to develop and implement a protocol for the disclosure of the mayor's diary. This protocol should include:

- a. *Advanced access for Councillors to the Mayor's diary, helping them stay informed about the mayor's engagements, coordinate their Council activities, communicate more effectively with the public, attend relevant events, and be prepared for media inquiries.*
- b. *Regular retrospective updates made within 30 days and displayed on the Council's website and other appropriate platforms to ensure the mayor's engagements are easily accessible to residents.*
- c. *Clear guidelines on the types of engagements and meetings to be included in the public version of the diary.*
- d. *A provision that only personal privacy, security-sensitive, or legally confidential matters can be omitted. These omissions must be justified, in compliance with the Local Government Act 2020 and the Privacy and Data Protection Act 2014 (Vic).*
- e. *A periodic review of omissions as part of the Council's regular governance reviews to ensure that transparency is maintained.*

3. *Public engagement and awareness:*

Launches a communication campaign to inform residents about the availability of the mayor's diary, and encourage community participation on past engagements through accessible channels.

4. *Legal and compliance review:*

Ensures that all diary disclosure protocols and procedures align with the Local Government Act 2020, the Privacy and Data Protection Act 2014 (Vic), and any other applicable legal frameworks.

5. *Timing:*

Requests that these changes be implemented starting from 1 January 2025.

8 ITEMS OF URGENT BUSINESS

9 COUNCILLOR AND CEO REPORTS

9.1 MAYOR'S REPORT

Councillor Brian Hood, Coliban Ward

9.2 COUNCILLOR REPORTS

Councillor Tessa Halliday, Cameron Ward

Councillor Don Henderson, Creswick Ward

Councillor Tim Drylie, Creswick Ward

Councillor Jen Bray, Birch Ward

Councillor Lesley Hewitt, Birch Ward

RECOMMENDATION

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

9.3 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

As you may be aware, local government elections will be held in Victoria during October 2024.

The Election Period for the 2024 local council elections (previously known as Caretaker Period) will commence at 12pm noon on Tuesday 17 September and end at 6pm on Saturday 26 October.

As a result of Council going into Election Period, from 17 September, election period conventions will be in effect, and you may notice changes to the content on our website and social media posts. It also means the outgoing Councillors won't be able to attend events and meetings.

As this is my last CEO report for this term of Council, I'd like to thank the outgoing term of Councillors who have tirelessly served the Hepburn community over the past four years – Cr Brian Hood, Cr Lesley Hewitt, Cr Don Henderson, Cr Tessa Halliday, Cr Tim Drylie, Cr Jen Bray and Cr Juliet Simpson - it has been a pleasure work alongside you.

The role of Councillor is a significant responsibility, and early in a Councillor's term, they are required to become somewhat of a subject matter expert in all Council options, Governance rules, planning matters, attending specialised committees as Council representatives, cultural matters, and many other aspects to assist and inform their decision making. Councillors are often balancing Council duties with work and family commitments. The time and dedication required for your participation as a councillor has not gone unnoticed and I thank you all for your enormous contribution.

When reflecting on what Council has undertaken over the past four years, I am so proud of what has been achieved.

In 2019 the world changed due to the global COVID pandemic, and we all had to learn to navigate the world in a different way. The Victorian State Government passed Omnibus legislation to enable Local Government authorities to continue to hold council meetings virtually to continue transacting business. We learned to work and communicate in new and different ways.

Hepburn Shire endured multiple, significant emergency events over this four-year term of Council, and the relief and recovery work following these weather events continued for several years following the event.

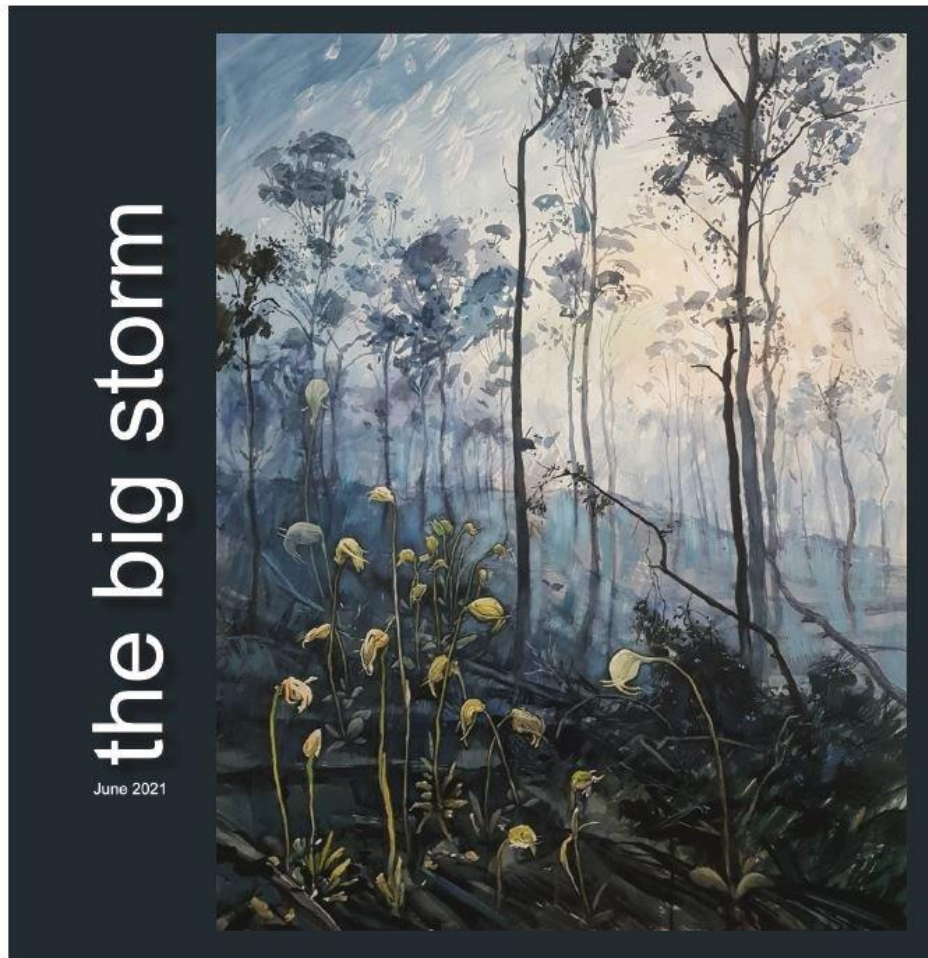
We acknowledge we don't always get everything right, but despite the hurdles and setbacks of a global pandemic and a challenging financial environment we are

incredibly proud of everything Council has achieved – large and small, some of which are noted below:

- Council stated our unanimous support for the constitutional recognition of Aboriginal and Torres Strait Islander peoples through the Voice to Parliament
- Council received an OH&S Leadership/Achievement award at the Victorian Worksafe Awards
- Enhanced access to Automated External Defibrillators (AEDs) by installing 24/7 AED cabinets in high-traffic areas across the Shire
- Adopted our Innovate Reconciliation Action Plan
- NAIDOC week and Reconciliation week events
- Conducted Cultural Competency training
- Advertised, recruited and inducted new staff (many throughout the pandemic)
- Hundreds of children from local schools and kindergartens visited the Hepburn Libraries during Book Week
- Weekly Baby Rhyme time at four locations
- Held ‘Tech-talk and tea’ at Hepburn Libraries’ Digital Literacy program
- Free school holiday programs
- Renewed our Corporate reporting processes and templates
- Council supported State Government by issuing free rapid antigen tests (RATs) to our community through Libraries and Hubs
- Multiple ICT strategies and improvements were implemented including Multi-Function Authentication, Protective Data Security Plan, New GIS system implemented, and Council achieved a Microsoft Security score of 77.6% - much higher than 42.99% in organisations of similar size, ensuring greater defence with cyber security
- Celebrated the renaming of Jim Crow Creek to Larni Barramal Yaluk
- Introduced a new, modern corporate website [Home Hepburn Shire Council](#) and a community engagement hub [Home | Participate Hepburn](#)
- Green waste trial in Clunes, resulting in savings of thousands of cubic metres of green waste from going to landfill, and financial savings in green waste disposal fees
- Advocated for (and successful in many) decreases to speed limits in several locations across the Shire.
- Kept our parks and gardens beautiful
- Introduced a weekly kerbside collection of food organics and garden organics (FOGO) for township residents



- Cleared fallen timber and invasive weeds across the shire
- Creswick Flood Mitigation Study nearly completed
- Invested in roads across the Shire and partnered with five other Councils to deliver a regional approach to bituminous resealing.
- Bullarto Station Tourist precinct opening of a stunning new building which pays tribute to the 1920s original
- Circular Hepburn Toolkit for business and beyond launched
- Thousands of metres of new footpaths completed
- Community consultation and ultimate adoption of two property policies – Leases and Licence's Policy, and Disposal and Acquisition of Land Policy
- Created a CCTV Policy and installed our first CCTV units
- Undertook maintenance on Council buildings across the Shire
- Completed works at Chatfield Reserve at beautiful Lake Daylesford
- Completed storm recovery works and submitted all claims
- Adopted an Early and Middle Years Strategy titled "Starting Blocks". The strategy aims to support children between 0 and 12 years in partnership with other agencies and the community.



The Big Storm tells the stories of local people impacted by the extreme weather events that devastated parts of our Shire in June 2021.

- Signed MOU with DJAARA timbers for timber harvesting
- Conducted important tree works across the Shire and conducted a tree planting program
- Created a community-based project Advisory Committee to guide development of the Clunes Recreation Provision Feasibility Project
- Endorsed masterplans to guide the future planning and development of Queens Park and Pioneer Park in Clunes
- Supported State Government in their rollout of Victoria's Container Deposit Scheme (CDS)
- Conducted inspections and audits across our facilities and assets
- Adopted Sustainable Hepburn 2022-26, an integrated environmental sustainability strategy covering four key themes - Beyond zero emissions, natural environment and biodiversity, low waste and climate resilience
- Engaged Talis Consultants to carry out a condition assessment of the Shire's 620 kms of sealed roads, 835kms of unsealed roads, and 95 kms of kerb and channel
- Construction, opening and activation of Mechanics Trentham



Opening of Mechanics Trentham

- 2024 Election Planning
- Consideration and adoption of recommendations with respect to Planning Scheme Amendment C80Hepb (Amendment C80)
- Launch of Greater Ballarat Alliance of Councils (GBAC)
- Advocacy work to many State and Commonwealth Inquiries including:
 - Rental and housing affordability crisis, and CEO representation at public hearings
 - Inquiry into securing the Victorian food supply and representation before the inquiry
 - Commonwealth and State inquiries into Local Government Financial Sustainability – CEO representation before the State inquiry
- Met with State and Federal Government MP's to advocate for Hepburn Shire
- Adopted Communications and Social Media policy
- Acknowledged and celebrated a range of national and international days
- Adopted a new Grants Funding Policy and announced many community grant recipients
- Annually held Community Awards including Citizen of the Year, Young Citizen of the Year and Event of the Year
- Annually sought nominations and inducted new members to the Heather Mutimer International Women's Day Honour roll
- Developed and adopted annual budgets and received clean audit opinions for Annual Financial and Performance Statements
- Supported Youth LGBTIQA+ members
- LGBTIQA+ Advisory Committee created
- Chillout Parade participation
- Council's Rainbow Action Plan developed, and launched by Minister Harriet Shing

- Developed a new Procurement Policy and associated documentation
- Conducted Health and Wellbeing surveys
- Supported the Goldfields World Heritage Bid
- Worked closely with Daylesford Macedon Tourism, on a range of surveys, and information to assist advocacy to State Government
- Became a founding member of Tourism Midwest Victoria.
- Worked with Tourism Midwest Victoria (TMV) and Daylesford Macedon Tourism (DMT) on the future of the Visitor Economy developing a Destination Management Plan and Local Area Action Plan
- Worked with State Government on the future of Visitor Economy Partnerships
- Partnered with DMT on developing a visitor servicing strategy
- Created and distributed weekly 'What's on' update letting community and visitors know events across the shire each week
- Entered a partnership with the Daylesford Arts Community Group to showcase and sell local artwork at our VIC
- Welcomed new members of various Advisory Committees and held meetings across the year
- Developed and adopted a Risk Management Policy, and associated systems and registers developed
- Drafted and Adopted a Privacy Policy, Public Interest Disclosure Policy and the Councillor Expenses and Resources Policy
- Recruited and inducted new independent members for our Audit and Risk Committee
- Held FReeZA All age events
- Offered free accredited Youth Mental Health First Aid training for community
- Young Mayors Program launched which has developed a Youth Advisory Committee
- Hosted an Agricultural Forum in partnership with Agriculture Victoria to provide updates on Biosecurity – emergency animal disease preparedness, Planning Advisory services, updates on Rural Hepburn Strategy, Seasonal climate patterns and emergency management
- Reconfirmed our Leadership statement against violence and undertook activities to mark the 16 days of activism campaign to end gender-based violence.
- Lodged grant submissions, and supported the community with community grant submissions
- Daylesford won the 2024 TAC Victorian Small Top Tourism town and won Silver in the National Awards held in Canberra
- Months of work and community consultation on the Future Hepburn project – a once in a generation Strategic Planning project – with ultimate adoption of five Township Structure Plans and a Rural Strategy
- Adopted a Financial Vision to respond to our financial sustainability challenges
- Welcome new Australian Citizens with several citizenship ceremonies each year

- Adopted the masterplan for the Glenlyon Recreation Reserve
- Adopting of Positive Aging Strategy and began hosting a annual Positive Ageing Expo
- Cancellation and ultimate sale of the Rex
- Adopted our first Fair Access Policy
- Adopted an Arts and Culture Strategy
- Recruitment of a new Chief Executive Officer
- Recruited and inducted lifeguards for each swim season
- Construction of Hepburn Football Pavilion unisex changeroom, new lights at the Newlyn Recreation Reserve and attracted funding for replacement lighting for Football/Netball and Victoria Park, Daylesford.
- Adopted a new healthy eating menu at pools in partnership with Central Highlands Rural Health
- Supported the return of the Hepburn Swiss Italian Festa
- Launched a new Event toolkit to help local event organisers to plan and carry out events successfully
- Supported events across the Shire
- Renewed the Creswick Town Hall
- Adopted 'A Home in Hepburn Shire' strategy and action plan
- Continued advocacy against the Western Renewables Link project, including meeting with community members monthly, and massive amount of reading and responding to technical documents
- Increased Biodiversity awareness
- Revised Council's building services with Building Permit applications now needing to be made through a private building surveyor
- Undertook community engagement to inform the development of a ten-year Integrated Transport Strategy
- Represented Council at VCAT and other regulatory hearings, including a successful appeal against the liquor licence applications for Dan Murphys
- Food inspections undertaken across the Shire, and responded to the VAGO Food Safety Performance Audit
- Domestic Wastewater Management Plan drafted
- Council launched a new online venue booking system

As my next CEO report won't be until December, here are some upcoming dates to note:

26 October - Victorian Local Government election

15 November – Expected confirmation of results (Councillors Elect)

19 November – Swearing in of Councillors

26 November – Election of the Mayor and Deputy Mayor

3 December – First formal Council briefing of the new term of Council

Finally, as we approach 5 November, I would like to acknowledge the families and victims of the Daylesford road tragedy which occurred last year. Council is liaising with the affected families to coordinate a sensitive, culturally respectful way to remember of the victims of this tragic accident.

RECOMMENDATION

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

10 PUBLIC PARTICIPATION TIME

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

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

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

Individuals may submit written questions or requests to address Council to the Chief Executive Officer by 10:00am the day before the Council Meeting.

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

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

BEHAVIOUR AT COUNCIL MEETINGS

Council supports a welcoming, respectful and safe environment for members of the community to participate at Council Meetings regarding issues that are important to them. Council's Governance Rules sets out guidelines for the Mayor, Councillors, and community members on public participation in meetings. It reinforces the value of diversity in thinking, while being respectful of differing views, and the rights and reputation of others.

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

Respectful behaviour includes:

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

Inappropriate behaviour includes:

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

10.1 PETITIONS

10.2 REQUESTS TO ADDRESS COUNCIL

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

10.3 PUBLIC QUESTIONS

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

11 STATUTORY PLANNING

11.1 PLN23/0025, 423 CLUNES ROAD, CRESWICK - USE AND DEVELOPMENT OF THE LAND FOR A CONTRACTORS DEPOT EXECUTIVE MANAGER DEVELOPMENT AND COMMUNITY SAFETY

In providing this advice to Council as the Manager Planning and Building, I Amy Boyd have no interests to disclose in this report.

ATTACHMENTS

- 1. PL N 23 0025 - Redacted Combined Documents - 423 Clunes Road Creswick - Property 201818 [11.1.1 - 24 pages]
 2. PL N 23 0025- Redacted Compressed Objections- 423 Clunes Road Creswick- Property 201818 [11.1.2 - 44 pages]

EXECUTIVE SUMMARY

Approval is sought to operate a Contractors Depot (Earthmoving and Transport) from the land.

The use has been operating from the land for some time without a Planning Permit.

The land is zoned Rural Living Zone, and it is subject to Environmental Significance Overlay – Schedule 1 and Vegetation Protection Overlay – Schedule 1.

The application has been referred to the following stakeholders: Department of Transport (VicRoads), Goulburn Murray Water, Central Highlands Water, Engineering and Environmental Health.

The application has been amended and advertised twice. Objections have been lodged, raising concerns about amenity impacts and the suitability of the use in the Rural Living Zone.

An Enforcement application is currently with VCAT, having been initiated by a community member.

Given the site is located in a relatively closely settled rural living residential environment, the amenity of which the planning policy framework seeks to protect, and given that the use is operating outside the boundaries of the title, and relies on roads which have not been legally constructed, careful consideration was needed to

balance all of the objectives of the planning scheme and determine what outcome is appropriate.

This application has been carefully considered and has taken longer to ensure the balance of decision making has been fair and in line with the provisions of the planning scheme. In making the officer recommendation a number of conditions have been suggested which requires some further work by the applicant to ensure an appropriate land use outcome for the site and protect the amenity of the area.

OFFICER'S RECOMMENDATION

That Council, having caused notice of Planning Application No PLN22/0410 to be given under Section 52 of the Planning and Environment Act, 1987; and having considered all matters required under Section 60 of the Planning and Environment Act, 1987; issues a Notice of Decision to Grant a Planning Permit for the development and use of a contractors' depot (earthmoving and transport) at 423 Clunes Road Creswick subject to the following conditions:

Amended Plans Required

1. *Within 30 days of the date of this permit, three (3) copies of 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 must be generally in accordance with the plans submitted but modified to show:*
 - a. *Elevation plans showing all proposed buildings and works;*
 - b. *A notation that the area sectioned off around the existing dwelling is not to be used for the contractor's depot;*
 - c. *relocation of the access and parking to ensure no access from the road reserve to the south;*
 - d. *fencing along the southern boundary preventing access;*
 - e. *a survey plan showing the location of all existing trees, buildings and hard stand areas;*
2. *Prior to the endorsement of plans, and commencement of development, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be*

drawn to scale with dimensions. The landscape plan must be generally in accordance with the landscape concept as shown on the landscape plan prepared by John Patrick Landscape Architects, Revision C 25/03/2024, except that the plan must show:

- a. Details of surface finishes of pathways and driveways;*
- b. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;*
- c. Landscaping and planting within all open areas of the site to provide an effective screen from all boundaries;*
- d. Appropriate irrigation system;*
- e. Trees to be referenced as 'canopy trees' (minimum two metres tall when planted and minimum height of 5 metres at maturity);*

All species selected must be to the satisfaction of the Responsible Authority.

Endorsed Plans

- 3. The development as shown on the endorsed plan(s) must not be altered without the written consent of the Responsible Authority.*
- 4. All works as shown on the endorsed plans must be completed within six (6) months of date of this permit, unless otherwise approved in writing by the Responsible Authority.*

Stormwater Drainage

- 5. 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.*

Access Road

- 6. It is the responsibility of the permit holder to construct and maintain the unmade/unmaintained Government Road from a maintained road network (i.e from Clunes Road) to the subject land for the purpose of servicing the property to the satisfaction of the Responsible Authority.*

7. *Within six months of the date of this permit, the road shall be formed, drained and surfaced in accordance with detailed plans and specifications prepared by the Landowner/s and approved by the Responsible Authority.*
8. *The road shall be designed and constructed to relevant Australian and VicRoads standards and in accordance with the requirements of Infrastructure Design Manual (IDM) and IDM standard drawing SD600.*
9. *The road shall comprise of:*
10. *4.0m pavement width comprising:*
 - a. *Minimum 200mm class 3 20mm FCR sub-base*
 - b. *Minimum 100mm class 2 20mm FCR base; or*
11. *300mm approved gravel sub base.*
12. *Table drains and culverts, culverts must be designed for the 1 in 100 year ARI rainfall event*
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:*
15. *surfaced with an all-weather surface;*
 - a. *drained in accordance with an approved drainage plan;*
16. *provision for vehicles to pass on driveways; and*
17. *constructed and completed to the satisfaction of the Responsible Authority.*
18. *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.*

19. *Prior to construction, it is the responsibility of the developer to meet the requirements and standards as set out in the IDM (Infrastructure Design Manual) version 5.20.*
20. *All costs incurred complying with the above conditions shall be borne by the permit holder.*

General Amenity

21. *The amenity of the area must not be detrimentally affected by the use through the New Contractor's Depot Land through:*
- a. Transport of materials, goods or commodities to or from the land;*
 - b. Appearance of any building, works or materials;*
22. *Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;*
- a. Presence of vermin;*
- to the satisfaction of the Responsible Authority.*

Acoustic Requirements

23. *Operational noise from the land must comply with the requirements of EPA at all times.*

Site Management Plan

24. *Within 60 days of the date of this permit, a detailed Operations Management Plan (OMP) must be submitted to and approved by the Responsible Authority for the contractors depot. The SMP must incorporate, but is not limited to, the following information:*
- a. methods and proposed monitoring systems to minimise dust leaving the site including:*
 - i. specifications and installation of dust suppression sprinklers;*
 - ii. the maintenance of the dust suppressant surface;*
 - iii. measures that will be taken in advance to offset the impacts of adverse weather conditions;*

- b. *operational measures to minimise noise emissions including, but not limited to:*
 - i. *using broadband reversing beepers on vehicles and machinery.*
 - ii. *turning off trucks during loading and unloading procedures.*
 - iii. *turning off plant and equipment when not in use.*
 - iv. *guidelines on the use of air brakes within the site, and speed limits to be complied with on site;*
- c. *litter management, including details of methods to contain litter within the site, the management practices for litter collection and disposal including details of storage and regularity, and the location of rubbish bins and skips;*
- d. *weed management to prevent escape of weed species to the adjoining land;*
- e. *roles and responsibilities of those involved in the implementation of the OMP;*
- f. *overall environmental objectives for the operation of the use and techniques for their achievement relating to stormwater, pollution, runoff etc;*
- g. *procedures to ensure that no significant adverse environmental impacts occur as a result of the use;*
- h. *identification of possible risks of operational failure and response measures to be implemented;*
- i. *day to day management requirements for the use;*

The approved OMP must be implemented at all times to the satisfaction of the Responsible Authority.

Dust Mitigation Measures

25. *The following dust mitigation measures must be carried out on the land to the satisfaction of the Responsible Authority:*
- a. *Maintain the crushed bitumen surface to minimise wind borne dust and dust generation from moving vehicles;*

- b. Application of dust suppression chemicals to surface of yard at the start of the summer season to minimise wind borne dust and dust generation from moving vehicles;*

Stock Piles

- 26. No stock piles are permitted associated with the contractors depot use to the satisfaction of the Responsible Authority.*

Outdoor Lighting

- 27. Any outdoor and/or security lighting provided on the Land must be designed to prevent adverse light spill on adjoining land or road reserve to the satisfaction of the Responsible Authority.*

Hours of Operation

- 28. Unless otherwise approved in writing by the Responsible Authority, the use hereby permitted of the New Contractors Land must only operate during the following hours:*

- Monday to Friday 7am to 6pm*
- Saturday 7am to 1pm*

(Note: this includes the start-up and idling of any machinery and/or vehicles)

Emergency Call Outs

- 29. In relation to the use permitted:*

- a. the use hereby permitted may operate outside of the hours specified in condition 15 on not more than 10 occasions per year, or more with the written consent of the Responsible Authority, for the limited purpose of attending emergency call-out events;*
- b. the time and frequency of such events must not result in any loss of amenity to surrounding properties and must not impact on the amenity of the locality, to the satisfaction of the Responsible Authority;*
- c. the owner/occupier of the land must prepare and maintain a log book at all times which provides full details of the time and duration of activities outside of the permitted hours of operation, along with the reason for these activities. A copy of this log book must be made available at the request of the Responsible Authority.*

Completion of Landscape Works

- 30. Within six (6) months of the date of this permit, the landscaping works as shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.*
- 31. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.*

Central Highlands Water

- 32. The proposed contractor's depot shall not be used for any habitable purpose.*
- 33. The proposed contractor's depot must be located as per the site plan of the associated town planning report.*
- 34. The proposed contractor's depot shall be located clear of the wastewater treatment system and land application area servicing the property.*
- 35. Stormwater from contractor's depot is diverted clear of the wastewater treatment system and land application area servicing the property.*

Goulburn Murray Water

- 36. All construction and ongoing activities must be in accordance with EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023).*
- 37. All wastewater from the site must be disposed of via connection to the existing wastewater management system. If necessary, the system must be altered and/or upgraded in accordance with the current EPA Code of Practice – Onsite Wastewater Management, and to the satisfaction of Council's Environmental Health Department.*
- 38. The contractor's depot (shed) must not encroach on the wastewater treatment system or disposal area, or breach the minimum setback.*

Expiry of permit for use & development

- 39. This permit as it relates to use will expire if the land is on sold or the business is no longer owned and operated by Mr and Mrs Butson unless with the written consent of the responsible authority.*
- 40. This permit will expire if the development does not commence within six (6) months of the issue date of this permit.*

In accordance with [section 69](#) of the [Planning and Environment Act 1987](#), an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Permit Note:

The permit holder shall prepare all documents required for obtaining approval from Dja Dja Wurrung Clans Aboriginal Corporation for road works and submitted to the Responsible Authority for forwarding them to the Dja Dja Wurrung Clans Aboriginal Corporation. All costs incurred in complying with the Dja Dja Wurrung Clans Aboriginal Corporation requirements shall be borne by the permit holder.

BACKGROUND

Subject site

The subject site is located on the southern side of Clunes Road, Creswick.

The site is developed with a dwelling and outbuildings and has been used for some time as a Contractors' Depot, without having the appropriate approvals in place from Council.

The site has a total area of approximately 3.64 hectares, with a frontage of approximately 166 metres to Clunes Road. Government roads abut the site to the east and south and these roads appear to have been made by the landowner.

Land to the rear of the site is developed with a railway line which provides for freight transport, along with passenger services between Ballarat and Maryborough.

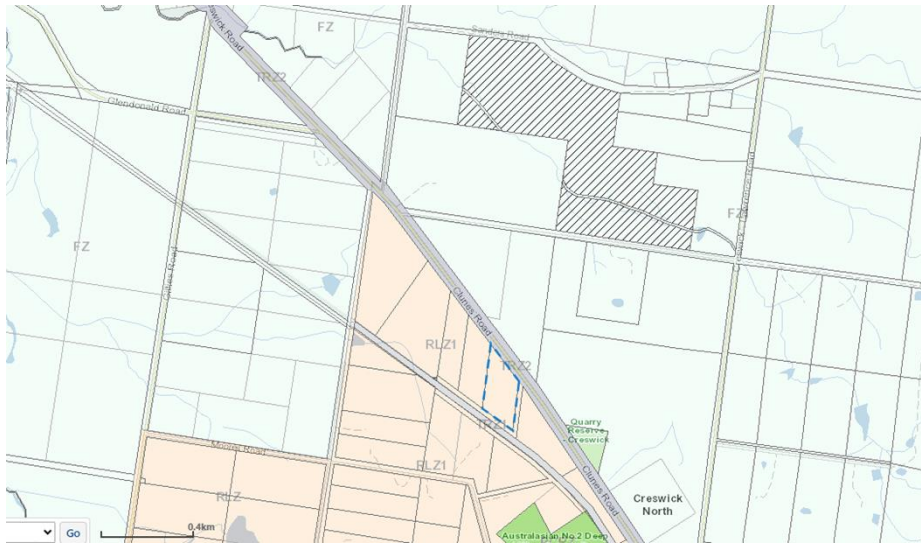
The site can be seen highlighted in red in the image below.



Surrounds

The site is located on the outskirts of Clunes and it is zoned Rural Living Zone; being part of a cluster of Rural Living land to the northwest of Clunes. As can be seen in the

image below, land opposite the subject site is zoned Farming Zone, as is land further northwest of the site.



Surrounding properties, apart from land to the north of the site, have been developed for residential purposes and feature dwellings in a hobby-farm type environment.

The closest existing dwelling to the use is the dwelling located to the southwest, which is approximately 113 metres from the boundary of the Government Road used to provide access to the site.

Land to the southeast of the site is yet to be developed with a dwelling.

Proposal

The site has been operating for some time without the required planning approval in place.

Initially an application was made to Council to approve a store on the land. The application did not include any building, and it was found to be prohibited.

The application was amended to seek approval for a store with a building to store vehicles in. However, this application did not seek approval for the use which was proposed on the land.

The application was amended again, and approval is sought to allow a Contractors' Depot to operate from the land. The depot is associated with an earthmoving and transport business.

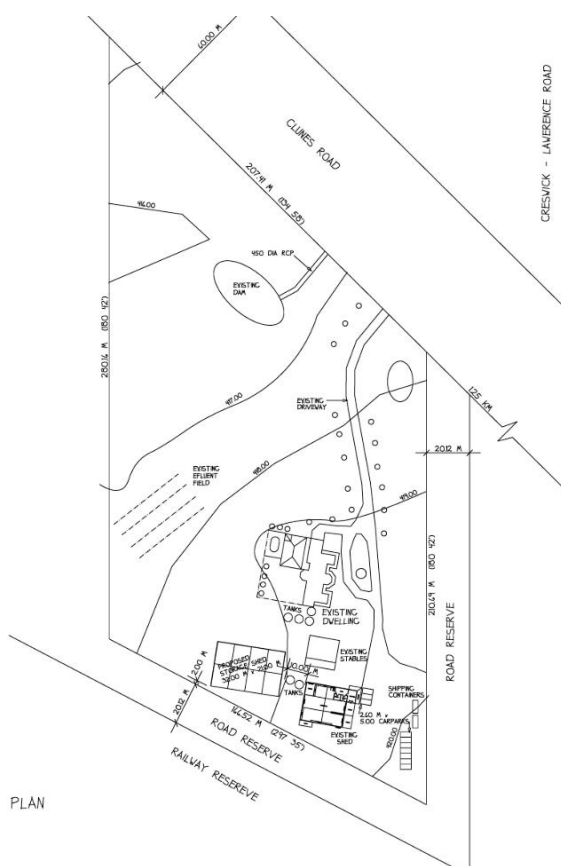
It is intended that a maximum of six staff will be employed on the land, including four outdoor workers and two office staff.

Approval is sought for the use to operate from 7am until 4pm Monday to Friday. However, the application documents detail that vehicles would typically start at 6:30am.

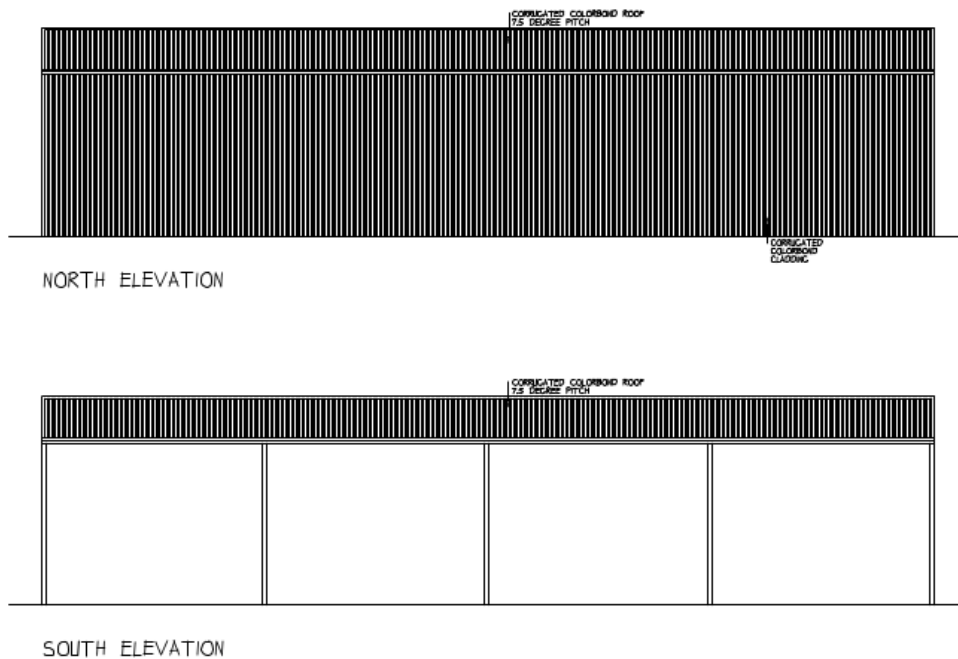
The following equipment will be stored on the land and associated with the use:

- a 19-metre semi-trailer;
- a 10-metre tag trailer;
- two 8-metre trucks;
- four 4-tonne to 21-tonne diggers;
- two bobcats;
- a grader;
- two rollers; and
- two tractors.

The application proposes the construction of a new building on the land, located to the southwest of the site, to store vehicles and equipment. The shed has a floor area of 672 metres (32 metres by 21 metres) and is setback two metres from the southern boundary of the site, as can be seen in the image below.



The shed is open on the southern elevation, facing toward the railway line. It has a low-pitched gabled roof form and a maximum height of 7.35 metres and uses Colorbond construction, as can be seen in the image below.



Vehicle access is via the Government Roads which abut the site. Ten car parking spaces are provided on the land. The applicant estimates 20-40 vehicle movements would be generated each day.

The application documents advise that the storage of fuel is provided for onsite, and it is located in an 8,000-litre self-bunded storage facility, however the location of the fuel storage is not apparent on the plans.

It is apparent from aerial images that there is a level of material storage undertaken on the land, but no approval has been sought to store materials on the land.

Planning Scheme

The site is located in the Rural Living Zone and is subject to the Vegetation Protection Overlay – Schedule 1 and the Environmental Significance Overlay – Schedule 1.

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

- Clause 35.03-1 – Use of the land;
- Clause 35.03-4 – Buildings and works associated with a Section 2 use.

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

- Clause 02.01 – Context.
- Clause 02.02 – Vision.
- Clause 02.03-1 – Settlement.
- Clause 02.03-2 – Environmental and landscape values.
- Clause 02.03-3 - Environmental risks and amenity.
- Clause 02.03-4 - Natural resource management.
- Clause 02.03-7 – Economic development.
- Clause 02.04 – Strategic framework plans.

- Clause 11.01-1R– Settlement – Central Highlands.
- Clause 12.01-1S – Protection of biodiversity.
- Clause 12.01-1L – Native vegetation and habitat protection.
- Clause 12.01-2S – Native vegetation management.
- Clause 12.03-1S - River and riparian corridors, waterways, lakes, wetlands, and billabongs.
- Clause 13.02-1S - Bushfire planning.
- Clause 13.05-1S – Noise management.
- Clause 13.07-1S – Land use compatibility.
- Clause 14.01-1S - Protection of agricultural land.
- Clause 14.01-1L - Protection of agricultural land.
- Clause 14.02-2S - Sustainable agricultural land use.
- Clause 14.01-2L – Sustainable agricultural enterprises.
- Clause 14.02-1S - Catchment planning and management.
- Clause 14.02-1L - Catchment and land protection.
- Clause 14.02-2S - Water quality.
- Clause 16.01-3S – Rural residential development.
- Clause 17.01-1R – Diversified economy.
- Clause 71.02-3 – Integrated decision making.

Referrals

The application has been referred to the following stakeholders, as required by the Planning Scheme:

- Goulburn Murray Water;
- Central Highlands Water;
- Department of Transport (VicRoads).

None of these authorities have objected to the granting of a Planning Permit.

The application has also been referred to the following Council teams:

- Engineering;
- Environmental Health.

Permit conditions have been recommended.

The application relies on formerly unused and unconstructed Government Road reserves to provide access for the use. It appears that the permit applicant has constructed these roads.

Council's Engineers have advised that the road reserves abutting the site have been constructed without any consent from Council and would have required a Land Use Activity Agreement (LUAA) from Dja Dja Wurrung Clans Aboriginal Corporation, which has not been obtained.

Public notification

As a result of changes made to the application, public notification has been undertaken twice.

Concerns raised in the objections include:

- Native vegetation has been cleared from the land;
- The use is operating without a Planning Permit;
- The use is negatively impacting on the amenity of adjoining land;
- The use is not appropriate in this rural living location;
- Truck movements generate excessive dust;
- The idling of trucks, engines starting up and fuelling raises odour issues;
- Lighting will have a negative impact;
- The built form is inappropriate and impacts on the outlook;
- The storage of fuel on bushfire prone land is not appropriate.

Enforcement action

Enforcement action, via action taken by a community member, is currently underway through the Victorian Civil and Administrative Tribunal (VCAT) to have the use cease.

An initial hearing has been held where VCAT strongly advised that this permit application be determined at Council's August meeting, this was unable to be met but is still before the next VCAT date.

An Administrative Mention has been scheduled for 20 September 2024 to obtain an update from Council in relation to this permit application.

KEY ISSUES

Classification of land use

As has been noted above, this application has been amended a number of times.

It is assessed that Contractors' Depot (Earthmoving and Transport) is the appropriate land use definition, as the Planning Scheme definition of store only allows the storage of goods, machinery or vehicles. It does not allow the other activities which are undertaken on the land.

A contractors' depot is a use that is not defined in the planning scheme but is a use which has been long recognised by the Victorian Civil and Administrative Tribunal (VCAT). VCAT provided a definition of the use in Paragraph 15 of *Andsland Pty Ltd v Kingston CC* No 2 [2009] as follows.

The Tribunal has in the past described the innominate land use of a "depot" as meaning land serving as a base where staff come to work or pick up vehicles and machinery, where administrative functions are

carried out, where vehicles are parked and kept, where equipment and materials are kept and other ancillary functions occur, such as the repair and maintenance of vehicles and equipment.

VCAT has also noted that contractors' depots are a now a well-accepted land use, and are a land use that can clearly be distinguished from store, vehicle store and industry.

Retrospective approval

As has been noted, the use is operating from the land, and has been operating for some time.

The fact that the use has been operating from the site does not indicate that Council must approve the application. The application must be considered on its merits, with the benefit of the use operating being that the amenity impacts of the use are known.

Vegetation removal

Neighbouring property owners have detailed that illegal vegetation removal has occurred along the southern boundary of the site.

Retrospective approval cannot be issued for native vegetation removal. This is a matter that requires investigation separate to this application.

Construction and private use of unused Government Roads

As noted above, formerly unused and unconstructed Government Roads have been constructed to benefit the subject site and provide for vehicle access. Additionally, aerial images of the site indicate that the Government Road located to the rear of the site is used for the storage of materials and the parking of vehicles, as can be seen below.



The applicant has not provided any information that the property owner has a lease over this area of land. In addition, as noted above, roads have been constructed

without appropriate approvals from Council or the Dja Dja Wurrung Clans Aboriginal Corporation.

A recommended permit condition would be to prevent the use of the road reserve to the south, all materials to be removed and a farm style fence be constructed to ensure no 'spill over' into that land

The relevant bodies, which may include DEECA and the Dja Dja Wurrung Clans Aboriginal Corporation are able to take their own actions against the property owner should they wish to.

Purpose of the zone and land use conflict

The site is located in a hobby-farm environment where dwellings exist in a spacious setting. It is also located on a major road and adjacent to a rail line and therefore has a different amenity to Rural Living Zone areas in more secluded areas.

The closest dwelling to the area of the site where the contractors' depot is proposed is approximately 130 metres away. Conditions are recommended to provide screen planting around the use and buildings and a restriction around operating hours, noise and dust controls and prevention of stock piling should be implemented.

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.*

The application is considered to be consistent with the purpose of the zone, particularly when read with the proposed conditions of this recommendation and in fact, the land use is operated in a way which is already adversely affecting nearby properties.

The decision guidelines of the zone require Council to consider:

- *The capability of the land to accommodate the use and development.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *The impact of the use or development on the flora, fauna and landscape features of the locality.*

- *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*

The focus of the decision guidelines is to ensure an appropriate level of amenity for existing dwellings, while also ensuring that the use and development does not negatively impact on the visual and environmental qualities of the area.

It is assessed that the application is generally consistent with the decision guidelines of Clause 35.03-5.

The operator has been aware of neighbour's amenity concerns about the operation since the first round of public notification was undertaken. Since then, they have agreed to reduce operating hours, they amended the application to include a shed to house all machinery and vehicles and understand that no maintenance of those vehicles will be permitted outside of the shed. Officers have also made the applicant aware that conditions will require an upgrade to the road reserve to the east, no access will be permitted to the road reserve to the south and an operations management plan will need to be submitted.

The Rural Living zoned land surrounding the site is developed for residential purposes, the siting of the use at the rear of the lot does go some way to reducing the impact on nearby landowners.

The purpose of the Rural Living Zone is to provide for residential land use in a rural environment, and to protect this residential amenity, this is distinct from the Farming Zone, which does not include any such objectives. As such, it is a reasonable expectation of surrounding residents that their amenity would not be compromised by a non-residential land use.

Changes are required for the use to continue. Reliance on govt land for storage is not appropriate and cannot be supported. The current access requires more formal upgrades to ensure it is constructed via an all-weather material and manages dust and avoids mud out on to Clunes Road.

The siting of the buildings, existing and proposed, for the use is such that there is minimal visual impact on the landscape when travelling along Clunes Road. However, the scale and intensity of the buildings when viewed from surrounding properties is quite industrial in nature with its hard surfaces and buildings, and not consistent with the open, spacious character of the surrounding rural living environment. The plans do not currently include any areas which could be planted with screening vegetation to reduce the visual impact of the use. This is a recommended condition.

The above concerns with the application have a direct reference to the planning policy included below, with the Planning Scheme being focussed on ensuring land use compatibility and protecting community amenity and human health.

Clause 13.07-1S – Land use compatibility includes the following strategies:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.*

Clause 13.05-1S – Noise management seeks to assist the management of noise effects on sensitive land uses, as follows:

Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.

It is noted that the use currently operates from the land and impacts negatively on the amenity of its neighbours by way of hours of operation and vehicle noise.

A contractors' depot such as this operation, which is relatively large and includes a number of specialist vehicles and equipment, as well as storage of materials, provision of fuel and multiple buildings, including a shed of almost 700 square metres in area, has the potential to cause amenity impacts. Through conditions, more sensitively sited buildings and access points, gravelled areas being formalised with a hard surface, landscaping and an operations management plan it is considered we are able to support the contractors' depot.

Economic development

The planning scheme encourages economic development, diversification of the economy and local employment opportunities.

The use which is proposed does provide economic benefits in the form of local employment, and it also provides a service to the local community.

Bushfire prone land

The site is located on land which is bushfire prone. If the application is supported, a Bushfire Emergency Management Plan should be required to ensure that the use can be managed having regard to bushfire risk. Mitigation risks will be managed via the operations management plan.

Net community benefit

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria, as set out in Section 4 of the *Planning and Environment Act 1987* are fostered through appropriate land use and development planning policies and

practices that integrate relevant environmental, social, and economic factors in the interests of net community benefit and sustainable development.

Clause 71.02-3 – Integrated Decision Making states:

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

In determining the appropriateness of this proposal, officers have weighed up the policy and zoning considerations, the referrals agencies comments and the objectors concerns. On balance it is considered this use can comfortably sit within this locality, noting many changes are required via permit conditions.

Conclusion

The objectives of planning in Victoria, as set out in Section 4 of the *Planning and Environment Act 1987* are to:

- *provide for the fair, orderly, economic and sustainable use and development of land*
- *provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity*
- *secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria*
- *conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value*
- *protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community*
- *facilitate development in accordance with the objectives set out in paragraphs a), b), c), d) and e)*
- *facilitate the provision of affordable housing in Victoria*
- *balance the present and future interests of all Victorians.*

The application will provide for an outcome consistent with the objectives of planning in Victoria, or the direction of the planning scheme and it is recommended that the application be supported subject to a number of conditions.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

COUNCIL PLAN 2021-2025

Diverse economy and opportunities

4.3 Support and facilitate a diverse and innovative local economy that encourages an increase of local businesses with diverse offerings to achieve positive social, economic and environmental impacts.

FINANCIAL IMPLICATIONS

There are no financial implications for Council and this application will be determined within, or close to, 60 statutory days.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Public notification of the application has been undertaken.

RISK AND GOVERNANCE IMPLICATIONS

The application has been processed in accordance with the requirements of the *Planning and Environment Act 1987*.

ENVIRONMENTAL SUSTAINABILITY

There are no sustainability implications associated with this report.

AMENDMENT TO PLANNING APPLICATION

Pursuant to Sections 50, 50A and 57A of the Planning and Environment Act 1987

Is this form for me? This form is for making amendments to an application that has been lodged with Council, but which has not yet been decided.

Planning Permit

Permit number: PLN23/0025

The Applicant

Name: James Iles

Organisation: iPlanning Services Pty Ltd

Amendment sought

Amend what the permit allows: Use and Development of a Contractors Depot

Attach a full schedule of all changes, including all changes to plans. If plans are to be amended, three full sets of amended plans are required.
If the amendment changes the description of the use or development, please make that clear.

Does the amendment breach a registered covenant, section 173 agreement or restriction on Title? ☐ Yes ☒ No

Prescribed Fee

To amend an application before advertising
To amend an application after advertising

No fee
40% of application fee for the relevant class of permit

Declaration

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 amendment to the application.

Name: James Iles Date: 5/30/24 Signature: James Iles

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

Lodgement

Please lodge the completed form, appropriate fee and supporting documents with:

Planning Department
Hepburn Shire Council
Duke Street
Daylesford VIC 3460
Telephone: (03) 5348 1577
email: shire@hepburn.vic.gov.au

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.

HOW TO AMEND AN APPLICATION FOR A PLANNING PERMIT

Applications made under section 50.3(c) must include the information required by Regulation 16 of the Planning and Environment Regulations 1988.

Section 50. Amendment to application at request of the applicant before notice

- (1) An applicant may ask the responsible authority to amend an application before notice of the application is first given under section 52.
- (2) An amendment to an application may include—
 - (a) an amendment to the use or development mentioned in the application; and
 - (b) an amendment to the description of land to which the application applies; and an amendment to any plans and other documents forming part of or accompanying the application.
- (3) A request under this section must—
 - (a) be accompanied by the prescribed fee (if any); and
 - (b) be accompanied by any information or document referred to in section 47(1)(c) to 47(1)(e) that relates to the proposed amendment to the application and that was not provided with the original application; and
 - (c) if the applicant is not the owner of the land to which the application applies, be signed by the owner or include a declaration by the applicant, that the applicant has notified the owner about the request.
- (4) Subject to sub-section (5), the responsible authority must amend the application in accordance with the request.
- (5) The responsible authority may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.
- (6) The responsible authority must make a note in the register if any amendment is made to an application under this section.
- (7) On the amendment of an application under this section, the amended application is to be taken—
 - (a) to be the application for the purposes of this Act; and
 - (b) to have been received on the day that the request for amendment was received by the responsible authority.

50A. Amendment of application by responsible authority before notice

- (1) With the agreement of the applicant and after giving notice to the owner, the responsible authority may make any amendments to an application that it thinks necessary before notice of the application is first given under section 52.
- (2) An amendment to an application may include—
 - (a) an amendment to the use or development mentioned in the application; and
 - (b) an amendment to the description of land to which the application applies; and
 - (c) an amendment to any plans and other documents forming part of or accompanying the application.
- (3) The responsible authority may require the applicant—
 - (a) to notify the owner under sub-section (1); and
 - (b) to make a declaration that that notice has been given.
- (4) The responsible authority must make a note in the register if any amendment is made to an application under this section.
- (5) On the amendment of an application under this section, the amended application is to be taken—
 - (a) to be the application for the purposes of this Act; and
 - (b) to have been received on the day that the applicant agreed to the amendment.

57A. Amendments to application after notice of application is given

- (1) An applicant may ask the responsible authority to amend an application after notice of the application is given under section 52.
- (2) An amendment to an application may include—
 - (a) an amendment to the use or development mentioned in the application; and
 - (b) an amendment to the description of land to which the application applies; and
 - (c) an amendment to any plans and other documents forming part of or accompanying the application.
- (3) A request under this section must—
 - (a) be accompanied by the prescribed fee (if any); and
 - (b) be accompanied by any information or document referred to in section 47(1)(c) to 47(1)(e) that relates to the proposed amendment to the application and that was not provided with the original application; and
 - (c) if the applicant is not the owner of the land to which the application applies, be signed by the owner or include a declaration by the applicant that the applicant has notified the owner about the request.
- (4) Subject to sub-section (5), the responsible authority must amend the application in accordance with the request.
- (5) The responsible authority may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.
- (6) The responsible authority must make a note in the register if any amendment is made to an application under this section.
- (7) On the amendment of an application under this section—
 - (a) the amended application is to be taken—
 - (i) to be the application for the purposes of this Act; and
 - (ii) to have been received on the day that the request for amendment was received by the responsible authority; and
 - (b) all objections made in relation to the original application are to be taken to be objections to the amended application.
- (8) Nothing in this section affects any right a person may have to make a request under section 87 or 89 in respect of anything done or not done in relation to the original application.
- 9) Sections 52 and 55 do not apply to an amended application.

REMEMBER it is against the law to give false or misleading information. You may receive a heavy fine and your permit may be cancelled.

Send the completed form and all the documents to the Responsible Authority:

31 May 2024

Our Reference: P-01043
Your Reference: PLN23/0025

Ms Mish Watt
Statutory Planner
Hepburn Shire Council
PO Box 21
DAYLESFORD VIC 3460

Dear Mish,

**RE: Planning Permit Application PLN23/0025
Use and Development of a Store and Dispensation of Car Parking Requirements
423 Clunes Road, Creswick**

I refer to our recent phone discussion about whether the above application is defined as the appropriate use of the land. I therefore now submit an amended application which now defines the use of the land as a Contractors Depot. The proposed shed still applies to the application.

I have attached the following information:

- ***Section 50A Amendment to a planning application form;***
- ***Revised Planning Report that addresses the changes to the use; and,***
- ***An amended site plan that details location of road reserves of the adjoining roads.***

If you have any issues, please don't hesitate to contact me on 0408 577 880 or email james@iplanning.com.au.

Yours faithfully,
iPLANNING SERVICES P/L



James Iles
Director/Town Planner

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

Page 1 of 1

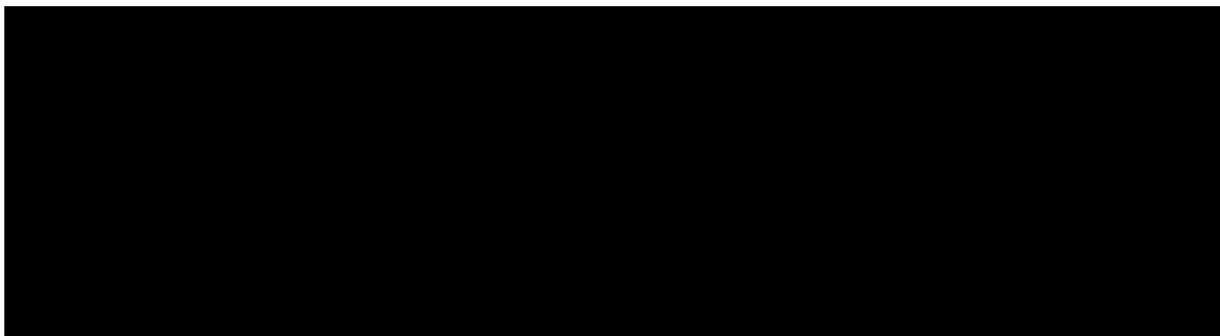
VOLUME 10094 FOLIO 081

Security no : 124104082123L
Produced 20/02/2023 06:03 PM

LAND DESCRIPTION

Crown Allotment 4B Section L Parish of Creswick.
PARENT TITLE Volume 03172 Folio 358
Created by instrument S150932X 05/10/1992

REGISTERED PROPRIETOR



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

DIAGRAM LOCATION

SEE TP072808F 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: 423 CLUNES ROAD CRESWICK VIC 3363

ADMINISTRATIVE NOTICES

NIL

eCT Control 00009E NATIONAL AUSTRALIA BANK
Effective from 11/12/2017

DOCUMENT END

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Document Type	Plan
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TITLE PLAN		EDITION 1	ATTACHMENT 11.1.1 TP 72806
Location of Land Parish: CRESWICK Township: Section: L Crown Allotment: 4B Crown Portion: Last Plan Reference: Derived From: VOL 10094 FOL 081 Depth Limitation: 15.24 m		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: 08/07/1999 VERIFIED: BH	
<p>Diagram showing a section of land (SEC L) with an area of 3.642ha. The land is bounded by three roads: GOVT. ROAD (top), GOVT. ROAD (right), and GOVT. ROAD (bottom). The boundaries are defined by bearings and distances: Top boundary is 134°58' for 207.40m; Right boundary is 180°42' for 210.62m; Bottom boundary is 297°35' for 166.57m. A vertical line on the left side is 0°42' for 280.03m. The text 'SEC L' and '3.642ha' are centered within the land area. A north arrow is located on the left side of the diagram.</p>			
LENGTHS ARE IN METRES		Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets

GENERAL NOTES

DO NOT SCALE DRAWINGS, USE WRITTEN DIMENSIONS ONLY.
THE OWNER BUILDER, SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS, LEVELS, SETBACKS AND SPECIFICATIONS PRIOR TO COMMENCING ANY WORK OR ORDERING MATERIALS AND SHALL BE RESPONSIBLE FOR ENSURING THAT ALL BUILDING WORKS CONFORM TO THE BUILDING CODE OF AUSTRALIA, A.S CODES (CURRENT EDITIONS) BUILDING REGULATIONS, LOCAL BY-LAWS AND TOWN PLANNING REQUIREMENTS.

ALL WORKS SHALL COMPLY WITH BUT NOT LIMITED TO THE FOLLOWING AUSTRALIAN STANDARDS:
A.S. 1288 - 2006 GLASS IN BUILDINGS - SELECTION AND INSTALLATION
A.S. 1542 - 1992 DESIGN AND INSTALLATION OF SHEET ROOF AND WALL CLADDING
A.S. 1684 - 2010 NATIONAL TIMBER FRAMING CODE
A.S. 2049 - 2002 ROOF TILES
A.S. 2050 - 2002 FIXING OF ROOF TILES
A.S. 2870 - 2011 RESIDENTIAL SLABS & FOOTINGS
A.S. 3440 - 2000 TERMITE MANAGEMENT
A.S. 3700 - 2011 MASONRY IN BUILDING
A.S. 3740 - 2010 WATERPROOFING OF DOMESTIC WET AREAS
A.S. 3786 - 2014 SMOKE ALARMS
A.S. 4055 - 2012 WIND LOADINGS FOR HOUSING
A.S. 4100 - 1998 STEEL STRUCTURES

SAFETY GLAZING TO BE USED IN THE FOLLOWING CASES.
ALL ROOMS - WITHIN 500 MM VERTICAL OF THE FLOOR.
BATHROOMS & ENSUITES - WITHIN 2000 MM ABOVE THE FLOOR LEVEL.
LAUNDRY - WITHIN 300 MM HORIZONTAL FROM ALL DOORS.
DOORWAY - WITHIN 300 MM HORIZONTAL FROM ALL DOORS.
SHOWER SCREENS SHALL BE GRADE A SAFETY GLASS.

WINDOW SIZE ARE NOMINAL ONLY ACTUAL SIZE WILL VARY ACCORDING TO MANUFACTURER, WINDOWS TO BE FLASHED ALL AROUND.

STORMWATER SHALL BE TAKEN TO LEGAL POINT OF DISCHARGE TO THE SATISFACTION OF THE RELEVANT AUTHORITY.

SEWER OR SEPTIC SYSTEM SHALL BE IN ACCORDANCE WITH THE RELEVANT AUTHORITIES REQUIREMENTS.

FOOTINGS NOT TO ENCROACH TITLE BOUNDARIES AND EASEMENT LINES.

FOR BUILDINGS IN CLOSE PROXIMITY TO THE SEA ENSURE THAT ALL STEEL WORK, BRICK CAVITY TIES AND STEEL LINTELS, ETC. THAT ARE IMBEDDED OR FIXED INTO MASONRY BE PROTECTED IN ACCORDANCE WITH A.S. 1650 OR A.S. 3700-1988 TABLE 2.2 HOT DIPPED GALV. S.STEEL OR CADMIUM COATED.

ALL WET AREAS TO COMPLY WITH B.C.A. F1.7 OR A.S. 3740 - 2010 WALL FINISHES SHALL BE IMPERVIOUS TO A HEIGHT OF 1800 MM ABOVE FLOOR LEVEL TO SHOWER ENCLOSURES AND 150 MM ABOVE BATHS, BASINS, SINKS, AND TROUGHS IF WITHIN 75 MM OF THE WALL.

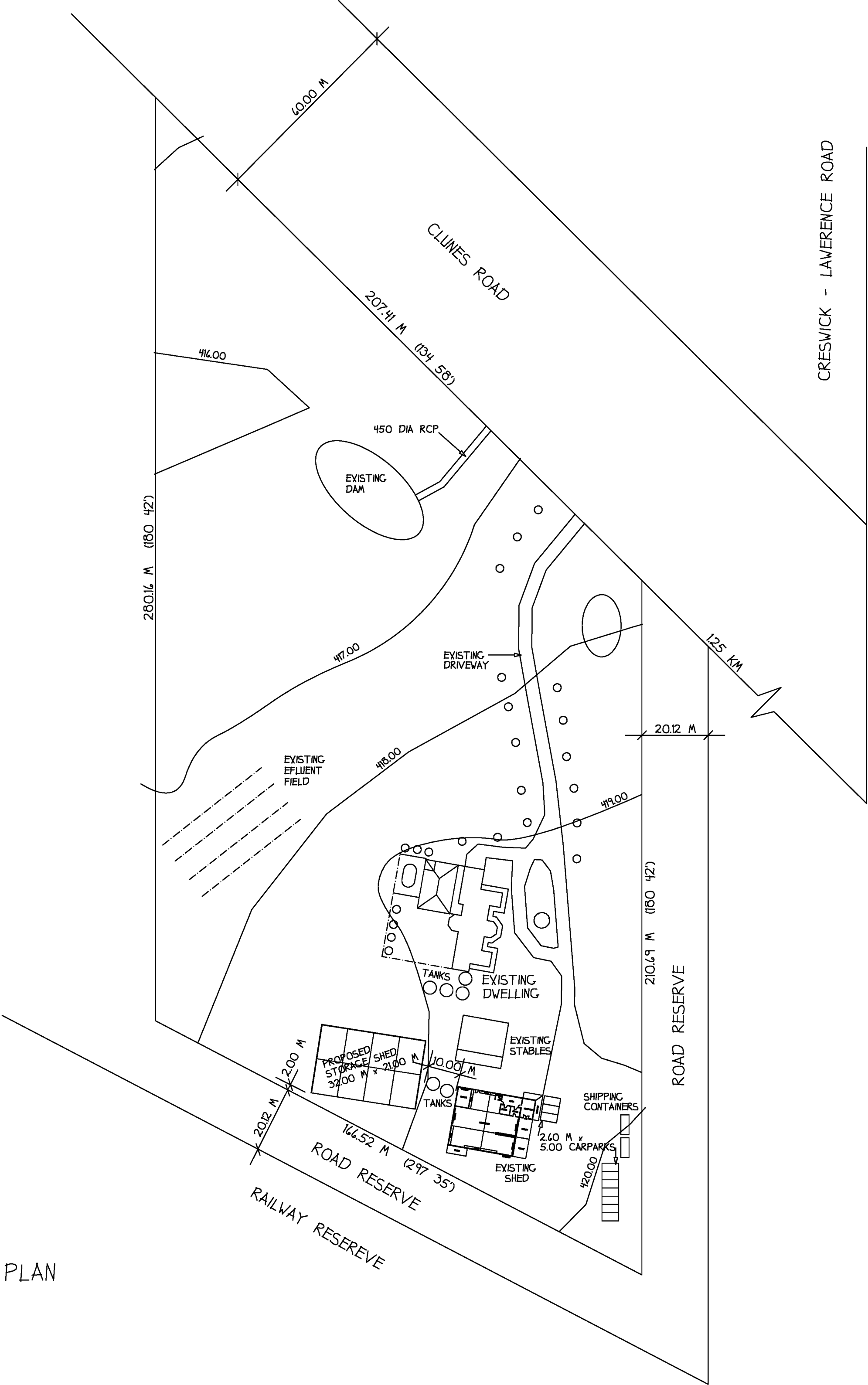
PROVIDE WALL TIES TO BRICKWORK AT MAXIMUM 600MM CRS IN EACH DIRECTION AND WITHIN 300 MM OF ARTICULATION JOINTS.

SUB-FLOOR VENTS TO PROVIDE A RATE OF 7500 MSQ. CLEAR VENTILATION PER 100MM RUN OF EXTERNAL MASONRY WALL AND 2200 MM SQ. CLEAR VENTILATION PER 100MM RUN OF INTERNAL DWARF WALLS.

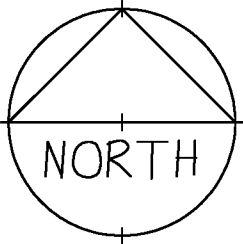

STAIR REQUIREMENTS: RISERS - 190 MM MAXIMUM, 150 MM MINIMUM. GOING - 355 MM MAXIMUM, 240 MM MINIMUM (PRIVATE STAIRS AND 250 FOR PUBLIC STAIRS)
RISERS AND TREADS TO BE CONSTANT IN SIZE THROUGHOUT FLIGHT, PROVIDE NON-SLIP FINISH OR SUITABLE NON-SKID STRIP NEAR EDGE OF NOSING.

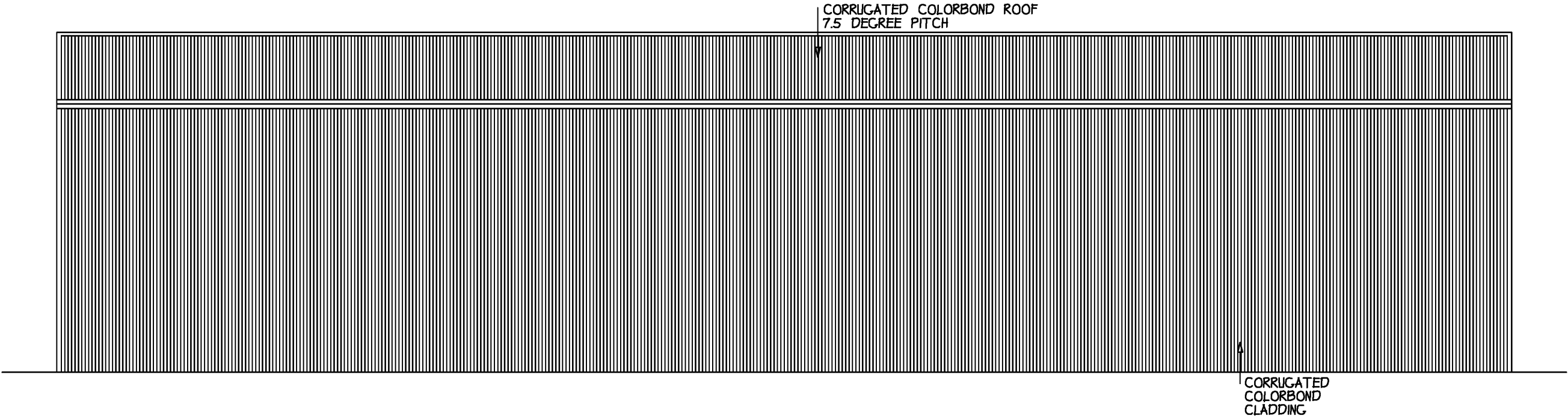
ENSURE MAXIMUM GAP BETWEEN RISERS NOT TO EXCEED 125 MM OR USE CLOSED RISERS.
PROVIDE CONTINUOUS HANDRAIL 1000 MM MINIMUM HEIGHT TO BALCONIES AND DECKS WHICH ARE 1000 MM OR MORE ABOVE GROUND LEVEL.
GROUND LEVEL 865 MM MINIMUM HEIGHT HANDRAIL ABOVE STAIR NOSINGS AND LANDINGS, MAXIMUM OPENING BETWEEN BALUSTERS NOT TO EXCEED 125 MM.

SITE PLAN

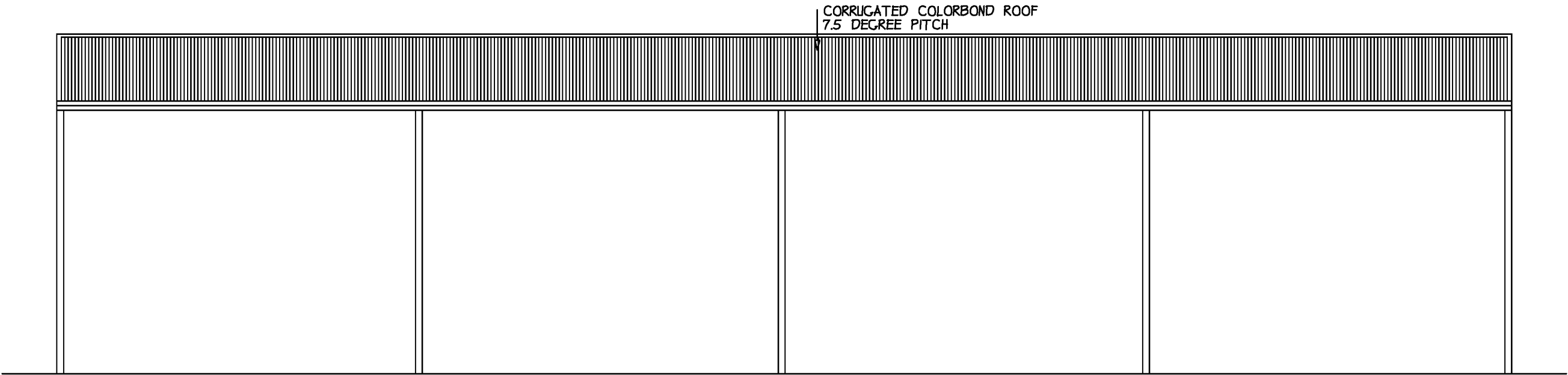


PLANNING PERMIT
ISSUE

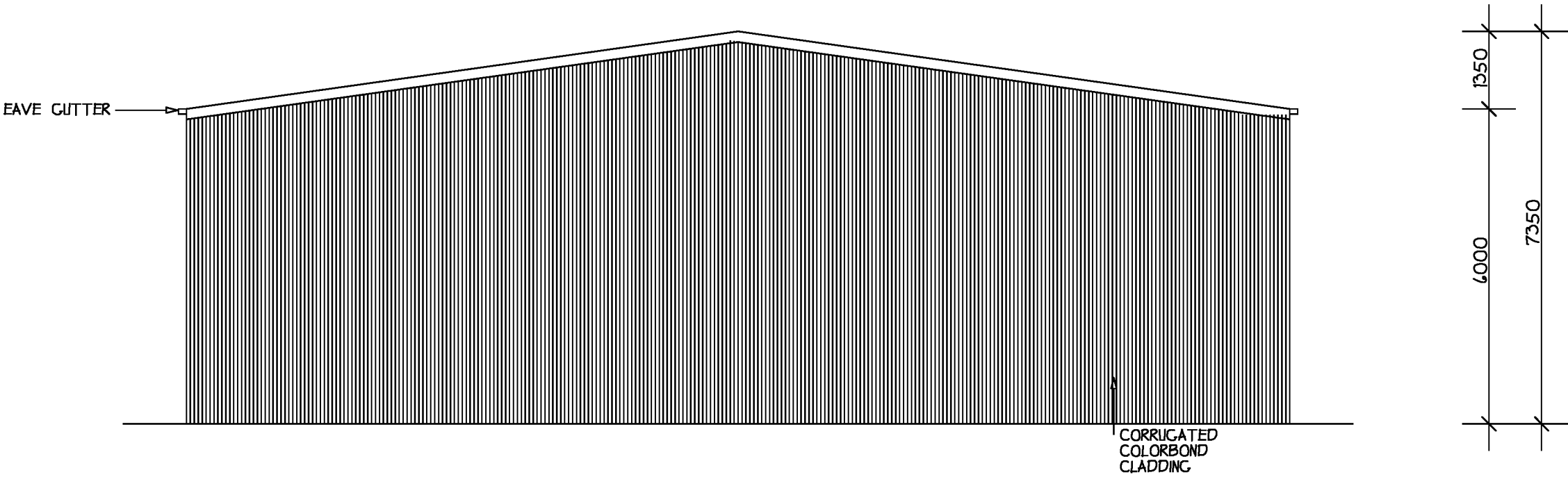
DATE	PLANS ISSUED
SHEET DETAIL SITE PLAN	
DATE	AMENDMENT
PROJECT PROPOSED CONTRACTORS DEPOT	
PROPRIETOR [REDACTED]	
SITE LOCATION 423 CLUNES ROAD CRESWICK	
DATE 30 : 5 : 24	SCALES 1:1000
DRAWN T. Janssens	SHEET NUMBER 1 OF 2
JANO BUILDING DESIGN 402 Greenhalghs Road Winter Valley 3358 Ph 0419 583 060 Registered Building Practitioner DP-AD 40760	
<div><div><div>NORTH</div></div><div><div>JANO BUILDING DESIGN</div></div></div>	



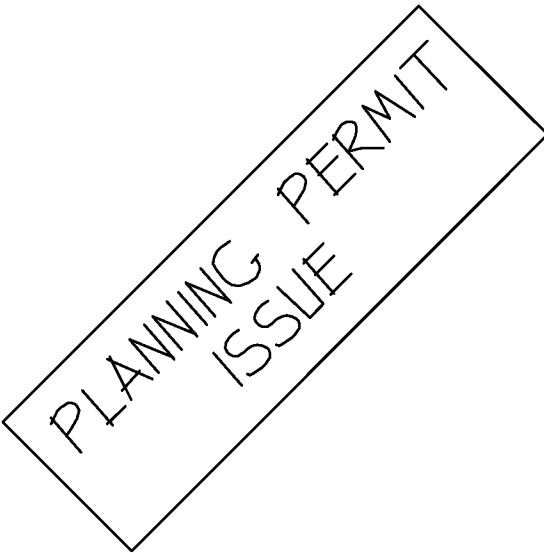
NORTH ELEVATION

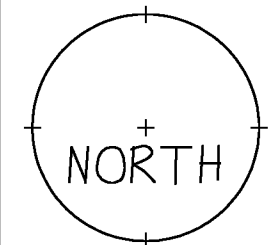
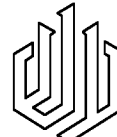


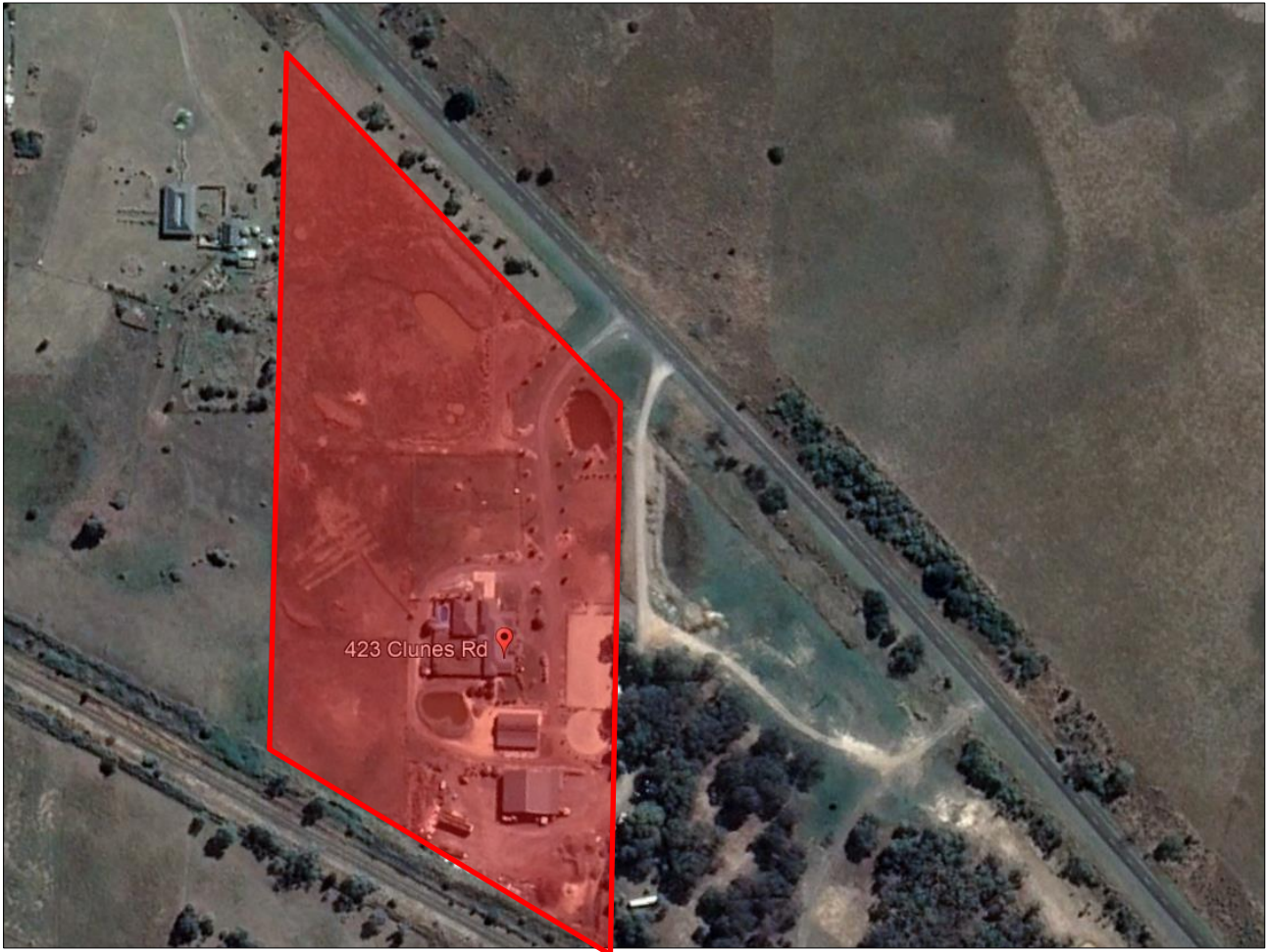
SOUTH ELEVATION



EAST & WEST ELEVATION



DATE	PLANS ISSUED
SHEET DETAIL	
ELEVATIONS	
DATE	AMENDMENTS
PROJECT	
PROPOSED CONTRACTORS DEPOT	
SITE LOCATION	
423 CLUNES ROAD CRESWICK	
DATE	SCALES
30 : 5 : 24	1:100
DRAWN	SHEET NUMBER
T. Janssens	2 OF 2
JANO BUILDING DESIGN 402 Greenhalghs Road Winter Valley 3358 Ph 0419 583 060 Registered Building Practitioner DP-AD 40760	
	 JANO BUILDING DESIGN



Hepburn Planning Scheme Planning Report for Use and Development of a Contractors Depot

Address: 423 Clunes Road, Creswick
Reference: P-01043

Hepburn Shire Council

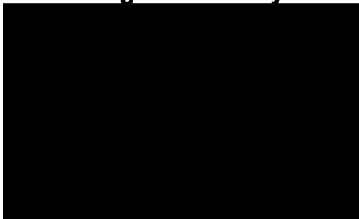
iPlanning Services Pty Ltd – February 2023 (amended April 2024)

Prepared for:



Prepared by:

iPlanning Services Pty Ltd



Quality Information

Document	Planning Report
Reference No.	P-01043
Date	February 2023 (amended April 2024)
Prepared by	James Iles

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Table of Contents

1. Introduction	1
2. Permit Trigger/s	1
3. Subject Site and Site Context	1
4. Proposal	3
5. Planning Controls	4
5.1 Zoning	4
5.2 Use	5
5.3 Buildings and works	5
5.4 Decision Guidelines	5
6. Overlays	7
6.1 Environmental Significance Overlay	7
6.2 Vegetation Protection Overlay	8
7. Particular Provisions	9
7.1 Car Parking	9
7.2 Land Adjacent to the Principal Road Zone	10
8. General Provisions	10
8.1 Decision Guidelines	10
9. Policy Context	11
9.1 Municipal Planning Strategy	11
9.2 Planning Policy Framework	11
10. Conclusion	12

1. Introduction

iPlanning Services Pty. Ltd. has been engaged by [REDACTED] to submit a Planning Permit Application on their behalf for the use and development of a Contractors Depot located at 423 Clunes Road, Creswick.

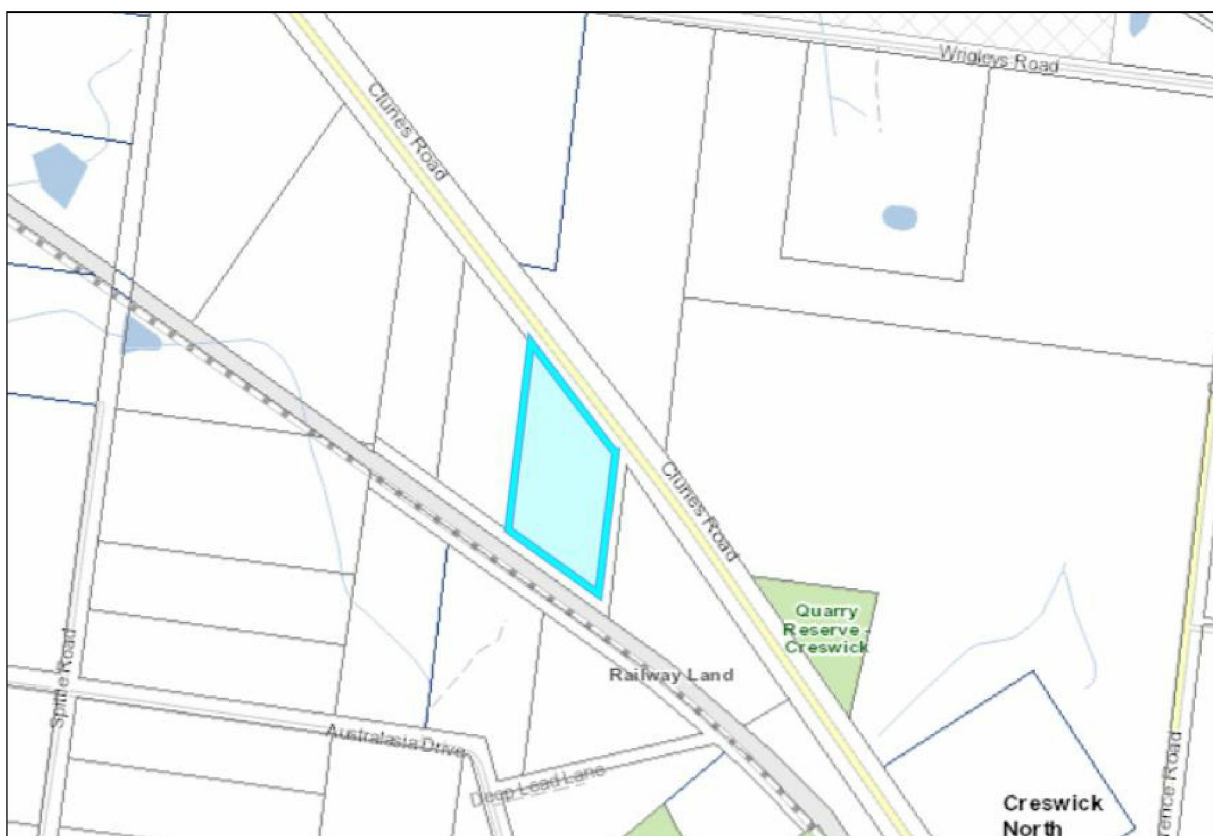
2. Permit Trigger/s

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

▪ Rural Living Zone	Clause 35.03-1 Clause 35.03-4	Use of the land Buildings and works
▪ Car Parking	Clause 52.06-5	Reduction of car parking

3. Subject Site and Site Context

The subject site is located on the south side of Clunes Road. The site consists of one Title and it is described as Vol. 10094 Fol. 081 Lot on Title Plan No. 072808F. The site is regular in shape with a frontage of approximately 207 metres to Clunes Road, a frontage of approximately 210 metres to an unnamed govt road on the east, a frontage of approximately 166 metres on the southern boundary and a western boundary of approximately 280 metres with a total land area of approximately 3.64 hectares.



The site currently contains an existing dwelling and outbuildings at the rear of the site. Access is via a central driveway from Clunes Road and the boundaries are currently fence with post and wire. There is very little vegetation on the site and the land has a slight fall from the north to the south.



The surrounding development includes mainly rural residential development with existing dwellings and outbuildings built on the land. The properties vary in size ranging between 4.0 hectares and 10 hectares with the land on the northern side of Clunes Road being used for agricultural purposes.



The subject site and the surrounding land to the east, west and south is located within the Rural Living Zone. The land to the north is located in the Farming Zone. The land and the surrounding land is also included within the Environmental Significance Overlay and is partially covered by the Vegetation Protection Overlay.

Clunes Road is a sealed bitumen road with gravel shoulders and open drains on both sides. There is very little vegetation on either side on the road and the road is controlled and maintained by VicRoads.

4. **Proposal**

The proposal is to construct a new shed at the rear of the site for the purposes of a contractors depot and the following is a breakdown of the proposal:

Proposed Contractors Depot:

The proposed contractors depot building is to be located at the western end of the existing shed at the rear and will have a floor area of 672m². The building will be enclosed on three sides with the southern elevation being open. This will allow for trucks and other equipment associated with the business to be stored undercover in a building.

The building will be located 10.0 metres west of the existing shed and setback 2.0 metres from the southern boundary.

Any outdoor lighting will be baffled to reduce any potential impact on adjoining properties. No additional wastewater is associated with the proposed store. There is no vegetation to be removed from the site and there is currently no stone wall along the railway line boundary.

Proposed Use:

The contractors depot will be for an earthmoving business and there will be up to six (6) employees employed. The breakdown of the employees are four (4) outdoor workers and two (2) office workers. On average there will be up to 3 cars parked on site associated with the employees and they are parked from 7.00am to 4.00pm. Work will commence from 7.00am and be completed by 5.00pm Monday to Friday.

The four outdoor workers will not be parking on site as they will travel to the job site.

The equipment associated with the business includes:

- 1 x 19m semi trailer;
- 1 x 10m tag trailer;
- 2 x 8m trucks;
- 1 x 8m tipping trailer;
- 4 x 4 tonne to 21 tonne diggers;
- 2 x bobcats;
- 1 x grader;
- 2 x rollers; and,
- 2 x tractors

The vehicles would normally start up at 6.30am.

Typically on weekdays the average number of movements per day would vary between 20 to 40 movements (10-20 in and 10-20 out). This would occur during the weekdays. There might be some weekend movements but they would be considerably less than on a weekday. Vehicle access will be via the government roads that about

the site on the east and south sides of the property. Access onto Clunes Road is via the existing gravel road at the intersection.

Storage of fuel is provided on site and is located on the southeast corner of the existing large shed in an 8,000 litre self-bunded storage facility which is filled on a needs basis fuel contractor.

Vehicles are cleaned on a concrete apron onsite and water is discharged onto the site.

There is no signage associated with the business to be erected on the building.

5. Planning Controls

5.1 Zoning

The subject site is situated within the **Rural Living Zone (RLZ1)**.



Clause 35.03 of the Planning Scheme refers to the Rural Living Zone and the purpose of the Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- 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.

5.2 Use

Under **Clause 73.03** of the Scheme, the definition of a Contractors Depot is not defined under the Clause.

Response:

Under the Rural Living Zone, a Contractors Depot as it is not a nominated use, a planning permit will be required as it falls under the Section 2 'Permit require' use.

5.3 Buildings and works

Clause 35.03-4 refers to Buildings and works and a permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.03-1.

Response:

Under the Rural Living Zone, a Contractors Depot is a Section 2 'Permit require' use, therefore a planning permit is required for the buildings and works.

5.4 Decision Guidelines

Clause 35.03-5 refers to the Decision Guidelines and before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues	Comment
The Municipal Planning Strategy and the Planning Policy Framework.	The proposed use and development complies with the MPS and PPF of the Hepburn Planning Scheme.
Any Regional Catchment Strategy and associated plan applying to the land.	There is no regional catchment strategy.
The capability of the land to accommodate the proposed use or development.	<p>The site is 3.64 hectares which is more than adequate in size to accommodate the proposed Contractors Depot building without undermining the landscape and scenic value of the area. The location and the design of the building is located at the rear and there is sufficient separation to the existing dwelling on the site and other dwellings adjoining the site.</p> <p>No further wastewater is to be associated with proposed store.</p>
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	<p>Again, at over 3.64 hectares the subject land is more than adequate in size to accommodate the proposed building.</p> <p>There are adjoining properties that contain large sheds.</p>

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.	The site is within 500 metres of an extractive Industry but the proposal is not for accommodation.
--	--

Agricultural issues	Comments
The capacity of the site to sustain the agricultural use.	The site is not being used for any agricultural use.
Any integrated land management plan prepared for the site.	Not applicable.
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.	There is no future expansion of the use.

Environmental issues	Comments
The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality and by the emission of noise, dust and odours.	The proposal is to construct a building to be used as a contractors depot. The equipment associated with the business will be stored inside the building.
The impact of the use or development on the flora, fauna and landscape features of the locality.	There is no impact on the existing flora and fauna.
The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.	There will be no vegetation removed from the site.
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	There is no additional effluent being disposed of from the proposed building

Design and siting issues	Comments
The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.	The proposed building is located at the rear of the site. The wall and roof colours will match the existing colour of the existing shed, therefore not having any adverse impact on the natural environment, vista, water features etc....
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.	The Planning Scheme has not identified this site as having any architectural, historic or scientific significance, or of natural scenic beauty or importance.
The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.	The proposed building will only have power and drainage.
Whether the use and development will require traffic management measures.	Traffic will utilise the existing government roads that are located at the southern and eastern side of the site.

The need to locate and design buildings used for accommodation to avoid or reduce the impact from 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.	The site is within 500 metres of an extractive Industry but the proposal is not for accommodation.
--	--

6. Overlays

6.1 Environmental Significance Overlay

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



Clause 42.01 of the Planning Scheme refers to the Environmental Significance Overlay and the purpose of the Overlay is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

Clause 42.01-2 Permit requirement states that a permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.

- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
 - If a schedule to this overlay specifically states that a permit is not required.
 - If the table to Clause 42.01-3 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

Schedule 1 to the Overlay refers to the Special Water Supply Catchment Protection and the objective of the schedule 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.

Clause 3.0 of the Schedule refers to Permit Requirement and a permit is not required to:

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

Response:

The proposed buildings and works are not located 30 metres of any waterway, there is no site cut proposed and any stormwater is discharged more than 100 metres of a waterway, therefore there are no triggers requiring a planning permit for the buildings and works under the Schedule.

6.2 Vegetation Protection Overlay

The subject site is also included within **Vegetation Protection Overlay (VPO)**.



Clause 42.02 refers to the Vegetation Protection Overlay and the purpose of the Overlay is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To protect areas of significant vegetation.
- To ensure that development minimises loss of vegetation.
- To preserve existing trees and other vegetation.
- To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
- To maintain and enhance habitat and habitat corridors for indigenous fauna.
- To encourage the regeneration of native vegetation.

Clause 42.02-2 refers to Permit Requirements and a permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.

Response:

There is no vegetation to be removed from the site.

7. Particular Provisions

7.1 Car Parking

The table contained in **Clause 52.06-6** of the Planning Scheme refers to number of car spaces required for other uses. Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to

the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

Response:

The contractors depot will be for an earthmoving business and there will be up to six (6) employees employed. The breakdown of the employees are four (4) outdoor workers and two (2) office workers. On average there will be up to 3 cars parked on site associated with the employees and they are parked from 7.00am to 4.00pm. Work will commence from 7.00am and be completed by 5.00pm Monday to Friday. No clients attend the site.

It is proposed that 10 car spaces will be provided on site. It is suggested that this number of spaces would adequately meet car parking requirements under the Clause.

7.2 Land Adjacent to the Principal Road Zone

Under the provisions of **Clause 52.29**, the purpose of the Principal Road Zone is:

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

Clause 52.29-2 refers to Permit Requirement and a permit is required to:

- create or alter access to a road in a Road Zone, Category 1 or land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.
- subdivide land adjacent to a road in a Road Zone, Category 1 or land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Response:

There is currently an existing access to the site from Clunes Road. All truck movements to and from the site use the existing government road that is located on the eastern and southern boundary of the site. The application will be required to be referred to the Department of Transport and Planning for comment.

8. General Provisions

8.1 Decision Guidelines

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

Clause 65.01- Application or approval of a plan	Comments
The Municipal Planning Strategy and the Planning Policy Framework.	The proposed use complies with the MPS and the PPF.
The purpose of the zone, overlay or other provision	The use complies with the Rural Living Zone.
Any matter required to be considered in the zone, overlay or other provision	Not applicable.

The orderly planning of the area	This proposal represents an orderly, sensible and practical response to land that is situated within a rural residential context. The use will be out of an existing shed that is located at the rear of the site.
The effect on the amenity of the area	There will be no measurable effect or impacts on the amenity of the area. The proposed shed is located at the rear of the site that abuts onto an existing government road and Ballarat-Maryborough Railway Line. No adverse overshadowing effects or overlooking of private open space will occur.
The proximity of the land to any public land	The proposed use and development will have no impact on the railway line or government road at the rear of the site.
Factors likely to cause or contribute to land degradation, salinity or reduce water quality	Not applicable.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site	Not applicable.
The extent and character of native vegetation and the likelihood of its destruction	Not applicable.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate	Not applicable
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard	Not applicable.
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	Vehicles can enter and leave in safe and efficient manner from the site onto Clunes Road.

9. Policy Context

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

9.1 Municipal Planning Strategy

The Hepburn Planning Scheme is silent on the use and development of land in the Rural Living Zone.

9.2 Planning Policy Framework

Clause 13.05-1S – Noise Management – aims:

- To assist the management of noise effects on sensitive land uses.

The Strategy that is relevant to this application is:

- Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.

Response:

The proposed shed is located at the rear of the site, with the closest dwelling located to the south approximately 150 metres away. There is the existing railway line between the two sites as well as existing vegetation that will reduce any potential noise. Also, the business intends to operate between the hours of 7.00am to 5.00pm Monday to Friday, which can be conditioned on any planning permit that is to be issued.

Clause 13.07-1S – Land Use Compatibility – aims:

- To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

The strategies that are relevant to this application are:

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

Response:

These type of operations do occur on the rural living where there are larger lots than the Low Density Residential zoned land, and where amenity of adjoining properties can be controlled through landscaping and conditions on permits.

Clause 17.01-1S – Diversified Economy – aims:

- Improve access to jobs closer to where people live.

Response:

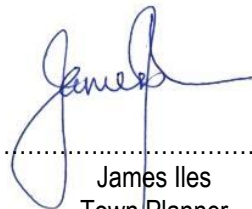
The proposed business will provide opportunity for employment for persons living in Creswick.

10. Conclusion

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

- The proposal is consistent with the purpose of the Rural Living Zone.
- The proposal is not affected by the Environmental Significance Overlay and the Vegetation Protection Overlay.
- The proposal responds positively to the decision guidelines of Clause 65.01.

For all of the reasons outlined above, which have been expanded upon throughout this report, it is respectfully requested that the Hepburn Shire Council support the application and issue a planning permit to allow for the use and development of a Contractors Depot located at 423 Clunes Road, Creswick.



.....
James Iles
Town Planner

22 July 2024

To the Hepburn Shire Councillors

**423 Clunes Road, Creswick VIC 3363 – Planning submission objection
Amended planning permit application PLN23/0025 for use and development of a
contractor's depot and a reduction in car parking**

Dear Councillors

I refer to the amended planning application concerning 423 Clunes Road, Creswick.

I wish to express my objection to the application on the following grounds:

- a) The applicant's use of the land currently as a trucking depot is not in keeping with the requirements of the Hepburn Planning Scheme (Rural Living Zone). The use is intensive and industrial. There is noise from heavy vehicles coming and going from the site currently, and flood lighting, which both negatively impact the amenity of the area for residents.
- b) I do not agree with the land being continued to be used for commercial purposes (contractor's depot, wash bay for trucks carting hazardous material such as contaminated waste and biowaste).
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I urge the Councillors to please consider the wellbeing of ratepayers and residents and uphold the objectives and requirements of the Rural Living Zoning requirements and Vegetation Protection Overlay.

17 July 2023

To Hepburn Shire Councillors

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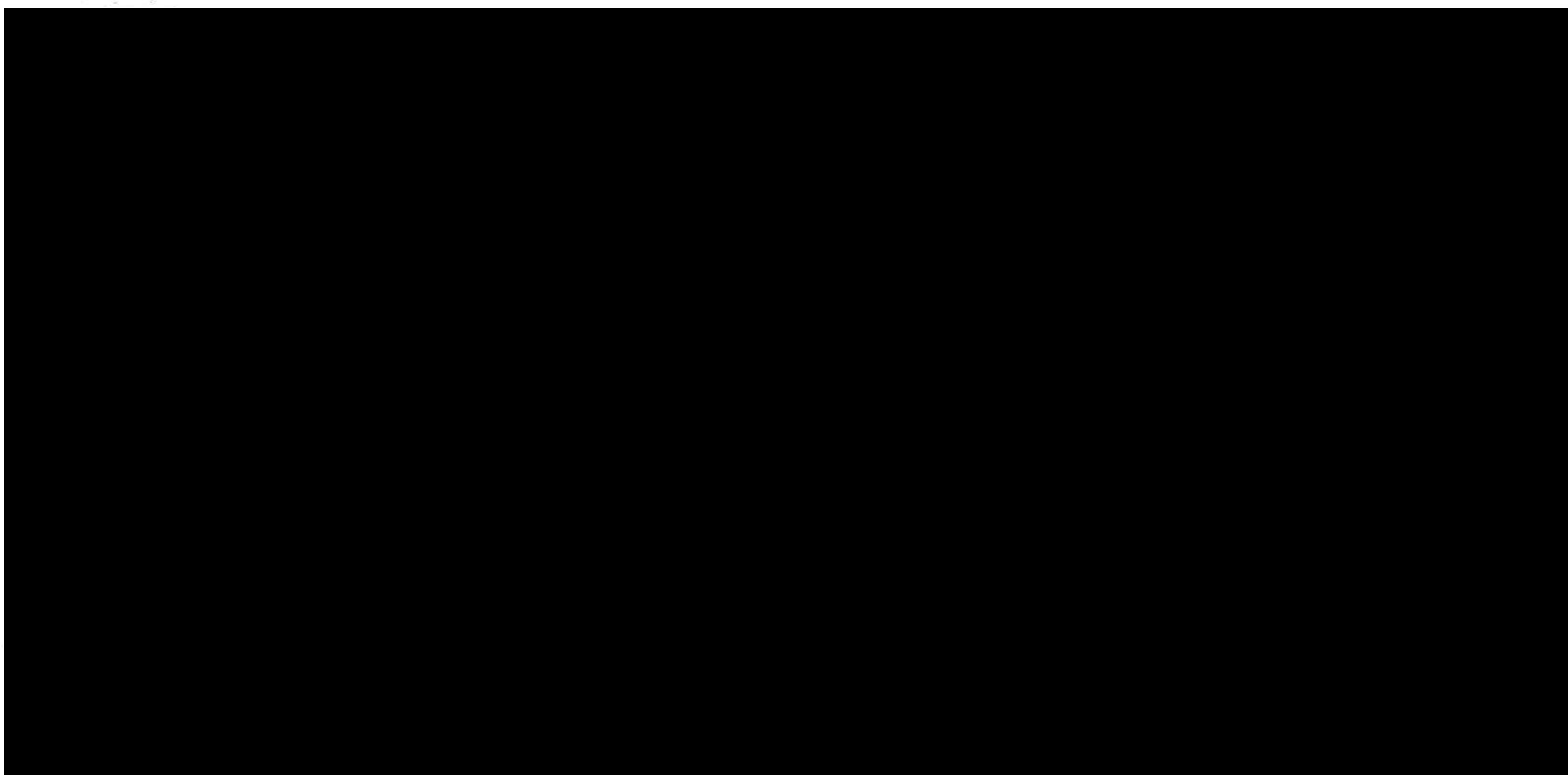
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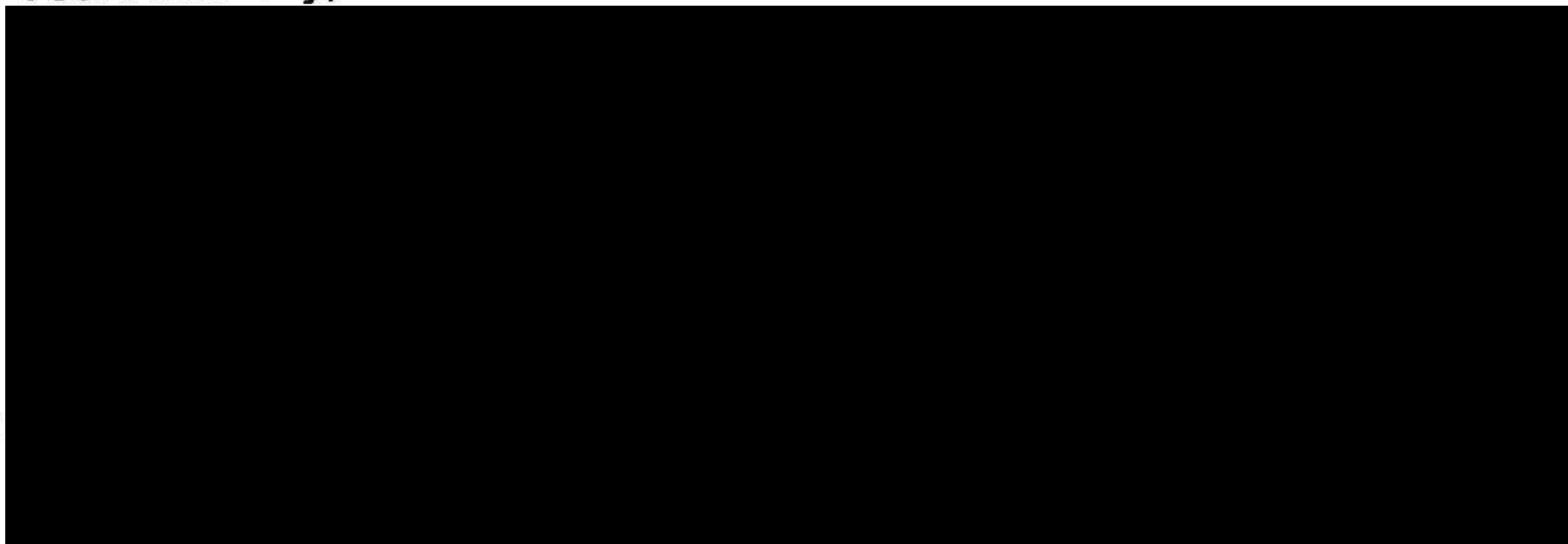
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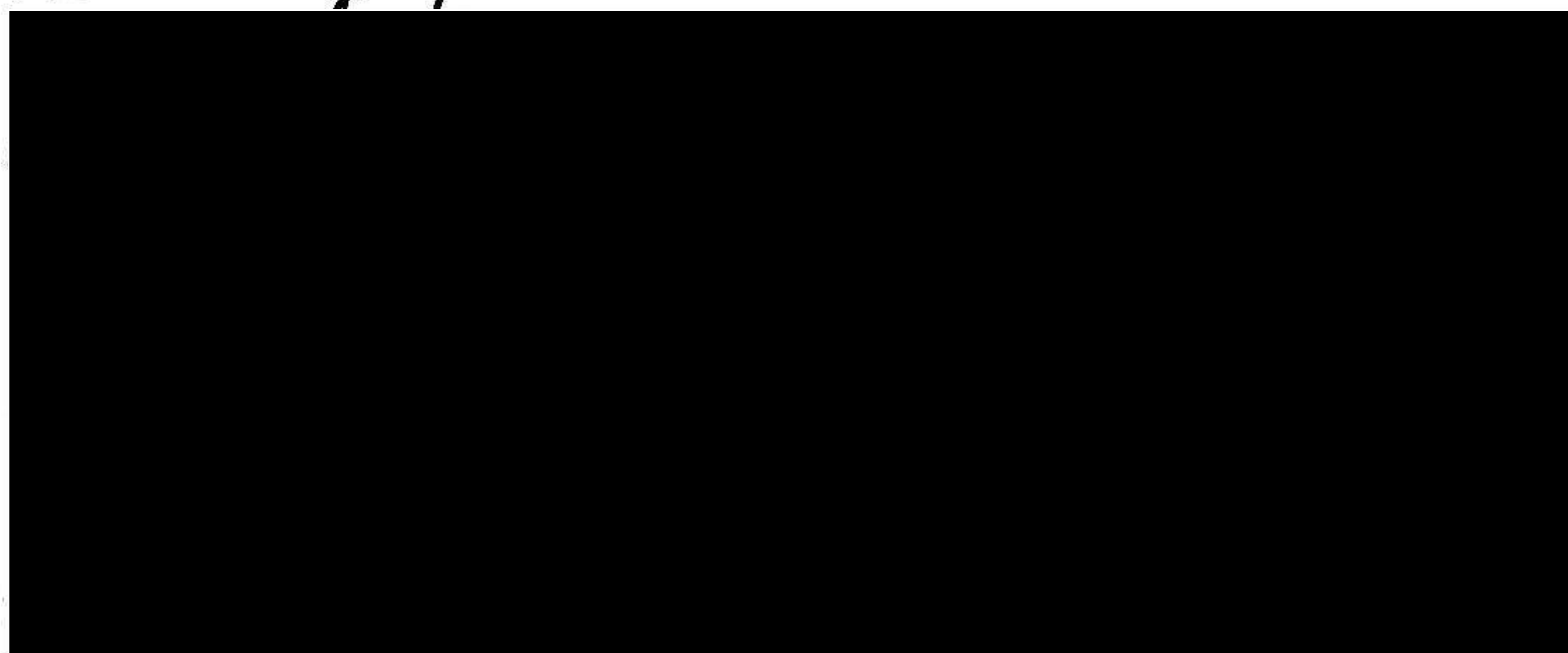
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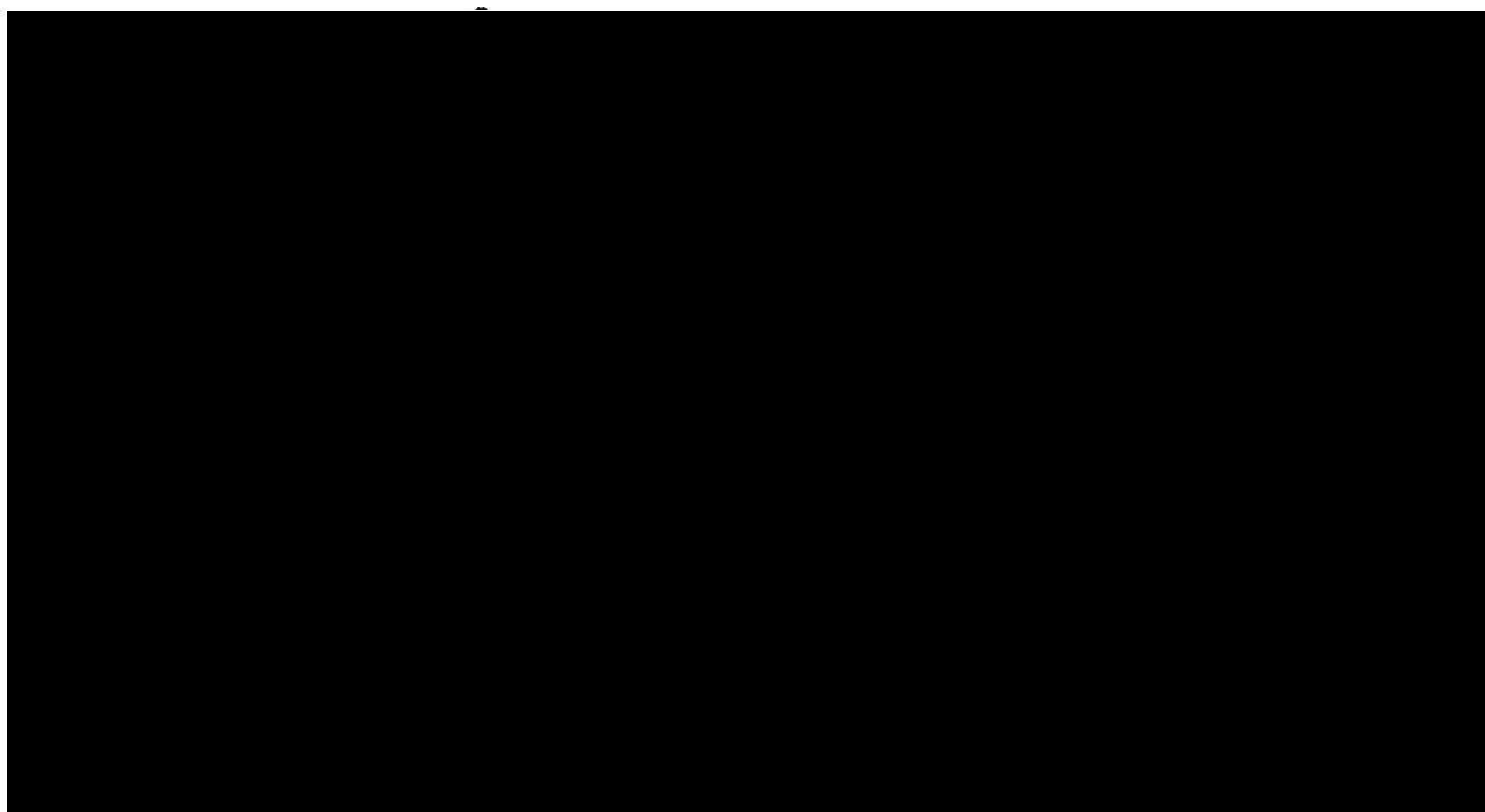
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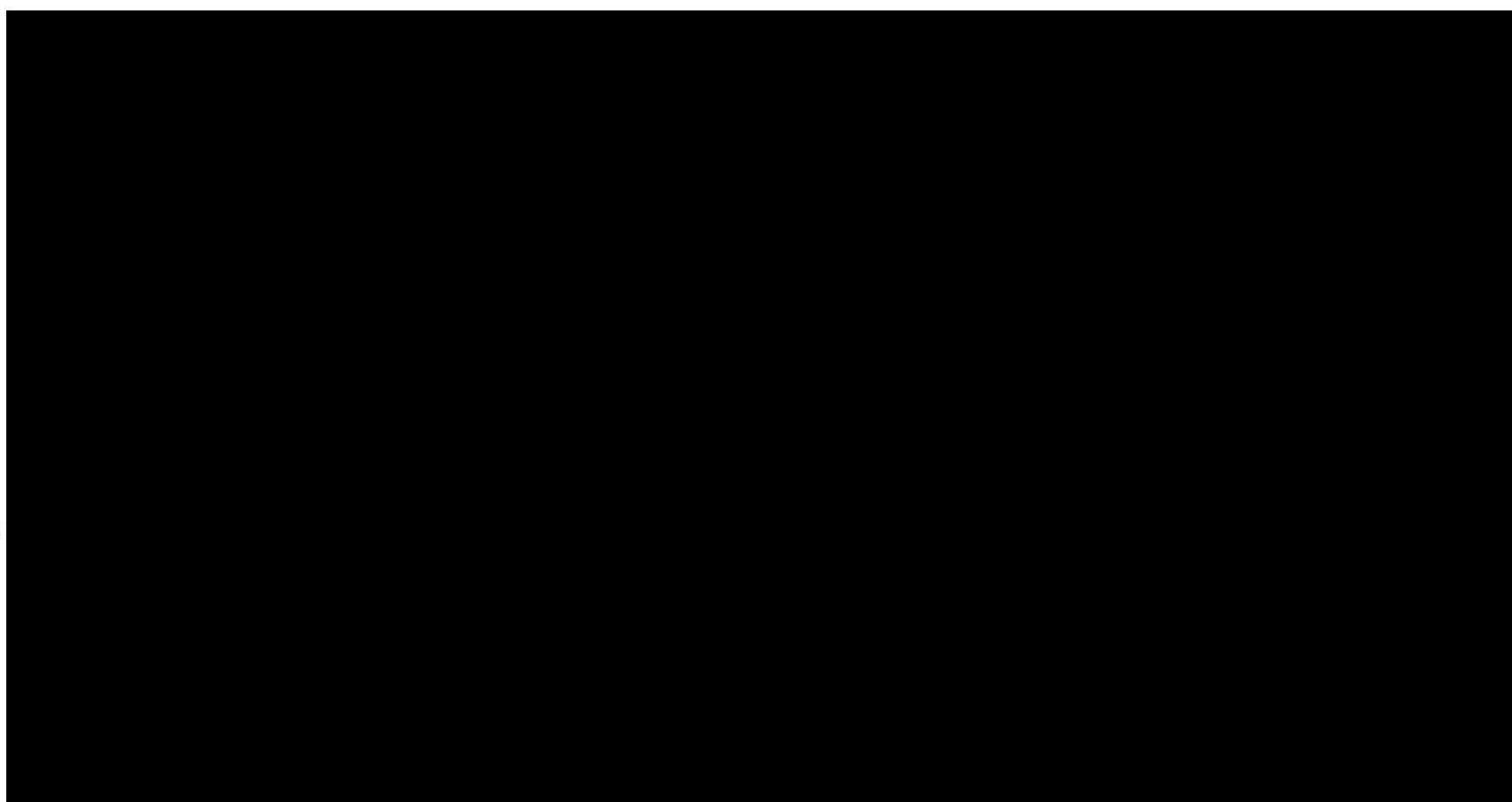
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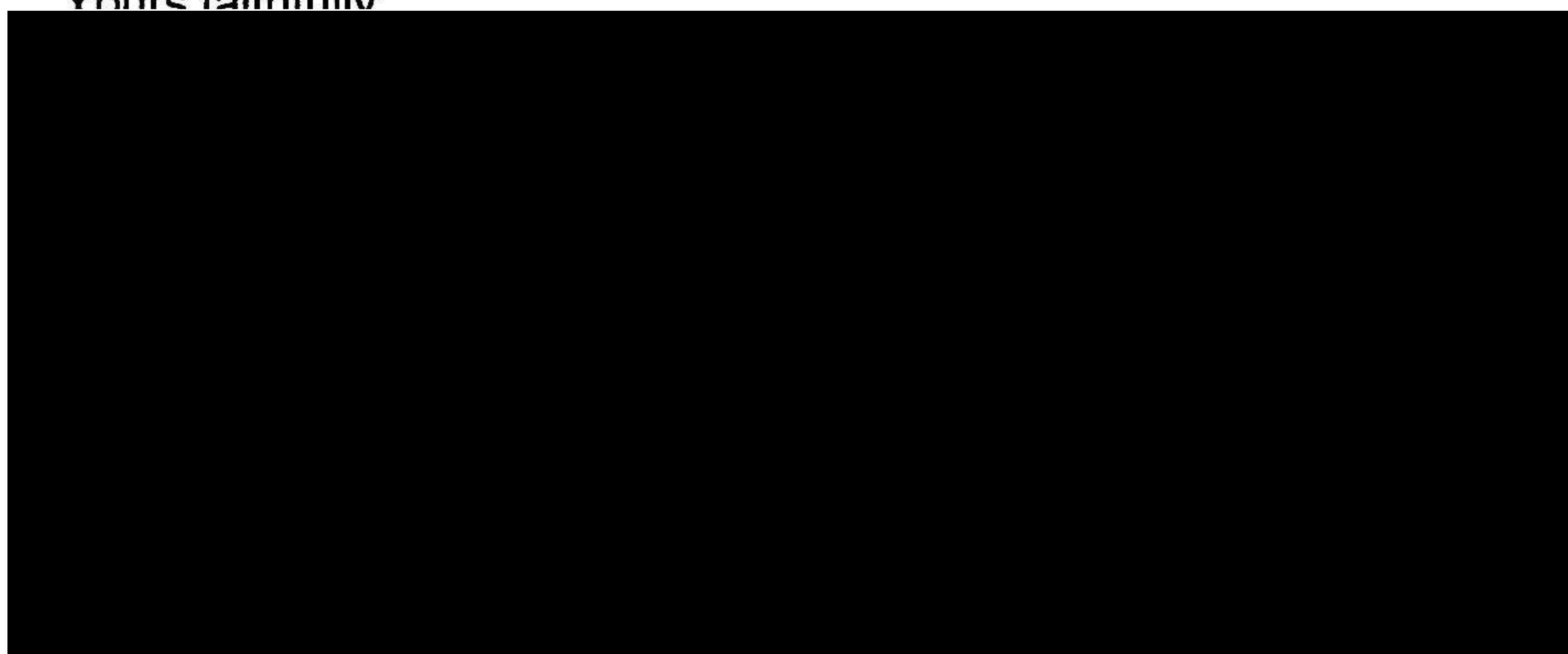
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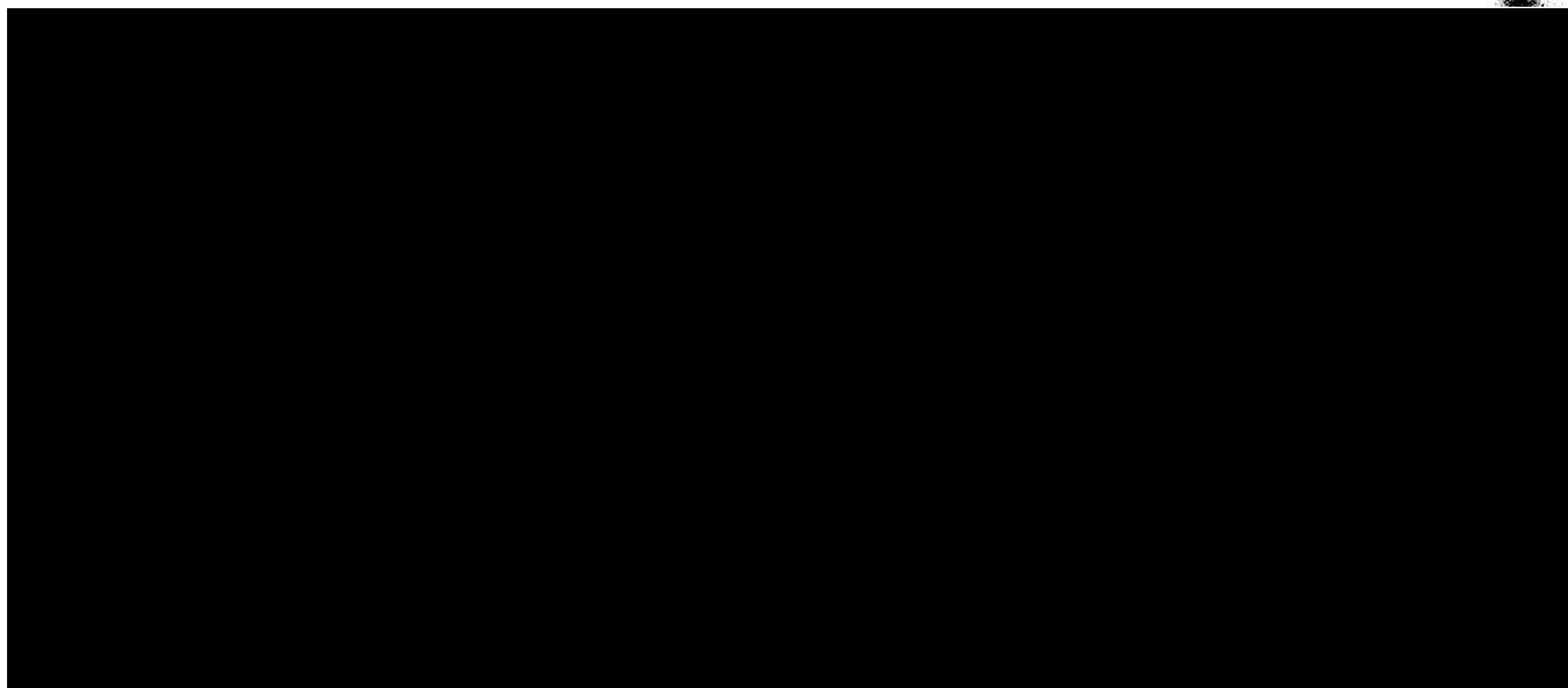
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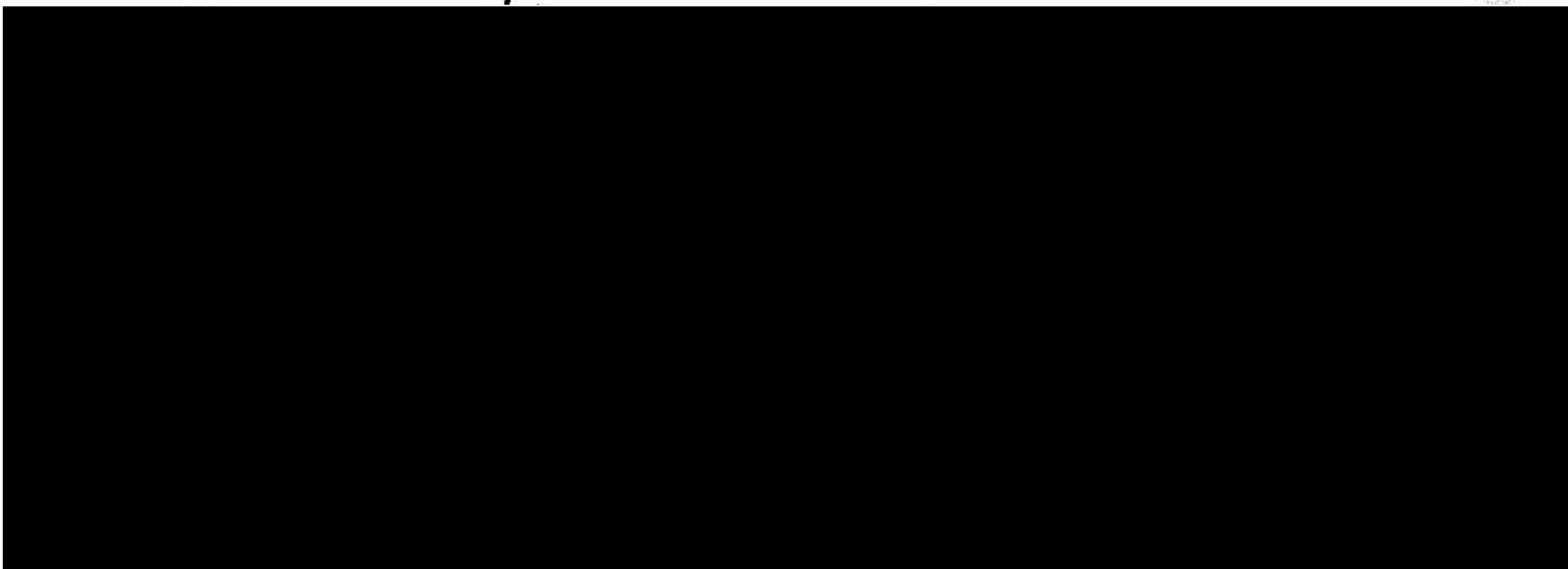
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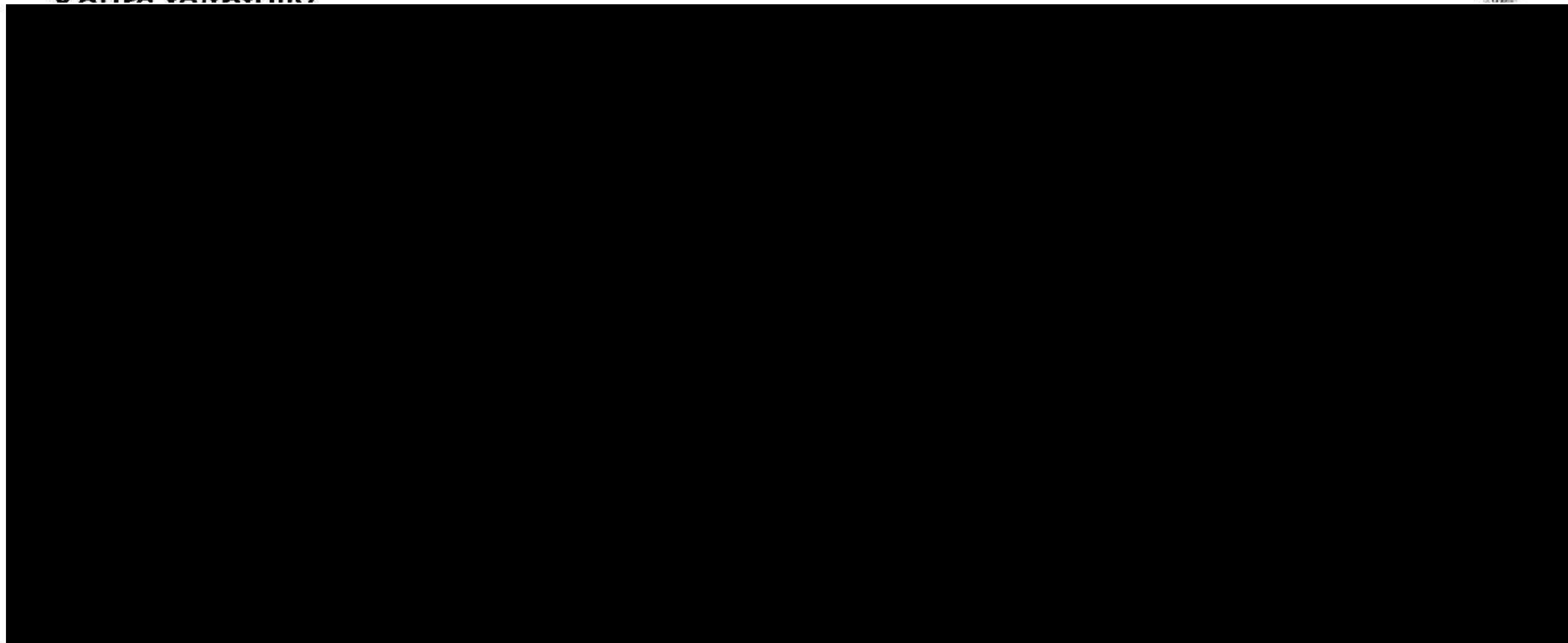
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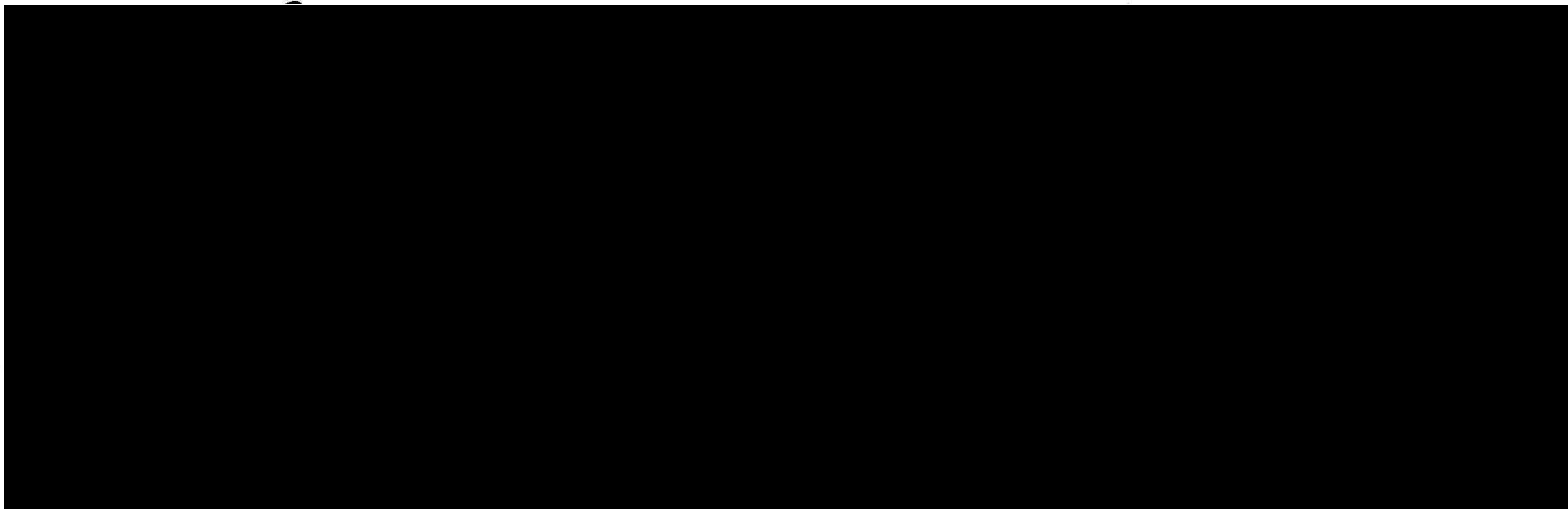
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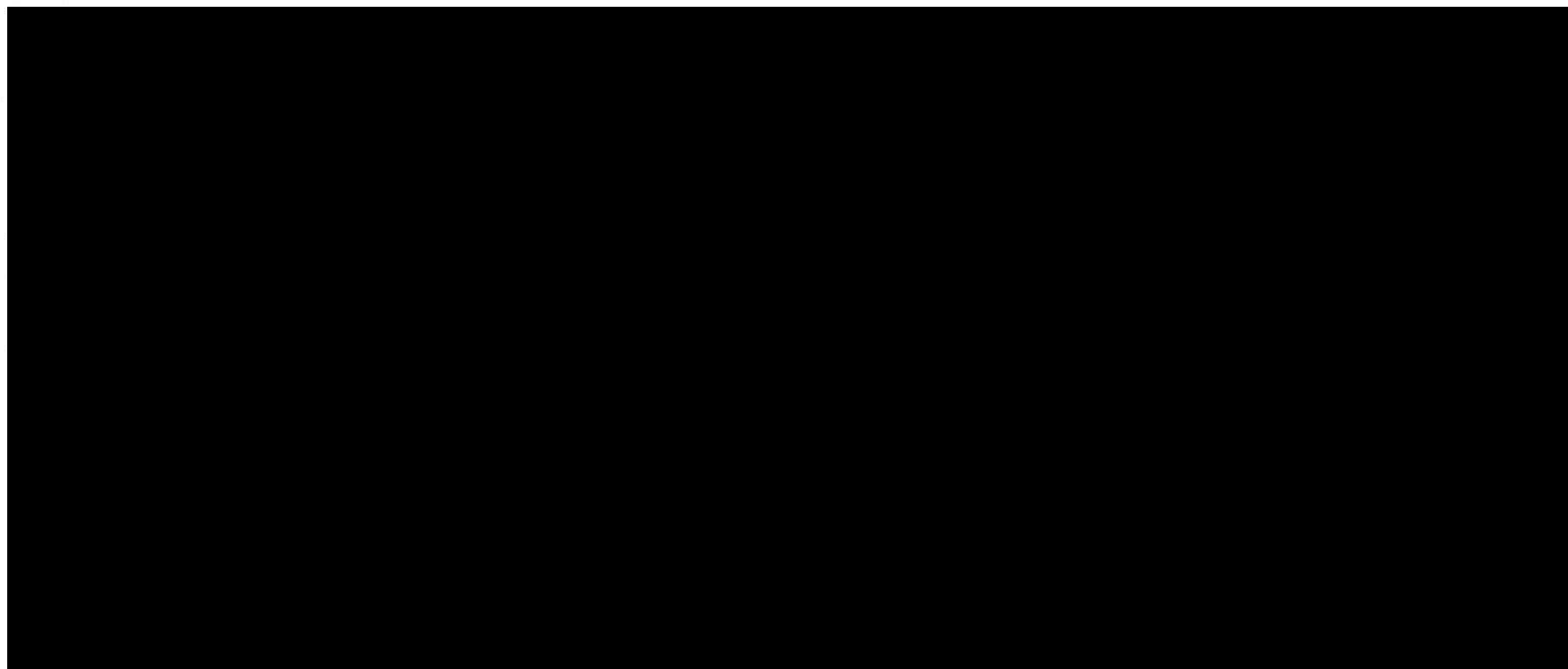
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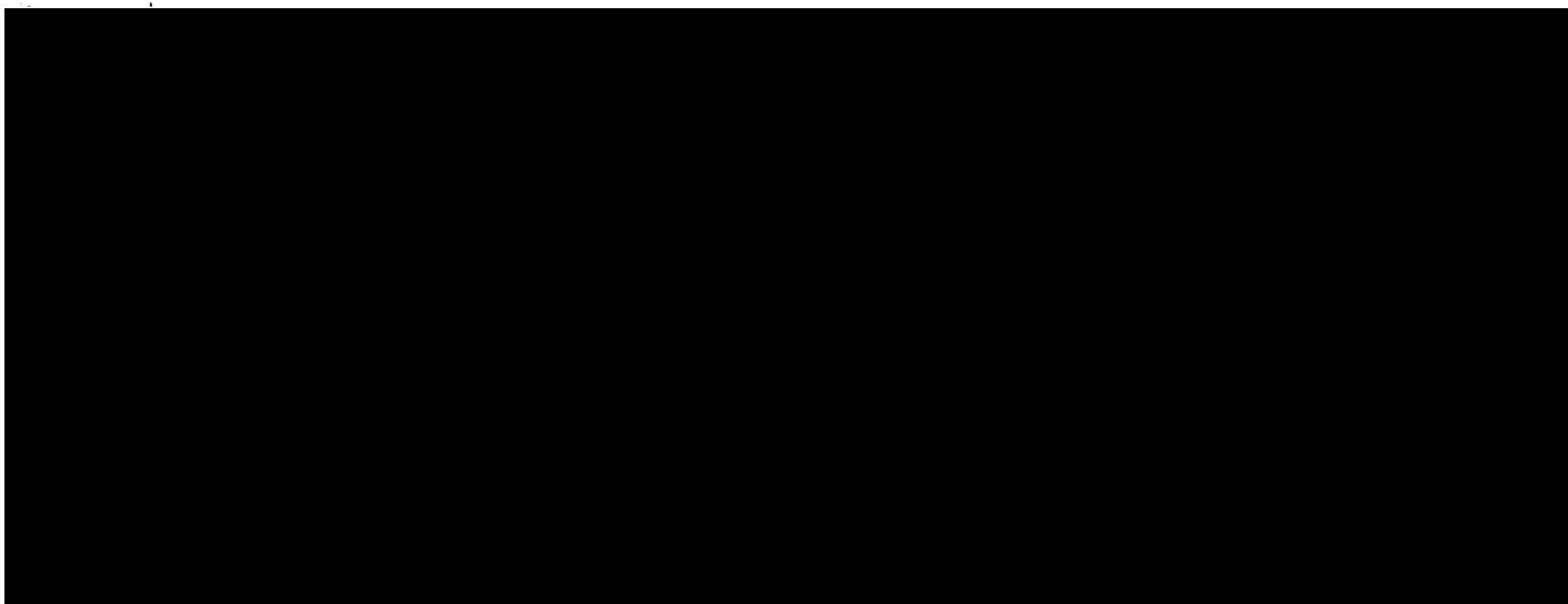
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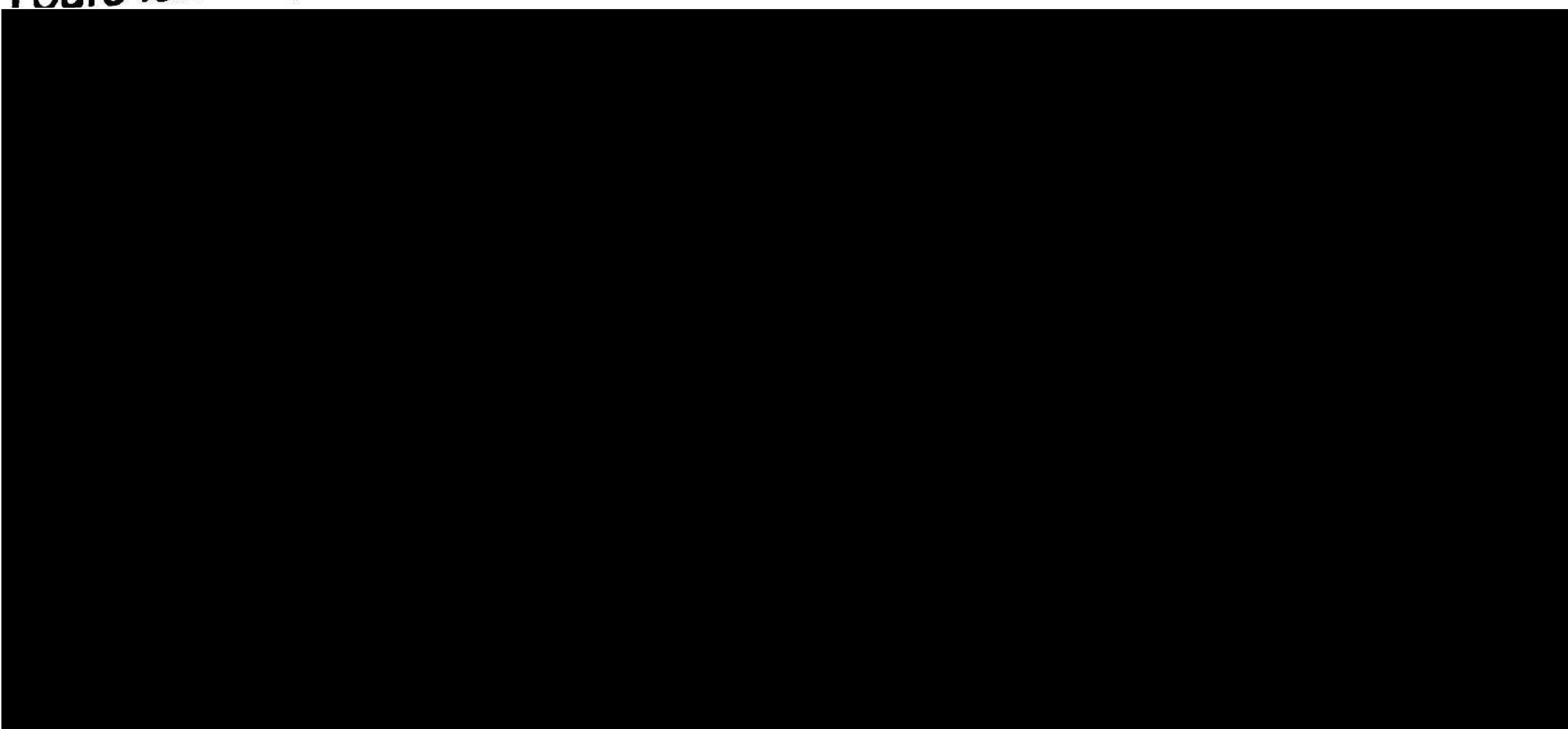
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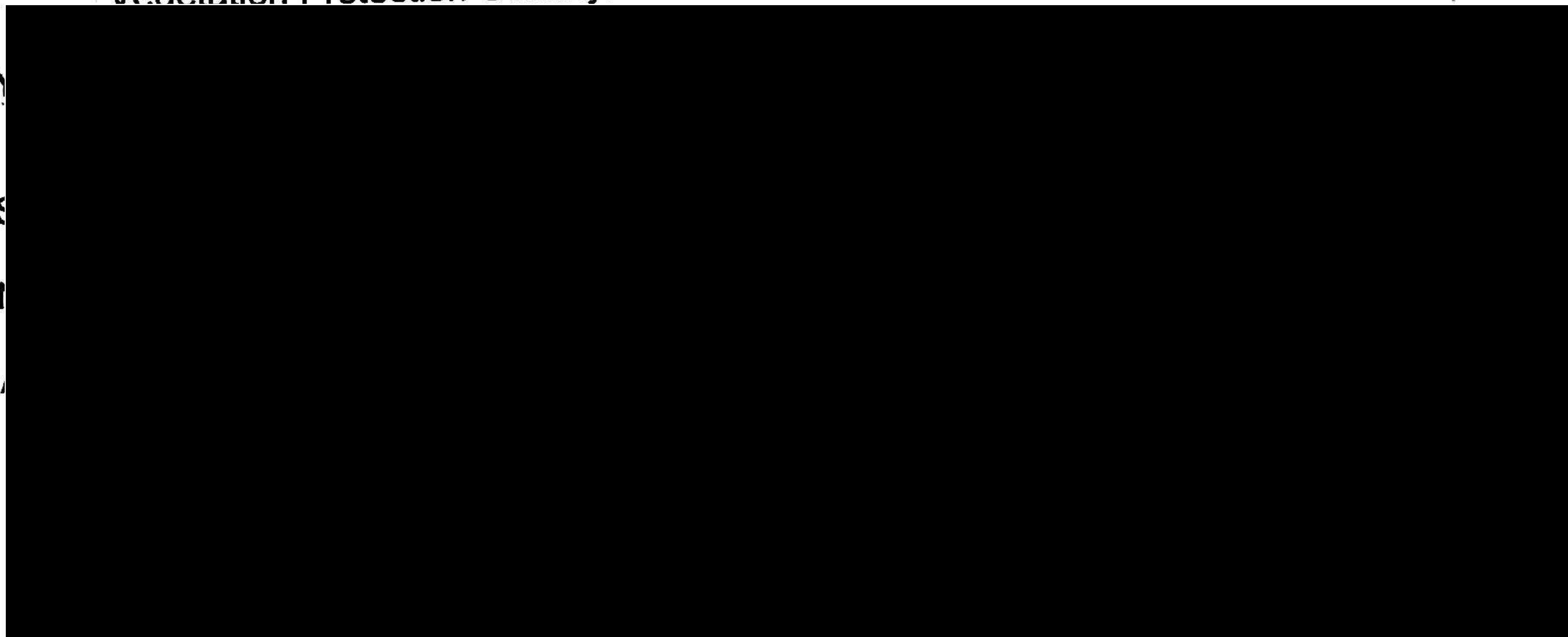
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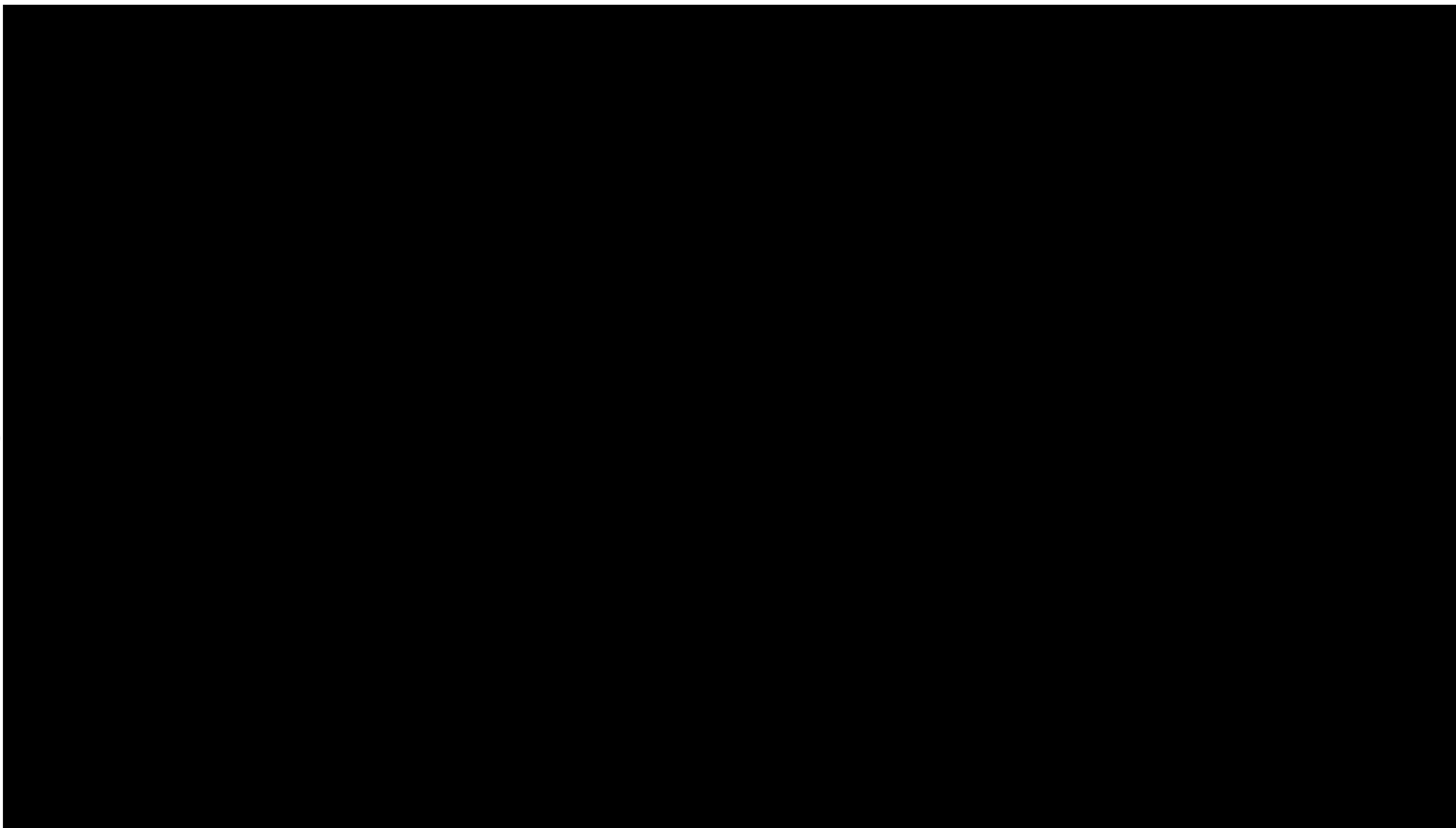
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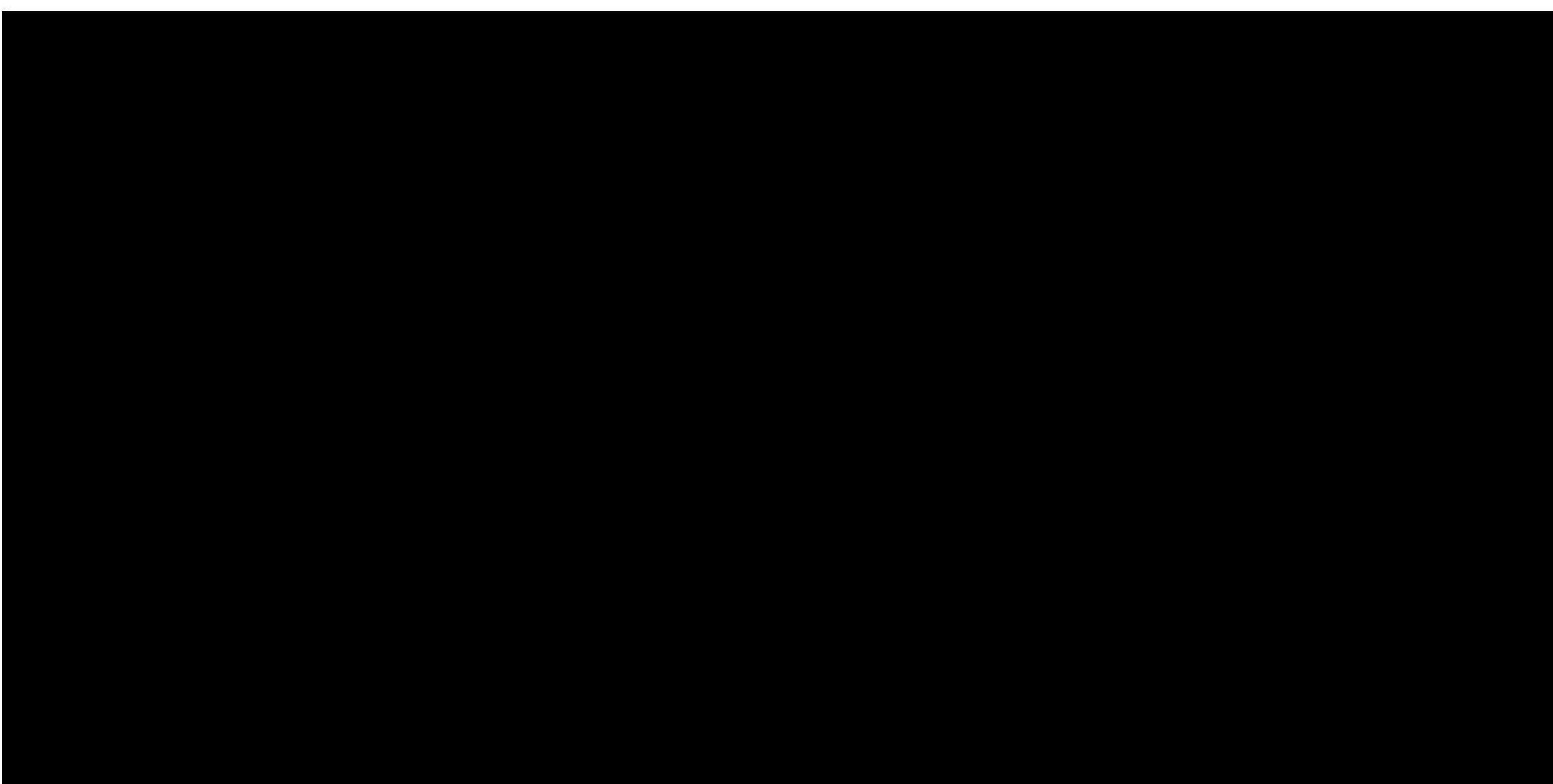
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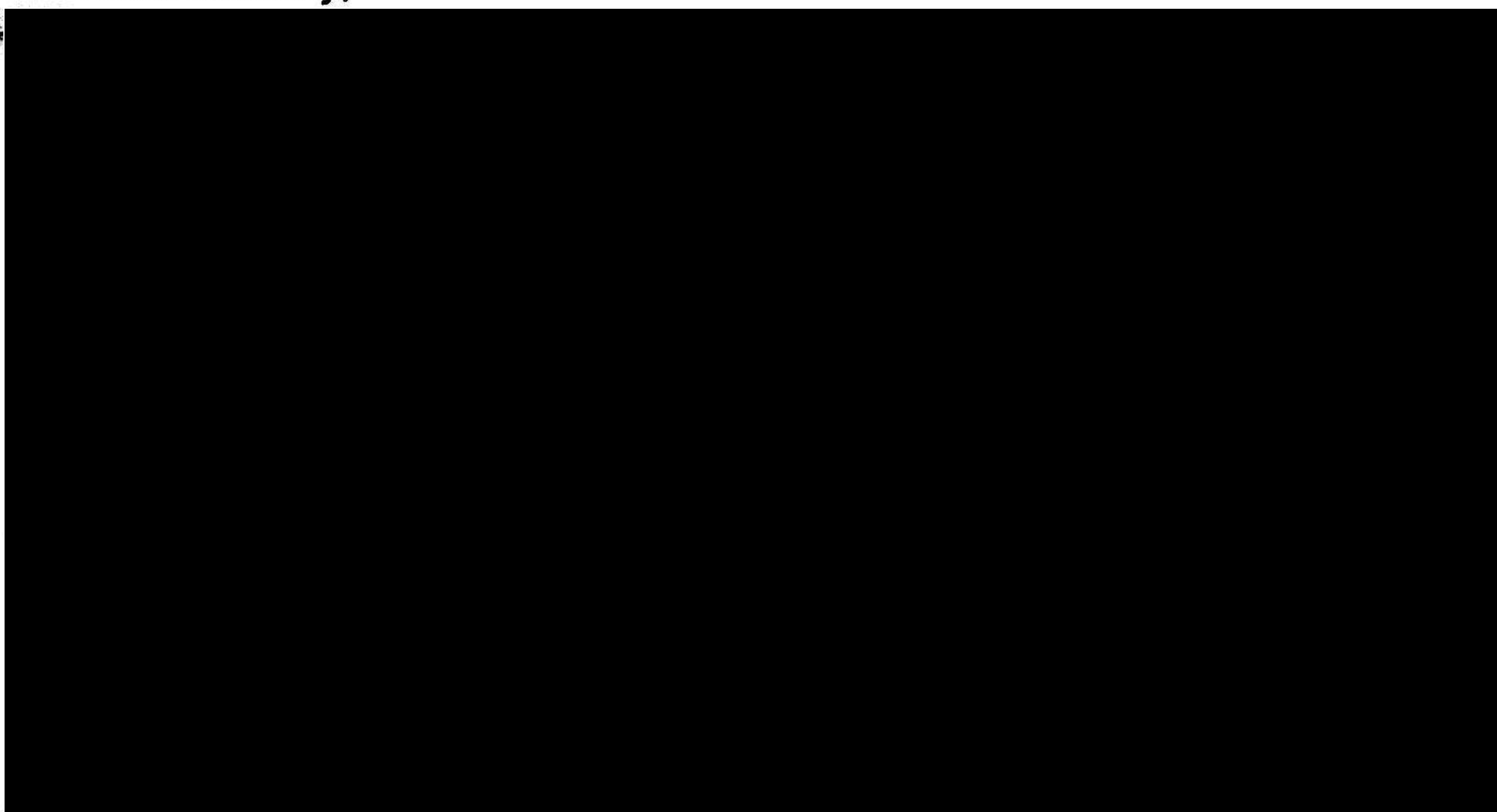
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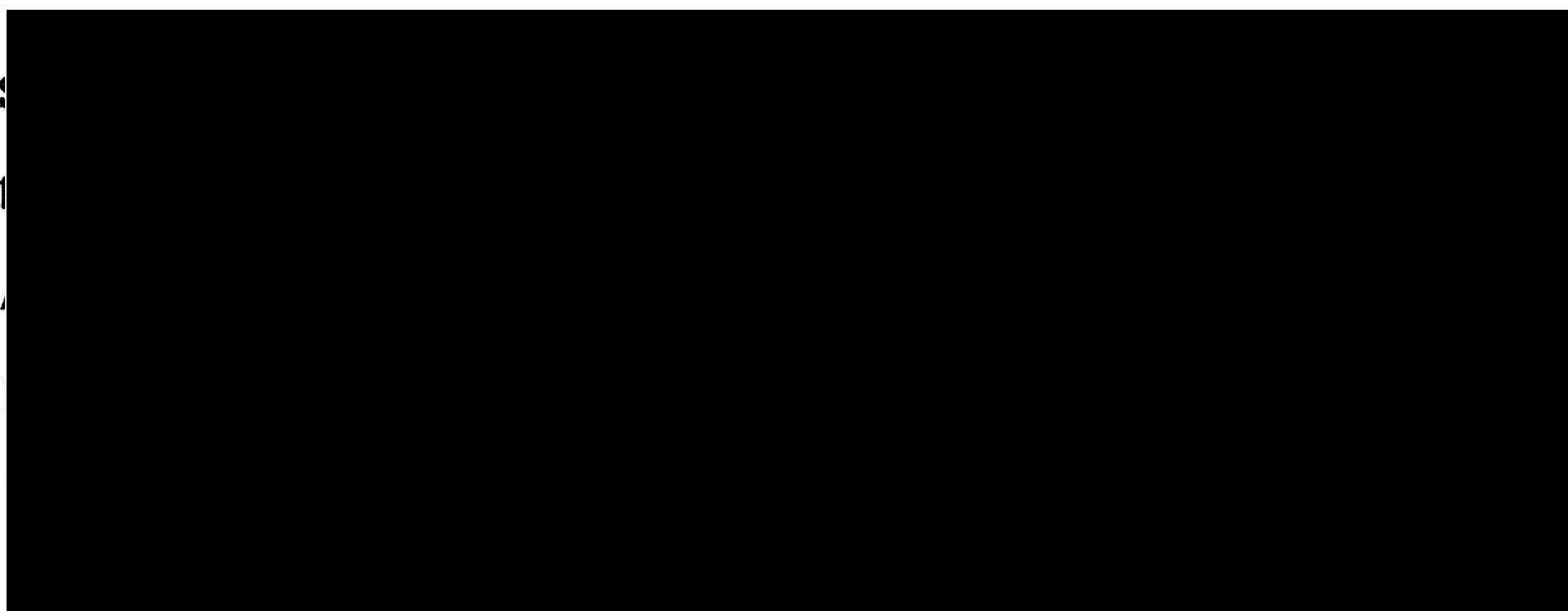
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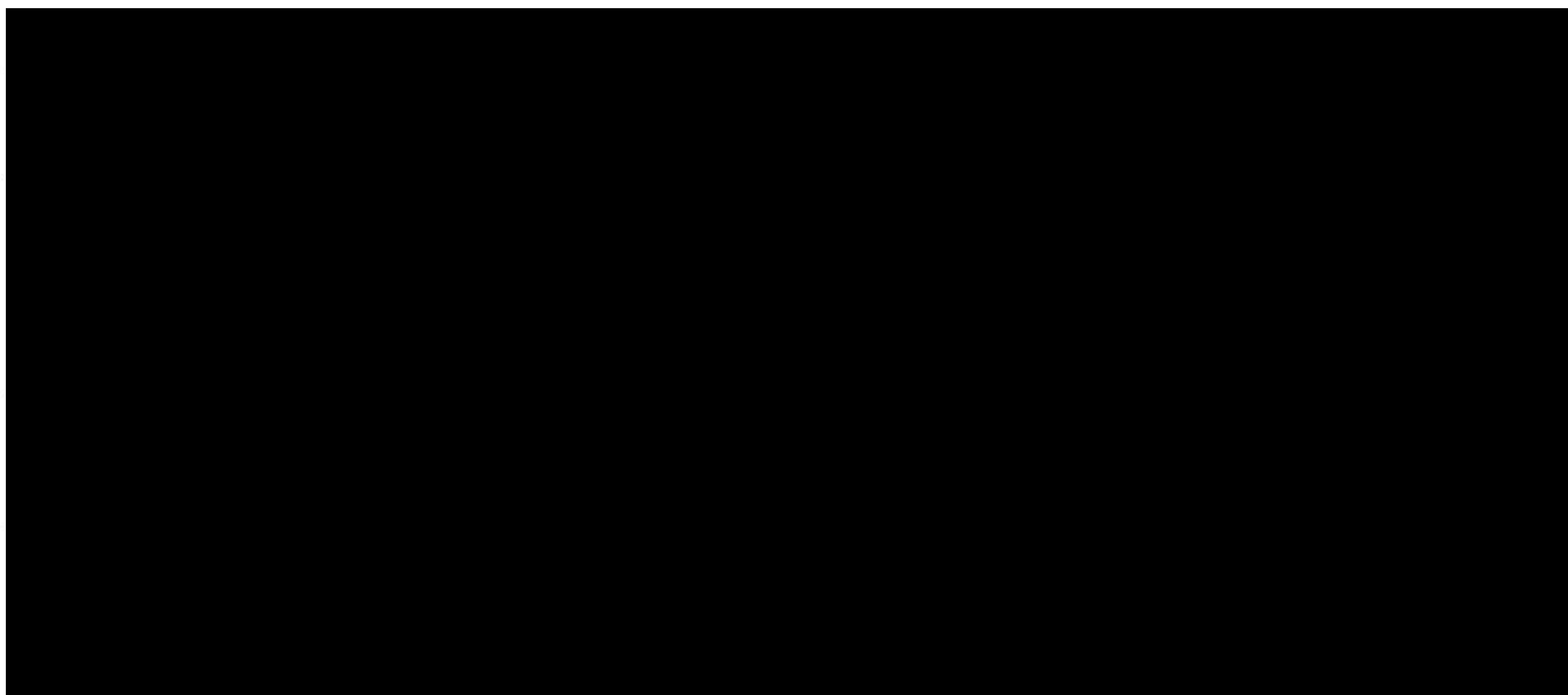
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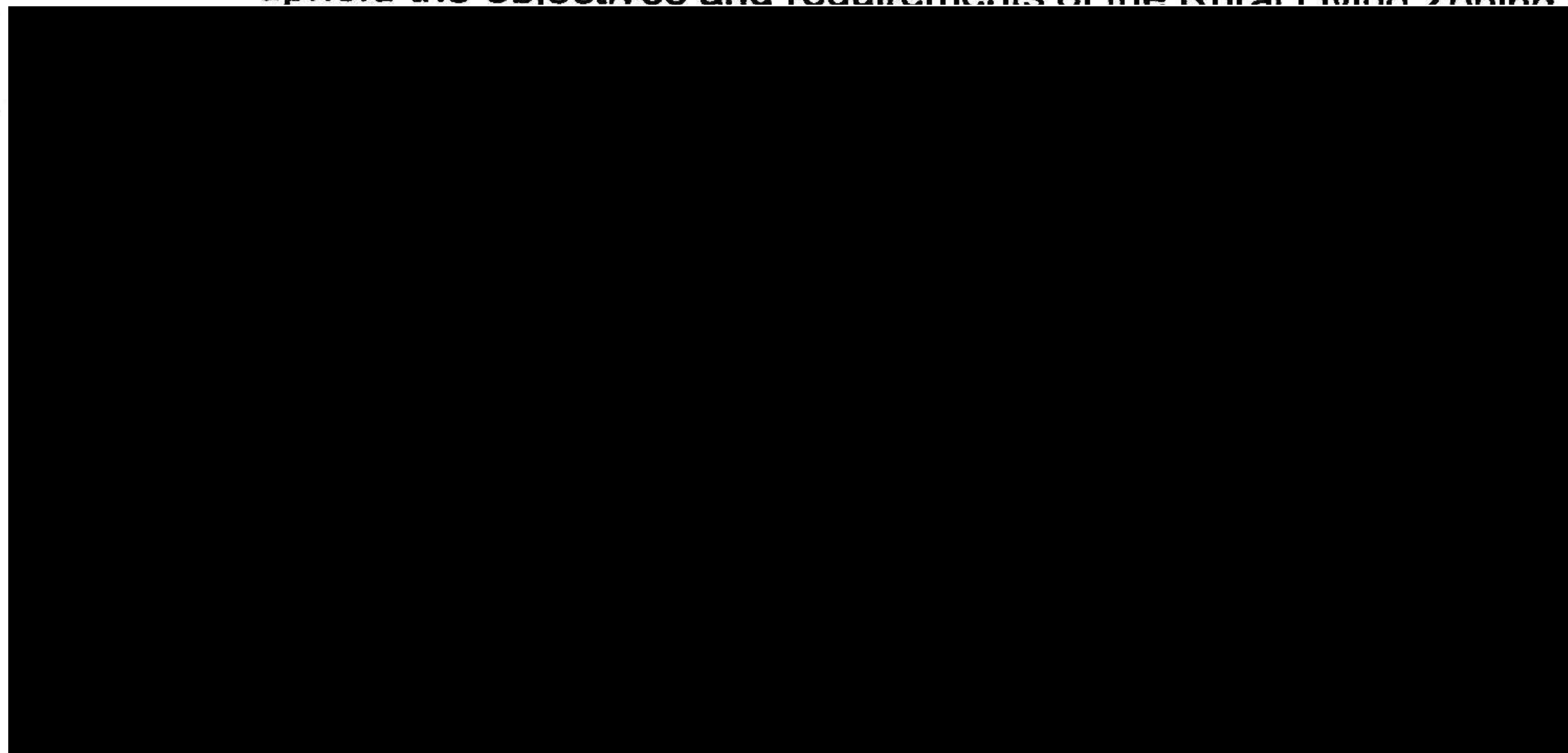
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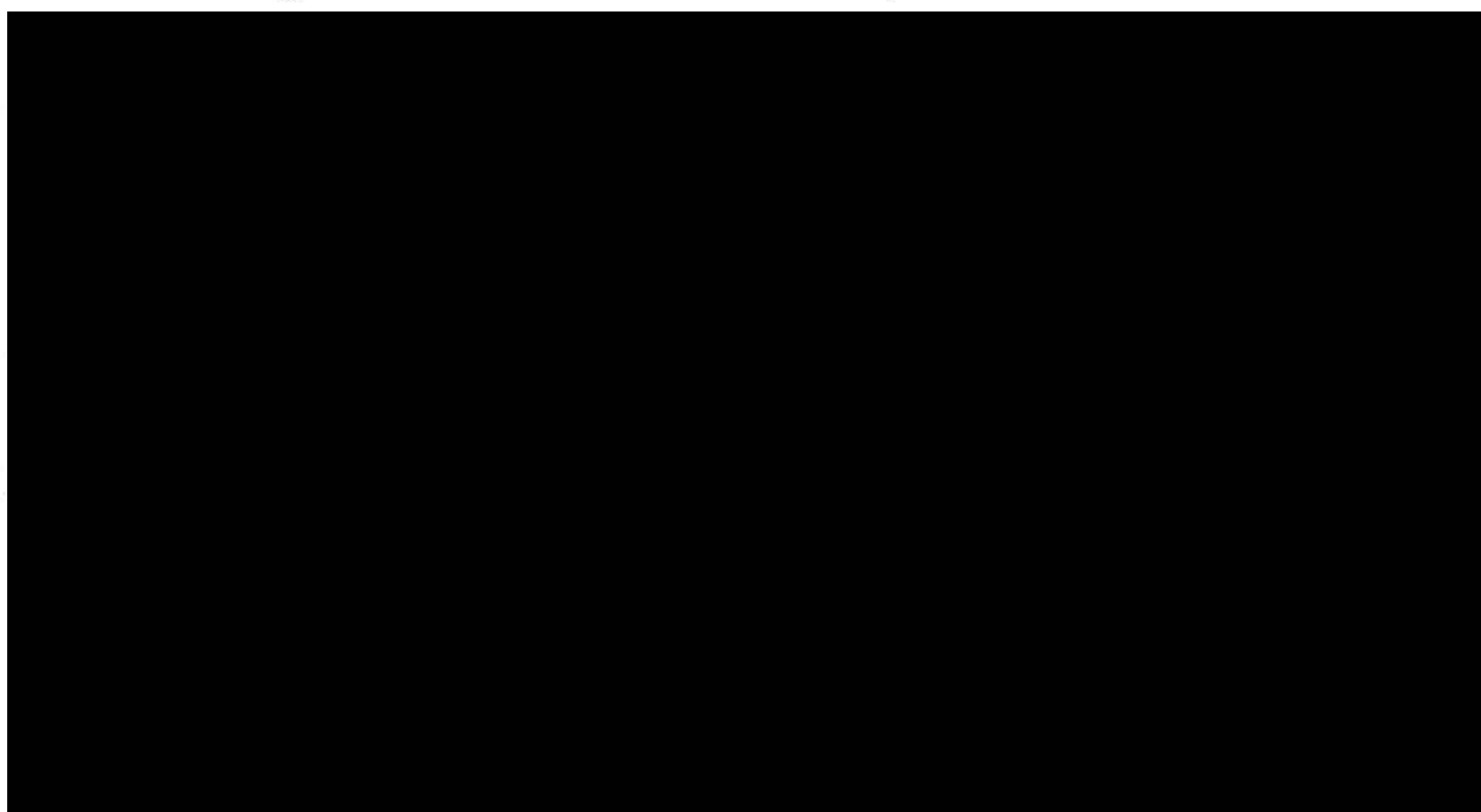
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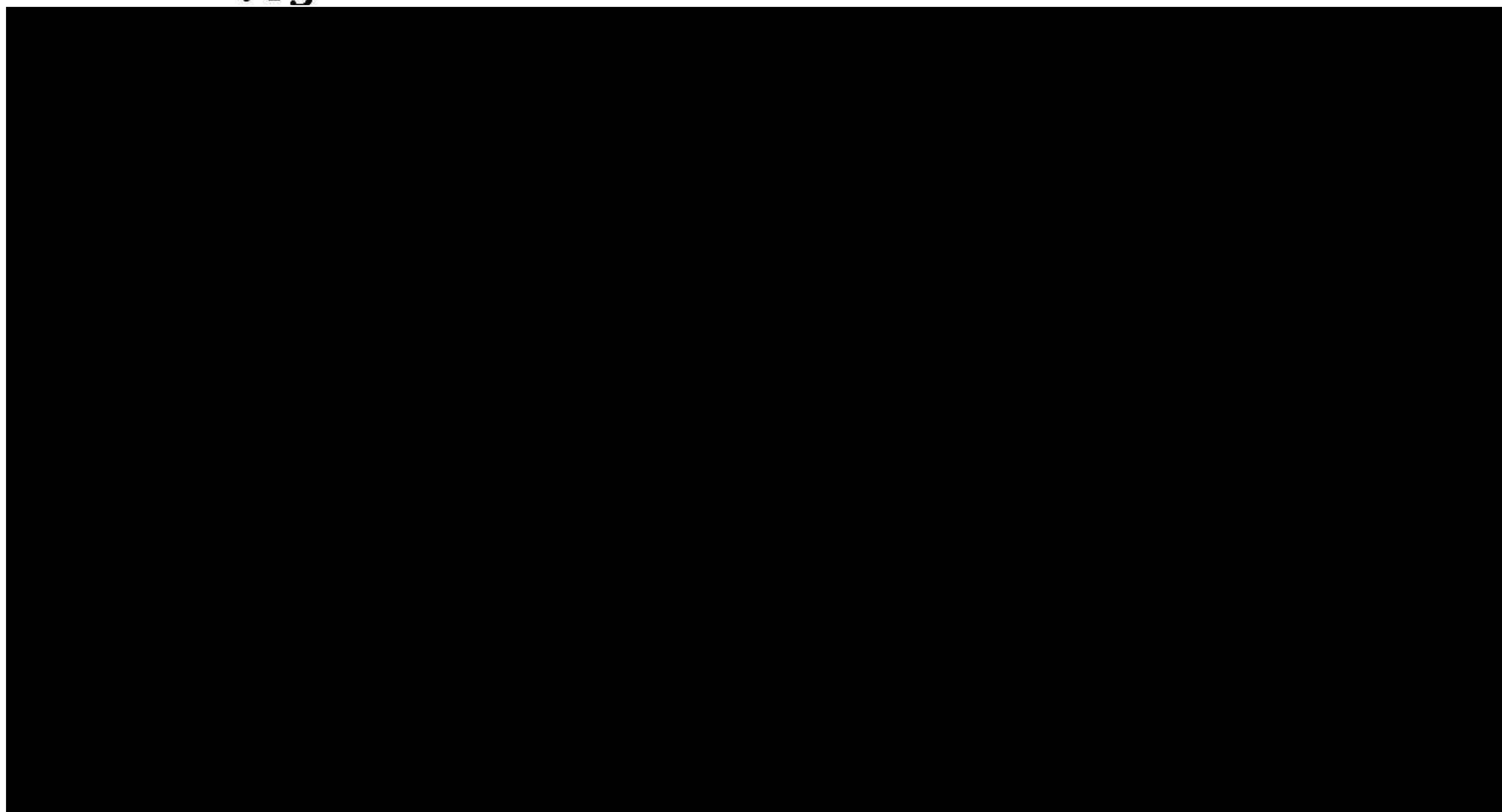
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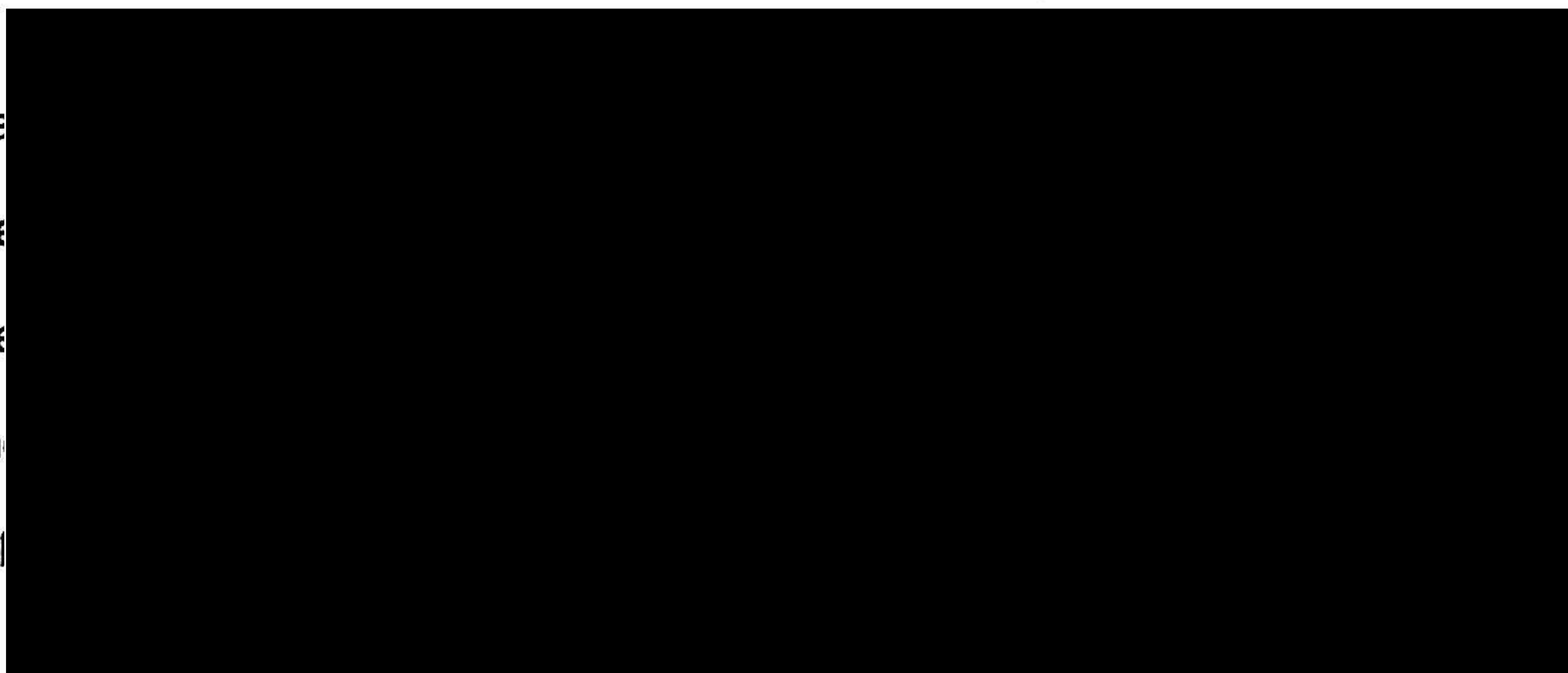
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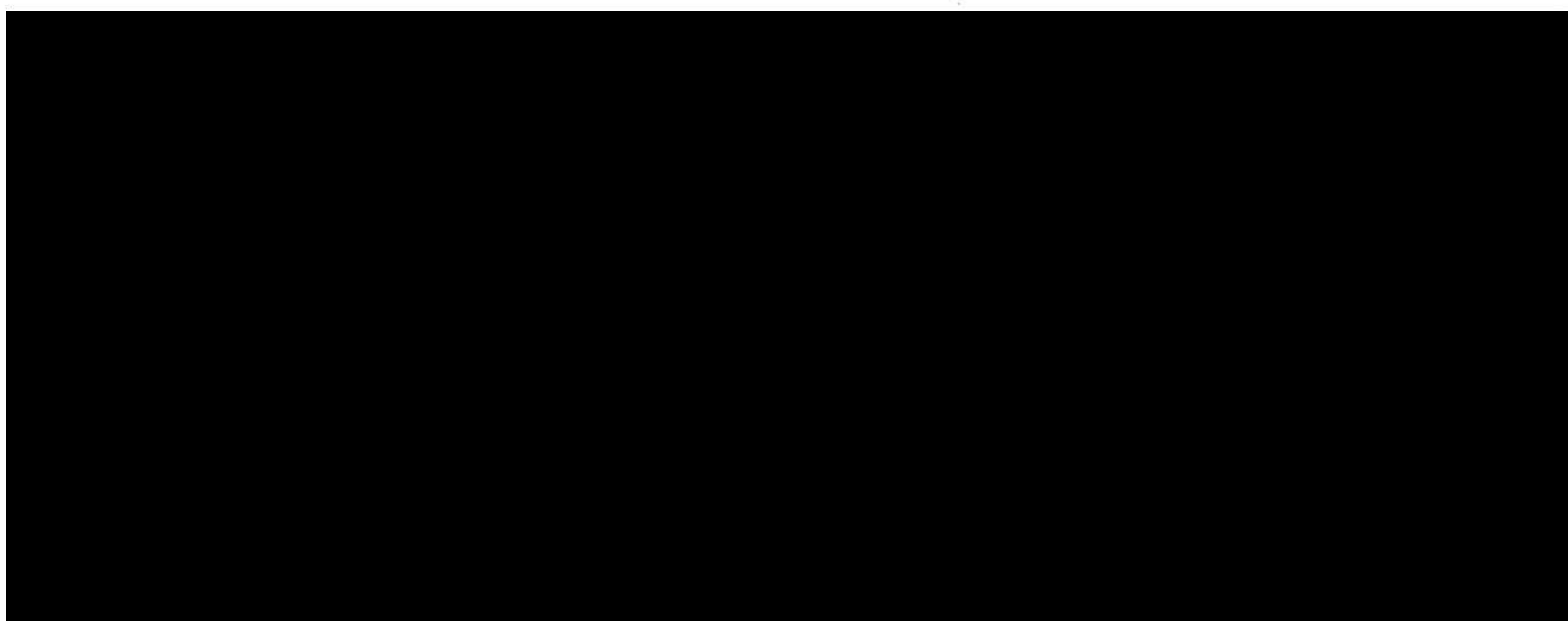
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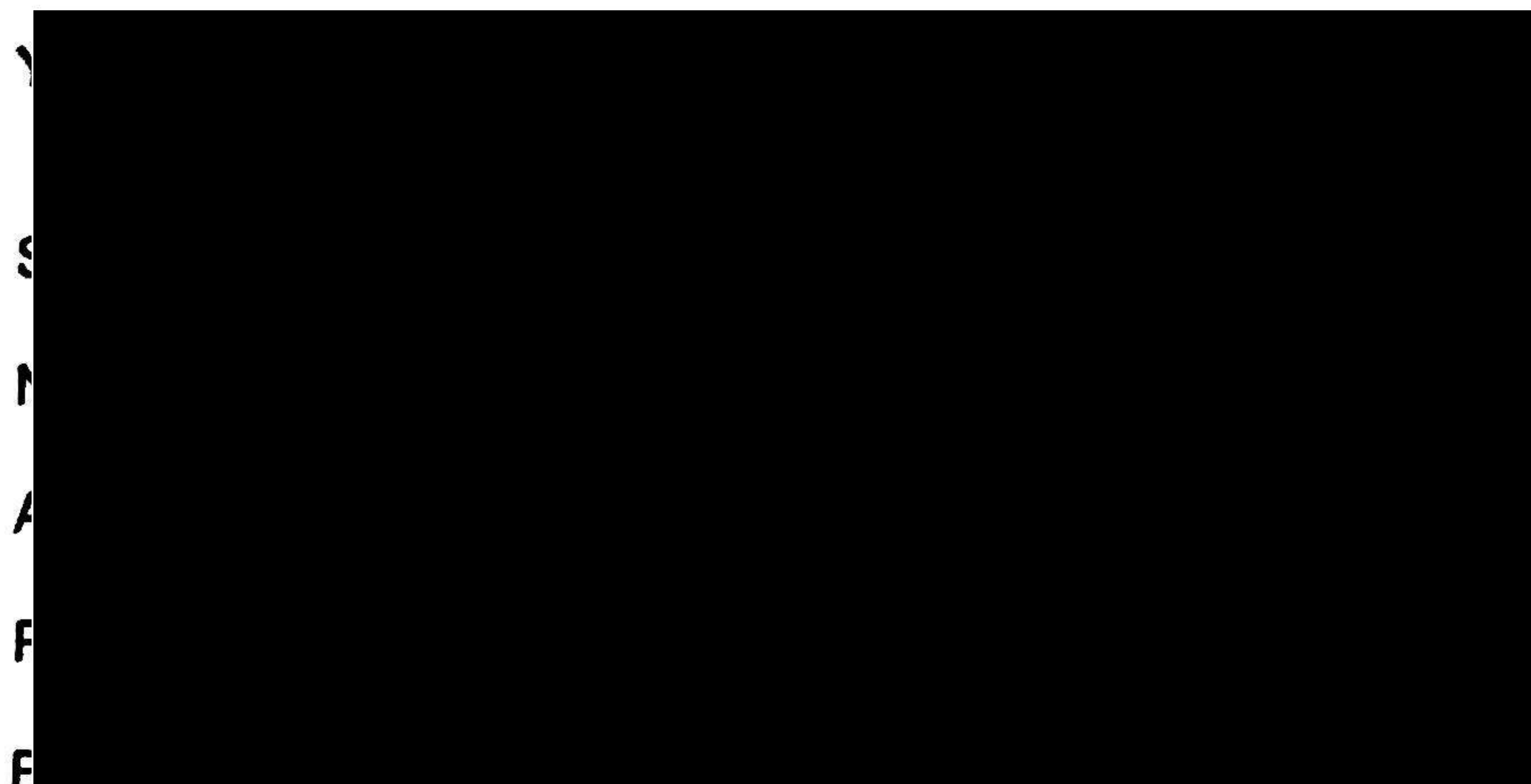
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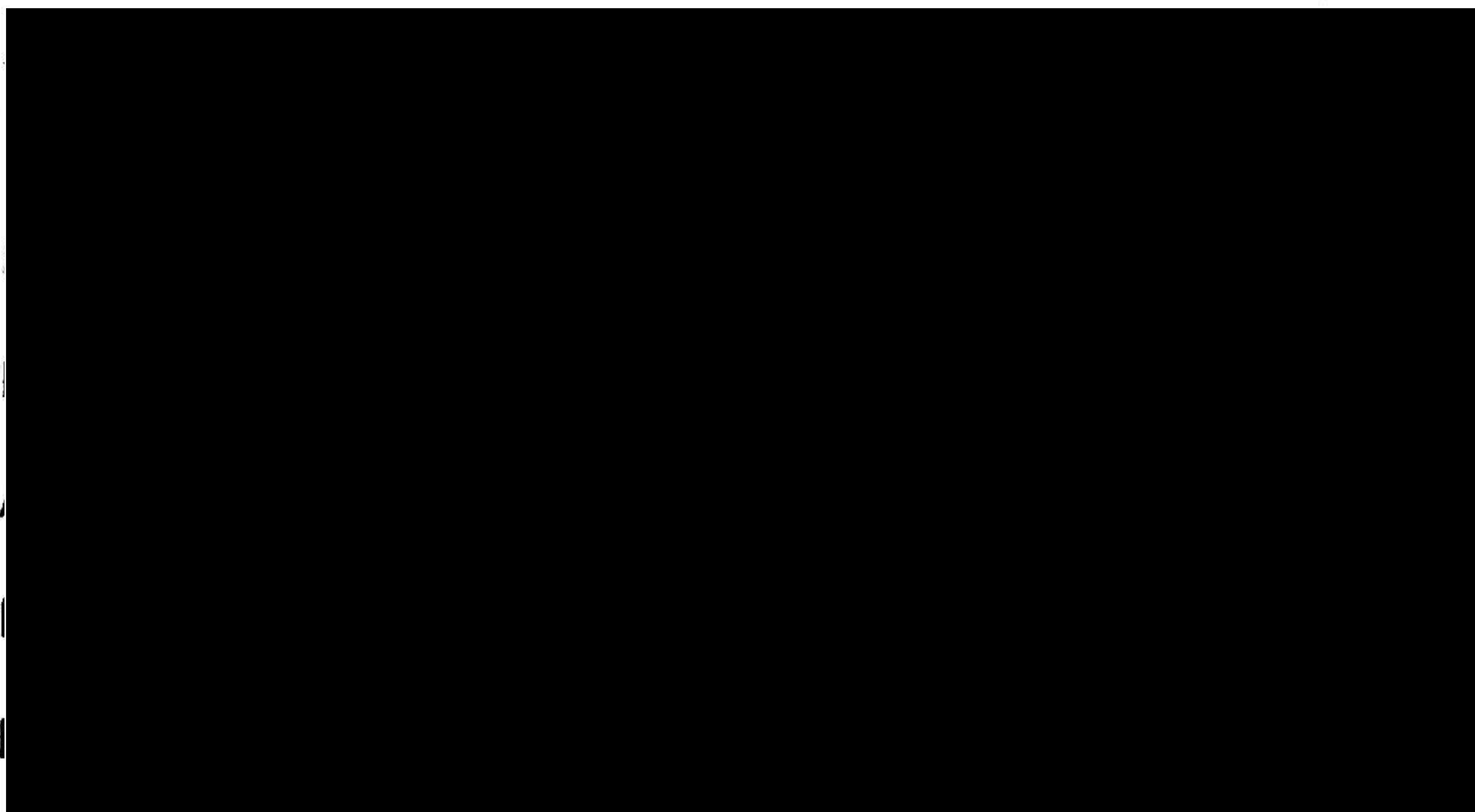
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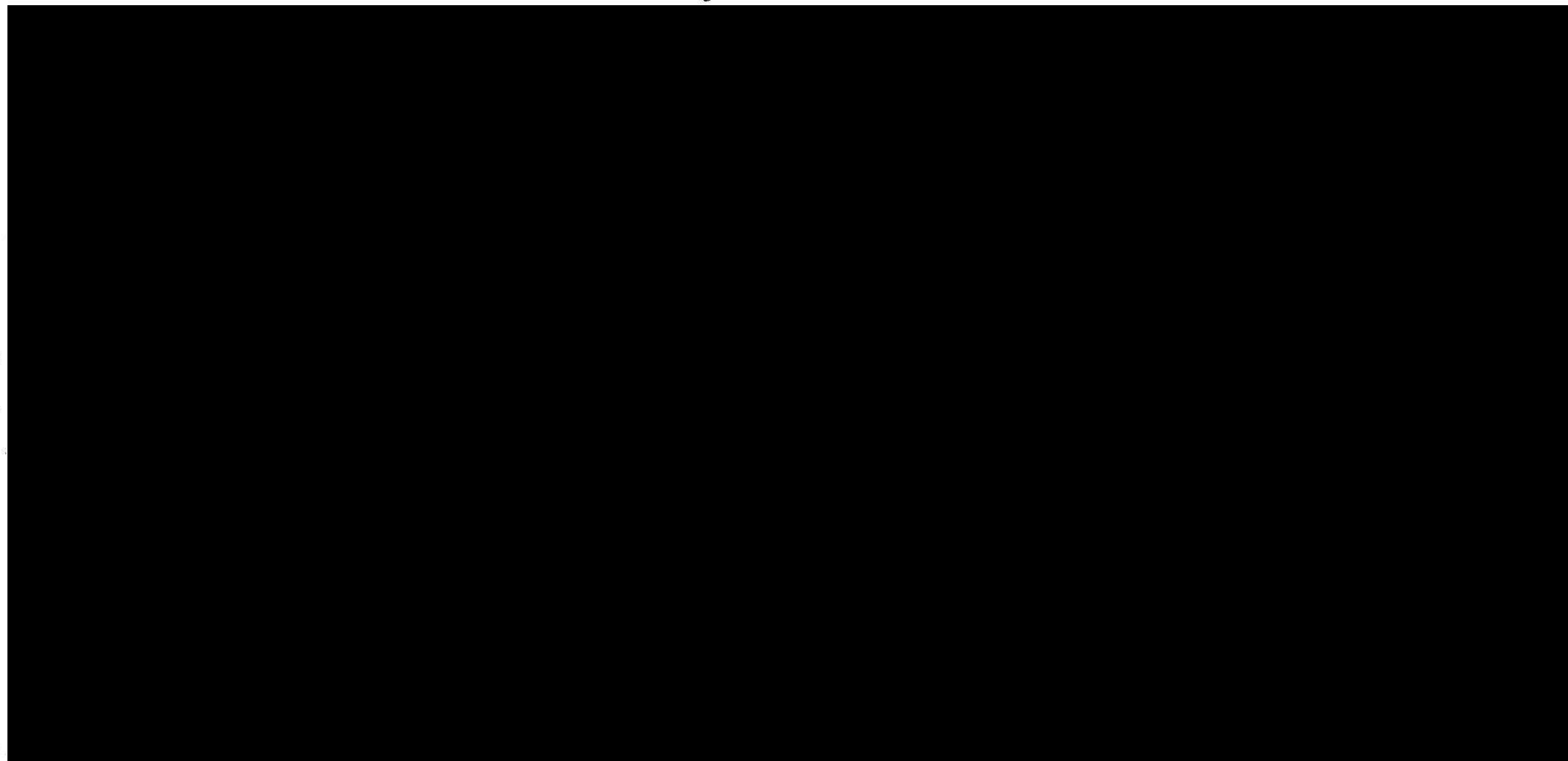
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11.2 PLN23/0061 – THREE LOT SUBDIVISION – 6 GOLF LINKS ROAD, HEPBURN EXECUTIVE MANAGER DEVELOPMENT AND COMMUNITY SAFETY

In providing this advice to Council as the Manager Planning and Building, I Amy Boyd have no interests to disclose in this report.

ATTACHMENTS

1. PLN 23/0061 - Title and POS - 6 Golf Links Road [**11.2.1** - 25 pages]
2. PLN 23/0061 - Proposed POS - 6 Golf Links Road [**11.2.2** - 1 page]
3. PLN 23/0061 - Planning Report - 6 Golf Links Road [**11.2.3** - 34 pages]
4. PLN 23/0061 - Flora and Fauna Report - 6 Golf Links Road [**11.2.4** - 25 pages]
5. PLN 23/0061 - BMP - 6 Golf Links Rd [**11.2.5** - 34 pages]
6. PLN 23/0061- Arborist Report - 6 Golf Links Road [**11.2.6** - 68 pages]
7. PIN 23-0061 - 6 Golf Links Rd Hepburn CFA Letter of Advice [**11.2.7** - 2 pages]

EXECUTIVE SUMMARY

This is an application to subdivide 6 Golf Links Road into three lots with associated removal of native vegetation.

The site is irregular in shape and has a total area of 5.527ha. The top corner is included in the Neighbourhood Residential Zone Schedule 4 (NRZ4) with the majority and balance of the site included in the Rural Conversation Zone Schedule 2 (RCZ2).

It is proposed to create two lots (Lots 9 and 10) within the NRZ4 with the balance lot (S5) included in the RCZ2.

Native vegetation removal is to occur where necessary to accommodate the extension of the internal road and to allow for defensible space envelopes for future dwellings on lots 9 and 10.

The application has been with Council for some time with additional information sought from the applicant on several occasions throughout 2024 to assist Council in its determination. This information primarily relates to native vegetation and would assist to resolve concerns raised by Council's biodiversity team and the CFA, and enable a more complete assessment of the application with regards to the provisions of the Hepburn Planning Scheme. This information has not been provided and it is therefore only possible to conclude that the application does not meet the following policies and objectives of the Hepburn Planning Scheme:

- Clause 53.02-4.4 - Bushfire Planning
- Clause 52.17 - Native vegetation removal and;
- Clauses 02.03-2, 12.01-1L, 12.01-2S, 13.02-1S and 15.01-3L – Planning Policy Framework

As a result, it is recommended that the application be refused.

OFFICER'S RECOMMENDATION

That Council, having considered all matters required under Section 60 of the Planning and Environment Act 1987, issues a Notice of Refusal to Grant a Planning Permit for a three-lot subdivision at 6 Golf Links Road, Hepburn on the following grounds:

- 1. The application does not meet the objectives of AM 5.2 to Clause 53.02-4.4.*
- 2. The proposed defensible space within lot S5 does not provide reasonable assurance of continued management and cannot be considered 'shared' between the lots in the subdivision.*
- 3. The removal of native vegetation is contrary to the objectives of the Rural Conservation Zone Schedule 1.*
- 4. The application does not provide the information required by the Guidelines for the Removal, Destruction or Lopping of Native Vegetation.*
- 5. The application is contrary to the decision guidelines of Clause 52.17 and the Guidelines for the Removal, Destruction or Lopping of Native Vegetation.*
- 6. The application is contrary to the planning objectives sought by Clauses 02.03-2, 12.01-1L, 12.01-2S, 13.02-1S and 15.01-3L.*

BACKGROUND

Subject site

The subject site is known as Lot S4 on PS 826652Y. It is noted the title submitted with the application is for Lot 4 which is a different parcel.



Figure 1 - Location of site

The site is irregular in shape, has an approximate area of 5.527ha, is vacant of any buildings contains a centrally located dam and mostly comprises dense vegetation with the exception of a few cleared areas. Access is provided via an existing common property road which provides access to five other lots previously subdivided from the parent title. This common property road provides access to Golf Links Road.

The site is not encumbered by any easements but is subject to a Section 173 Agreement which exempts certain planning requirements relating to the Bushfire Management Overlay. This agreement does not impact this application as it deals with a different type of development. There are no other restrictions on title.

Surrounds

The site abuts standard residential development on its northern and south-eastern edges, including the development originally part of the parent title to this application. These lots are each approximately 600sqm to 650sqm in area. Most are occupied with a single dwelling.



Figure 2 - Site Context

To the south of the site is the Hepburn Springs Golf Club. To the west is residential development with varying lot sizes. The vegetated RCZ land forms part of a broader vegetation and habitat link from the west.

Proposal

The subdivision is an extension of the existing common property road arrangement / subdivision which provides access to the lot.

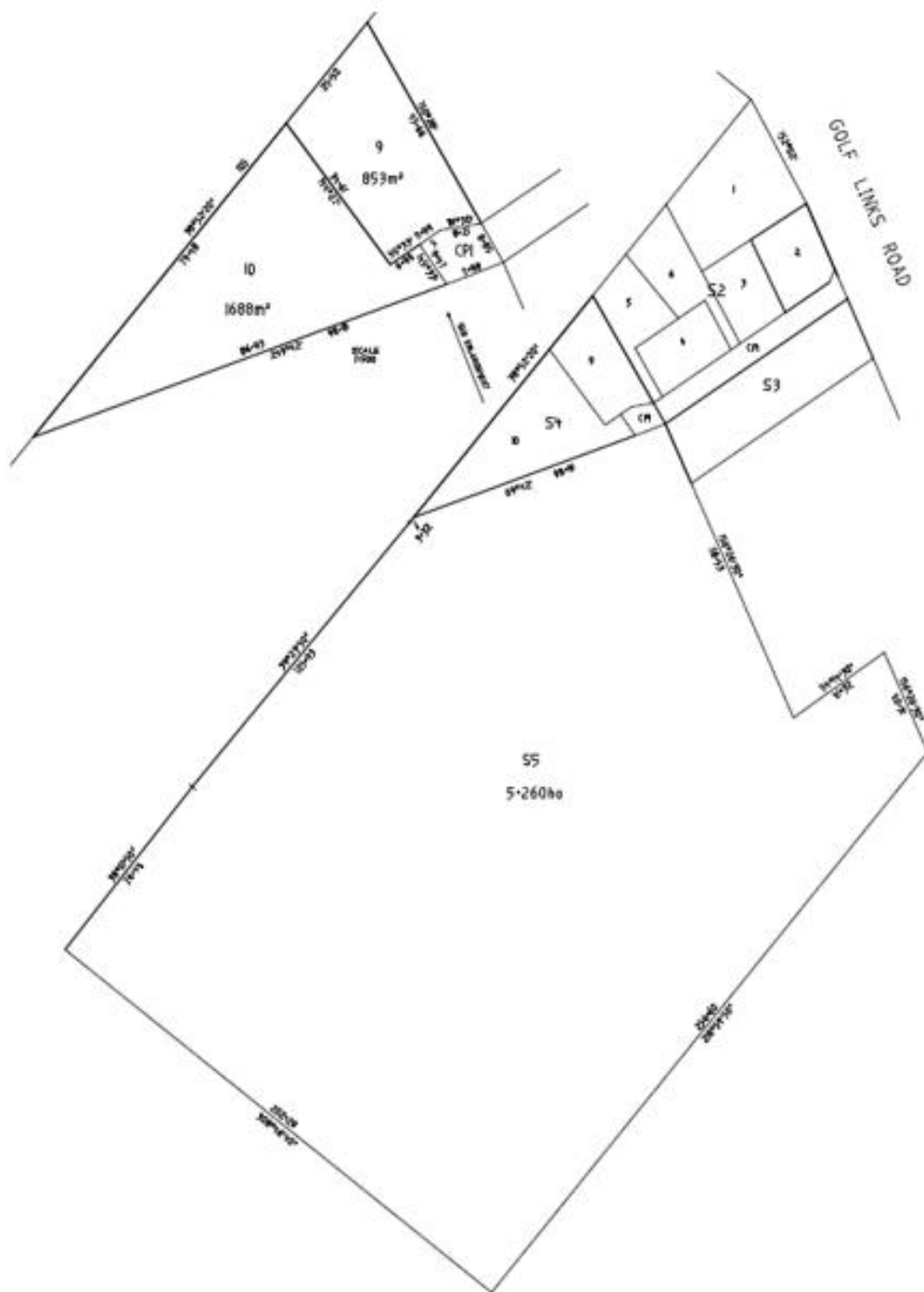


Figure 3 - Proposed Plan of Subdivision

The common property road will be slightly extended and will provide access to Lots 9, 10 and the balance Lot S5. Lot 9 has an area of 853 square metres and is generally rectangular in shape. Lot 10 an area of 1688 square metres and is a triangle. Lot S5 will comprise an area of 5.26 hectares within the Rural Conservation Zone (RCZ). Both Lots 9 and 10 can accommodate a rectangle measuring 10 metres by 15 metres in accordance with Standard C8 of Clause 56.04-2 of the Hepburn Planning Scheme. No information about the future use or development of Lot S5 was provided.

The extended common property road is not of sufficient measurement or area to provide for a court bowl or similar.

No use or development is proposed for Lot S5.

The application was supported by:

- Proposed Plan of Subdivision
- Planning Report
- Bushfire Management Statement/Plan
- Flora and Fauna Report and offsets assessment
- Arborist Report

Planning History

Planning Permit PA2012 was issued 6 September 2018 to create the adjacent development including the common area road. This permit has now been completed (spent). Neither the permit conditions nor the endorsed plans required a turnaround area for the common area road.

Planning Scheme

The site is partly located in the Neighbourhood Residential Zone Schedule 4 (NRZ4) and partly within the Rural Conservation Zone Schedule 2 (RCZ2). It is also subject to the Bushfire Management Overlay (BMO) and the Environmental Significance Overlay Schedules 1 and 2 (ESO1 and ESO2).

A planning permit is required for the application in accordance with the following clauses of the Hepburn Planning Scheme:

- Clause 32.09-3 – Subdivision in the NRZ
- Clause 35.06-3 – Subdivision in the RCZ
- Clause 44.06-2 – Subdivision in the BMO
- Clause 42.01-2 - Subdivision in the ESO.
- Clause 42.01-2 – Remove, destroy, or lop any vegetation in the ESO2.
- Clause 52.17 – Remove, destroy, or lop native vegetation.

The following policies are relevant to the consideration of this application:

- Clause 02.02 – Vision.
- Clause 02.03-1 – Settlement.
- Clause 02.03-2 – Environmental and landscape values.
- Clause 02.03-3 – Environmental risks and amenity.
- Clause 02.04 – Settlement.
- Clause 11.01-1L – Townships and settlements.
- Clause 12.01-1S – Protection of biodiversity.
- Clause 12.01-1L – Native vegetation and habitat protection.
- Clause 12.01-2S - Native vegetation management.
- Clause 13.02-1S – Bushfire planning.

- Clause 14.02-2S – Water quality.
- Clause 14.02-2L – Mineral Springs and Fresh Water Springs Protection – Hepburn.
- Clause 15.01-3L – Subdivision in Hepburn Shire.
- Clause 71.02-3 – Integrated decision making.

The following Particular and General Provisions are relevant to this application:

- Clause 52.12 – Bushfire Protection Exemptions
- Clause 52.17 – Native Vegetation
- Clause 53.02 – Bushfire Planning
- Clause 56 – Residential Subdivision
- Clause 64.03 – Subdivision of land in more than one zone.

Referrals

The following referrals have been undertaken:

- Country Fire Authority.
- Goulburn Murray Water.
- Central Highlands Water.
- Biodiversity Officer.
- Engineering Team.
- Environmental Health Officer.

The application was submitted to Council on 28 March 2023 and referred to relevant authorities on 4 July 2023. On 6 July 2023 Goulburn Murray Water responded with no objection. Council's engineers responded on 11 July 2023 with conditional consent referring to management of stormwater. Central Highlands Water responded on 13 July 2023 with a conditional consent.

On 18 September 2023, the applicant was requested by Council's Biodiversity Officer to provide a Native Vegetation/Ecology Assessment. This report was subsequently provided and referred to Council's Biodiversity Officer. On 11 October 2023, a response was provided from Biodiversity objecting to the application on several grounds.

The CFA provided a 'letter of advice' advising in its final response dated 19 July 2024 that the application does not meet the objectives of AM 5.2 to Clause 53.02-4.4.

They also provided the following further comments:

- The design of the subdivision does not meet the objectives of AM5.2 to Clause 53.02-4.4, specifically the defensible space and access components:
 - The proposed defensible space within lot S5 does not provide reasonable assurance of continued management and cannot be considered 'shared' between the lots in the subdivision. Furthermore, the application of defensible space on land subject to the Rural

Conservation Zone and Environmental Significance Overlay likely contradicts the intention of the zone and overlay.

- The proposed turn around area relies on trafficable hardstand within lot S5 which does not provide reasonable assurance of continued maintenance. The access arrangement should be on common property.
- CFA advise that the proposed building envelopes do not appear to achieve fire hydrant cover from the existing infrastructure and any subdivision will likely be required to meet the hydrant conditions.
- CFA's RFI dated 11 July 2023 raised discrepancies between the plan of subdivision and the Bushfire Management Plan. The updated application documents did not include an updated plan of subdivision, so CFA have been unable to determine if the discrepancies have been remedied.

Council's Biodiversity Officer objected to the application on 11 October 2023, with a summary of those comments and objections provided below:

- The modification of vegetation for defensible space would result in substantial reduction of the 'Fauna Habitat' features described in the submitted Flora and Fauna Report.
- The future of proposed Lot S5 is not specified and any additional removal and modification of vegetation for creating any future dwelling on this site is not accounted for.
- The means of maintaining the modified vegetation on proposed Lot S5 is not identified.
- On-ground biodiversity assessments and analysis supplied to Council for current Township Structure planning identifies this bushland block as providing a moderate vegetation quality and identifies its contribution to an important east-west land corridor for wildlife between sections of Hepburn Regional Park via remnant vegetation on private land.
- Cumulative impacts would result from this subdivision as the increased disturbance from the new housing adjacent to bushland, and ongoing impacts of the modification of the 42m wide band of vegetation is likely to increased risk of windthrow of retained trees.
- The development would increase fragmentation of habitat through removal of vegetation currently supplying a buffer to the wildlife corridor in the west of the property.
- The modified area of vegetation will generate disturbance and increase light promoting weed growth.
- Refusal of the application is consistent with the strategies of Clause 12.01-1L of the Hepburn Planning Scheme as the development impacts linkages for wildlife and plant dispersal and results in the removal of four large old native trees.

The applicant was provided with copies of the CFA's earlier comments and the Biodiversity teams objections and a response was provided via email on 21 May 2024. This response was provided to the CFA who provided the response summarised above. Council reiterated its concerns with the application on July 4, setting out the following:

With reference to Council's email dated 29 January 2024 and the information provided in response on 21 May 2024, Council does not consider the response addresses the vegetation issues raised and as such continues to maintain the position outlined in the January email that it is unlikely to be supported...

With regards to the vegetation removal, we note again:

- *There are no defensible space exemptions for the removal of vegetation for a subdivision, and there are no exemptions anyway for RCZ land.*
- *A Vegetation Management Plan would be required to demonstrate how the balance of retaining biodiversity and providing defensible space will be achieved. This Plan needs to specify which vegetation is to be removed and what is to be retained. A permit is required for the removal of any vegetation given the above dot point.*
- *An assessment against the Guidelines for the removal, destruction or lopping of native vegetation.*
- *An offset calculation. There would need to be a consequential loss calculation for Proposed Lot 9 and 10 as both are under 4,000sqm in area.*

These issues were further discussed with the applicant again via email on 25 July with the advice above reiterated. No further information or response has since been received from the applicant.

Public notification

Given the issues discussed above, the application has never reached a position where public notification of the application was considered appropriate.

KEY ISSUES

The applicant has been requested on several occasions to reconcile issues initially raised by the CFA in relation to vegetation and defensible space, and then further requested to provide additional supporting information in relation to the removal of vegetation. This supporting information is necessary to allow Council to form a position as to whether the application meets the objectives of the PPF, and in particular Clauses 02.03-2, 02.03-3, 12.01 and 13.02. Specifically:

- Protect indigenous vegetation across the Shire including on Council managed reserves and private property.
- Protect biodiversity and environmental values of local, regional and state significance.

- Retain existing habitat and create new habitat corridors, that increases the resilience of existing stands of native vegetation.
- Enhance linkages between habitat on private land, roadsides, waterways and public land for wildlife and plant dispersal.
- Protect large old native trees on private and public land.
- Minimise wholesale clearing of significant vegetation in areas of high bushfire risk.
- Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are important areas of biodiversity.

The information sought to assist Council in forming a position included:

- A Site Map in the Arborist Report to include identifying site features, making it possible to determine where the proposed lot boundaries and building envelopes are to be located.
- Updates to the Flora and Fauna Assessment to show the location of any vegetation to be removed.
- A Vegetation Management Plan to clearly identify the location of all vegetation to be retained, the location of all vegetation to be removed, and the location of any vegetation to be trimmed or lopped to achieve the vegetation management requirements. This was particularly important for land in the RCZ.
- An assessment against the *Guidelines for the removal, destruction or lopping of native vegetation*.
- An offset calculation. There would need to be a consequential loss calculation for Proposed Lot 9 and 10, as both are under 4,000 square metres in area.

The information to date has not been provided. The applicant has been provided several opportunities to provide the information. As this information still has not been provided Council cannot form a complete view on the impact this application would have on site vegetation, and as such it is recommended that the application be refused. These specific issues are further elaborated upon below.

Subdivision of land in more than one zone

Clause 64.03 specifies that a permit may be granted to subdivide land and the land is in more than one zone, a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

There is no minimum lot size requirement for the NRZ. The minimum lot size in the RCZ1 is 40 hectares.

As the proposed lot in the RCZ1 is 5.26ha, the provisions of Clause 64.03 are required to enable the proposal in the first place. Clause 64.03 states that a permit may be

granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
 - To comply with the requirements of the Urban Floodway Zone.
 - To provide access to a road.
- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.

The proposal meets these conditions and as such can be considered.

Neighbourhood Residential Zone Schedule 4

The NRZ recognises areas of predominantly single and double storey residential development. Per Clause 32.09-3, a permit is required to subdivide land. A subdivision for 2 lots must meet the relevant objectives and standards of Clauses 56.

The proposed subdivision within the NRZ (Lots 9 and 10) are considered to achieve this purpose. Proposed Lot 9 is regular in shape and similar to adjacent development. Lot 10 is irregular due to the zone boundary which needs to comply with Clause 64.03 discussed above. Both lots are capable of providing a 10m by 15m rectangular building envelope which is the standard set by Clause 56.04-2 in relation to lots greater than 400sqm.

Clause 56.06-8 requires consideration of lot access. In this application, access is provided by an extension of an existing common area road. There is no turning provision currently provided, though a temporary T-head appears to have developed within the subject site to provide for the lots currently using the common area road.

Clause 56.06-8 applies to government/Council roads, not common property roads as is provided to access this site. Nonetheless, when used in this residential lot context is a reasonable to ensure the proper provision of lot access as is envisaged by Clause 56.06-8.

The proposal slightly extends the common area road into the site to ensure access is provided to the three proposed lots. At a maximum width of 9.47m, it will not be sufficient to provide for a turning circle. Again, as this is a common area road Council cannot require this to be provided, but it does create issues as noted by the CFA in that *“the proposed turn around area relies on trafficable hardstand within lot S5 which does not provide reasonable assurance of continued maintenance. The access arrangement should be on common property.”*

Access should be provided per Clause 53.02-4.4, and it is also desirable to provide required turn around areas even within non-Council assets. This would be able to be

provided within the NRZ land of the site, as has been previously requested by the CFA.

All other relevant standards and objectives as set out at Clause 32.09-3 are considered to be met. It is also considered the decision guidelines of the NRZ set out at Clause 32.09-14 are also met.

In relation to the NRZ4, the application is also considered to meet the relevant decision guidelines. Proposed Lots 9 and 10 would continue the existing streetscape, lot sizes, and lot pattern.

Rural Conservation Zone Schedule 1

The objectives of the RCZ are markedly different to the NRZ and are squarely focused towards protection and enhancement of natural resources and the biodiversity of the area. The RCZ1 specifically identifies areas dominated by Plains grassy woodlands of the Victorian Volcanic Plains and notes that small remnants of ground storey and scattered trees on private land have high conservation significance.

Per Clause 35.06-3, a permit is required to subdivide land. Each lot must be at least 40ha in area (per RCZ1), and as such the application is reliant upon the provisions of Clause 64.03 as previously discussed.

The RCZ decision guidelines as set out at Clause 35.06-6 require an assessment of the likely environmental impacts on the biodiversity and in particular the flora and fauna of the area. Additional decision guidelines include:

- The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- How the use and development relate to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.

As noted earlier, there is no proposed use or development for Lot S5. Any future use or development is likely to require a new planning permit application.

The applicant has provided both a Flora and Fauna Report and Arborist's Report. Both are further discussed below.

Bushfire Management Statement

The BMS submitted with the application identifies the surrounding landscape as Broader Landscape Type 3. It identifies that the terrain is rugged and there is the potential for 3 to 5 kilometre long runs of fire from the north-west coupled with a south-west wind change that may affect the site. Similar conditions and statements can be made for all of Daylesford and its high fire risk is identified through the MPS and Strategic Framework Plans.

The Bushfire Neighbourhood Context Plan identifies the site's vegetation as Forest which contiguously extends to the west. Modified vegetation is identified to the surrounding NRZ lots. Forest is further identified east of Golf Links Road.

Figure 11 of the BMS establishes the defensible space, water supply and access as shown in Figure 4 below. The Bushfire Management Plan establishes a BAL 29 for both Proposed Lots 9 and 10. The defensible space extends into proposed Lot S5.

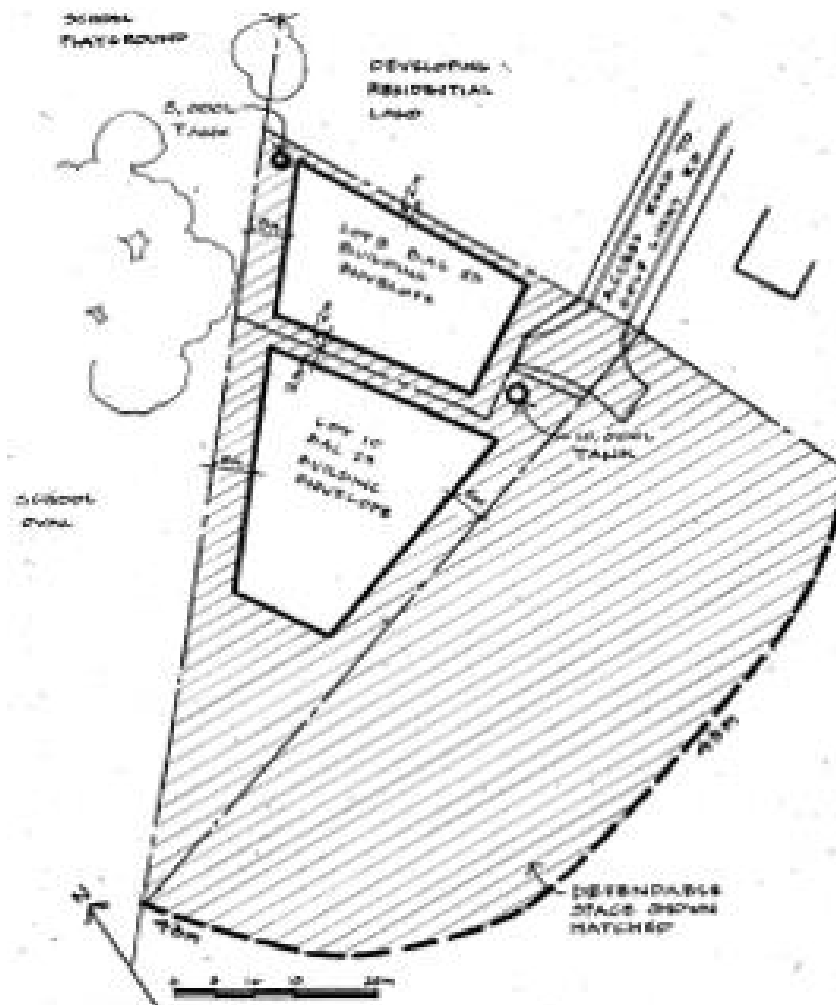


Figure 4 - Defendable space as shown in the [BMS](#)

Bushfire Protection Exemptions

Clause 52.12 provides for exemptions for the removal of native vegetation to create defensible space. This supports the broader planning policy objective to support the protection of human life and property from bushfire.

Clause 52.12-5 provides an exemption for the removal of native vegetation to enable the construction of a dwelling and create its defensible space if all of the following requirements are met:

- Land is in the Bushfire Management Overlay.
- Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.
- The removal, destruction or lopping of vegetation:
 - Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the *Building Act 1993* for a dwelling or alteration or extension to the dwelling; or
 - Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.

In relation to each dot point:

- All the land is in the BMO.
- Proposed Lots 9 and 10 are in the NRZ. Proposed Lot S5 is not in a zone specified in the exemption conditions. As shown in Figure 4, proposed Lot S5 is required to provide defensible space for proposed Lots 9 and 10. This would mean the proposal does not meet the exemption conditions.
- Information has been sought in relation to the extent of the removal of vegetation (i.e. the request for a Vegetation Management Plan) but has not been provided. As such it is not possible to determine if the vegetation proposed to be removed does not exceed the specifications of Table 1 to Clause 53.02-3.

As the proposal does not meet the exemption conditions a planning permit is required for the removal of all native vegetation required to provide the necessary defensible space.

It is additionally noted that Clause 52.12-5 applies to applications to enable the construction of a dwelling. This application isn't for a dwelling, but for subdivision. It is therefore debatable that the exemption can be considered at all. It is noted the application does include the removal of native vegetation, and of course that the ESO2 require a permit for the removal of vegetation.

Native vegetation removal

The Flora and Fauna Report submitted with the application states that 0.303ha of vegetation is proposed to be removed and four large trees, and that the site is located in Location 1. This means the application must follow the Intermediate assessment pathway set out in the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation*. An Intermediate assessment pathway is not required to be referred to DEECA.

The *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* provide specific application requirements for a permit to remove native vegetation. The following information is not included in the application or Flora and Fauna Report:

- There is limited description of the native vegetation that is to be removed. No information is provided regarding the large trees. Limited information is provided regarding the patches.
- No maps are provided showing the location of any patches of native vegetation and the location of the large trees proposed to be removed.
- Some photographs are provided but they do not identify if that vegetation is to be removed or retained.
- An Avoid and Minimise Statement is provided but does not provide detail as to how the development has been designed to avoid and or minimise the loss of native vegetation.
- A description of the offset targets has been provided but neither an offset statement nor Native Vegetation Removal report have been provided.

The applicant was requested on several occasions to provide this information, particularly a map identifying the vegetation and the NVR report.

The Arborist Assessment provided with the application does include a site map identifying trees on the site, but the map does not provide any identifying information (e.g. boundaries, proposed development) so it is not possible to properly orientate, locate or understand the proposed impacts. The Assessment does also provide a photograph and description of each tree identified, but does not identify which are to be retained or removed. It is very limited in its assessment and therefore usefulness.

The applicant was also advised of this on several occasions and requested to provide additional information to enable Council to make an informed decision. This information has not been provided.

To this end, the application requirements of Clause 52.14-2 have not been provided, despite being sought in writing on several occasions.

Additionally, and in relation to the decision guidelines of Clause 52.17-4 and at Section 7 of the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation*:

- It is not possible to determine whether efforts to avoid the removal of, and minimise the impacts on, native vegetation commensurate with the biodiversity and other values of the native vegetation have been undertaken.
- It is not possible to determine whether the proposed subdivision has been appropriately designed to avoid and minimise impacts on native vegetation.
- It is not possible to determine whether feasible opportunities exist to further avoid and minimise impacts on native vegetation.

- It is not possible to determine whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured.
- It is not possible to fully determine the impact on the site's biodiversity, and impacts on large trees.

These comments are largely relevant only to the RCZ land upon which the development of Lots 9 and 10 rely upon to provide the necessary defensible space.

Planning Policy considerations – vegetation and biodiversity

The MPS repeatedly identifies the importance of landscape and vegetation retention to the Shire, including:

- Protect indigenous vegetation across the Shire including on Council managed reserves and private property (Clause 02.03-2).
- Protect biodiversity and environmental values of local, regional and state significance (Clause 02.03-2).
- Retain existing habitat and create new habitat corridors, that increases the resilience of existing stands of native vegetation (Clause 02.03-2).
- Minimise wholesale clearing of significant vegetation in areas of high bushfire risk (Clause 02.03-2).

Similarly, the PPF recognises these issues, including:

- Protect and enhance the Shire's native vegetation and habitats (Clause 12.01-1L).
- Enhance linkages between habitat on private land, roadsides, waterways and public land for wildlife and plant dispersal (Clause 12.01-1L).
- Protect large old native trees on private and public land (Clause 12.01-1L).
- Locate development to minimise loss of significant remnant vegetation and identified habitat areas (Clause 12.01-1L).
- Encourage the maintenance and enhancement of habitat corridors in new and existing residential areas and along township watercourses and open space corridors (Clause 12.01-1L).
- Complement the three-step approach to the removal of native vegetation outlined in the *Guidelines for the removal, destruction or lopping of native vegetation* by seeking to improve biodiversity outcomes prior to considering any offsets (Clause 12.01-1L).
- Ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation (Clause 12.01-2S).
- Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are important areas of biodiversity (Clause 13.02-1S).

- Create appropriate separation distances between new subdivisions and areas of high bushfire hazard to better manage bushfire risk and vegetation clearance requirements (Clause 15.01-3L).

Council's Biodiversity team's objections to the application have been previously reiterated in this report with specific reference to these policies listed above. Previous commentary in this report demonstrates that without the information requested Council cannot form a view that the application does not negatively impact these policy statements and as such cannot be supported.

Of note is the CFA's pertinent comment as well regarding "*the application of defensible space on land subject to the Rural Conservation Zone (RCZ) and Environmental Significance Overlay (ESO) likely contradicts the intention of the zone and overlay*", which was also a ground of objection for Council's Biodiversity team.

The proposal potentially undermines achieve these carefully developed and listed policies that are central to achieving the stated vision of the Hepburn Planning Scheme.

CONCLUSION

Clause 71.02-3 carefully sets out the need to balance the various objectives and strategies of the Hepburn Planning Scheme. As such, whilst the Planning Scheme is generally supportive of further residential development within the Hepburn area, the proposal cannot be supported due to the application's incomplete nature and the proposals lack of justification against the planning scheme; in particular the removal native vegetation.

It is recommended that application PLN23/0061 be refused on the following grounds:

1. The application does not meet the objectives of AM 5.2 to Clause 53.02-4.4.
2. The proposed defensible space within lot S5 does not provide reasonable assurance of continued management and cannot be considered 'shared' between the lots in the subdivision.
3. The removal of native vegetation is contrary to the objectives of the Rural Conservation Zone Schedule 1.
4. The application does not provide the information required by the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation*.
5. The application is contrary to the decision guidelines of Clause 52.17 and the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation*.
6. The application is contrary to the planning objectives sought be Clauses 02.03-2, 12.01-1L, 12.01-2S, 13.02-1S and 15.01-3L.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

COUNCIL PLAN 2021-2025

A resilient, sustainable and protected environment

1.2 Prioritise environmental management, protection and regeneration

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.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The application has not been advertised.

RISK AND GOVERNANCE IMPLICATIONS

There is no risk to council associated with this application. The application has been processed in the manner required under the *Planning and Environment Act 1987* and all relevant legislation has been considered.

ENVIRONMENTAL SUSTAINABILITY

The sustainability issue related to this proposal are discussed at length in this report.

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

Page 1 of 2

VOLUME 12283 FOLIO 040

Security no : 124104898424B
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LAND DESCRIPTION

Lot 4 on Plan of Subdivision 826652Y.
PARENT TITLE Volume 12150 Folio 688
Created by instrument PS826652Y Stage 2 02/02/2021

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
MICHAEL JOHN MONAGHAN of 1 BOLTE COURT WEST WODONGA VIC 3690 Executor(s) of
MARY MARGARET MONAGHAN deceased
PS826652Y Stage 2 02/02/2021

ENCUMBRANCES, CAVEATS AND NOTICES

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

AGREEMENT Section 173 Planning and Environment Act 1987
AT866145E 15/12/2020

DIAGRAM LOCATION

SEE PS826652Y 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: 6 GOLF LINKS ROAD HEPBURN VIC 3461

ADMINISTRATIVE NOTICES

NIL

eCT Control 21122Q RLW LAWYERS
Effective from 02/02/2021

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS826652Y

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

Page 2 of 2

DOCUMENT END

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Document Type	Plan
Document Identification	PS826652Y
Number of Pages (excluding this cover sheet)	4
Document Assembled	24/03/2023 09:58

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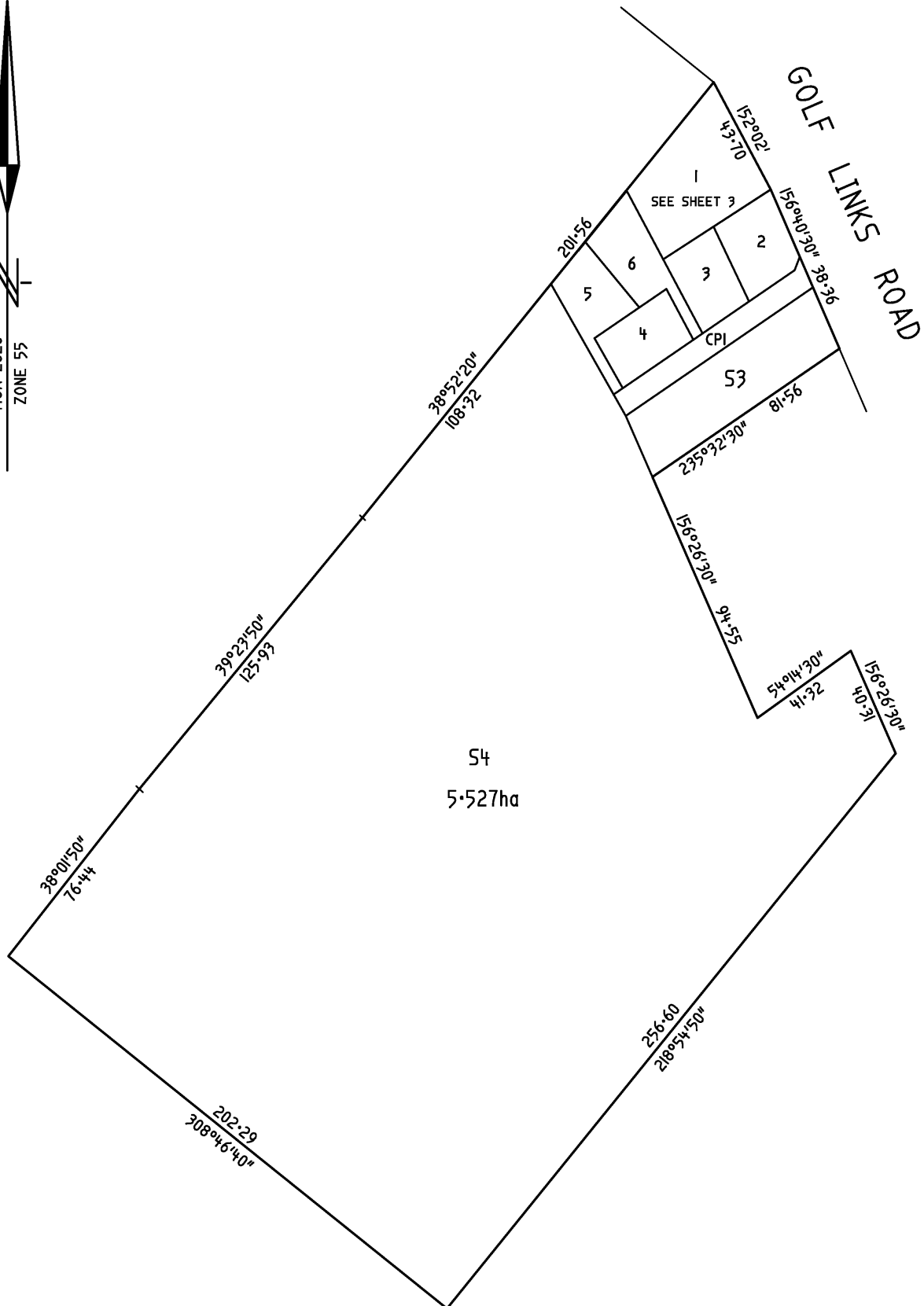
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<h1 style="margin: 0;">PLAN OF SUBDIVISION</h1>				EDITION 3	ATTACHMENT 11.2.1 PS 826652Y
LOCATION OF LAND PARISH: WOMBAT TOWNSHIP: HEPBURN SECTION: 17A CROWN ALLOTMENT: 13(PART) TITLE REFERENCE: Vol: 10529 Fol s 142 & 143 LAST PLAN REFERENCE: PS 435891J, LOTS 1 & 2 POSTAL ADDRESS: 154 Main Road, Hepburn Springs, 3461. <small>(at time of subdivision)</small> MGA CO-ORDINATES: E:245875 ZONE:55 <small>(of approx centre of land in plan)</small> N:5866670 GDA 2020			Council Name: Hepburn Shire Council Council Reference Number: PS826652Y Planning Permit Reference: PA2012 SPEAR Reference Number: S145346P Certification This plan is certified under section 6 of the Subdivision Act 1988 Public Open Space A requirement for public open space under section 18 of the Subdivision Act 1988 has been made and the requirement has not been satisfied at Certification Digitally signed by: Norman John Latta for Hepburn Shire Council on 12/08/2019 Statement of Compliance issued: 14/08/2019 Public Open Space A requirement for public open space under section 18 of the Subdivision Act 1988 has been made and the requirement has been satisfied at Statement of Compliance		
VESTING OF ROADS AND/OR RESERVES			NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON		<div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: 80%;"> <p style="text-align: center; margin: 0;">LOTS IN THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS</p> <p style="text-align: center; margin: 0; font-size: 0.8em;">FOR DETAILS OF ANY OWNERS CORPORATIONS INCLUDING PURPOSE, RESPONSIBILITY, ENTITLEMENT & LIABILITY SEE OWNERS CORPORATION SEARCH REPORT, OWNERS CORPORATION ADDITIONAL INFORMATION AND IF APPLICABLE, OWNERS CORPORATION RULES</p> </div>		
Nil	Nil				
NOTATIONS					
DEPTH LIMITATION Not Applicable					
SURVEY: This plan is based on survey. STAGING: This is a staged subdivision. Planning Permit No.PA2012 This survey has been connected to permanent marks No(s) .268, 339 & 340 In Proclaimed Survey Area No.50					
EASEMENT INFORMATION					
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)					
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	
E-1	Pipelines or Ancillary Purposes	3	PS 435891J, Section 136 of the Water Act 1989.	Central Highlands Region Water Corporation	
JAMES WALSH LICENSED SURVEYOR PO BOX 35 DAYLESFORD, 3460 TEL: 0427847930 Email: ajwalsh@arrnnet.com.au		SURVEYORS FILE REF: 3125 Digitally signed by: James Patrick Walsh, Licensed Surveyor, Surveyor's Plan Version (5), 12/08/2019, SPEAR Ref: S145346P		ORIGINAL SHEET SIZE: A3	SHEET 1 OF 2
THIS IS A LAND USE VICTORIA COMPILED PLAN FOR DETAILS SEE MODIFICATION TABLE HEREIN					

PLAN OF SUBDIVISION

Stage No.

ATTACHMENT 1671
PS 826652Y



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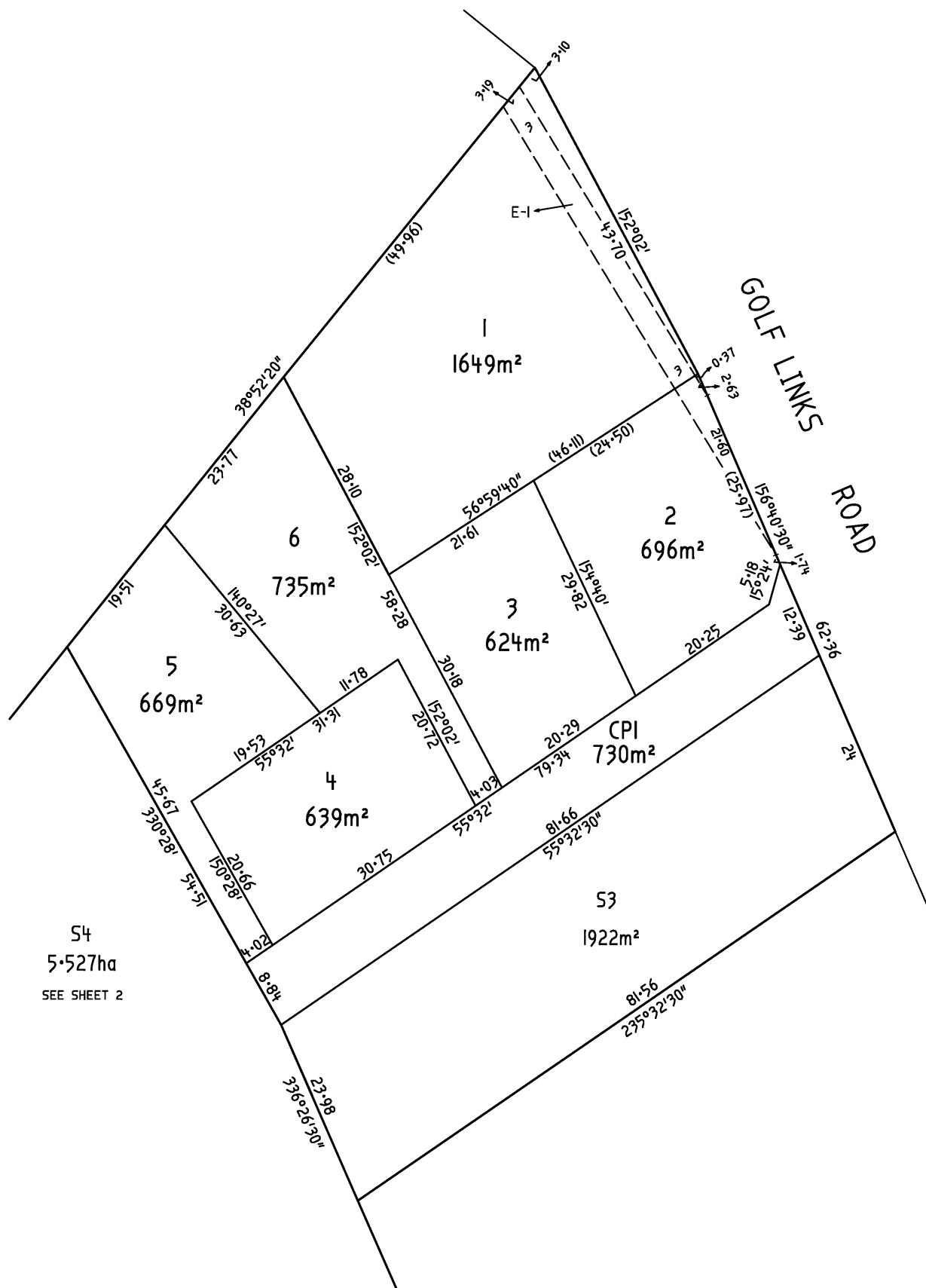
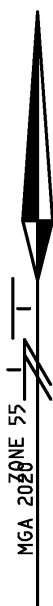
SHEET 2

JAMES PATRICK WALSH / VER:1

PLAN OF SUBDIVISION

Stage No.

ATTACHMENT 16.3.1
PS 826652Y



JAMES WALSH LICENSED SURVEYOR
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SCALE
1:500

5 0 5 10 15 20
LENGTHS ARE IN METRES

ORIGINAL SHEET
SIZE: A3

SHEET 3

JAMES PATRICK WALSH / VER:1

WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.
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Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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OWNERS CORPORATION 1
PLAN NO. PS826652Y

The land in PS826652Y is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Property 1, Lots 2 - 6, S4.

Limitations on Owners Corporation:

Unlimited

Postal Address for Services of Notices:

1 BOLTE COURT WEST WODONGA VIC 3690

OC050808R 02/02/2021

Owners Corporation Manager:

NIL

Rules:

Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

Owners Corporation Rules:

NIL

Additional Owners Corporation Information:

OC050808R 02/02/2021

Notations:

NIL

Entitlement and Liability:

NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 2	100	100
Lot 3	100	100
Lot 4	100	100
Lot 5	100	100
Lot 6	100	100
Lot S4	100	1



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 24/03/2023 09:58:31 AM

OWNERS CORPORATION 1
PLAN NO. PS826652Y

Entitlement and Liability:

NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Total	600.00	501.00

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.

Statement End.



Department of Environment, Land, Water & Planning

ATTACHMENT 11.2.1

Electronic Instrument Statement

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Produced 24/03/2023 09:58:31 AM

Status	Registered	Dealing Number	AT866145E
Date and Time Lodged	15/12/2020 02:34:28 AM		

Lodger Details

Lodger Code	17512A
Name	ROBERTSON HYETTS
Address	
Lodger Box	
Phone	
Email	
Reference	GES 468339-225

APPLICATION TO RECORD AN INSTRUMENT

Jurisdiction	VICTORIA
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Estate and/or Interest

FEE SIMPLE

Land Title Reference

12150/688

Instrument and/or legislation

RECORD - AGREEMENT - SECTION 173
Planning & Environment Act - section 173

Applicant(s)

Name	HEPBURN SHIRE COUNCIL
Address	
Street Number	76
Street Name	VINCENT
Street Type	STREET
Locality	DAYLESFORD
State	VIC
Postcode	3460

Additional Details



Department of Environment, Land, Water & Planning

ATTACHMENT 11.2.1

Electronic Instrument Statement

Refer Image Instrument

The applicant requests the recording of this Instrument in the Register.

Execution

1. The Certifier has taken reasonable steps to verify the identity of the applicant 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.

Executed on behalf of	HEPBURN SHIRE COUNCIL
Signer Name	JANELLE BROWN
Signer Organisation	FIFTY-FIRST R H NOMINEES PTY LTD
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	15 DECEMBER 2020

File Notes:

NIL

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.

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Document Identification	AT866145E
Number of Pages (excluding this cover sheet)	13
Document Assembled	

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**REDMAN
LYNCH
WASHINGTON**

ATTACHMENT 11.2.1

Agreement under Section 173 of the *Planning and Environment Act 1987 (Vic)*

Michael John Monaghan as Executor of Mary Margaret Monaghan, deceased
Owner

Hepburn Shire Council
Council

154 Main Road, Hepburn, Victoria 3461
Subject Land

I REDMAN LYNCH WASHINGTON

A: Level 1, 77 Yarra Street, Geelong, Victoria 3220

P: PO Box 4107, Geelong, Victoria 3220

Liability limited by a scheme approved under Professional Standards Legislation

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F: +61 3 4245 2022

W: www.rlw.com.au

RLW:2020:2665

Details

Date

24 NOVEMBER

2020

Parties

Name	Michael John Monaghan as Executor of Mary Margaret Monaghan, deceased
Notice details	1 Bolte Court, West Wodonga, Victoria 3690
Short form name	Owner

Name	Hepburn Shire Council
Notice details	76 Vincent Street, Daylesford, Victoria 3460
Short form name	Council

Background

- A Council is the authority responsible for the administration and enforcement of the Planning Scheme pursuant to the provisions of the Act.
- B The Owner is or is entitled to be the registered proprietor of the Subject Land.
- C Council issued the Planning Permit to allow for a multi Lot staged Subdivision and removal of outbuildings generally in accordance with the Endorsed Plans.
- D Conditions 18 and 33 of the Planning Permit require the Owner to enter into an agreement with the Council pursuant to Section 173 of the Act to provide for the matters set out in these Conditions.
- E The parties enter into this Agreement to give effect to the matters referred to in Recital D.

Agreed terms

1. Definitions and interpretation

1.1 Definitions

In this Agreement the words and expressions set out in this Clause have the following meanings unless the context admits otherwise:

Act means the *Planning and Environment Act 1987* (Vic);

Agreement means this agreement and any agreement executed by the parties expressed to be supplemental to this agreement;

Bushfire Management Plan means the plan endorsed with the stamp of Council on 5 November 2018 which forms part of the Planning Permit, a copy of which is annexed to this Agreement at Annexure 2;

Council means the Hepburn Shire Council or its successor as the authority responsible for administering and enforcing the Planning Scheme and includes its agents, officers, employees, servants, workers and contractors;

Endorsed Plans means the plans for the multi Lot staged Subdivision of the Subject Land and the removal of outbuildings as endorsed by the Council and attached to this Agreement as Annexure 1;

Lot means a lot on the Endorsed Plans;

Owner means the person registered or entitled from time to time to be registered as proprietor of an estate in fee simple of the Subject Land or any part of it and includes a mortgagee-in-possession;

Owner's Obligations includes the Owner's specific obligations and the Owner's further obligations;

Planning Permit means Planning Permit PA2012, as amended from time to time, issued on 6 September 2018 by the Council;

Planning Scheme means the Hepburn Planning Scheme and any other planning scheme that applies to the Subject Land;

Subdivision means the subdivision of the Subject Land referred to in Recital C; and

Subject Land means the land situated at 154 Main Road, Hepburn, Victoria 3461 described more particularly as Lot S2 on Plan of Subdivision 826652Y, Township of Hepburn, Parish of Wombat and being the whole of the land referred to in Certificate of Title Volume 12150 Folio 688.

2. Interpretation

In this Agreement unless the context admits otherwise:

- (a) The singular includes the plural and vice versa;
- (b) A reference to a gender includes all genders;
- (c) Words (including defined expressions) denoting persons will be deemed to include all trusts, bodies and associations, corporate or unincorporated, and vice versa;
- (d) A reference to a person includes a reference to a firm, corporation or other corporate body and that person's successors in law;

- (e) References to the parties will include their transferees, heirs, assigns, and liquidators, executors and legal personal representatives as the case may be;
- (f) Any agreement, representation, warranty or indemnity by two (2) or more persons (including where two (2) or more persons are included in the same defined term) binds them jointly and severally;
- (g) A term used has its ordinary meaning unless that term is defined in this Agreement. If a term is not defined in this Agreement and it is defined in the Act, it has the meaning as defined in the Act;
- (h) A reference to an Act, regulation or the Planning Scheme includes any Act, regulation or amendment amending, consolidating or replacing the Act, regulation or Planning Scheme;
- (i) The Recitals form part of this Agreement;
- (j) The Owner's obligations take effect as separate and several covenants which are annexed to and run at law and equity with the Subject Land;
- (k) Any reference to a document or agreement includes reference to that document or agreement as changed, novated or replaced from time to time; and
- (l) Any reference to a clause, page, condition, attachment or term is a reference to a clause, page, condition, attachment or term of this Agreement.

3. Specific Obligations of the Owner

The Owner covenants that prior to the statement of compliance being issued under the *Subdivision Act 1988* (Vic) that:

- (a) This Agreement has been prepared for the purpose of an exemption from a planning permit under clause 44.06-2 of the Planning Scheme;
- (b) The Endorsed Plans prepared in accordance with Clause 53.02-4.4 of the Planning Scheme and approved under the Planning Permit are incorporated into this Agreement;
- (c) If a dwelling is constructed on the Subject Land without a planning permit, the bushfire protection measures set out in the Bushfire Management Plan must be implemented and maintained to the satisfaction of Council on a continuing basis;
- (d) The Owner must pay the reasonable costs of the preparation, execution and registration of this Agreement;
- (e) Lot 1 and Lot 7 are explicitly excluded from following exemption under Clause 44.06-1 of the Planning Scheme:

"A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5; and
- (f) If the proposed stormwater drainage system required by the Planning Permit includes any works to be undertaken during the house construction stage, then such works must be constructed and completed during the house/building construction stage.

4. Further obligations of the Owner

4.1 Notice and Registration

The Owner further covenants and agrees that the Owner will bring this Agreement to the attention of all prospective purchasers, lessees, mortgagees, chargees, transferees and assigns.

4.2 Further action

The Owner:

- (a) Must do all things necessary to give effect to this Agreement;
- (b) Consents to Council applying to the Registrar of Titles to record this Agreement on the Certificate of Title of the Subject Land in accordance with Section 181 of the Act; and
- (c) Agrees to do all things necessary to enable Council to do so, including:
 - (i) Sign any further agreement, acknowledgment or document; and
 - (ii) Obtain all necessary consents to enable the recording to be made.

4.3 Council's costs to be Paid

Within 14 days of a written request for payment, the Owner must pay to Council, Council's costs and expenses (including legal expenses) relating to this Agreement, including:

- (a) Preparing, drafting, negotiating, finalising, signing, recording and enforcing this Agreement;
- (b) Assessing, preparing, drafting, negotiating, finalising and recording any amendment to this Agreement;
- (c) Assessing, preparing, drafting, negotiating, finalising and recording any document to give effect to the ending of this Agreement as contemplated by Clause 11; and
- (d) Determining whether any of the Owner's obligations have been undertaken to the satisfaction of Council or to give consent to anything under this Agreement.

4.4 Interest on outstanding money

Any amount due under this Agreement but unpaid by the due date incurs interest at the rate prescribed under Section 227A of the *Local Government Act 1989* (Vic) and any payment made shall be first directed to payment of interest and then the principal amount owing.

5. Agreement under Section 173 of the Act

Without limiting or restricting the respective powers to enter into this Agreement, and insofar as it can be so treated, this Agreement is made as a deed in accordance with Section 173 of the Act.

6. Owner's Warranties

The Owner warrants that apart from the Owner and any other person who has consented in writing to this Agreement, no other person has any interest, either legal or equitable, in the Subject Land which may be affected by this Agreement.

7. Successors in Title

Until such time as a memorandum of this Agreement is recorded on the Certificate of Title of the Subject Land, the Owner must require successors in title to:

- (a) Give effect to this Agreement; and
- (b) Enter into a deed agreeing to be bound by the terms of this Agreement.

8. General matters

8.1 Notices

Any notice or other communication required or permitted to be served by a party on another party must be in writing and may be served:

- (a) By delivering it personally to that party;
- (b) By sending it by prepaid post addressed to that party's current address for service; or
- (c) By email to that party's current email address for service.

8.2 Service of Notice

Any notice or other communication is deemed served:

- (a) If delivered, on the next following business day;
- (b) If posted within Australia to an Australian address, two (2) business days after the date of posting and in any other case, seven (7) business days after the date of posting; or
- (c) If sent by email, at the time of receipt in accordance with the *Electronic Transactions (Victoria) Act 2000* (Vic).

8.3 Costs on default

If the Owner defaults in the performance of any obligations under this Agreement it will pay to Council its reasonable costs of action taken to achieve compliance with this Agreement.

8.4 No Waiver

Any time or other indulgence granted by Council to the Owner or any variation of this Agreement or any judgment or order obtained by Council against the Owner does not amount to a waiver of any of Council's rights or remedies under this Agreement.

8.5 Severability

- (a) If a court, arbitrator, tribunal or other competent authority determines that any part of this Agreement is unenforceable, illegal or void then that part is severed with the other provisions of this Agreement remaining operative; and
- (b) Notwithstanding anything to the contrary in this Agreement, if any provision of this Agreement will be invalid and not enforceable in accordance with its terms, all other provisions which are self-sustaining and capable of separate enforcement without regard to the invalid provisions will be and continue to be valid and enforceable in accordance with those terms.

8.6 No Fettering of Council's powers

This Agreement does not fetter or restrict Council's power or discretion to make decisions or impose requirements or conditions in connection with the grant of planning approvals or

certification of plans subdividing the Subject Land or relating to use or development of the Subject Land.

8.7 Agreement binding on successors of owners

This Agreement will extend to and bind the Owner's successors, assigns, administrators, transferees and legal personal representatives and the obligations imposed upon them will also be binding on their successors, transferees, purchasers, mortgagees and assigns as if each of them had separately executed this Agreement.

8.8 Joint obligations

In the case of each party that consists of more than one person (including in that expression any corporation) each of those persons covenants, agrees and declares that all of the covenants, agreements, declarations and consents contained in this Agreement and made and given by that party have been entered into, made and given and are binding upon that person both severally and also jointly with the other person or persons constituting that Party.

8.9 Inspection of documents

A copy of any planning permit, document or plan referred to in this Agreement is available for inspection at Council offices during normal business hours upon giving the Council reasonable notice.

8.10 Governing law

This Agreement is governed by and is to be construed in accordance with the laws of Victoria.

8.11 Exchange of counterparts

- (a) This Agreement may be executed in any number of counterparts.
- (b) All counterparts together constitute one agreement.
- (c) A party may execute this Agreement by signing any counterpart.
- (d) This Agreement is binding on the parties on the exchange of executed counterparts. A copy of an original executed counterpart sent by email:
 - (i) Must be treated as an original counterpart;
 - (ii) Is sufficient evidence of the execution of the original; and
 - (iii) May be produced in evidence for all purposes in place of the original.
- (e) A party which has executed a counterpart of this Agreement or its legal representative may exchange it with another party by sending a copy of that original executed counterpart by email to that other party or its legal representative and if requested by that other party or its legal representative must promptly deliver that original by hand or post. Failure to make that delivery does not affect the validity of this Agreement.

8.12 Entire agreement

This Agreement constitutes the entire agreement between the parties in connection with its subject matter and supersedes all previous agreements or understandings between the parties in connection with its subject matter.

9. GST

- (a) In this Clause words that are defined in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) have the same meaning as their definition in that Act;

- (b) Except as otherwise provided by this Clause, all consideration payable under this Agreement in relation to any supply is exclusive of GST;
- (c) If GST is payable in respect of any supply made by a supplier under this Agreement, subject to this Clause the recipient will pay to the supplier any amount equal to the GST payable on the supply at the same time and in the same manner as the consideration for the supply is to be provided under this Agreement; and
- (d) The supplier must provide a tax invoice to the recipient before the supplier will be entitled to payment of the GST payable under Clause 9(c).

10. Commencement of Agreement

This Agreement commences on the date specified on page one or if no date is specified on page one, the date Council executes the Agreement.

11. Ending of Agreement

- (a) This Agreement ends:
 - (i) By agreement between the parties; or
 - (ii) Otherwise in accordance with the provisions of the Act.
- (b) Upon the ending of this Agreement Council must, as soon as practicable at the request and at the cost of the Owner, execute all documents necessary to make application to the Registrar of Titles under Section 183(2) of the Act to cancel the recording of this Agreement on the register.

Signing page

Executed as a Deed

24 NOVEMBER

2020

EXECUTED by MICHAEL JOHN
MONAGHAN, as EXECUTOR of MARY
MARGARET MONAGHAN, deceased, in
the presence of:

Signature of Michael John Monaghan

Signature of witness

KATHLEEN ANNE MONAGHAN
Print name of witness

EXECUTED on behalf of HEPBURN
SHIRE COUNCIL by
NATHAN ARNOLD, Pursuant to
the Power delegated to him/her by an
Instrument of Delegation in the presence
of:

Signature of NATHAN ARNOLD

Signature of witness

ANGA SMITH
Print name of witness

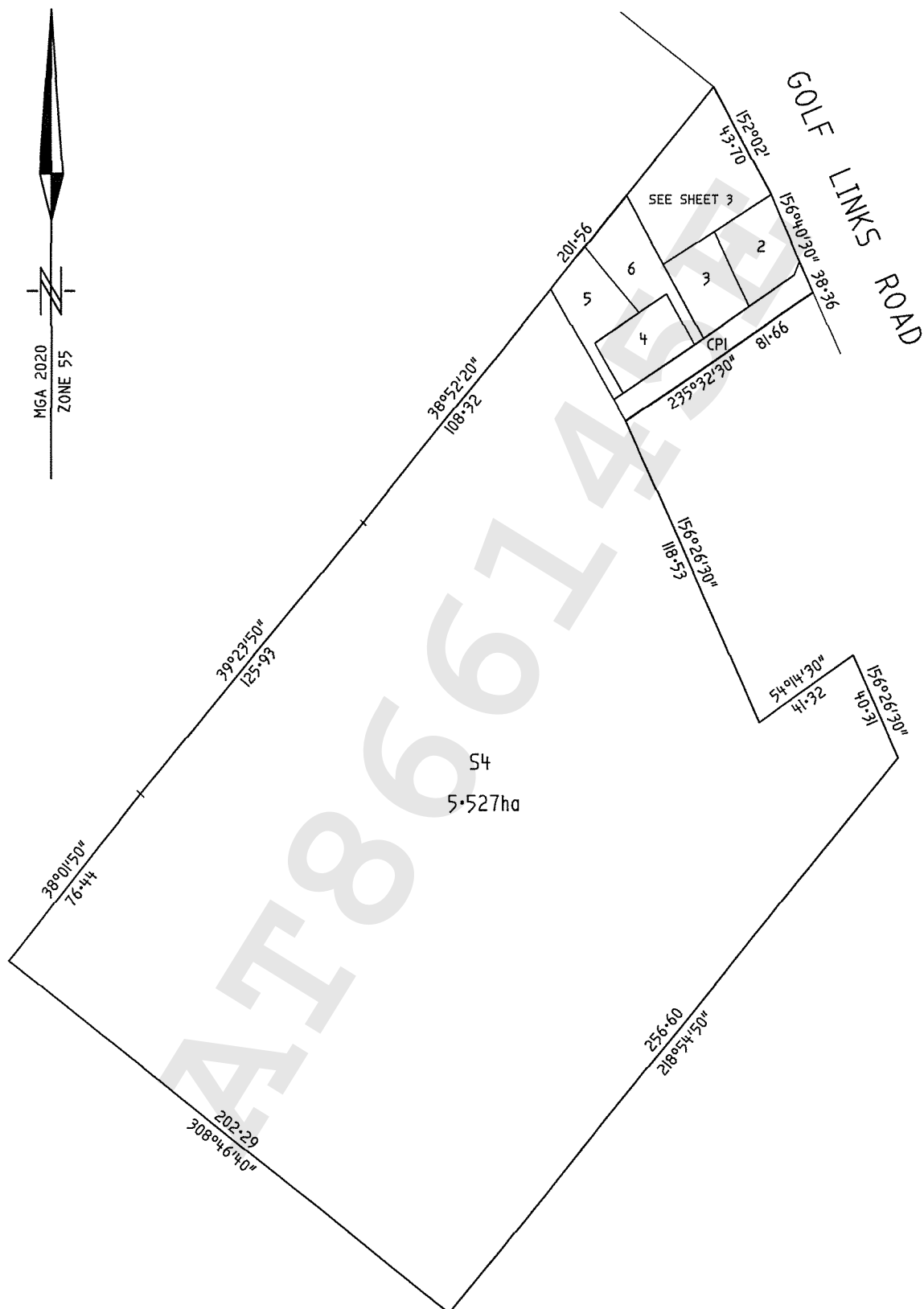
Annexure 1 – ENDORSED PLANS

AT866145E

PLAN OF SUBDIVISION

Stage No.
2

ATTACHMENT 11.2.1
PS 826652Y



JAMES WALSH LICENSED SURVEYOR
PO BOX 35
DAYLESFORD, 3460
TEL: 0427847930
Email: ajwalsh@mmnet.com.au

SCALE
1:1500

15 0 15 30 45 60
LENGTHS ARE IN METRES

Digitally signed by: James Patrick Walsh, Licensed
Surveyor,
Surveyor's Plan Version (3),
24/07/2020, SPEAR Ref: S153998B

ORIGINAL SHEET
SIZE: A3

SHEET 2

Annexure 2 – BUSHFIRE MANAGEMENT PLAN

AT866145E

SCHEDULE OF BUSHFIRE PROTECTION WORKS

Defendable space

The area of defendable space extend for a distance of 35 m from building edges or to the property boundaries,, as shown hatched .Vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:

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

Construction standards

The buildings on lots 2 and 5 will be designed and constructed a minimum Bushfire Attack Level of (BAL) 29 and lots 3, 4, 6 and 8 BAL 19

Water supply

The tanks for Lots 2 and 3 will be non combustible (concrete or metal) and will hold 5000 litres of effective water supply for fire fighting purposes which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal.
- Lots 4,5,6 and 8 will require 10000 litres with CFA access to outlets if additional hydrant is not installed

Access

The roadway shown on the plan is will provide access for trucks for fire fighting purposes which meets the following requirements:

- Curves must have a minimum inner radius of 10m.
- The average grade must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50m.
- Have a minimum trafficable width of 3.5m of all weather construction.
- Be clear of encroachments for at least 0.5m on each side and 4m above the access way.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.

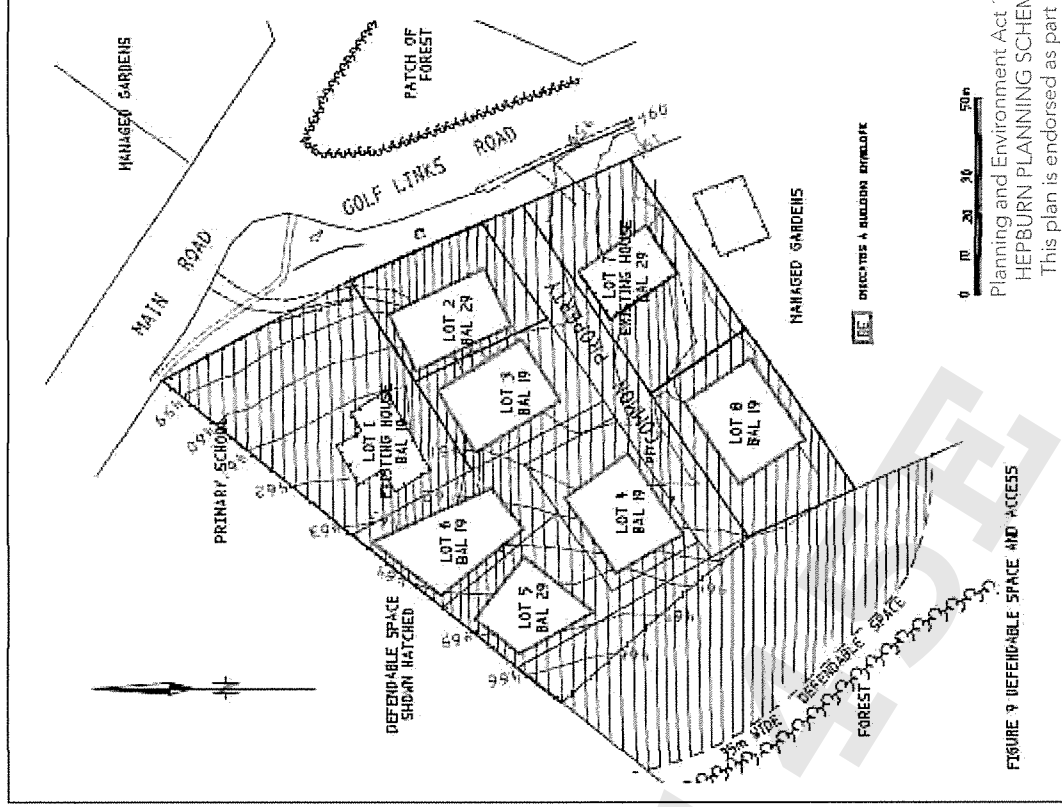


FIGURE 11 DEFENDABLE SPACE AND ACCESS

ATTACHMENT 11.2.1

Planning Permit No.: PA201

Signed: *MA* Date: 5/11/18

Authorised Officer for and on behalf of
Heppburn Shire Council

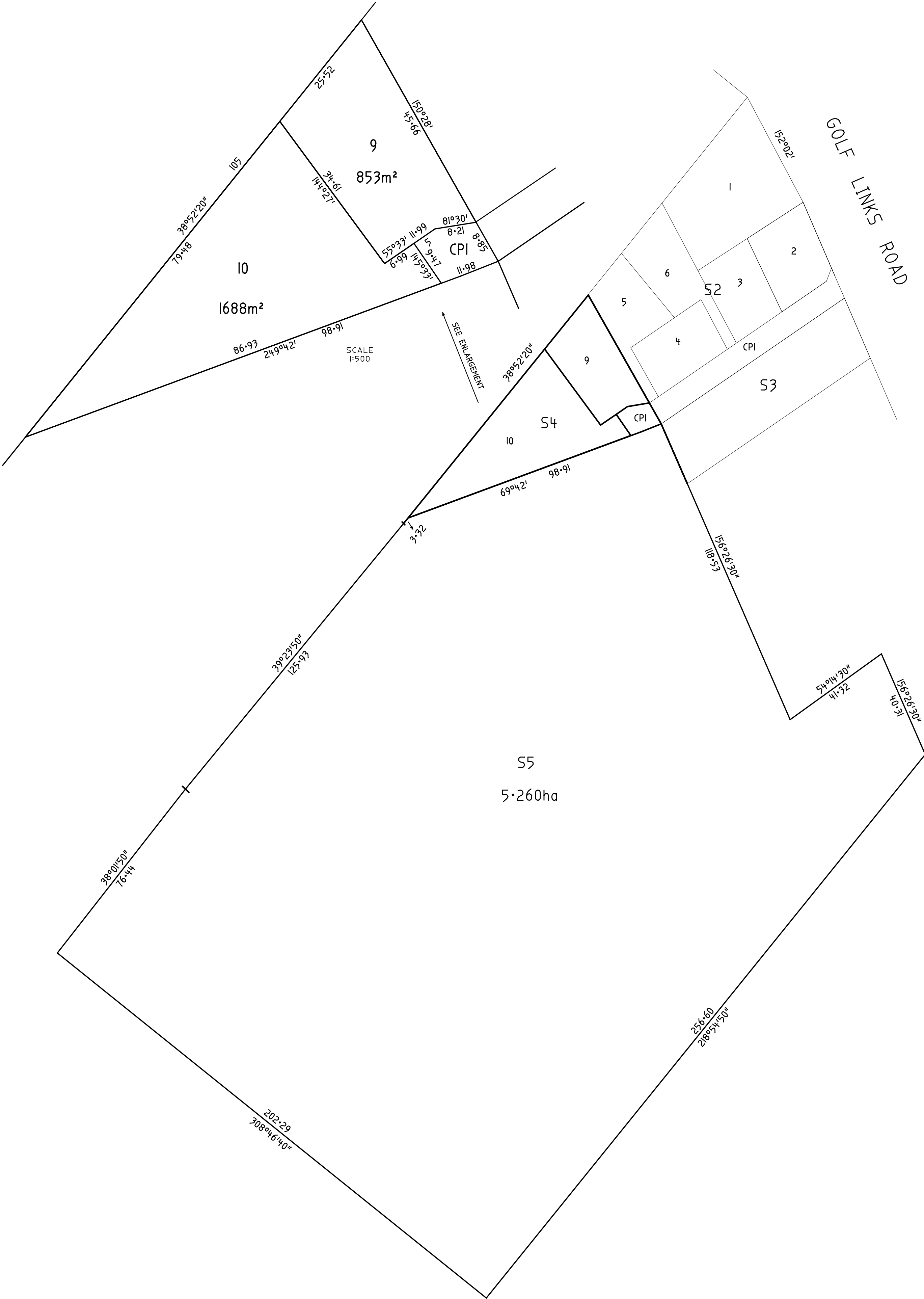
FIGURE 11 BUSHFIRE MANAGEMENT PLAN

PLAN OF SUBDIVISION

Stage No.
4

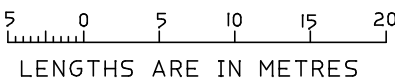
PS 826652Y

ATTACHMENT 11.3.2



JAMES WALSH LICENSED SURVEYOR
PO BOX 35
DAYLESFORD, 3460
TEL: 0427847930
Email: ajwalsh@mmnet.com.au

SCALE
1:1250



ORIGINAL SHEET
SIZE: A2

JAMES PATRICK WALSH / VER:1

PLANNING PERMIT APPLICATION:

**THREE (3) LOT SUBDIVISION WITH
ASSOCIATED REMOVAL OF NATIVE
VEGETATION**

AT:

6 GOLF LINKS ROAD HEPBURN VIC 3461

PREPARED ON BEHALF OF:

MICHAEL JOHN MONAGHAN

BY:

ANTHONY SCARPACI BUrb&RegPlan (Hons), MPIA, MVPELA
ASSOCIATE

DATE OF REPORT:

MARCH 2023

THE PROPOSAL & PAST PLANNING PERMIT HISTORY	3
THE SUBJECT SITE AND LOCALITY	4
NORTH	7
SOUTH	7
EAST	7
WEST	7
SURROUNDING AREA	7
THE PROPOSAL.....	9
PLANNING PERMIT REQUIREMENT	13
RELEVANT PLANNING POLICIES	14
ASSESSMENT	15
PLANNING POLICY FRAMEWORK	15
ZONE	18
Clause 32.09 Neighbourhood Residential Zone (Schedule 4).....	18
Clause 35.06 Rural Conservation Zone (Schedule 2).....	20
OVERLAYS	21
Clause 42.01 Environmental Significance Overlay (Schedule 1 and 2).....	21
Clause 44.06 Bushfire Management Overlay	21
PARTICULAR PROVISIONS	23
Clause 52.12 Bushfire Protection: Exemptions	23
Clause 52.17 Native Vegetation	23
Clause 53.02 Bushfire Planning.....	23
Clause 53.18 Stormwater Management in Urban Development	23
Clause 53.01 Public Open Space Contribution and Subdivision.....	24
Clause 56 Residential Subdivision.....	24
GENERAL PROVISIONS	25
Clause 64.03 Subdivision of Land in More than One Zone	25
Clause 65 Decision Guidelines.....	25
CONCLUSION.....	26
APPENDIX A.....	27

THE PROPOSAL & PAST PLANNING PERMIT HISTORY

Clement-Stone Town Planners act on behalf of the registered landowner in regard to the proposed subdivision at 6 Golf Links Road, Hepburn (otherwise known as Lot s4 on Plan of Subdivision 826652Y).

We have been engaged to consider the proposed planning permit application for a *'three (3) lot subdivision with associated removal of native vegetation'* and provide an assessment of the proposal against the relevant State and Local Planning Policy Framework.

The site has been subject to previous planning permit approvals, which has progressively subdivided small portions of the land for residential purposes (the latest of which is Planning Permit no. PA2012 which allowed for a 'Multi-lot staged subdivision and the removal of outbuildings').

The forthcoming application seeks to build upon the previous approvals on the site via subdividing two new lots in the north-east corner (the NRZ portion of the site), whilst allowing the remaining balance of the land (RCZ portion of the site) to be an independent lot in its own right.



Figure 1 Site zoning context – NRZ land in pink with RCZ land in yellow

This report will provide recommendations following our assessment regarding the performance of the development against the relevant Planning Scheme requirements.

THE SUBJECT SITE AND LOCALITY

The subject site is located towards the south of Main Road, Hepburn, with direct access available from Golf Links Road. It comprises an irregular shaped lot with a total area of 5.527 ha.

The portion of the subject site of most relevance to the application is within **Neighbourhood Residential Zone (Schedule 4)**, with the balance of the site located within the **Rural Conservation Zone (Schedule 2)**.

The site is encumbered by the **Bushfire Management Overlay** and **Environmental Significance Overlay (Schedule 1 and 2)**.

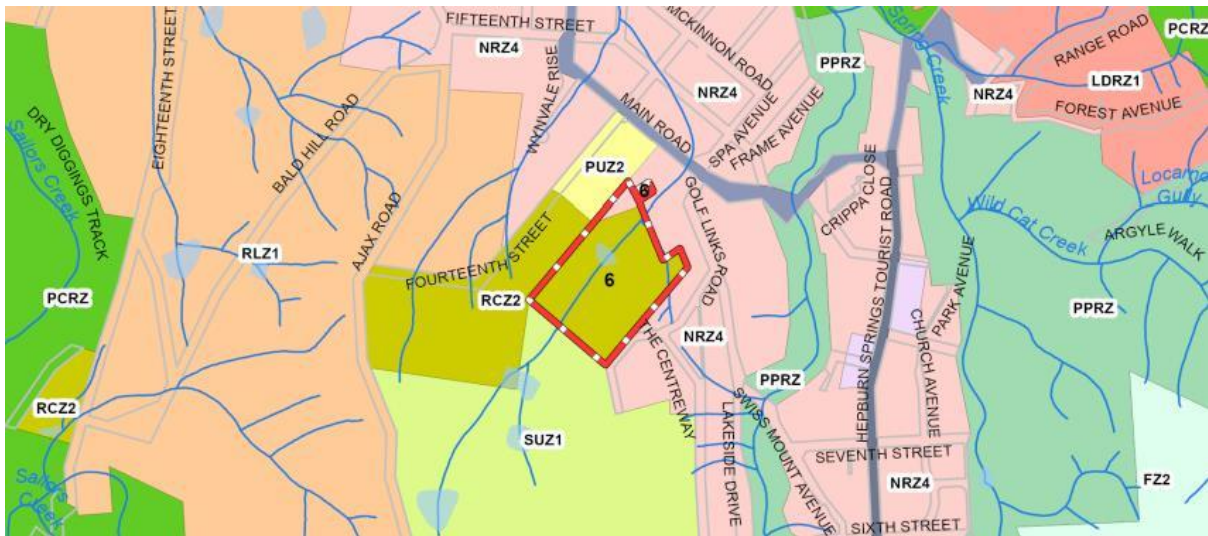


Figure 2 Location, zone, and orientation of subject site

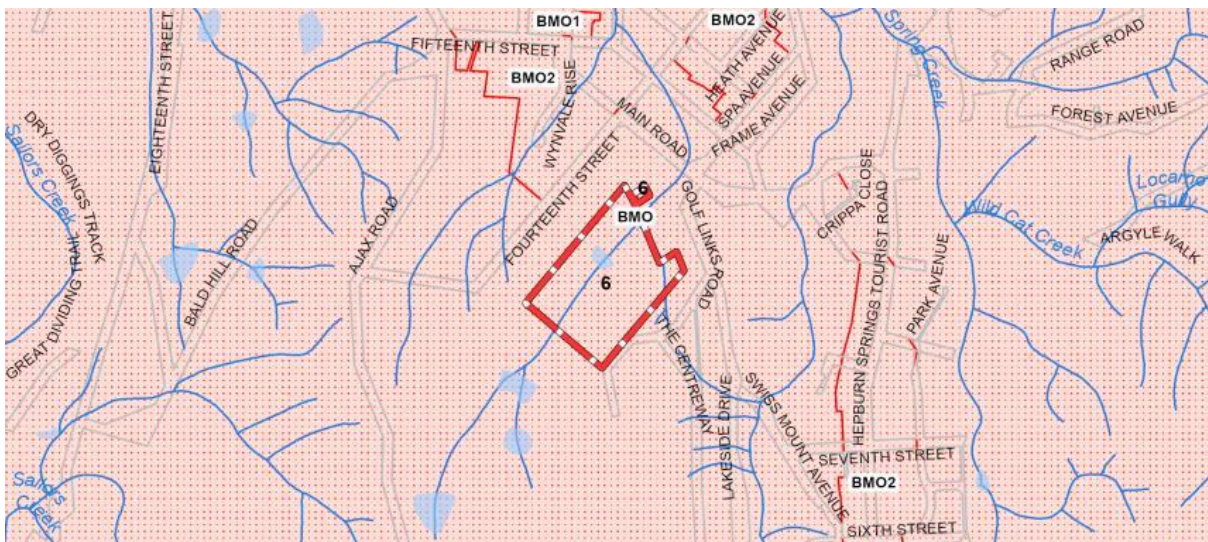


Figure 3 Location of Bushfire Management Overlay and subject site



Figure 4 Location of Environmental Significance Overlay and subject site

The site is currently devoid of built-form and comprises of dense vegetation.

The site and new lots are to be accessed via continuation of the internal road (constructed as part of the previous approvals) which extends from Golf Links Road.

The site is not encumbered by any easements.

The lot is subject to Section 173 Agreement AT866145E, which is provided to exempt certain planning requirements as they relate to the Bushfire Management Overlay.

The s173 agreement does not impact the forthcoming proposal, and it is envisioned that the agreement may need to be updated to include the new lots in the event that approval is granted.

There are no other restrictions on title.



Figure 5 - Aerial of subject site

NORTH

To the north is two separate sites.

156 Main Road is located to the north-east and comprises the Hepburn Primary School (zoned within the Public Use Zone).

To the north-west is 35 Fourteenth Street which comprises a single dwelling amongst dense vegetation (over numerous land parcels).

SOUTH

To the south is 36 Golf Links Road.

This is a large parcel of land zoned within the Special Use Zone and utilised by the Hepburn Springs Golf Club.

EAST

To the east of the site are numerous residential land parcels.

The lots vary in land size but commonly contain single-storey dwellings positioned amongst vegetation.

WEST

To the west of the site is 41 Fourteenth Street.

This is a large parcel of land zoned within the Rural Conservation Zone and comprises dense vegetation.

SURROUNDING AREA

Golf Links Road and the surrounding neighbourhood generally accommodate an average lot size of 700-1100 sqm for newer subdivided lots. The allotments which accommodate the older base housing stock range from approx. 1000-2000 sqm (such as the lots located along Main Road).

The map below highlights the prevailing pattern of subdivision and zoning in the immediate and surrounding area.

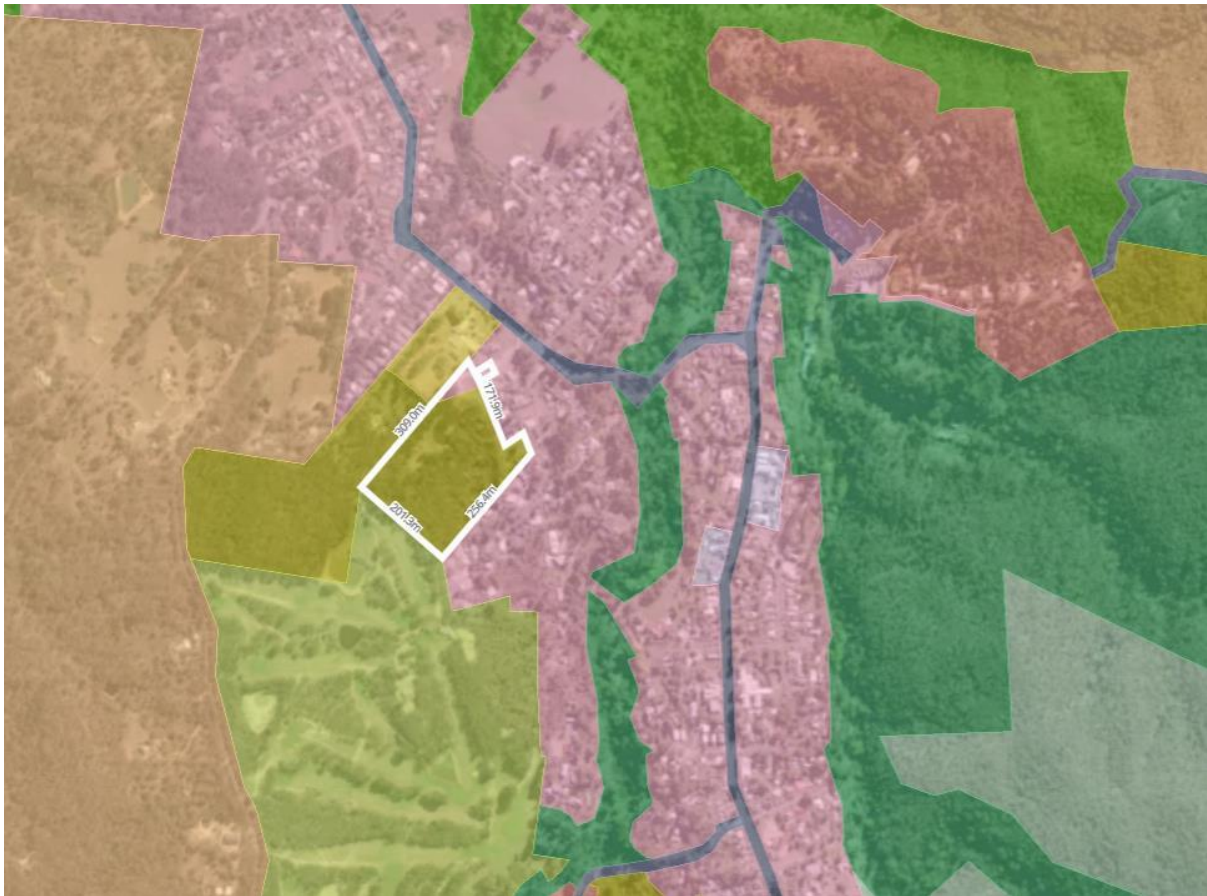


Figure 6 - Prevailing zoning in the surrounding neighbourhood – subject site highlighted

The subject site is reasonably serviced by local infrastructure and services, and is located approximately 500 m west of the Hepburn Springs Activity Centre (commercial strip) which provides access to shops, food/drink and other services and amenities.

THE PROPOSAL

The proposal will involve the subdivision of land into three (3) lots with associated removal of native vegetation.

This seeks to build upon the previous approvals on the site via subdividing two new lots in the north-east corner (the NRZ portion of the site) for residential purposes (notated as Lot 9 and Lot 10 on the draft Plan of Subdivision), whilst allowing the remaining balance of the land (RCZ portion of the site) to be an independent lot in its own right (notated as Lot 5).

Native vegetation removal for this application will occur where necessary to accommodate the extension of the internal road and to allow for defendable space envelopes for the future dwellings on Lot 9 and Lot 10. These are shown within the submitted BMS and replicated below.

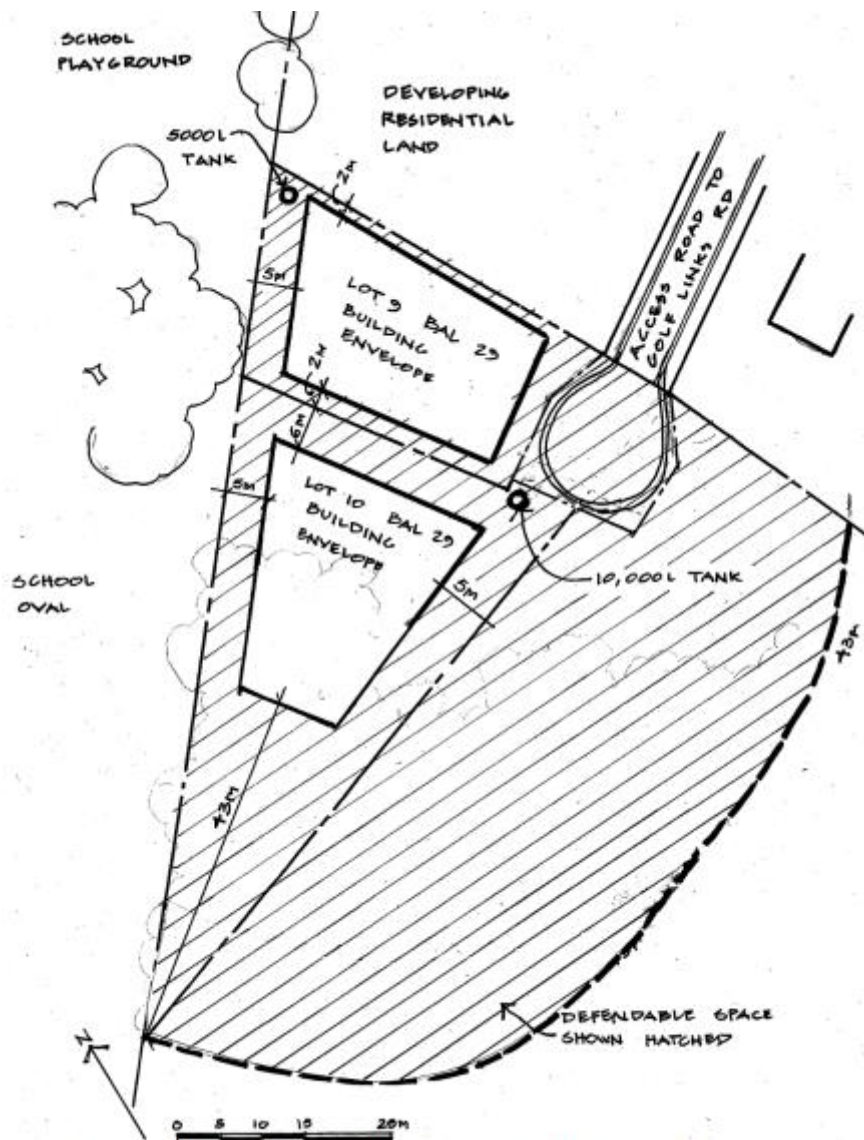


FIGURE 11 DEFENDABLE SPACE , WATER SUPPLY AND ACCESS

Figure 7 Future defendable space areas - BMS Figure 11

All three new allotments will be accessed via an internal court-bowl arrangement (CP1) that extends from the already approved internal road.

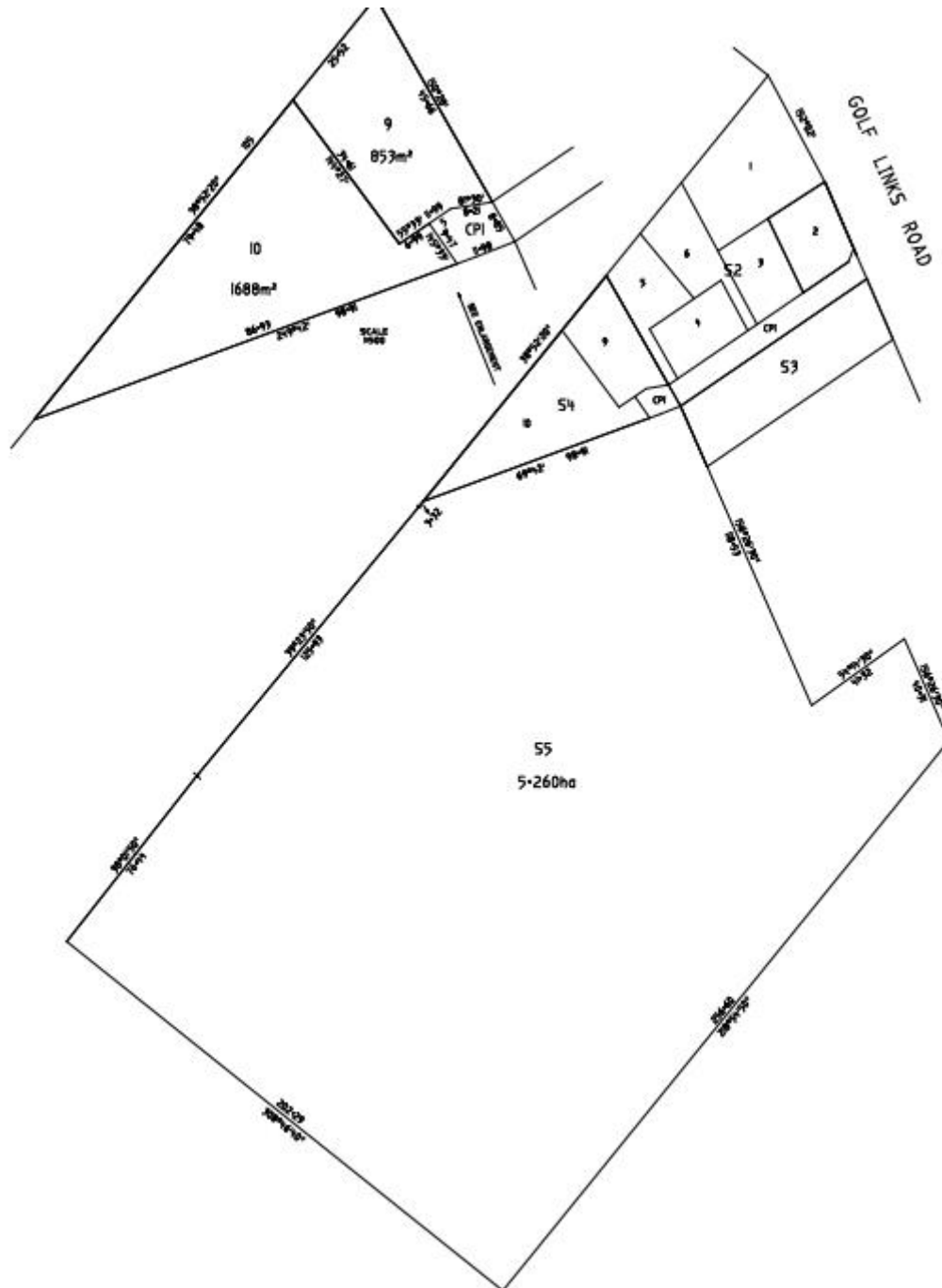


Figure 8 Extract of proposed Plan of Subdivision (James Walsh) – new residential lots 9-10 and balance lot (s5) top of page, wider subdivision context bottom of page

The proposed residential allotments are 853 sqm (Lot 9) and 1688 sqm (Lot 10), which strikes an appropriate balance between the more fine-grained subdivision pattern commensurate with newer development in the area, and the older single dwellings on large allotments. It is anticipated that each subdivided residential lot (Lot 9 and 10) will house one dwelling in the future (no development is proposed as part of this application).

Lot s5 will comprise an area of 5.26 ha and remain zoned within the RCZ. The existing conditions of this portion of the site will remain unchanged as part of this application.

The allotments have been designed to follow the existing north-south orientation of surrounding lots within the subdivision, and can accommodate a rectangle measuring 10 metres by 15 metres in accordance with **Standard C8** of **Clause 56.04-2**. The dimensions are adequate to enable and protect good solar access to the lot and future dwellings in accordance with **Standard C9**.

Lots 9 and 10 will have a direct interface with the extended internal road which accords with the layout of the other lots off this road. The provision of a court-bowl design also enables improved passive surveillance from the common accessway when compared to a traditional battle-axe arrangement, in accordance with **Standard C10**.

Common area is limited to the shared accessway/ court-bowl which will be maintained by an Owners Corporation (as per previous approvals on the site) as part of any future development of the lots, in accordance with **Standard C11**.

There is ample opportunity for meaningful landscaping and boundary screen planting through the allotment, and the provision of the generous landscape buffer outside of the defensible space areas allows for the protection of any vegetation on the site to the satisfaction of the responsible authority. A full landscape plan can be provided by way of condition on any permit that may issue, in accordance with **Standard C12**.

As outlined within the enclosed arborist report (*Campbells Arboricultural Consulting*), there are currently 44 trees on the site (as assessed within the new residential lots – trees within the proposed RCZ lot have not been assessed) which are native in species. The proposal seeks to remove trees where they interfere with the proposed road extension and defensible space envelopes. An ecology/native vegetation assessment is to form part of this application.

The total area of the subject site may be subject to contributions for Public Open Space in accordance with **Clause 53.01**. This can be addressed by way of condition on any permit that may issue.

As outlined above, the proposed access arrangements have been designed in accordance with the previously approved internal road to provide safe vehicle access to and/or from the proposed allotments. As the internal road is proposed to be managed by an Owners Corporation, it is not assessable under **Standard C21**.

The subject site is located within an established residential area within the township of Hepburn Springs, and any future dwellings on the allotments will have access to reticulated and potable water supply, sewerage and power in accordance with **Standard C22, C23 and C24**.

The proposed allotments (and subject site generally) are large enough to accommodate any required stormwater treatment measures in accordance with **Standard C25**.

Connections to utilities will be provided and the requirements of **Standard C28** can be appropriately addressed by way of condition on any permit that may issue.

This application is accompanied by a Bushfire Management Statement (*Regional Planning & Design*) which outlines that hydrant locations will accord with CFA and **Standard C29** requirements. Lot 10 will be over 1,000m² and will be provided with a 10,000L compliant static water supply within 4 m of the accessway and 60 m of the dwelling, with CFA compliant access and fittings. Lot 9 will be 500-1,000m² in area and will have a 5,000L compliant static water supply.

PLANNING PERMIT REQUIREMENT

Pursuant to **Clause 32.09-3** Neighbourhood Residential Zone (NRZ), a permit **is required** to subdivide land. The subdivision of land into 3 – 15 lots must meet the requirements of Clause 56 **except for** Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.

Schedule 4 to the NRZ (Hepburn Springs Neighbourhood Residential Areas) **does not** specify a minimum lot size to subdivide land.

Pursuant to **Clause 35.03-3** Rural Conservation Zone (RCZ), a permit **is required** to subdivide land. Each lot must be at least the area specified for the land in a schedule to this zone. Pursuant to Schedule 2 to the zone, the minimum subdivision area is 20 hectares

Despite not meeting the above minimum subdivision area (noting that Lot s5 as shown on the draft POS will have a size of 5.26 ha), **Clause 64.03** of the Hepburn Planning Scheme provides exemptions to subdivide into smaller lots where land is within more than one zone.

Pursuant to **Clause 42.01** (Environmental Significance Overlay), a permit **is required** to subdivide land. Schedule 1 to the ESO (Special Water Supply Catchment Protection) and Schedule 2 to the ESO (Mineral Springs and Groundwater Protection) does not vary this requirement.

Pursuant to the **Clause 44.06** (Bushfire Management Overlay), a permit **is required** to subdivide land.

Pursuant to **Clause 52.17** (Native Vegetation), a permit is required to remove, destroy or lop native vegetation, including dead native vegetation.

As assessed against the relevant provisions, a planning permit is required for:

Three (3) lot subdivision with associated removal of native vegetation

RELEVANT PLANNING POLICIES

In deciding an application, the Responsible Authority must consider the following planning policy frameworks and incorporated documentation as they are relevant within the Hepburn Shire Planning Scheme:

PLANNING POLICY FRAMEWORK

Clause 02.03	Strategic Directions
Clause 02.04	Strategic Framework Plans
Clause 11.01-1L	Township and Settlements
Clause 13.02-1S	Bushfire Planning
Clause 15.01-3S	Subdivision
15.01-3L	Subdivision Design
Clause 15.01-5L-02	Neighbourhood character in townships and settlements
Clause 15.02-1L	Environmentally sustainable development

ZONE

Clause 32.09	Neighbourhood Residential Zone Schedule 4 to the NRZ (Hepburn Springs Neighbourhood Residential Areas)
Clause 35.06	Rural Conservation Zone Schedule 2 to the RCZ (Conservation Values)

OVERLAYS

Clause 42.01	Environmental Significance Overlay Schedule 1 to the ESO Schedule 2 to the ESO
Clause 44.06	Bushfire Management Overlay

PARTICULAR PROVISIONS

Clause 52.12	Bushfire Protection Exemptions
Clause 52.17	Native Vegetation
Clause 53.02	Bushfire Planning
Clause 53.01	Public Open Space Contribution and Subdivision
Clause 53.18	Stormwater Management in Urban Development
Clause 56	Residential Subdivision

GENERAL PROVISIONS

Clause 64.03	Subdivision of Land in More than One Zone
Clause 65	Decision Guidelines

ASSESSMENT

PLANNING POLICY FRAMEWORK

Clause 02.03-6 provides strategic directions for housing which seek to support infill housing development in townships that respects and complements neighbourhood character and to promote and facilitate residential development and housing diversity in established townships to meet community needs.

The subdivision of the land into two (2) new residential allotments facilitates housing growth and diversity within an established residential area close to local amenities and services. The subject site benefits from its location off an internal road which minimises sightlines and disruption to the existing Golf Links Road and Main Road streetscape.

The subdivision layout strikes an appropriate balance between the existing and emerging subdivision pattern of the area (in terms of orientation and average lot size) and provides for efficient use of a currently underutilised allotment.

The settlement framework plan at **Clause 02.04** identifies the subject site as located within the Hepburn Springs township (denoted 'other township'). The environmental hazards plan and landscape values plan also identifies the site within a bushfire area and mineral springs protection area.

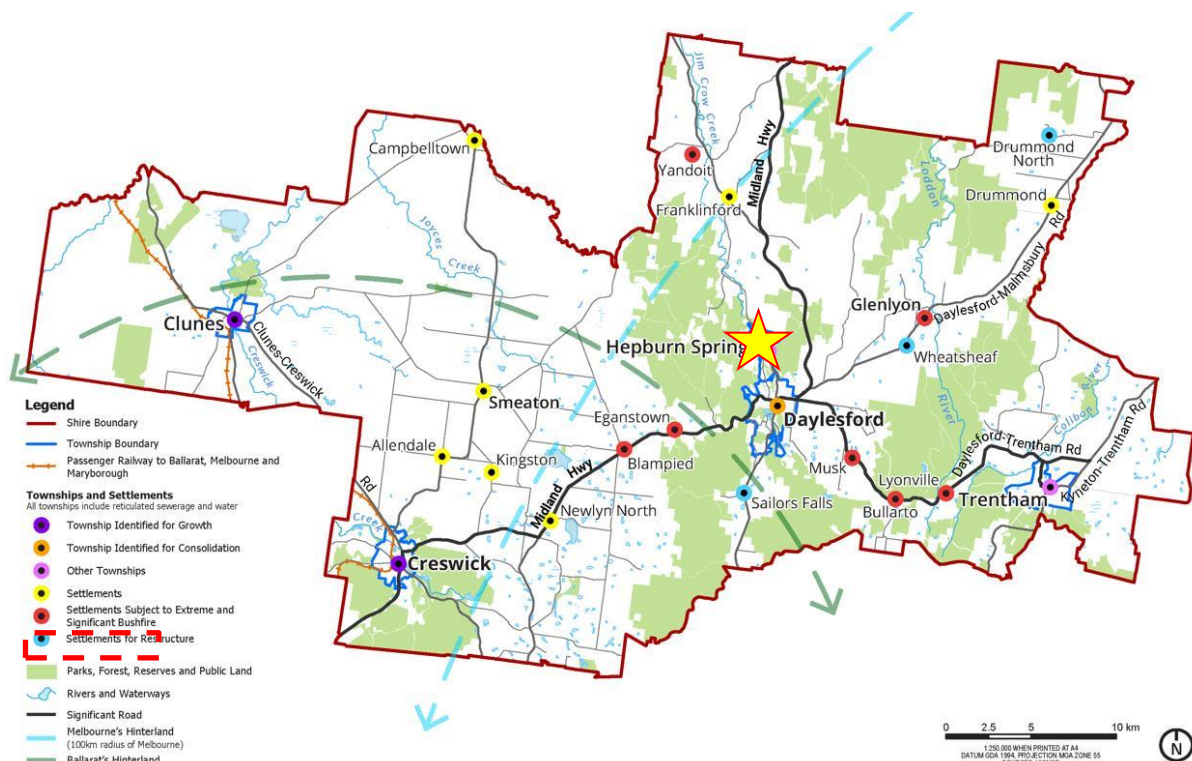


Figure 9 Extract of settlement framework plan - subject site starred

Clause 11.01-1L seeks to achieve a sustainable urban form for townships by containing future development within the township boundaries. The site is located to the west of the Hepburn Springs town centre as per the below figure.

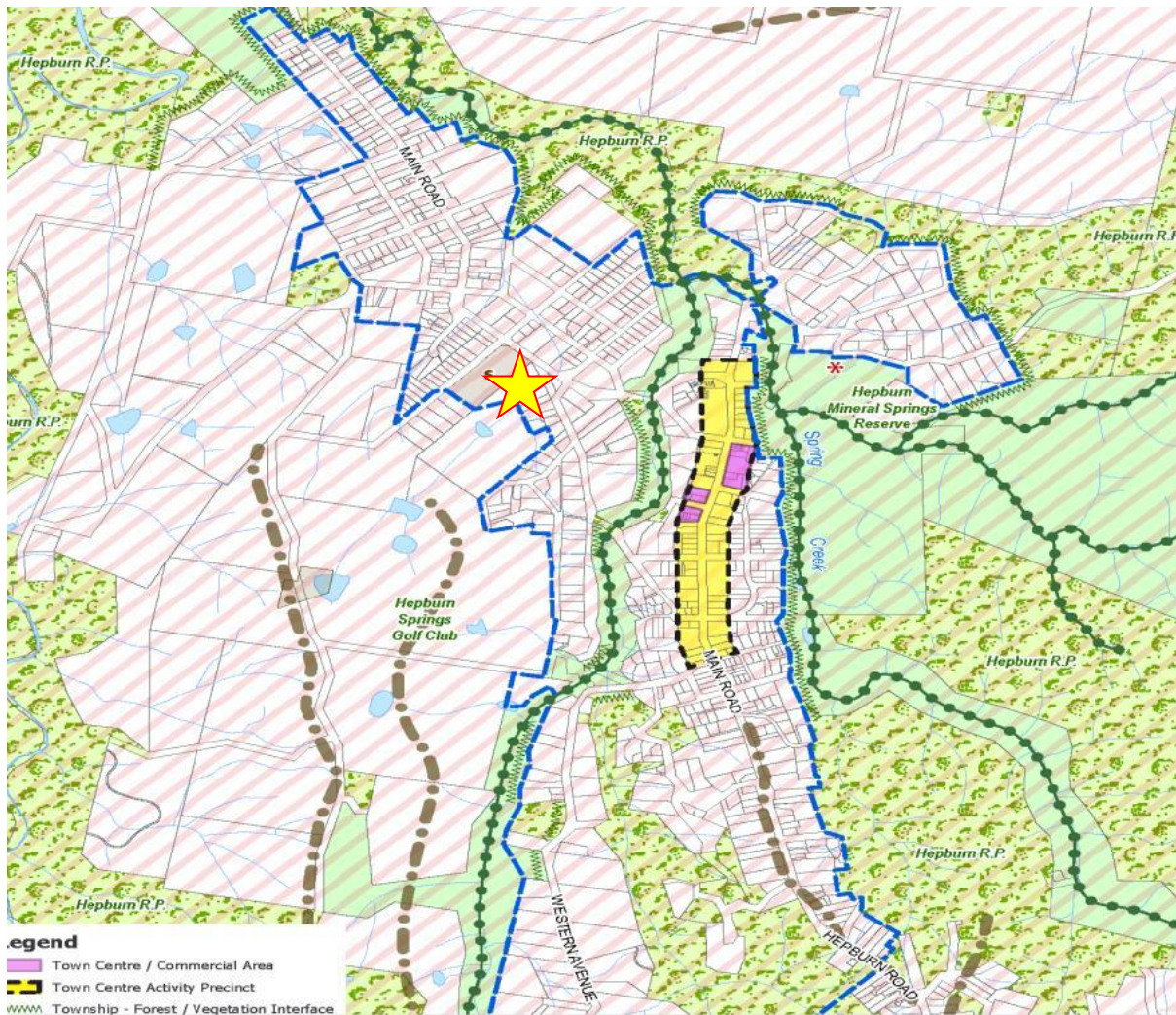


Figure 10 Extract of Hepburn Springs township map - subject site starred

The strategies as relevant to a future planning application are as follows:

- *Provide for urban development and economic growth in the township of Hepburn Springs based on township boundaries and structure plans.*
- *Locate new dwellings and residential subdivisions within township boundaries.*
- *Provide for urban infill and consolidation opportunities in townships that utilise existing infrastructure.*

The proposal facilitates residential subdivision on a site located to the west of the Hepburn Springs town centre which provides access to local services and amenities. The subdivision of the land into two (2) new residential allotments provide for a more efficient use of a currently underutilised site (for the portion that is residentially zoned). The location of the site away from the road frontage and natural slope of the land ensures minimal disruption to the streetscape, and results in minimal views onto the subdivision from Golf Links Road and Main Road.

A bushfire management statement (incorporating a bushfire management plan – *Regional Planning & Design*) forms part of this application which ensures bushfire risk can and will be appropriately managed.

Clause 13.02-1S seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

As above, a bushfire management statement (incorporating a bushfire management plan) prepared by *Regional Planning & Design* accompanies this application which recommends the following:

- Lot 10 will be over 1,000m² and will be provided with a 10,000L compliant static water supply within 60m of the dwellings, with CFA compliant access and fittings.
- Lot 9 will be 500-1,000m² in area and will have a 5,000L compliant static water supply.
- Defendable space has been assessed (on the basis of Bal 29 construction) to the site boundaries and vegetation within these areas maintained in accordance with the bushfire management statement and plan.

The above measures ensures that bushfire risk can and will be appropriately managed on the site.

Clause 15.01-3S seeks to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. **Clause 15.01-3L** applies to subdivision of land within the boundaries of townships including Hepburn Springs. The proposal responds to the above provisions as follows:

- The proposed layout reflects and integrates with the surrounding pattern of the previously approved subdivision (north-south orientation) on the site.
- The layout provides for allotments of 853 sqm (Lot 9) and 1688 sqm (Lot 10), which strikes an appropriate balance between the more fine-grained subdivision pattern commensurate with newer medium-density and unit development in the immediate area, and the older single dwellings on large allotments.
- Vegetation is proposed to be removed only where required to create appropriate separation distances to manage bushfire risk and ample opportunity is available through the site for the planting of canopy trees and understory planting to ensure the proposal provides a landscape outcome in accordance with the existing and preferred character of the area. A landscape plan can be provided by way of condition on any permit that may issue.

Clause 15.01-5L-02 seeks to ensure residential development in townships and settlements is responsive to neighbourhood character via, amongst other considerations, design residential development to be in keeping with the historic, landscape and neighbourhood character, having particular regard to building height, setback, bulk, form and mass and existing vegetation and to ensure development responds to the existing topography and minimises alterations to landform.

The subject site and this section of Golf Links Road and Main Road generally is not affected by the Heritage Overlay of Neighbourhood Character Overlay. Notwithstanding, the existing layout of the site as a result of the previous approvals ensures the proposal will appear inconspicuous from the primary street frontage.

Clause 15.02-1L seeks to achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

The site has sufficient capacity to provide appropriate treatment measures to off-set areas of hard-standing. This can be addressed by way of condition on any permit that may issue.

ZONE

Clause 32.09 Neighbourhood Residential Zone (Schedule 4)

Pursuant to **Clause 32.09-3** Neighbourhood Residential Zone (NRZ), a permit **is required** to subdivide land. The subdivision of land into 3 – 15 lots must meet the requirements of Clause 56 **except for** Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.

The NRZ4 **does not** specify a minimum lot size to subdivide land.

Schedule 4 to the NRZ (Hepburn Springs Neighbourhood Residential Areas) provides the following specific objectives:

- *To ensure development is sited below the tree canopy and maintains the highly vegetated character of the area.*
- *To encourage the use of materials and colours in new development sympathetic with the surrounding township and bushland setting.*
- *To ensure development is sensitively designed and located to emphasise ridgelines and retain views of the adjoining rural hinterland and forested areas.*
- *To ensure new development provides adequate space for significant landscaping with open, low, transparent or no fencing integrated with the forest and bushland setting.*

The decision guidelines, as relevant to the proposal, provides:

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

The proposal responds as follows:

- The proposed subdivision respects the important topographical features of the area by providing for appropriately sized allotments to ensure that any future development of the land will provide appropriate built-form separation.
- Future development on the land will unlikely penetrate important ridgelines and will have minimal visibility from the primary street frontage (NRZ maximum height of 9 metres, 2 storeys for dwellings and residential buildings).
- The site is not identified within a Heritage Overlay or area of Aboriginal Cultural Heritage Significance.
- As outlined above, the proposed subdivision aligns with the north-south orientation of the existing allotments and strikes a balance between the newer fine-grained lots and older larger allotments in the area. There is ample opportunity for canopy tree planting through the site. A landscape plan can be provided by way of condition on any permit that may issue.

No proposed allotments fall under 400 sqm, therefore garden area is not required to be provided. Any future development on the land (once subdivided) will need to adhere to **Clause 32.09-4**.

Pursuant to **Clause 32.09-10**, the maximum building height for a dwelling and residential building must not exceed 9 metres and 2 storeys. Any future development on the land (once subdivided) will need to adhere to the above.

A **Clause 56** assessment is provided within **Appendix A** of this report.

Clause 35.06 Rural Conservation Zone (Schedule 2)

As per Clause 35.06 the purpose of the Rural Conservation Zone provides:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To conserve the values specified in a schedule to this zone.*
- *To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.*
- *To protect and enhance natural resources and the biodiversity of the area.*
- *To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.*
- *To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.*
- *To conserve and enhance the cultural significance and character of open rural and scenic non-urban landscapes.*

Pursuant to Clause 35.06-3, a permit is required to subdivide land.

Within the same clause, it is a mandatory requirement that each new subdivided lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

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

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation

The schedule to the RCZ (schedule 2) varies the minimum lot size for subdivision to 20 hectares.

Despite not meeting the above minimum subdivision area (noting that Lot s5 as shown on the draft POS will have a size of 5.26 ha), **Clause 64.03** of the Hepburn Planning Scheme provides exemptions to subdivide into smaller lots where land is within more than one zone. This is discussed further within the General Provisions section of the report.

As it relates to the RCZ portion of the land, the proposed plan of subdivision demonstrates an appropriate response (lot configuration, size and orientation) which is consistent with the purposes of the zone, and it is important to note that all existing conditions of the RCZ land will be maintained.

OVERLAYS

Clause 42.01 Environmental Significance Overlay (Schedule 1 and 2)

The **ES01 (Special water supply catchment protection)** provides the following specific objective:

- *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.*

Pursuant to Clause 42.01-2 a permit **is required** to subdivide land. This does not apply if a schedule to the Environmental Significance Overlay specifically states that a permit is not required.

Under the ES01, a permit is not required to subdivide land for either:

- *An existing building or into two lots connected to a reticulated water and reticulated sewerage system.*
- *A lot of 40 hectares or greater.*

The proposed subdivision is for a total of three (3) lots and the subject site is less than 40 hectares, therefore a permit **is required** to subdivide land under the ES01.

The **ES02 (Mineral springs and groundwater protection)** provides the following specific objective:

- *To protect the mineral springs, their aquifers and their environs, private domestic bores and water bores that provide town water supply from the impacts of effluent and drainage.*

A permit **is required** under the ES02 to subdivide land as the Schedule does not specify any additional exemptions for subdivision.

The proposal is for a relatively low yield residential subdivision within an established residential area. The site has connections to town water (including reticulated and potable water supply, sewerage and electricity) which adheres to the requirements of the ES01 and ES02. Stormwater and drainage matters can be addressed at detail design stage and by way of condition on any permit that may issue.

Clause 44.06 Bushfire Management Overlay

Pursuant to the **Clause 44.06** (Bushfire Management Overlay), a permit **is required** to subdivide land.

This application is accompanied by a Bushfire Management Statement and Plan, and the proposed development has been formulated in conjunction with the findings and recommendations of this report.

The assessment of *Regional Planning & Design* accompanies this application which recommends the following:

- Lot 10 will be over 1,000m² and will be provided with a 10,000L compliant static water supply within 60m of the dwellings, with CFA compliant access and fittings.
- Lot 9 will be 500-1,000m² in area and will have a 5,000L compliant static water supply.

- Defendable space has been assessed (on the basis of Bal 29 construction) to the site boundaries and vegetation within these areas maintained in accordance with the bushfire management statement and plan.

The above measures ensures that bushfire risk can and will be appropriately managed on the site.

PARTICULAR PROVISIONS

Clause 52.12 Bushfire Protection: Exemptions

Pursuant to Clause 52.12-5, the planning permit requirements for tree removal do not apply to the removal, destruction or lopping of vegetation to enable the construction of a dwelling to create its defensible space.

As per the expert opinion of *Regional Planning & Design*, the siting and layout maximises the setback from any bushfire hazards as far as practicable. Dwellings on the new lots will be close to a road and access and egress can comply with the requirements for emergency vehicles.

It is submitted that removal of a portion of the on-site vegetation considered appropriate in order to prioritise the safety of human life on the site.

It is considered that replacement planting with suitable species can take place (within confines of what is allowable under the BMO) to result in an improved landscaping outcome on the site.

Clause 52.17 Native Vegetation

As per the enclosed arboricultural report (*Campbells Arboricultural Consulting*), the majority of the vegetation proposed for removal is identified as native/indigenous vegetation.

The permit applicant has retained a specialist ecological expert to provide a native vegetation/ecology assessment which will outline the required off-sets in accordance with DEECA requirements. This will be provided to Council once it has been completed.

Clause 53.02 Bushfire Planning

We rely on the expert opinion of *Regional Planning & Design* in relation to the proposal's compliance with Clause 53.02.

Clause 53.18 Stormwater Management in Urban Development

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

Pursuant to Clause 53.18-5, the stormwater management objectives for buildings and works are:

- *To encourage stormwater management that maximises the retention and reuse of stormwater.*
- *To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.*
- *To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.*

- *To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.*

Pursuant to Clause 53.18-6, the objectives for site management are:

- *To protect drainage infrastructure and receiving waters from sedimentation and contamination.*
- *To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.*

The site has sufficient capacity to provide appropriate treatment measures to off-set areas of hard-standing. This can be addressed by way of condition on any permit that may issue.

Clause 53.01 Public Open Space Contribution and Subdivision

As per the Schedule to Clause 53.01, all residential, industrial and commercial is subject to a 5% Public Open Space contribution.

Contribution fees will be payable to Council and enforced by way of condition on any approved planning permit.

Clause 56 Residential Subdivision

Pursuant to Clause 32.09-3, the subdivision of land into 3 – 15 lots must meet the requirements of Clause 56 **except for** Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.

A ResCode (Clause 56) assessment has been completed and is attached (ref. **Appendix A**). The proposal demonstrates a high level of compliance with the standards and objectives of Clause 56.

GENERAL PROVISIONS

Clause 64.03 Subdivision of Land in More than One Zone

Clause 64.03 provides the following as it relates to subdivision:

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

This clause is relevant when considering that the RCZ lot will be subdivided to a reduced size of 5.26 ha, which is less than the minimum subdivision area of 20 ha as required under the RCZ2.

Under Clause 64.03:

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- *The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.*
- *The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:*
 - *To comply with the requirements of the Urban Floodway Zone.*
 - *To provide access to a road.*
- *The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.*

It is confirmed that each of the three above requirements are met, and therefore the exemption criteria that applies under this clause is allowable when assessed against the minimum subdivision area outlined within the RCZ2.

Clause 65 Decision Guidelines

The proposal complies with the decision guidelines of **Clause 65** as follows:

- The Planning Policy Framework and Local Planning Policy Framework, including MPS and local policies have been complied with.
- The Zone, Overlay, or provision objectives have been complied with and matters required to be considered have been appropriately addressed.
- There will be no unreasonable impact upon the amenity of the area.
- There will be no land degradation or impacts upon salinity or reduced water quality.
- There will be no impact on the stormwater within and exiting the site.
- There will be no loss of significant vegetation and landscaping can be undertaken.

CONCLUSION

In the overall analysis the proposed subdivision is worthy of support for the following reasons:

- The proposed subdivision is in keeping with the suggested character profile of the area.
- The proposed subdivision is complementary to existing pattern of subdivision whilst catering for an increase in housing diversity through urban consolidation.
- All relevant provisions and design requirements have been considered and met, and the proposal satisfies Local and State policy outcomes.
- The proposed landscaping is sufficient in upholding the vegetative profile of the area.
- The provision of open space allows the retention of existing canopy trees.
- The proposal will support the pattern of uniformity with subdivision and respects the character in this locality.

We believe the proposal is reflective of the subdivision layout and character objectives outlined within the Hepburn Planning Scheme and subsequently recommend the Council support and approve the planning permit application.

Anthony Scarpaci Burb&RegPlan (Hons), MPIA, MVPELA
Associate

TOWN PLANNERS
CLEMENT-STONE SINCE 1989

APPENDIX A

CLAUSE 56 RESIDENTIAL SUBDIVISION

Title & Objective	Response to Standard	Complies
<p>Clause 56.03-5</p> <p>Standard C6</p> <p>Neighbourhood character objective</p> <ul style="list-style-type: none"> To design subdivisions that respond to neighbourhood character. 	<p>There is no specific neighbourhood character statement for this area of Hepburn Springs. In the absence of robust policy and/or strategic documentation outlining the preferred character of the area, the assessment of neighbourhood character turns to a first principles assessment.</p> <p>The proposed subdivision provides for standard sized residential allotments, which strikes an appropriate balance between the more fine-grained subdivision pattern commensurate with newer medium-density and unit development in the area, and the older single dwellings on large allotments.</p> <p>The proposal is appropriately integrated with the surrounding pattern of subdivision through maintaining the prevailing orientation of the allotments (north-south direction) and providing for comparable lot areas.</p> <p>Vegetation is removed only where required to accommodate the internal road and for bushfire protection (including the removal of dead vegetation). There is ample opportunity through the site for the planting of canopy trees to the satisfaction of the responsible authority. A full landscape plan can be provided by way of permit condition on any permit that may issue.</p>	<p>✓ Complies</p>
<p>Clause 56.04-1</p> <p>Standard C7</p> <p>Lot Diversity and Distribution Objectives</p> <ul style="list-style-type: none"> To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services. To provide higher housing densities within walking distance of activity centres. To achieve increased housing densities in designated growth areas. To provide a range of lot sizes to suit a variety of dwelling and household types. 	<p>The proposed subdivision is consistent with planning policy in its provision of residential subdivision within an established residential area. A review of aerial imagery in the area is evident that the subject site is the only remaining allotment of its size (within the NRZ). The proposal makes efficient use of a currently underutilised allotment to provide for increased housing growth and diversity within the Hepburn Springs Township.</p> <p>There is a range of lot sizes across the site, and the proposed lot configuration appropriately responds to the existing north-south orientation of the surrounding allotments as a result of the previous approvals on the site.</p>	<p>✓ Complies</p>

Title & Objective	Response to Standard	Complies
Clause 56.04-2 Standard C8 Lot Area and Building Envelopes Objective <ul style="list-style-type: none"> To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features. 	<p>All lots are appropriately sized to accommodate a dwelling.</p> <p>A 10 m x 15 m rectangular building envelope can fit comfortably within all lots.</p>	✓ Complies
Clause 56.04-3 Standard C9 Solar Orientation of Lots Objective <ul style="list-style-type: none"> To provide good solar orientation of lots and solar access for future dwellings. 	<p>The subdivision layout is consistent with the surrounding street lot layout, with all lots allowing for adequate north-facing sunlight within the new lots.</p>	✓ Complies
Clause 56.04-4 Standard C10 Street Orientation Objective <ul style="list-style-type: none"> To provide a lot layout that contributes to community social interaction, personal safety and property security. 	<p>All lots have a primary frontage to the road network (internal road and court-bowl) to maximise surveillance and passive surveillance opportunities.</p>	✓ Complies
Clause 56.04-5 Standard C11 Common Area Objectives <ul style="list-style-type: none"> To identify common areas and the purpose for which the area is commonly held. To ensure the provision of common area is appropriate and that necessary management arrangements are in place. To maintain direct public access throughout the neighbourhood street network. 	<p>Common property is limited to the internal road and court-bowl. This area will be managed by way of an Owners Corporation as per the previous approvals on the site.</p>	✓ Complies

Title & Objective	Response to Standard	Complies
<p>Clause 56.05-1 Standard C12 Integrated Urban Landscape Objectives</p> <ul style="list-style-type: none"> ▪ To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas. ▪ To incorporate natural and cultural features in the design of streets and public open space where appropriate. ▪ To protect and enhance native habitat and discourage the planting and spread of noxious weeds. ▪ To provide for integrated water management systems and contribute to drinking water conservation 	<p>All vegetation to be removed from the site is considered appropriate given its arboricultural value (include dead vegetation) and in order to provide defensible space.</p> <p>A full landscape plan demonstrating canopy tree planting to the satisfaction of the responsible authority can be provided by way of condition on any permit that may issue.</p>	<p>✓ Complies</p>
<p>Clause 56.06-2 Standard C15 Walking and cycling network objectives</p> <ul style="list-style-type: none"> ▪ To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors. ▪ To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists. ▪ To reduce car use, greenhouse gas emissions and air pollution. 	<p>The integration of site access from the existing internal road does not intend to change the existing conditions and will integrate suitably within the existing arrangements.</p>	<p>✓ Complies</p>

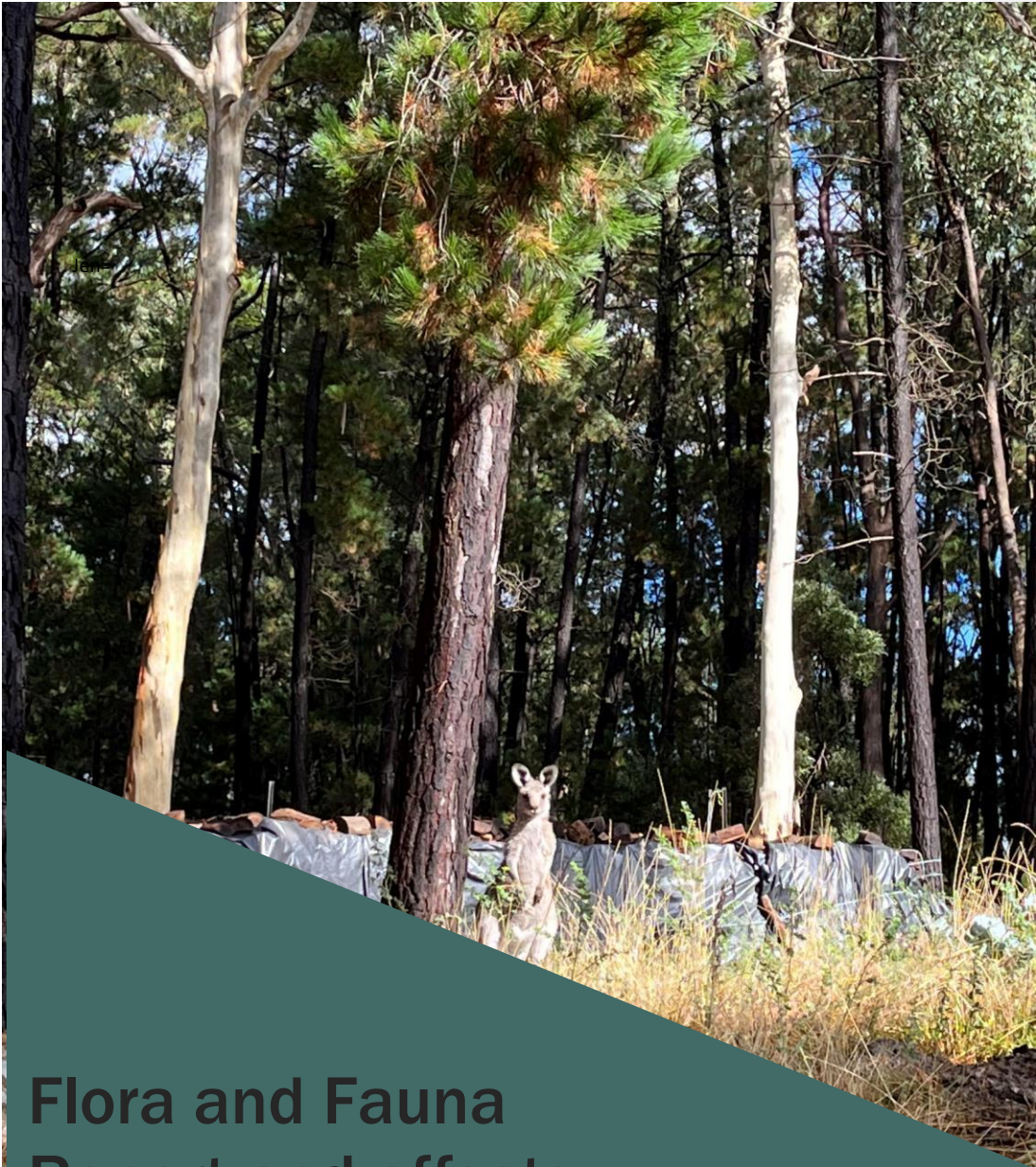
Title & Objective	Response to Standard	Complies
<p>Clause 56.06-4</p> <p>Standard C17</p> <p>Neighbourhood Street Network Objective</p> <ul style="list-style-type: none"> To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network. 	<p>Direct travel between the Daylesford and Hepburn Springs Townships is available.</p>	<p>✓ Complies</p>
<p>Clause 56.06-5</p> <p>Standard C18</p> <p>Walking and Cycling Network Detail Objectives</p> <ul style="list-style-type: none"> To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well-constructed and accessible for people with disabilities. To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles. 	<p>The proposal seeks to maintain the existing shared connectivity between pedestrians, cyclists and vehicles sharing the internal road.</p>	<p>✓ Complies</p>
<p>Clause 56.06-7</p> <p>Standard C20</p> <p>Neighbourhood Street Network Detail Objective</p> <ul style="list-style-type: none"> To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users. 	<p>The street network is laid out in a manner that ensures safety of all road users.</p>	<p>✓ Complies</p>

Title & Objective	Response to Standard	Complies
<p>Clause 56.06-8</p> <p>Standard C21</p> <p>Lot Access Objective</p> <ul style="list-style-type: none"> Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority. Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets. The design and construction of a crossover should meet the requirements of the relevant road authority. 	<p>The internal accessway is to retain the characteristics of the previously approved internal road, and its extension will be acceptable when noting the low level of traffic generated by the development and clear visibility available to all road users.</p> <p>As the internal road is proposed to be managed by an Owners Corporation, it is not assessable under this standard.</p>	<p>✓ Complies</p>
<p>Clause 56.07-1</p> <p>Standard C22</p> <p>Drinking Water Supply Objectives</p> <ul style="list-style-type: none"> To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water. 	<p>The subject site is located within an established residential area within the township of Hepburn Springs, and any future dwellings on the allotments will have access to reticulated and potable water supply, sewerage and power in accordance with the standard.</p>	<p>✓ Complies</p>
<p>Clause 56.07-2</p> <p>Standard C23</p> <p>Reused and Recycled Water Objective</p> <ul style="list-style-type: none"> To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water. 	<p>The subject site is located within an established residential area within the township of Hepburn Springs, and any future dwellings on the allotments will have access to reticulated and potable water supply, sewerage and power in accordance with the standard.</p>	<p>✓ Complies</p>

Title & Objective	Response to Standard	Complies
<p>Clause 56.07-3</p> <p>Standard C24</p> <p>Waste Water Management Objective</p> <ul style="list-style-type: none"> To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner 	<p>The reticulated waste water system will be extended to all residential lots within the subdivision as per the requirements of the water authority.</p> <p>The subject site is located within an established residential area within the township of Hepburn Springs, and any future dwellings on the allotments will have access to reticulated and potable water supply, sewerage and power in accordance with the standard.</p>	<p>✓ Complies</p>
<p>Clause 56.07-4</p> <p>Standard C25</p> <p>Stormwater Management Objective</p> <ul style="list-style-type: none"> To minimise damage to properties and inconvenience to residents from stormwater. To ensure that the street operates adequately during major storm events and provides for public safety. To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater. To encourage stormwater management that maximises the retention and reuse of stormwater. To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces. 	<p>Stormwater will be treated and discharged in accordance with Council's requirements.</p> <p>The proposed allotments (and subject site generally) are large enough to accommodate any required stormwater treatment measures in accordance with these requirements.</p>	<p>✓ Complies</p>

Title & Objective	Response to Standard	Complies
<p>Clause 56.08-1 Standard C26 Site Management Objectives</p> <ul style="list-style-type: none"> ▪ To protect drainage infrastructure and receiving waters from sedimentation and contamination. ▪ To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works. ▪ To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable. 	<p>Site management will be in accordance with Council's guidelines and standards. This can be addressed by way of condition on any permit that may issue.</p>	<p>✓ Complies</p>
<p>Clause 56.09-1 Standard C27 Shared Trenching Objectives</p> <ul style="list-style-type: none"> ▪ To maximise the opportunities for shared trenching. ▪ To minimise constraints on landscaping within street reserves 	<p>This can be addressed by way of condition on any permit that may issue.</p>	<p>✓ Complies</p>
<p>Clause 56.09-2 Standard C28 Electricity, Telecommunications and Gas Objectives</p> <ul style="list-style-type: none"> ▪ To provide public utilities to each lot in a timely, efficient and cost effective manner. ▪ To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources. 	<p>Electricity supply is to be provided in accordance with the electricity provider.</p> <p>Connections to utilities will be provided and can be appropriately addressed by way of condition on any permit that may issue.</p>	<p>✓ Complies</p>
<p>Clause 56.09-3 Standard C29 Fire Hydrants Objectives</p> <ul style="list-style-type: none"> ▪ To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently 	<p>Fire hydrants can be installed to comply with the standard (if required).</p> <p>This application is accompanied by a Bushfire Management Statement (<i>Regional Planning & Design</i>).</p>	<p>✓ Complies</p>

Title & Objective	Response to Standard	Complies
<p>Clause 56.09-4 Standard C30 Public Lighting Objective</p> <ul style="list-style-type: none"> ▪ To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles. ▪ To provide pedestrians with a sense of personal safety at night. ▪ To contribute to reducing greenhouse gas emissions and to saving energy. 	<p>Public lighting will be provided to the requirements and satisfaction of the responsible authority</p>	<p>✓ Complies</p>



**Flora and Fauna
Report and offsets
assessment** June 2023

9 **9 Golf Link Road Hepburn**

1	Introduction	4
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	Golf Links Rd
1.1. Purpose	4
1.2. Background	4
2. Methods:	6
2.1. Relevant State and Commonwealth Legislation.....	6
2.2. Field Assessment	6
2.3. Desktop Assessment	6
2.4. Removal, Destruction or Lopping of Native Vegetation (the Guidelines)	7
2.5. Study area:	8
3. Results.....	9
3.1. Site context	9
3.2. Vegetation Condition.....	9
3.3. Patches of Native Vegetation.....	10
3.4. Trees	10
3.5. Introduced and Planted Vegetation.....	10
3.6. Significance Assessment.....	11
4. Removal, Destruction or Lopping of Native Vegetation (the Guidelines)	14
4.1. Vegetation proposed to be removed	14
4.2. Offset Targets	15
5. Legislation and Policy	16
5.1. Environment Protection and Biodiversity Conservation Act 1999(Commonwealth)	16
5.2. Flora and Fauna Guarantee Act 1988 (Victoria).....	16
5.3. Planning and Environment Act 1987 (Victoria).....	16
6. Avoid and Minimise Statement	20
7. Best Practice Mitigation Measures.....	20
8. Conclusion and next steps	21
Implications.....	21
Further Action	21
9. References	22
Appendix 1	24

DOCUMENT CONTROL

Golf Links Rd

Assessment type	Biodiversity Assessment for 6 Golf Links Road Hepburn
Address	6 GolfLinks Road Hepburn Springs, Victoria
Project number	2934
Project manager	Jen Comber
Client	Michael Monaghan
Catchment Management Authority	North Central Catchment Management Authority
Council	Hepburn Shire Council

1. Introduction

Michael Monaghan engaged Jennifer Comber to conduct a Biodiversity Assessment for the proposed subdivision and vegetation clearing for bushfire management at 6 Golf Links Road, Victoria. This assessment was commissioned in preparation for Mr Monaghan's submission of a planning application for a 2 Lot subdivision of Lot No. 10. The proposed subdivision aims to facilitate the future development of two-house blocks, along with associated infrastructure and an access road into the development.

As part of the proposed subdivision, removing native vegetation is necessary to facilitate the required clearing for bushfire management. The Biodiversity Assessment was conducted to identify any potential impacts of the subdivision and vegetation clearing on the local flora and fauna species. This information will be used to inform the planning application process and ensure that any potential negative impacts are minimized or avoided. The assessment will also provide recommendations for appropriate mitigation measures to protect and enhance biodiversity in the proposed development area.

1.1. Purpose

The aim of the present assessment was to identify and evaluate the extent and type of native vegetation that exists within the property. Additionally, the assessment aimed to determine the potential presence of significant flora and fauna species, as well as threatened ecological communities that could be affected by the proposed action. The findings of this assessment are intended to provide critical information to stakeholders involved in the planning and implementation of the proposed project.

The report identifies any potential impacts on the local biodiversity and provides recommendations for appropriate offset requirements that would help to minimize or avoid any negative impacts on the environment.

The report aims to address the following items: -

- 1) Based on the results of the ecology assessment, address planning permit requirements under Clause 52.17, and provide an 'avoid and minimize' statement along with an NVR (Net Vegetation Removal Requirement) if necessary, to mitigate any potential impacts on the environment.
- 2) Identify whether the proposed removal of the trees triggers a permit under the overlays, specifically ESO1 and ESO2, by conducting a comprehensive analysis of the relevant planning permit requirements.
- 3) Discuss the tree removal requirements under the BMO (Bushfire Management Overlay) and comment on the removal of trees to allow for defensible space under Clause 52.12.

1.2. Background

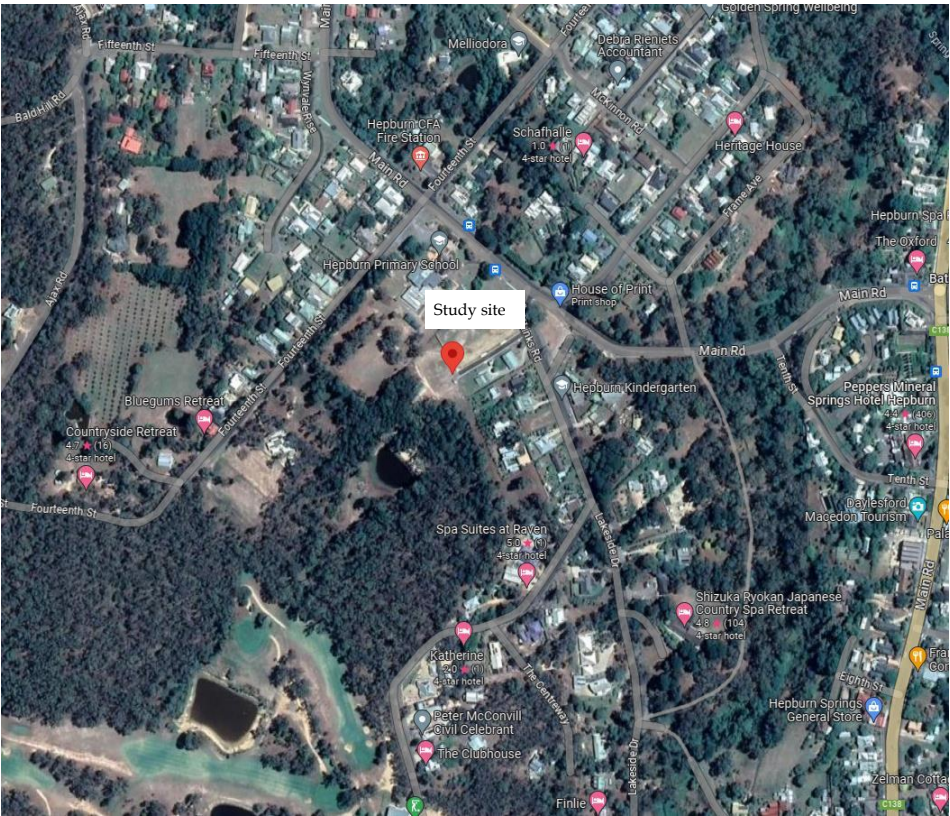
The study area, situated at 6 Golf Links Road in Hepburn (see Figure1 below), covers an approximate area of 5 hectares and is bordered by Hepburn Primary School to the West, residential properties to the north and forest in all other directions. The area falls under the rural conservation zone and is currently undeveloped land. The topography of the study area is undulating, and the property has a gentle slope from north to south.

The study area is situated within the Goldfields bioregion and the Hepburn Shire LGA,. The study area is home to a unique mix of flora and fauna species and features unique ecological characteristics.

Golf Links Rd

Understanding the bioregion context is crucial to any land management and development proposals in the area, and it is essential to consider this aspect in any planning and development decisions.

Figure 1 location of study site



2. Methods:

The following section describes the methods used throughout this assessment.

2.1. Relevant State and Commonwealth Legislation

Throughout the assessment process, consideration has been given to the following.

- Commonwealth and Victorian environmental policy and legislation.
- Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act);
- Environmental Effects Act 1978 (EE Act);
- Flora and Fauna Guarantee Act 1988 (FFG Act);
- Planning and Environment Act 1987 (P&E Act);
- Guidelines for the removal, destruction and lopping of native vegetation (DELWP 2017);
- Hepburn Planning Scheme; including,
 - Clause 12.01-15 Protection of Biodiversity;
 - Clause 12.01-25 Native Vegetation Management;
 - Clause 52.17 Native Vegetation; and,
- Wildlife Act 1975 (Wildlife Act); and,

2.2. Field Assessment

A field assessment was undertaken on 16th of April 2023 to obtain information on flora and fauna values within the study area. The study area was walked, with all commonly observed vascular flora and fauna species recorded, significant records mapped, and the overall condition of vegetation and habitats noted. Ecological Vegetation Classes (EVCs) were determined with reference to DEECA pre-1750 and extant EVC mapping (DELWP 2022a) and their published descriptions (DELWP 2022c).

Where native vegetation was identified, a habitat hectare assessment was undertaken following the methodology described in the Vegetation Quality Assessment Manual (Department of Sustainability and Environment (DSE) 2004).

2.3. Desktop Assessment

Relevant literature, online-resources and databases were reviewed to provide an assessment of flora and fauna values associated with the study area. The following information sources were reviewed:

- The DEECA NatureKit Map (DELWP 2022a) and Native Vegetation Information Management (NVIM) Tool (DELWP 2022b) for:
 - Modelled data for location risk, native vegetation patches, scattered trees and habitat for rare or threatened species; and,
 - The extent of historical and current Ecological Vegetation Classes (EVCs).
- EVC benchmarks (DELWP 2022c) for descriptions of EVCs within the relevant bioregion;
- The Victorian Biodiversity Atlas (VBA) for previously documented flora and fauna records within the project locality (DELWP 2021);
- The Illustrated Flora Information System of Victoria (IFLISV) (Gullan 2017) and Atlas of Living Australia (ALA) (ALA 2021) for assistance with the distribution and identification of flora species;
- The Commonwealth Department of Climate Change Energy, the Environment and Water (DCCEEW) Protected Matters Search Tool (PMST) for matters of National Environmental Significance (MNES) protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)
- Relevant listings under the Victorian Flora and Fauna Guarantee Act 1988 (FFG Act), including the latest Threatened (DELWP 2021d) and Protected (DELWP 2019b) Lists;
- Lists of declared noxious weeds (Agriculture Victoria 2017) and pest animals under the Victorian Catchment and Land Protection Act 1994 (CaLP Act) (Agriculture Victoria 1994) and Commonwealth Weeds of National Significance (WoNS) (DAWE 2022b);

Golf Links Rd

- The online VicPlan Map (DELWP 2022e) to ascertain current zoning and environmental overlays in the study area; and
- Nearmap Aerial photography of the study area.

2.4. Removal, Destruction or Lopping of Native Vegetation (the Guidelines)

Under the Planning and Environment Act 1987, Clause 52.17 of the Hepburn Shire Planning Scheme requires a planning permit to remove, destroy or lop native vegetation. The assessment process for the clearing of native vegetation follows the ‘*Guidelines for the removal, destruction or lopping of native vegetation*’ (The Guidelines) (DELWP 2017). s handbook: Applications to remove, destroy or lop native vegetation handbook) (DELWP 2018) provides clarification regarding the application of the Guidelines (DELWP 2017).

Assessment Pathway

The Guidelines manage the impacts on biodiversity from native vegetation removal using an assessment-based approach. Two factors - extent risk and location category are used to determine the risk associated with an application for a permit to remove native vegetation. The location category (1, 2 or 3) has been determined for all areas in Victoria and is available on DEECAS NVIM Tool .

Table 1 Assessment pathways for applications to remove, destroy or lop native vegetation (DELWP 2017).

Extent		Locations		
		1	2	3
Native Vegetation	Less than 0.5 hectares and not including any large trees	Basic	Intermediate	Detailed
	Less than 0.5 hectares and including one or more large trees	Intermediate	Intermediate	Detailed
	0.5 hectares or more	Detailed	Detailed	Detailed

Notes: For the purpose of determining the assessment pathway of an application to remove native vegetation the extent includes any other native vegetation that was permitted to be removed on the same contiguous parcel of land with the same ownership as the native vegetation to be removed, where the removal occurred in the five year period before an application to remove native vegetation is lodged

Vegetation Assessment. Native vegetation (as defined in Table 2) is assessed using two key parameters: extent (in hectares) and condition. For the purposes of this assessment, both condition and extent were determined as part of the habitat hectare assessment.

Impact Avoidance and Minimisation. All applications to remove native vegetation must demonstrate the three-step approach of avoid, minimise and offset. This is a precautionary approach that aims to ensure that the removal of native vegetation is restricted to what is reasonably necessary, and that biodiversity is appropriately compensated for any native vegetation removal that is approved.

Offsets. Biodiversity offsets are required to compensate for the permitted removal of native vegetation. Offset obligations and offset site criteria are determined in accordance with the Guidelines (DELWP 2017) and are divided into two categories; General Habitat Units and Species Habitat Units. The offset requirements for native vegetation removal are calculated by DEECA and presented in a Native Vegetation Removal (NVR) Report, which are based on the vegetation condition scores determined during the biodiversity assessment.

Assessment Qualifications and Limitations.

This report has been written based on the quality and extent of the ecological values and habitat considered to be present or absent at the time of the desktop and/or field assessments being undertaken. biodiversity assessment meant that migratory, transitory or uncommon fauna species may have been absent from typically occupied habitats at the time of the field assessment. In addition, annual or cryptic flora species such as those that persist via underground tubers may also be absent. A comprehensive list of all terrestrial flora and fauna present within the study area was not undertaken as this was not the objective of the assessment. Rather a list of commonly observed species was recorded to inform the habitat hectare assessment and assist in determining the broader biodiversity values present within the study area.

Ecological values identified within the study area were recorded using fieldmaps with an accuracy of +/- 3 metres. This level of accuracy is considered to provide an accurate assessment of the ecological values present within the study area; however, this data should not be used for detailed surveying purposes.

The terrestrial flora and fauna data collected during the field assessment and information obtained from relevant desktop sources is considered to adequately inform an accurate assessment of the ecological values present within the study area.

2.5. Study area:

The area search is outlined in blue below and is approx. 1ha in size. The area broadly examined is outlined in blue below as was confined to the corner of the block where vegetation removal is required to facilitate clearing for bushfire management and its immediate surrounds.

Figure 2 study Site showing planned lots and defensible space

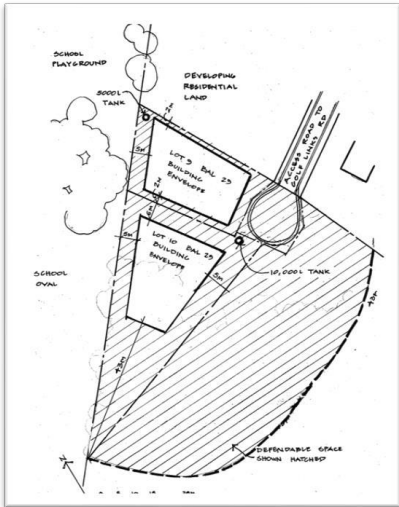


Figure 3 Study site showing area of vegetation removal in blue for defensible space



3. Results

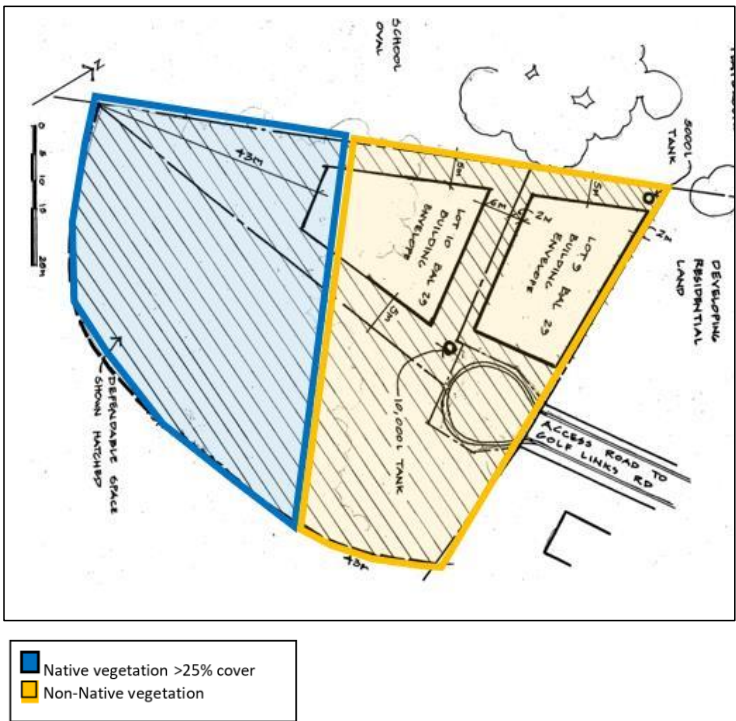
3.1. Site context

The study site is situated in Hepburn Springs, Victoria, covering an area of approximately 2 hectares. It is located in a Rural Land Conservation Zone and comprises heavily modified open grassy woodland and forest communities, with some cleared areas of introduced grass . Additionally, the site includes a large dam surrounded by a mix of native and non native species. The residential area of Hepburn is where the site is situated, situated north of the town of Daylesford. The site is surrounded by extensive forest areas to the northwest, southwest, and east.

3.2. Vegetation Condition

About half of the study area contained a 0.303 -hectare patch of native vegetation with the remaining portion of the study area comprised introduced pasture grass, weeds and ornamental plantings. See Figure 4 below.

Figure 4 location of native and non native vegetation at the site



A list of all flora species recorded during the field assessment are provided in Appendix 1.1. The vegetation at the site was generally dominated by a native vegetation overstory with a mixed understory and mid-story of native and nonnative species. Generally, the vegetation would be considered highly modified as it had a high percentage of weedy species in both the overstory and understory and a lack of the expected number of large trees. There were also several areas where the overstory had been completely removed and replaced with weedy introduced grasses. Despite this

Golf Links Rd

there was a moderately good mix of species in the understory and midstory. The site has also been used for timber collection and recreation.

3.3. Patches of Native Vegetation

EVC 22: Grassy Dry Forest (EVC 2) was recorded within the study area (DELWP 2022b). The presence of these EVCs is generally consistent with the modelled pre-vegetation mapping. Specific details relating to the observed EVC are provided below.

The results of the habitat hectare assessment are provided in Chapter 4.

Remnant native vegetation in the Study Area has been mapped by DEECA at a scale of 1:25,000. Pre-1750 mapping accessed from NatureKit (DELWP 2019b) indicates that the following EVCs were once present in the Study Area: **EVC 22: Grassy Dry Forest, Goldfield's bioregion.**

This EVC occurs on various gradients and altitudes and on a range of geologies. The overstorey is dominated by a low to medium-height forest of eucalypts to 20 m tall, sometimes resembling an open woodland with a secondary, smaller tree layer including a number of *Acacia* species. The understorey usually consists of a sparse shrub layer of medium height. Grassy Dry Forest is characterised by a ground layer dominated by a high diversity of drought-tolerant grasses and herbs, often including a suite of fern species. (DSE, 2004).

3.4. Trees

44 Trees were identified as part of this assessment, including 4 large trees in patches:

The trees identified included

- 8 *Eucalyptus rubida*
- 19 *Eucalyptus aromaphloia*
- 15 *Eucalyptus radiata*
- 1 Dead
- 1 *Acacia melanoxylon*
-

3.5. Introduced and Planted Vegetation

A large majority of the study area (>60%) contained exotic pasture grass and other planted and weedy vegetation.



Photo 3.1

Flat area of cleared grass
at the front of the block.

Golf Links Rd



Photo 3.2
Areas of native vegetation in the centre of the site



Photo 3.3
Large dam on the property

3.6. Significance Assessment

Flora Species

NatureKit searches returned **records** of 760 species of flora from within a 5 km radius of the Study Area within the last 20 years. These records consist of 547 native species, 195 introduced species and 18 species that are native but may be non-indigenous to the area.

During the field assessment, a total of 51 species were observed within the site, including 31 native and 20 introduced species. These species are listed in table 1 below:

Fauna Species

NatureKit searches returned records of 452 species of fauna from within a 5 km radius of the Study Area within the last 20 years. These records consist of 403 native species and 51 introduced species. During the field assessment, a total of seven species were observed, including four native and three introduced species.

Native fauna species observed on site include:

- Laughing Kookaburra (*Dacelo novaeguineae*)
- Eastern Grey Kangaroo (*Macropus giganteus*);
- Australian Magpie (*Cracticus tibicen*)
- Superb Fairywren (*Malurus cyaneus*)
-

Threatened Flora and Fauna Species

A desktop assessment of threatened species known or predicted to be present within the study area was undertaken using the EPBC Act Protected Matters Search Tool (PMST) (and NatureKit mapping ([NatureKit Victoria \(biodiversity.vic.gov.au\)](https://biodiversity.vic.gov.au))).

Based on this desktop assessment a total of 111 threatened flora and fauna species and four threatened ecological communities were considered.

A total of 10 species are listed under the EPBC Act; and

- 26 species are listed under the FFG Act.

Results of field assessment for threatened species:

No EPBC Act or FFG Act-listed threatened species were identified during the field survey and none are expected to occur given the lack of suitable habitat at the site.

EPBC Act Listed Communities

A search using the PMST reported four threatened ecological communities (TECs) listed under the EPBC Act that are detected as either known to occur, likely to occur, or may occur within the Study Area:

Table 2 EPBC Threatened Communities

Community Name	Threatened Category	Presence	Text Buffer Status
Grassy Eucalypt Woodland of the Victorian Volcanic Plain	Critically Endangered	In feature area	
Grey Box (<i>Eucalyptus microcarpa</i>) Grassy Woodlands and Derived Native Grasslands	Endangered	Community likely	within area
Natural Temperate Grassland of the Victorian Volcanic plain	Critically Endangered	Community may	occur within area
White Box-Yellow Box-Blakely's Red Gum Grassy Woodland	Critically Endangered	Community likely	to occur within area

Golf Links Rd

None of these communities were identified during the field survey, and the likelihood of occurrence assessment found that all potential TECs were unlikely to occur within the Study Area due to a lack of suitable environmental attributes.

Fauna Habitat

The site contains open grassy forest, cleared grassy areas and substantial dam, there are several suitable habitat features for different species. The open forest provides shelter and foraging opportunities for a range of birds and small mammals. The presence of dead trees, logs, and leaf litter provides nesting sites and shelter for insects, reptiles, and small mammals. The cleared grass provides feeding opportunities for grazing animals such as kangaroos and wallabies. The dam provides a reliable water source for a range of animals, including birds, amphibians, and mammals. The vegetation around the dam also provides important habitat for insects, reptiles, and small mammals. Overall, the combination of open forest, cleared grass, and a dam provides a diverse range of habitat features, which can support a variety of fauna species.

4. Removal, Destruction or Lopping of Native Vegetation (the Guidelines)

Impacts to native vegetation are limited to one 0.3 hectare patch containing 4 Large Trees. All patches of native vegetation, particularly along creek lines, have been avoided as to limit impacts to native vegetation.

4.1. Vegetation proposed to be removed

The study area is within Location 1, with 0.303 hectares of native vegetation proposed to be removed, containing 4 large trees. As such, the permit application falls under the Intermediate assessment pathway (Table 3).

Table 3 Results of VQA Assessment : Vegetation Condition Scores using Habitat Hectare Method.

Bioregion		Goldfields
EVC/Tree		Grassy Dry Forest
EVC Number		22
EVC Conservation Status		Vulnerable
Patch Conditon	Large Old Trees / 10	2
	Canopy Cover /5	2
	Understory /25	15
	Lack of Weeds /15	2
	Recruitment /10	5
	Organic Matter /5	2
	Logs /5	3
	Subtotal	31
Landscape Value /25		14
Habitat Points /100		45
Habitat Score		0.45

Commented [A1]:

Table 4 Removal of Native Vegetation (the Guidelines) (DELWP 2017).

Assessment Pathway	Intermediate Assessment Pathway
Location Category	Location 1 The Native vegetation is not in an area mapped as an endangered EVC , sensitive wetland or coastal area. Removal of < 0.5 ha in this location will not have an significant impact on any habitat for a rare or threatened species.
Total Extent (past and Proposed) (ha)	0.303 ha

Golf Links Rd	
Extent of past removal (ha)	0.00 ha
Extent of proposed removal (ha)	0.303 ha
Large Trees (scattered and in patches) to be removed (no.)	4
Small scattered trees to be removed (no.)	0
EVC Conservation Status of vegetation to be removed.	

4.2. Offset Targets

The offset requirement for native vegetation removal is 1.124 General Habitat Units. A summary of proposed vegetation losses and associated offset requirements is presented in Table 4 and the Native Vegetation Removal (NVR) report is presented in Appendix 4.

Table 5 Offset Requirements

General Offsets Required	0.166 General Habitat Units
Large Trees	4 large trees
Vicinity (catchment/council)	North Central Catchment management Authority and Hepburn Shire Council
Minimum Strategic Biodiversity Value*	0.302

*The minimum Strategic Biodiversity Value is 80% of the weighted average score across habitat zones where a General offset is required.

5. Legislation and Policy

The following legislation and policy applies to the project:

5.1. Environment Protection and Biodiversity Conservation Act 1999(Commonwealth)

The EPBC Act establishes a Commonwealth process for the assessment of proposed actions likely to have a significant impact on any matters of National Environment Significance (NES).
Implications The proposed action is highly unlikely to have a significant impact on any matter of NES. As such, a referral to the Commonwealth Environment Minister is unlikely to be required regarding matters listed under the EPBC Act.

5.2. Flora and Fauna Guarantee Act 1988 (Victoria)

The FFG Act is the primary legislation dealing with biodiversity conservation and sustainable use of native flora and fauna in Victoria. threatened and/orprotected flora species, listed vegetation communities and listed fish species in areas of public land (e.g. within road reserves, drainage lines and public reserves/parks). An FFG Act permit is generally not required for the removal of species or communities, or for the removal of habitat for a listed terrestrial fauna species on private land. However, the *Flora and Fauna Guarantee Amendment Act 2019* came into effect on 1 June 2020 and now applies the FFG Act to Crown land and private/freehold land that is managed by a public authority.
Implications The study area is privately owned, and as such a permit under the FFG Act is not required.

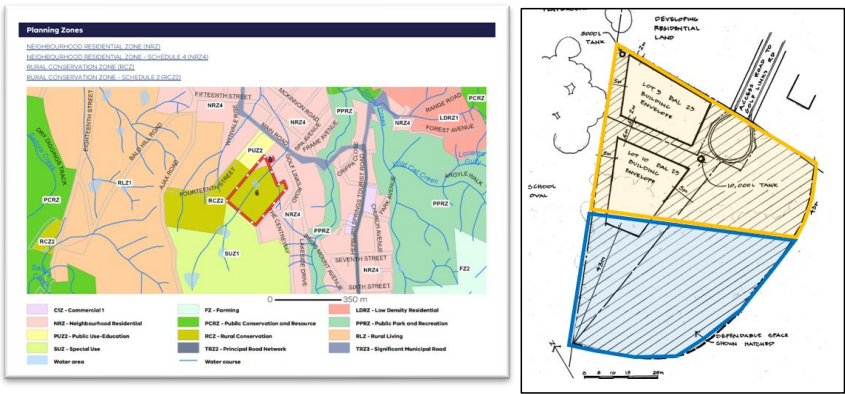
5.3. Planning and Environment Act 1987 (Victoria)

The *Planning and Environment Act 1987* outlines the legislative framework for planning in Victoria and for the development and administration of planning schemes. All planning schemes contain native vegetation provisions at Clause 52.17, which requires a planning permit from the relevant local Council to remove, destroy or lop native vegetation, unless an exemption at Clause 52.17-7 of the Victoria Planning Provisions applies.

Planning Zones

The site is covered by two zones. (NRZ) NEIGHBOURHOOD RESIDENTIAL ZONE, (NRZ4) NEIGHBOURHOOD RESIDENTIAL ZONE Schedule 4 ,(RCZ) RURAL CONSERVATION ZONE (RCZ2) RURAL CONSERVATION ZONE schedule 2

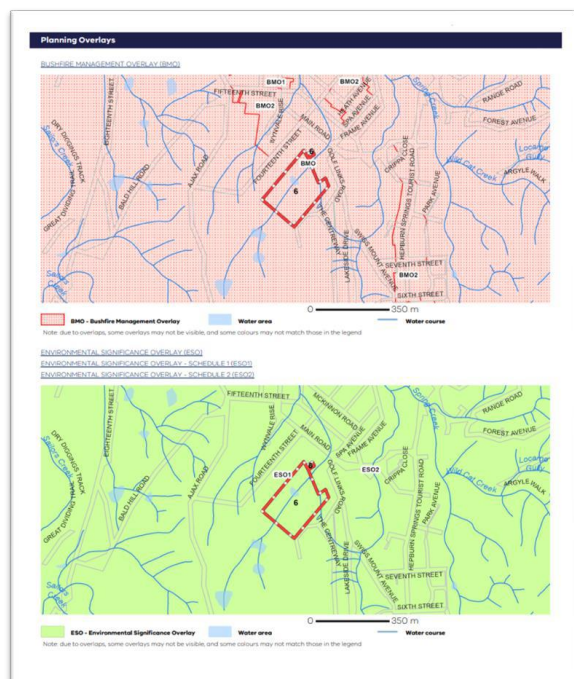
Figure 5 Planning zones



Golf Links Rd

The following overlays apply to this site: (ESO) ENVIRONMENTAL SIGNIFICANCE OVERLAY, (ESO2) ENVIRONMENTAL SIGNIFICANCE OVERLAY Schedule 2, (ESO1) ENVIRONMENTAL SIGNIFICANCE OVERLAY Schedule 1, (BMO) BUSHFIRE MANAGEMENT OVERLAY Local Planning Scheme

Figure 6 Planning Overlays



Implications

The study area is located within the Hepburn Shire Council and include and ESO1 and ESO2 and the BMO. The Rural Conservation Zone (RCZ) applies to the majority of the property and the Neighbourhood residential zone applies to the north west corner..

Removal of native vegetation will require a planning permit and offsets unless an exemption applies (discussed below)

The study area is within Location 1, with 0.303 hectares of native vegetation proposed to be removed. As such, the permit application falls under the Intermediate assessment pathway. (see section 4). The offset requirement for native vegetation removal is 0.166 General Habitat Units General Habitat Units and 4 large trees.

A planning permit from the hepburn Shire Council is required to remove, destroy or lop any native vegetation under Clause 52.17 of the Planning Scheme. In this instance, the application is required to be referred to DEECA.

Golf Links Rd

Exemptions for defendable space around dwellings under clause 44.06 Bushfire Management Overlay (BMO)

There are exemptions to facilitate the clearing of vegetation to create defendable space for dwellings considered under the Bushfire Management Overlay. The exemptions only apply if land is in the BMO and in one of the following zones: General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.

The exemptions apply to the removal of vegetation:

- for the footprint of a new dwelling
- for the footprint of alterations or extensions to an existing dwelling
- for the creation of defendable space for a new dwelling
- for the creation of defendable space for an altered or extended dwelling – the whole dwelling, not just that part that is extended or altered

Outcome:

The property in question is in a BMO, and vegetation must be cleared for the footprint of a new dwelling; A small portion of the site is in the Neighbourhood Residential Zone and would qualify for the exemption, however there is no native vegetation in this part of the block that requires offsetting. As the remainder of the site is in a **Rural Conservation Zone**, the exemption does not apply to this area, and offsets would be required.

Vegetation Removal Triggers under the ESO1 and ESO2 Overlays

This section aims to identify whether the proposed removal of vegetation triggers a permit under the overlays, specifically ESO1 and ESO2, by examining the relevant planning permit requirements.

According to the Hepburn planning scheme, A permit is required to remove, destroy or lop any vegetation, including dead vegetation in an Environmental Significance Overlay. Exemptions apply in the following circumstances:

1) *If a schedule to this overlay specifically states that a permit is not required.*

Both the ESO1 and ESO2 schedules to this overlay do not provide any exemptions for vegetation removal for a new dwelling. **Outcome:** exemption does not apply

2) *If the table to Clause 42.01-3 specifically states that a permit is not required.*

The following is a list of exemptions related to removing vegetation for fire protection, planted vegetation and weeds.

Table 6 Exemption for the Environmental Significance overlay

Fire protection exemptions	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: fire fighting;</p> <ul style="list-style-type: none"> • planned burning; • making or maintenance of a fuel break or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; • making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuel break plan approved by the Secretary to the Department of Environment, Land, Water and
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Golf Links Rd

	<p>Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>);</p> <ul style="list-style-type: none"> • is ground fuel within 30 metres of a building and is vegetation other than native vegetation; • in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> ◦ Section 65 of the <i>Forests Act 1958</i>; or ◦ Section 41 of the <i>Country Fire Authority Act 1958</i>. • keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; • minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).

Outcome: Exemptions for the planning permit do apply for the removal of weedy and planted vegetation but not for native vegetation.

3) To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16. – **Outcome:** the area is not in a native vegetation precinct plan so this does not apply.

4.4 Wildlife Act 1975 and Wildlife Regulations 2013 (Victoria)

The *Wildlife Act 1975* (and associated Wildlife Regulations 2013) is the primary legislation in Victoria providing for protection and management of wildlife. Authorisation for habitat removal may be obtained under the *Wildlife Act 1975* through a licence granted under the *Forests Act 1958*, or under any other Act such as the *Planning and Environment Act 1987*. Any persons engaged to remove, salvage, hold or relocate native fauna during construction must hold a current Management Authorisation under the *Wildlife Act 1975*, issued by DEECA.

6. Avoid and Minimise Statement

The proponent has prioritised the avoidance and minimisation of impacts to native vegetation through the following measures:

- The development footprint has been specifically designed to avoid and/or minimize the loss of native vegetation through only clearing the minimum extent of vegetation required by the Bushire Management Overlay.
- The building envelopes have been located in areas containing non-native vegetation to the greatest extent.
- The clearing has avoided waterways and the dam
- The proponent will offset unavoidable losses through native vegetation offsets as described in section 4.

7. Best Practice Mitigation Measures

Recommended measures to mitigate impacts upon terrestrial values present within the study area may include:

- Minimise impacts to native vegetation and habitats through construction and micro-siting techniques, including fencing retained areas of native vegetation. If indeed necessary, trees should be lopped or trimmed rather than removed;
- All contractors should be aware of ecologically sensitive areas to minimise the likelihood of inadvertent disturbance to areas marked for retention. Laydown areas and parking should be located in cleared areas.
- Where possible, construction stockpiles, machinery, roads, and other infrastructure should be placed away from areas supporting native vegetation and/or Large Trees; and
- As indigenous flora provides valuable habitat for indigenous fauna, it is recommended that any landscape plantings that are undertaken as part of the proposed works are conducted using indigenous species sourced from a local provenance, rather than exotic deciduous trees and shrubs.

8. Conclusion and next steps

Further requirements associated with development of the study area, as well as additional studies or reporting that may be required, are provided in Table 5.

Table 7 Summary of next steps

Relevant Legislation	Implications	Further Action
Environment Protection and Biodiversity Conservation Act 1999	The EPBC Act establishes a Commonwealth process for the assessment of proposed actions likely to have a significant impact on any matters of National Environment Significance (NES). The proposed action is highly unlikely to have a significant impact on any matter of NES. As such, a referral to the Commonwealth Environment Minister is unlikely to be required regarding matters listed under the EPBC Act.	No further action required.
<i>Flora and Fauna Guarantee Act 1988</i>	The Flora and Fauna Guarantee Amendment Act 2019 came into effect on 1 June 2020 and now applies the FFG Act to Crown land and private/freehold land that is managed by a public authority.	No further action required.
<i>Planning and Environment Act 1987</i>	The study area is within Location 1, with 0.303 hectares of native vegetation proposed to be removed. As such, the permit application falls under the Intermediate assessment pathway. The offset requirement for native vegetation removal is 0.166 General Habitat Units and 4 large trees. A planning permit from the Hepburn Shire Council is required to remove, destroy or lop any native vegetation under Clause 52.17 of the Planning Scheme.	Prepare and submit a Planning Permit application and secure offsets.
<i>Wildlife Act 1975</i>	Any persons engaged to conduct salvage and translocation, or general handling of terrestrial fauna species must hold a current Management Authorisation.	Ensure wildlife specialists hold a current Management Authorisation if any wildlife is removed as part of clearing.

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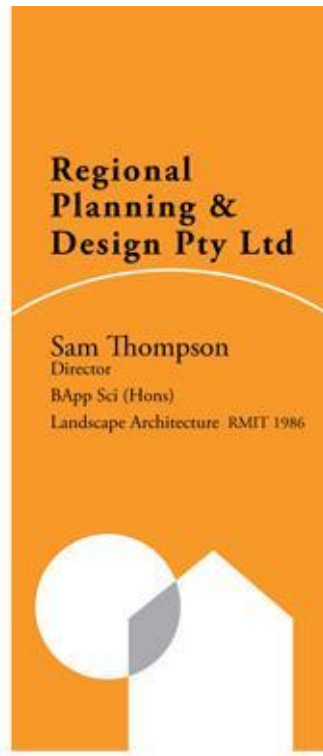
Appendix 1

List of Flora Species Recorded at the site

Scientific name	Common name	origin
<i>Acacia dealbata</i>	Silver Wattle	
<i>Acacia melanoxylon</i>	Blackwood	
<i>Acaena echinata</i>	Sheep's Burr	
<i>Acaena novae-zelandiae</i>	Bidgee-widgee	
<i>Acetosella vulgaris</i>	Sheep Sorrel	*
<i>Acrotriche serrulata</i>	Honey-pots	
<i>Anthoxanthum odoratum</i>	Sweet Vernal-grass	*
<i>Arbutus unedo</i>	Irish Strawberry Tree	*
<i>Asperula conferta</i>	Common Woodruff	
<i>Billardiera scandens s.l.</i>	Common Apple-berry	
<i>Bossiaea buxifolia</i>	Matted Bossiaea	
<i>Briza maxima</i>	Large Quaking-grass	*
<i>Briza minor</i>	Lesser Quaking-grass	*
<i>Bursaria spinosa subsp. spinosa</i>	Sweet Bursaria	
<i>Cassinia sifton</i>	Drooping Cassinia	#
<i>Cirsium vulgare</i>	Spear Thistle	*
<i>Crataegus monogyna</i>	Hawthorn	*
<i>Cytisus scoparius</i>	English Broom	*
<i>Dianella revoluta s.l.</i>	Black-anther Flax-lily	
<i>Dichondra repens</i>	Kidney-weed	
<i>Erica lusitanica</i>	Spanish Heath	*
<i>Eucalyptus aromaphloia</i>	Scentbark	
<i>Eucalyptus polyanthemus</i>	Red Box	
<i>Eucalyptus radiata s.l.</i>	Narrow-leaf Peppermint	
<i>Eucalyptus rubida</i>	Candlebark	
<i>Exocarpos cupressiformis</i>	Cherry Ballart	
<i>Genista monspessulana</i>	Montpellier Broom	*
<i>Gonocarpus tetragynus</i>	Common Raspwort	
<i>Hedera helix s.l.</i>	English Ivy	*
<i>Helminthotheca echioides</i>	Ox-tongue	*
<i>Holcus lanatus</i>	Yorkshire Fog	*
<i>Hydrocotyle laxiflora</i>	Stinking Pennywort	
<i>Hypericum gramineum</i>	Small St John's Wort	
<i>Hypochaeris radicata</i>	Flatweed	*
<i>Juncus sp</i>	Rush	
<i>Juncus subsecundus</i>	Finger Rush	
<i>Lomandra filiformis</i>	Wattle Mat-rush	

Golf Links Rd

<i>Lomandra longifolia</i>	Spiny-headed Mat-rush	
<i>Mentha australis</i>	River Mint	
<i>Pinus radiata</i>	Radiata Pine	*
<i>Pittosporum undulatum</i>	Sweet Pittosporum	*
<i>Plantago coronopus</i>	Buck's-horn Plantain	*
<i>Plantago lanceolata</i>	Ribwort	*
<i>Poa labillardierei</i>	Common Tussock-grass	
<i>Rubus fruticosus</i> spp. agg.	Blackberry	*
<i>Senecio quadridentatus</i>	Cotton Fireweed	
<i>Thysanotus patersonii</i>	Twining Fringe-lily	
<i>Ulex europaeus</i>	Gorse	*
<i>Zantedeschia aethiopica</i> ,	Arum lily	



Bushfire Management Statement

**6 Golf Links Road Hepburn
Ref No. 22.136**

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Disclaimer

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

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

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

Version Control

Report Version	Description	Date Completed	Issued to
A	Issued as a draft for discussion	12/5/2022	Client
B	Issued for comment	18/8/2022	CFA
C	Photos added	28/9/2022	CFA
D	General amendments	17/10/2022	Client
E	Amendments to plan	12/12/2022	Client
F	Amendments to plans	2/5/2024	Client
G	Minor amendments	11/5/2024	Client

1 SUMMARY

Summary	
Proposal	2 Lot subdivision of Lot No 10
Date of site visit:	10 th May 2022
Broad landscape setting (Technical Guide Planning Permit Applications – Bushfire Management Overlay)	3
Water Supply requirements	5000 litres in non combustible tank for lot 9. Lot 10 will require 10,000 litres with CFA access to the outlet
Access requirements can be met	3.5m wide drive with 4m vertical and 4.5m horizontal clearance to the tank outlet on Lot 10
Defendable Space requirements can be met	Column B
Proposed BAL construction level	BAL 29
Is native vegetation removal required:	Yes

2 INTRODUCTION

This Bushfire Management Statement (BMS) has been prepared to respond to the requirements of Clause 44.06 *Bushfire Management Overlay* (known from this point on as Clause 44.06), and associated Clause 53.02 *Bushfire Protection: Planning Requirements* (known from this point on as Clause 53.02) for the proposed subdivision at 6 Golf Links Road Hepburn .

Methodology

Clause 53.02-4 applies to this application as the proposal is for subdivision
The provisions of this clause contain:

The BMS is in two parts

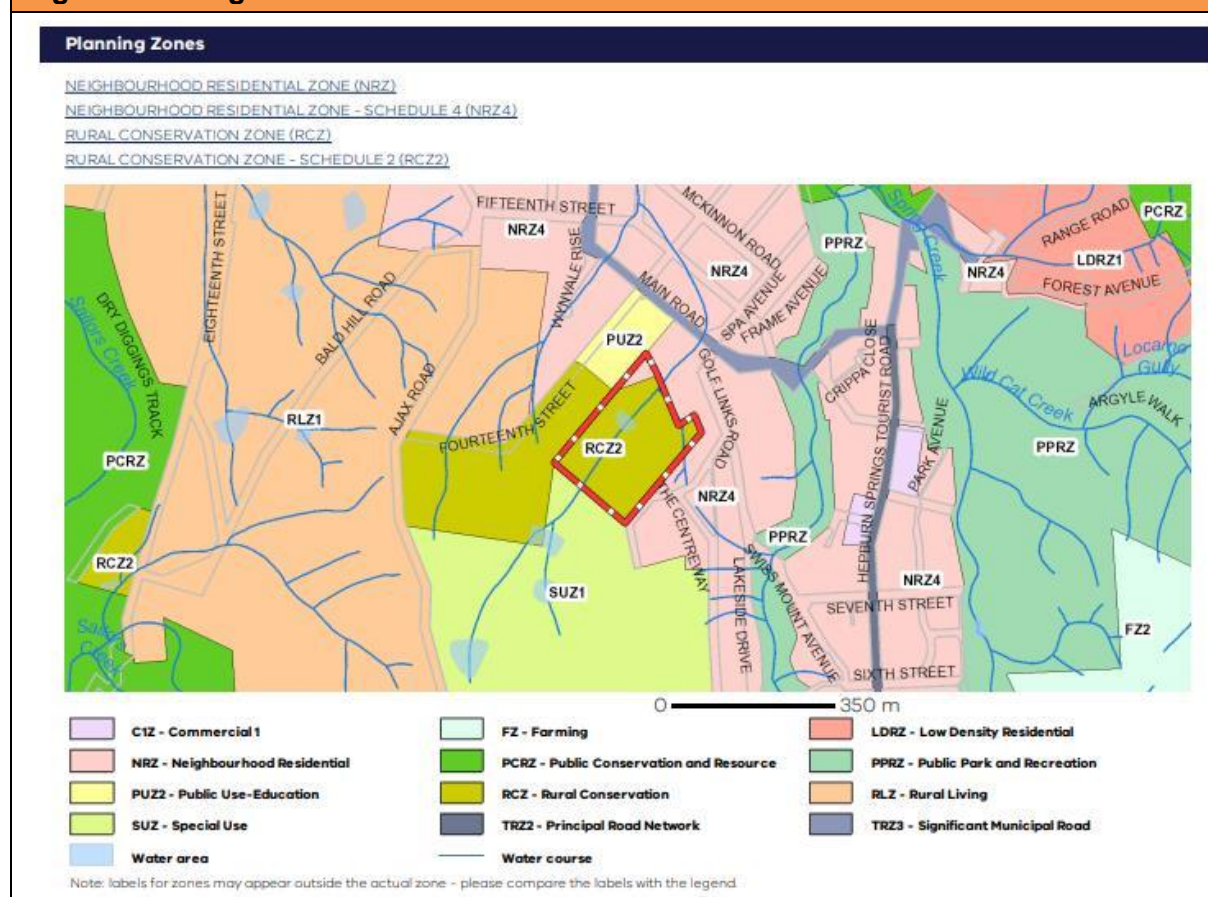
Part 1 Site description , hazard assessment and locality description

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

3 ZONING AND OVERLAYS

Clause Number	Name
32.08	General Residential Zone
35.06	Rural Conservation Zone
44.06	Bushfire Management Overlay
53.02	Planning for Bushfire
42.01	Environmental Significance Overlay (ESO 1)

Figure 1 Zoning



4 LOCATION

The site is located in the residential area of Hepburn, to the north of the town of Daylesford (See Figure 2). There are extensive areas of forest to the north west, south west and east of the site.

The site could be vulnerable to long runs of fire from the north west and then south west following a wind change, which often occurs on high fire risk days in summer. This is described in further detail in the Bushfire Hazard Landscape Assessment

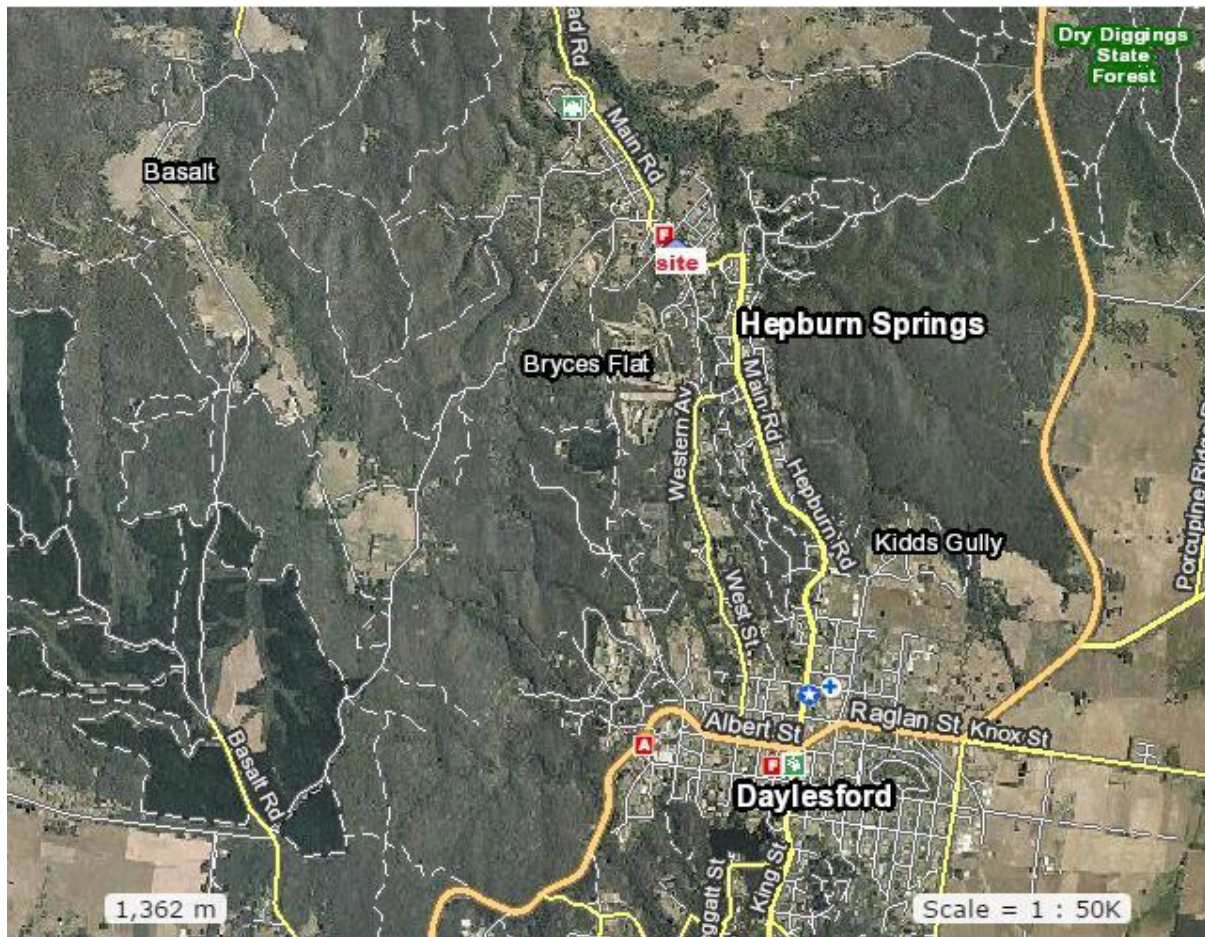


FIGURE 2 LOCATION

5 SITE DESCRIPTION

Site shape, dimensions, size , existing use and buildings and works	
The shape of the site is:	Irregular
The dimensions of the site are:	See Figure 3
The site has a total area of:	5.5 Ha
The current use of the site is	Vacant
The buildings or works located on the site are:	Nil
Site topography	Land slopes to the north east on an overall 3 to 6 degree down slope across most of the site. There are short steep slopes to the east and north east at 10 to 15 degree gradients in the northern section.
Vegetation	The northern part of site is covered in mown grass (photos 1 and 2). There is forest in the southern part (photos 3 to 5).
Services and infrastructure	The site is connected to mains power , water, sewer and the sealed road network

Site Photoo



Photo 1 Looking south east across the northern part of site on the north west boundary

Site Photos



Photo 2 Looking south east along the north east boundary from the end of the access road in the north east part of site of site



Photo 3 Looking south across a dam in the central part of the site

Site Photos



Photo 4 Looking north east through pine forest in the northern part of site to the south west of proposed Lots 9 and 10



Photo 5 Looking north through native forest in the southern part of the site

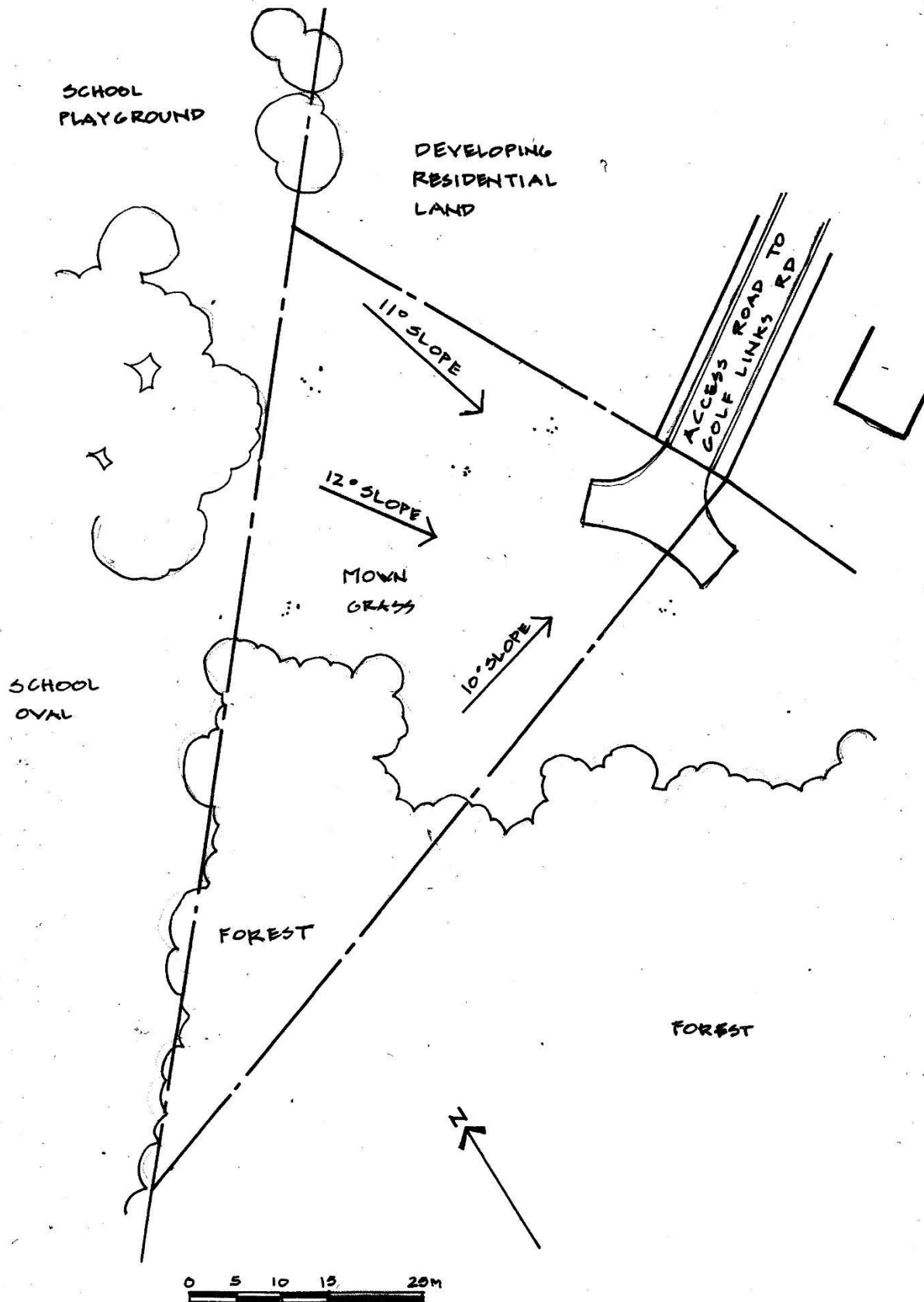


FIGURE 3 EXISTING CONDITIONS PART PLAN



FIGURE 4 EXISTING CONDITIONS AIR PHOTO

6 ACCESS

The site has access to Main Road on the north east boundary (photo 6) and Golf Links Road (photo 7). Main Road provides good access to the Neighborhood Safer Place 1.3 kilometres to the north west of the site. There is a recently constructed access road on the north east boundary (photo 8).

Access Photos



Photo 6 Looking south east along Main Road to the north east of site



Photo 7 Looking south east along Golf Links Road on north east boundary

7 BUSHFIRE HAZARD SITE ASSESSMENT

As shown in Figure 5 and described in Appendix 1 there are managed gardens to the south east, east and north of the site (photos 8 to 10). To the east of the site is modified vegetation around the pre school (photo 18). To the north east are patches of forest along the edge of Main Road which are linked to Doctors Gully to the east (photo 19). To the north west is the Primary School where there is a mix of managed gardens with some woodland and pine trees. (Photos 12 to 14) There is some residential development occurring in forest to the south west (photo 15). There is the Golf Course to the south (photo 17).

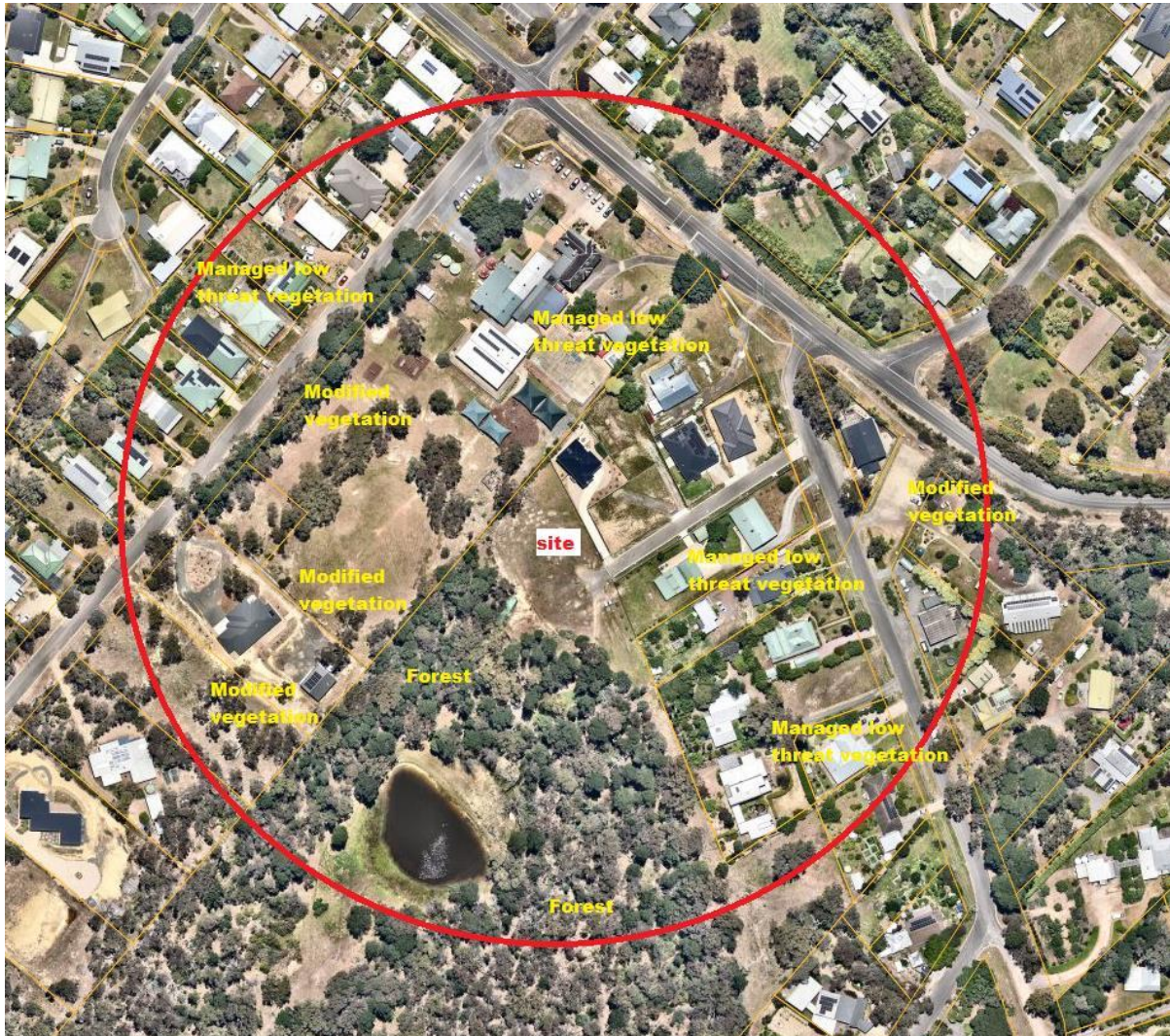


FIGURE 5 150 METRE ASSESSMENT AIR PHOTO

Surrounding Landscape Photos



Photo 8 Looking south west across managed land along the recently constructed access road to the north east of the site



Photo 9 Looking south east across modified vegetation around a dwelling under construction to the east of site

Surrounding Landscape Photos



Photo 10 Looking south across Managed Gardens to the north of the site



Photo 11 Looking south east across modified vegetation around a dwelling under construction to the east of site

Surrounding Landscape Photos



Photo 12 Looking west to the Primary School to the west of the site



Photo 13 Looking south west to the Primary School to the south west of the site

Surrounding Landscape Photos



Photo 14 Looking north west to the Primary School to the west of the site



Photo 15 Looking south west across modified vegetation to the south west of site where dwellings are under construction on recently cleared land on Fourteenth Street

Surrounding Landscape Photos



Photo 16 Looking south west, through forest to the south west of site



Photo 17 Looking south west across mostly managed land in the golf course to the south of site

Surrounding Landscape Photos



Photo 18 Looking south east across modified vegetation around the pre school to the east edge of the site



Photo 19 Looking south east through forest 180 metres to the east of site beyond Golf Links Road

8 BUSHFIRE HAZARD LANDSCAPE ASSESSMENT

The surrounding landscape corresponds to Broader Landscape Type 3 as assessed in accordance with Practice Note 65 (DTPLI, 2014). The terrain is rugged and there are areas of forest to the north, west, south west and east

On high fire danger days there are often strong northerly winds followed by a gusty south west change which can turn the east flank of a fire approaching from the north west into a long fire front. There is the potential for 3 to 5 kilometre long runs of fire of from the north west coupled with a south west wind change to affect the site,.

A spot fire could start within the forest to the east. The forest to the east of the site is less likely to form part of a long rapidly moving fire as strong winds from the east are not generally experienced on high fire danger days in Victoria.

As shown in Figures 7 and 8 on the following pages, vegetation immediately around the site is fragmented with managed land , however, there is still a significant fire risk from the south west.

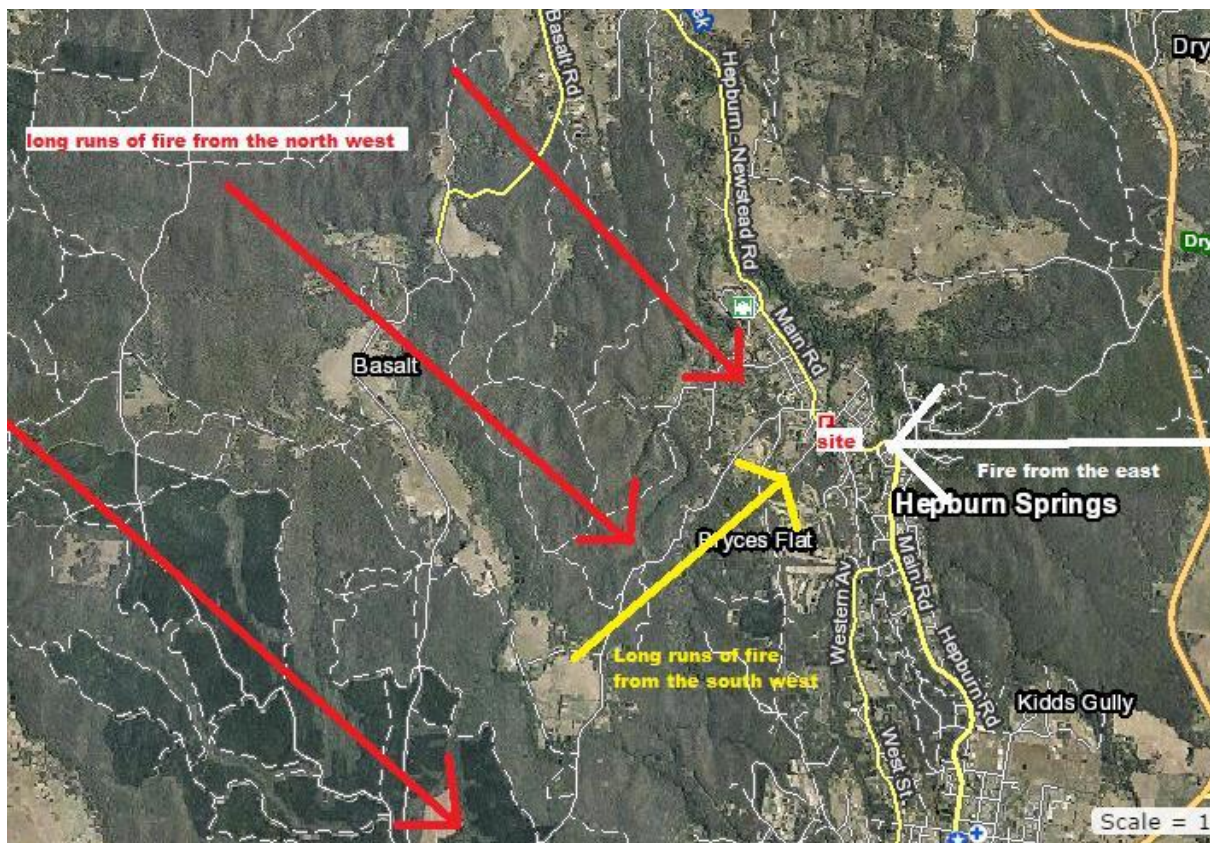


FIGURE 6 BUSHFIRE CONTEXT PLAN

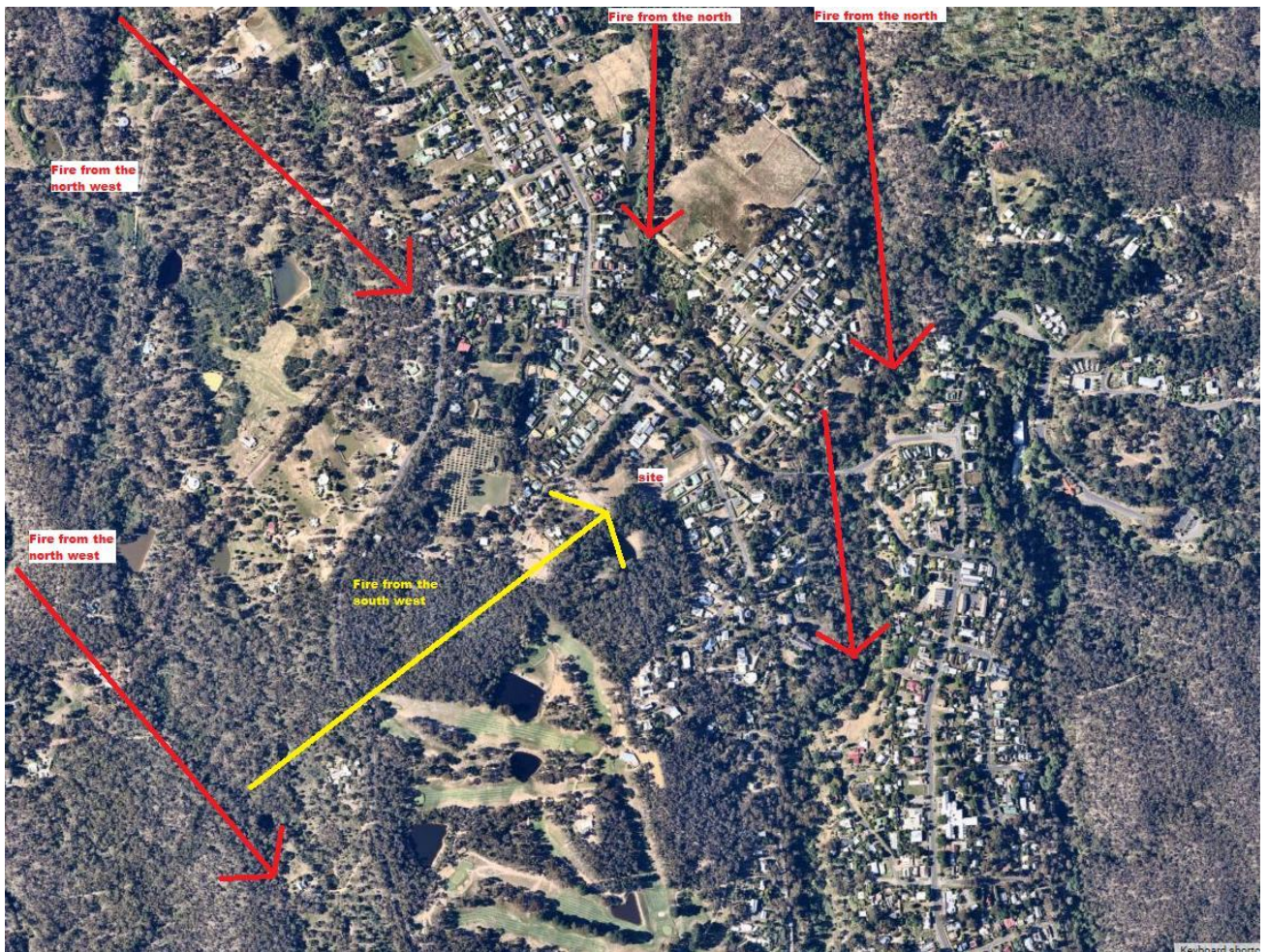


FIGURE 7 BUSHFIRE LOCAL CONTEXT PLAN

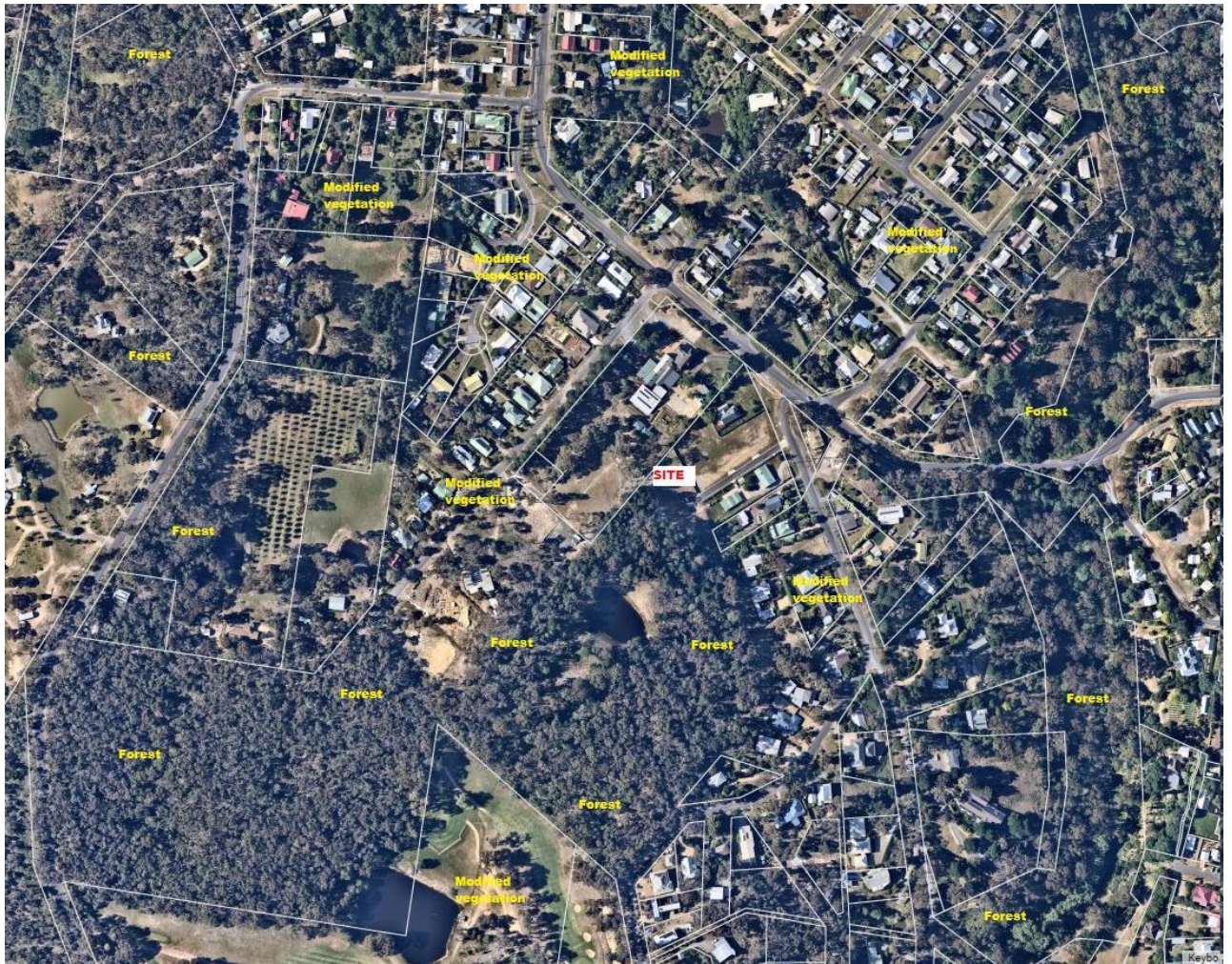


FIGURE 8 BUSHFIRE NEIGHBOURHOOD CONTEXT PLAN

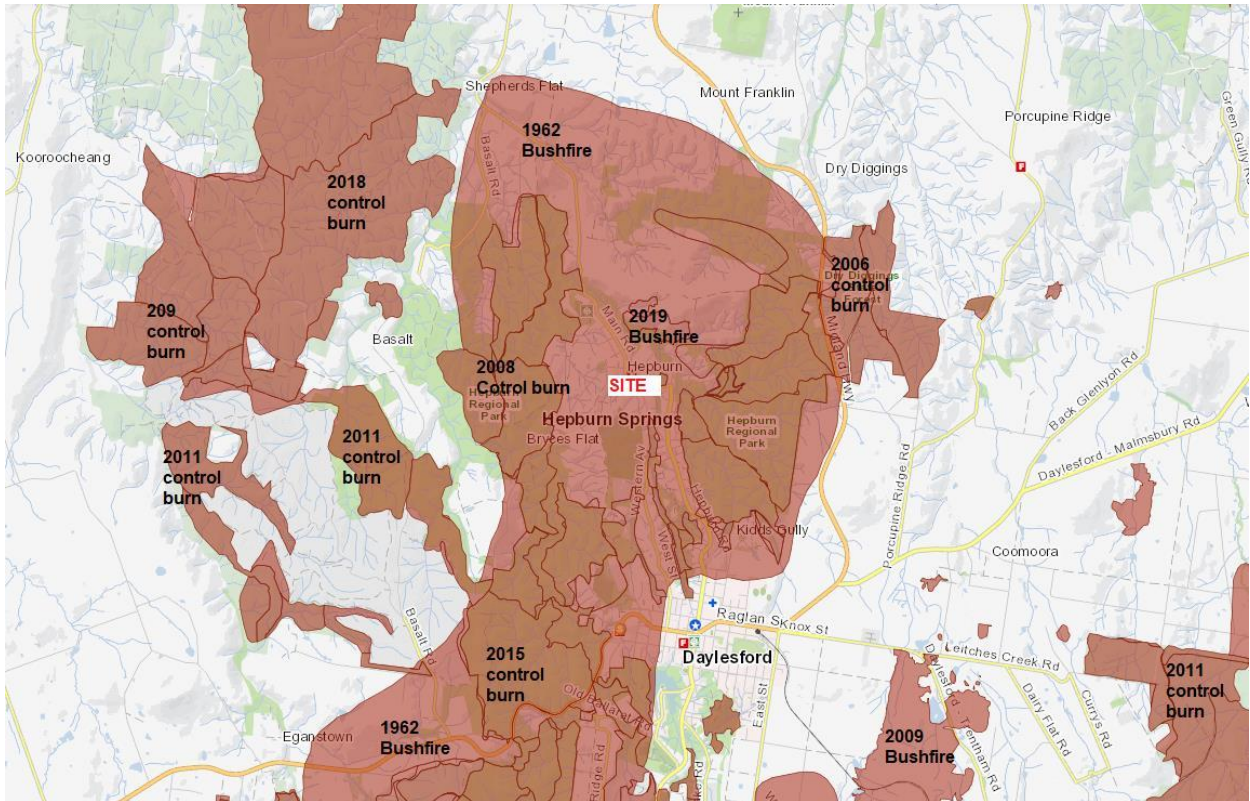
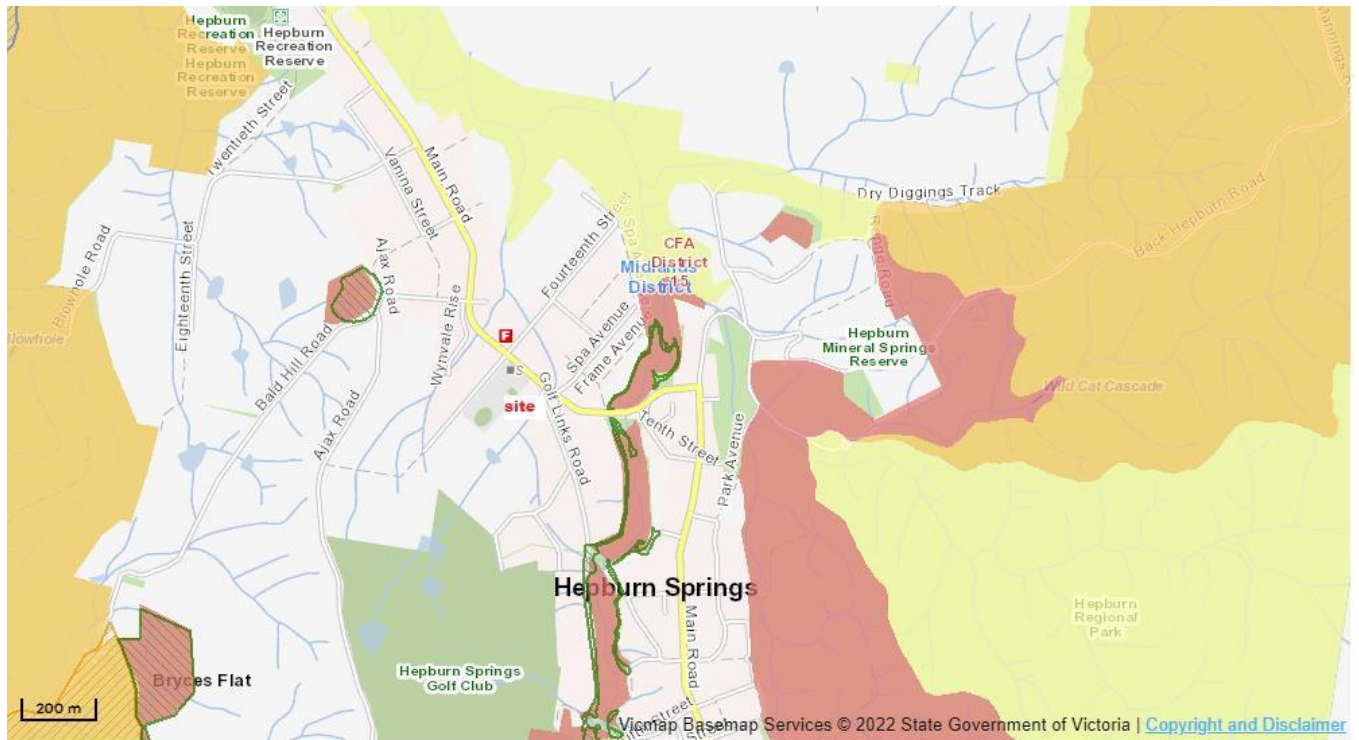


FIGURE 9 BUSHFIRE HISTORY MAP

The Fire History Map above shows that there have been substantial wildfires close to the site in 1965, 2009 and 2019. There have been fuel reduction burns around the site, and Figure 10 shows there are planned burns to reduce the fuel load in near by forest

As shown on Figure 10 Land to the east and west is designated Landscape Management and Bushfire Moderation Zones which aim to reduce the overall fuel load an fire risk

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






Legend

Strategic Fuel Breaks

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

Planned Burns

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

Fire Management Zones

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

FIGURE 10 PLANNED BURNS AND MANAGEMENT ZONES

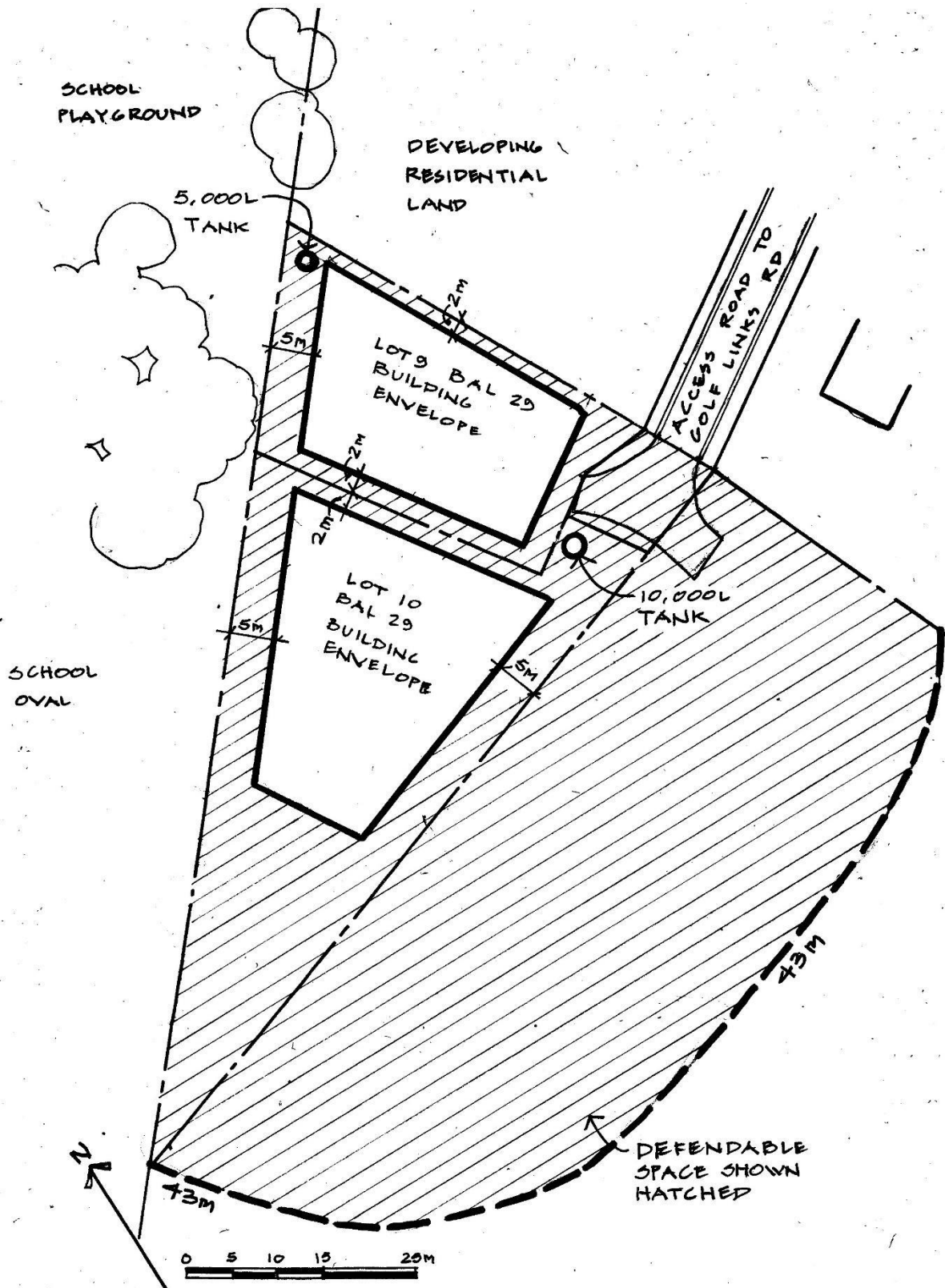


FIGURE 11 DEFENDABLE SPACE , WATER SUPPLY AND ACCESS

SCHEDULE OF BUSHFIRE PROTECTION WORKS

Defendable space

The area of defendable space will be for distance of 43 metres from the beyond building edges or to the property boundaries, as shown hatched on Figure 11 on the previous page. Vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:

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

Construction standards

The buildings will be designed and constructed a minimum Bushfire Attack Level of (BAL) 29

Water supply

The tank for Lots 9 will be non combustible (concrete or metal) and will hold 5000 litres of effective water supply for fire fighting purposes which meets the following requirements:

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

The tank on lot 10 will hold 10, 000 litres and must also include the following in addition to the above

- Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
- The outlet/s of the water tank must be within 4m of the access way and 60 m of all parts of the dwelling and be unobstructed.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
- Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).

Access

The roadway shown on the plan is will provide access for trucks for fire fighting purposes which meets the following requirements:

- Curves must have a minimum inner radius of 10m.
- The average grade must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50m.
- Have a minimum trafficable width of 3.5m of all weather construction.
- Be clear of encroachments for at least 0.5m on each side and 4m above the access way.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.
- A turning head which meets the specification of Austroad Design for an 8.8m Service Vehicle.

9 BUSHFIRE MANAGEMENT STATEMENT

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

Clause	Approved Measure	Achieved / Applicable	Justification
Clause 53.02-3 – Dwellings in existing settlements – Bushfire protection objective	AM 1.1	Not Applicable	This is a subdivision so clauses are not applicable.
	AM 1.2	Not Applicable	
	AM 1.3	Not Applicable	
Clause 53.02-4.1 Landscape, siting and design objectives	AM 2.1	Applicable	This development addresses these clauses.
	AM 2.2	Applicable	
	AM 2.3	Applicable	
Clause 53.02-4.2 Defendable space and construction objectives	AM 3.1	Applicable	The land is being subdivided to allow for residential use
	AM 3.2	Not Applicable	Residential subdivision proposed
	AltM 3.3	Not Applicable	
	AltM 3.4	Not Applicable	
	AltM 3.5	Not Applicable	
	AltM 3.6	Not Applicable	
Clause 53.02-4.3 Water supply and access objectives	AM 4.1	Applicable	This development addresses these clauses.
	AM 4.2	Applicable	
Clause 53.02-4.4 Subdivision objectives	AM 5.1	Applicable	This development addresses these clauses.
	AM 5.2	Applicable	
	AM 5.3	Not Applicable	Less than 9 lots are proposed
	AM 5.4	Applicable	Common property to be managed
	AM 5.5	Not Applicable	Less than 9 lots are proposed

9.1.1 53.02-2.1 Landscape, siting and design objectives

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

Development is sited to minimise the risk from bushfire.

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

Building design minimises vulnerability to bushfire attack.

Approved Measure	Requirement
AM 2.1	<p>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</p> <p>Response:</p> <p>The site is located in Hepburn's residential area .There is a mix of dwellings on lots that support areas of managed gardens and woodland to the north, east and west. There is good access .The zoning allows for higher density residential development . The woodland and fragmented forest on public land to the north, west and east is zoned PCRZ so while it is likely to remain forest, it is covered by an Asset Protection and Bushfire Moderation Zone, which will help reduce the fuel load and risk</p> <p>This site is able to meet the defendable space requirements for BAL 19 and 29 as per the Method 1 assessment of AS 3959-2018 within the property boundaries and surrounding managed gardens.</p>
AM 2.2	<p>Buildings are sited to ensure the site best achieves the following:</p> <p>The maximum separation distance between the building and the bushfire hazard.</p> <ul style="list-style-type: none"> • The building is in close proximity to a public road. • Access can be provided to the building for emergency service vehicles. <p>Response:</p> <p>The subdivision has been planned so that the proposed building envelopes enable enough defendable space surrounding the dwellings to achieve BAL 19 and 29 defendable space .(Figure 9 and Appendix 1)</p> <p>The defendable space is contained within the property boundaries</p> <p>The proposed dwellings will have a short access road connecting to Golf Links Road, close to Main Road on the north east boundary, providing adequate access.</p>
AM 2.3	<p>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building</p> <p>Response:</p> <p>Buildings will be able to meet a BAL of 29. The construction requirements minimise the ability for ember penetration and radiant heat exposure to compromise the building integrity.</p>

53.02-2.3 Water supply and access objectives

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

Approved Measure	Requirement
AM 4.1	<p>A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person's unit, industry, office or retail premises is provided with:</p> <ul style="list-style-type: none"> • A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-3. • Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-3. <p>The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</p> <p>Response:</p> <p>The closest fire hydrant is on the recently constructed access road, within 120 metres of proposed building envelopes This will allow the tank on Lot 9 to be 5000 litres without CFA fittings as the lot is between 500 and 1000 m2 in size.</p> <p>Lot 10 will require 10000 litres with CFA access to the outlet as it is larger than 1000 m2</p> <p>Tanks must be non combustible (metal or concrete)</p> <p>The tank on Lot 9 is required for fire fighting by residents on site as in a major bushfire event the CFA cannot be expected to provide a tanker to each dwelling. Mains water supply may also fail in a bushfire.</p>

9.1.2 53.02-2.4 Subdivision objectives

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

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

Approved Measure	Requirement
AM 5.1	NA as the site is zoned General Residential
AM 5.2	<p>An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows: Each lot satisfies the approved measure in AM 2.1.</p> <p>A building envelope for a single dwelling on each lot that complies with AM 2.2 and provides defendable space in accordance with:</p> <p>Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or</p> <p>Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots. The bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope.</p> <p>Defendable space wholly contained within the boundaries of the proposed subdivision.</p> <p>Defendable space may be shared between lots within the subdivision.</p> <p>Defendable space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defendable space.</p> <p>Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure.</p> <p>Water supply and vehicle access that complies with AM 4.1</p> <p>Response:</p> <p>As shown on Figure 11 and described in Appendix 1, proposed building envelopes are sited to achieve BAL 19 and 29 defendable space (in accordance with Columns B and the final row of Table 2 to Clause 53.02) within the property boundaries. The defendable space has been based on modified vegetation to the north, east and west (2 to 5m), and forest to the south west on a 0 – 5 degree downslope (43m).</p> <p>Vegetation will need to be removed to meet the requirements of Table 6 to Clause 53.02-5.</p> <p>Water supply and access requirements can be met, as previously described under AM 4.1.</p>
AM 5.4	<p>A subdivision manages the bushfire risk to future development form existing or proposed landscaping, public open space and communal areas.</p> <p>Response:</p> <p>The common space along the access way will be maintained to the defendable space standards</p>

10 CONCLUSION

53.02 -4.5 Decision guidelines

The proposed development meets the decision guidelines as follows:

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

Clause 13.02-1 S Bushfire planning

Objective

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

Strategies

Protection of human life

Give priority to the protection of human life by:

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

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

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

This proposal has been prepared having regard for this over arching policy

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

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

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

11 REFERENCES

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CFA (2011). *Landscaping for Bushfire: Garden design and plant selection*. Country Fire Authority, Burwood East, Victoria.

CFA (2012). *FSG LUP 0002 Requirements for water supply and access in the Bushfire Management Overlay (BMO)*. Country Fire Authority, Burwood East, Victoria.

Standards Australia (2009). *AS 39359-2009 Construction of Buildings in Bushfire Prone Areas*. Standards Australia, North Sydney, New South Wales.

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

DELWP (2018) *Clause 13.02-1S Bushfire planning* Department of Environment, Land, Water and Planning

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

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/44_06.pdf

DELWP (2018) *Clause 53.02 Bushfire Planning* Department of Environment, Land, Water and Planning

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

DELWP (2018) *Clause 52.12 Bushfire Protection Exemptions*. Department of Environment, Land, Water and Planning

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/52_12.pdf

DELWP (2018) *Bushfire Fuel and Risk Management*

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

Nearmap

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

APPENDIX 1– BUSHFIRE SITE ASSESSMENT

Component	North	South west	West	East
Vegetation Type	Modified vegetation	Forest	Modified vegetation	Modified vegetation
Slope under vegetation	5 - 10	0 - 5	5 - 10	5 - 10
Distance to vegetation from proposed building envelope	2	0	5	2
Required defensible space for BAL 29	Property boundaries	43	Property boundaries	Property boundaries

APPENDIX 2 DEFENDABLE SPACE CHECKLIST FOR SITE
(TABLE 6, CLAUSE 53.02-3)

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

APPENDIX 3 ACCESS AND WATER SUPPLY REQUIREMENTS

Table 4 Water supply requirements

Capacity, fittings and access

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

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

Fire Authority requirements

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

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

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

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

Table 5 Vehicle access design and construction

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

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

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

>

SCHEDULE OF BUSHFIRE PROTECTION WORKS**Defendable space**

The area of defendable space extend for a distance of 43 m from building edges or to the property boundaries, as shown hatched. Vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:

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

Construction standards

The buildings on lots 9 and 10 will be designed and constructed a minimum Bushfire Attack Level of (BAL) 29 .

Water supply

The tank for Lot 9 will be non combustible (concrete or metal) and will hold 5000 litres of effective water supply for fire fighting purposes which meets the following requirements:

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

-Include a separate outlet for occupant use

The tank on lot 10 will hold 10, 000 litres and must also include the following in addition to the above

- Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
- The outlet/s of the water tank must be within 4m of the access way and 60 m of all parts of the dwelling and be unobstructed.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
- Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).

Access

The roadway will provide access for trucks for fire fighting purposes which meets the following requirements:

- Curves must have a minimum inner radius of 10m.
- The average grade must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50m.
- Have a minimum trafficable width of 3.5m of all weather construction.
- Be clear of encroachments for at least 0.5m on each side and 4m above the access way.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.
- A turning head which meets the specification of Austroad Design for an 8.8m Service Vehicle

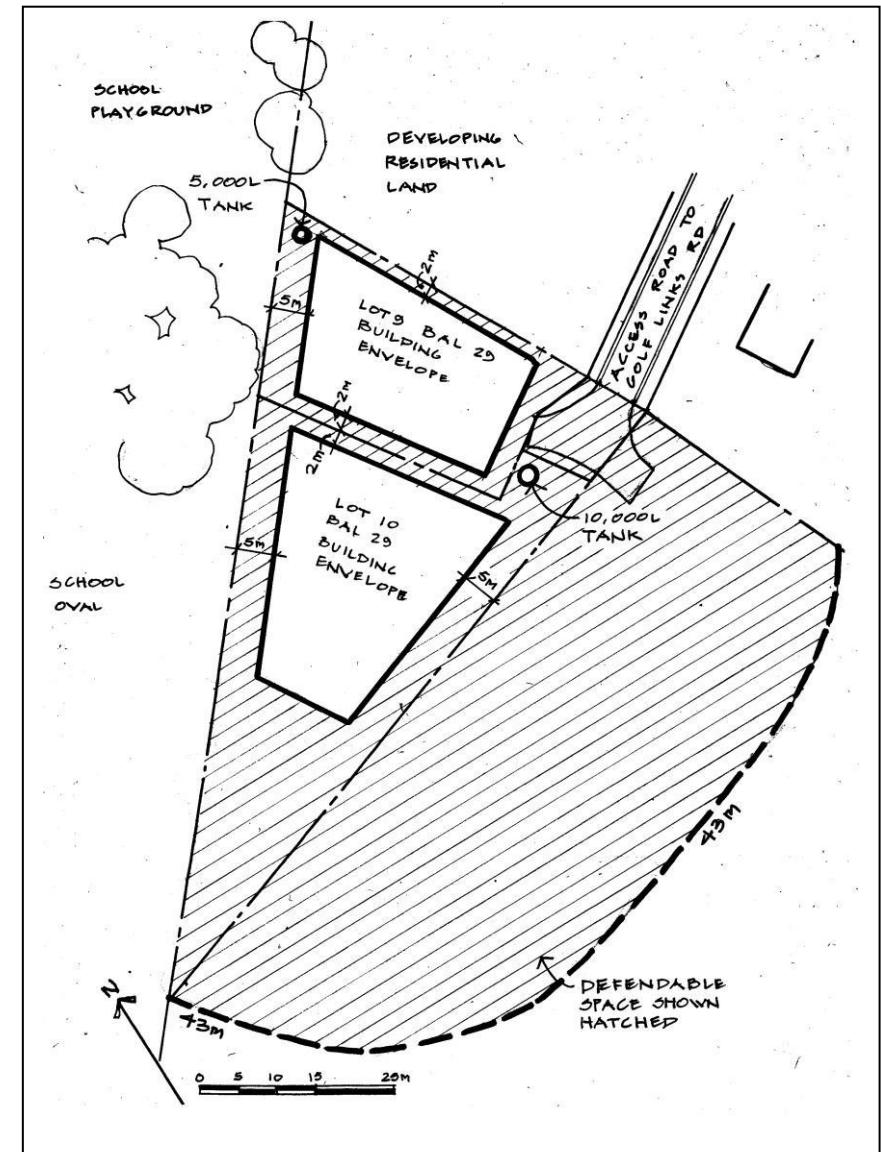


FIGURE 12 BUSHFIRE MANAGEMENT PLAN
6 Golf Links Road Hepburn
Version F **11/5/2024**



Vegetation Assessment Report Lot S4 6 Golf Links Rd Hepburn

3461

06/03/2023

Prepared for

Michael Monaghan on behalf of the
estate of Mary Margaret Monaghan.

Prepared By

Melissa Campbell

Project Arborist

0408255553

Qualifications:

Diploma of Arboriculture

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Wildlife control officer license no (14635889-CX)

Member of Arboriculture Australia



Executive Summary

Melissa Campbell has been engaged by Michael Monaghan on behalf of the estate of Mary Margaret Monaghan to perform a vegetation identification assessment to assist ecologist to prepare offsets

The residents are seeking to develop the site at 6 Golf Links Rd, Hepburn LOTS 9 AND 10. As part of the planning process they require an ecologist report to assess the offset required for the removal of native trees this arborists report will identify native trees and species and Tree Protection zones within the building envelop.

Native species have been identified, photographed, measured, GPS location and health and structure recorded.

Melissa attended the property on 3/03/2023 and assessed vegetation as remnant pine planation and scattered native species.

The Rear of the property is heavily vegetated with the native trees competing with Pinus radiata many with poor health and failing structure.

Contents

Executive Summary	2
1. Disclaimer	4
2. Brief	5
3. Assessment Methodology	5
4. Site map	6
5. Observations	6
.....	7
6. Tree Detail	8
7. Discussion	Error! Bookmark not defined.
8. Recommendations	63
9. Conclusion	63
10. References, definitions	64
Tree Health Definitions	64
Glossary of Arboricultural Terms	65
References	67

1. Disclaimer

This information paper is provided to Michael Monaghan

Due to the nature of trees and the practical limitations in accurately assessing the structural integrity of all parts of a tree it is not possible to make a completely accurate assessment of the condition of a tree. The recommendations in this report are based on visual assessments and external indicators and there is also some degree of subjectivity. This report is intended to be used as a tool to assist in the risk management of trees growing in the vicinity of the general public, private property and infrastructure. It should be noted that any tree near any structure or property or person(s) poses a risk.

To this extent, neither Campbells Arboricultural Consulting nor any of its employees or directors or advisers gives any warranty as to the reliability or accuracy of the information nor accepts any responsibility arising in any other way (including by reason of negligence) for errors or omissions herein nor accepts liability for any loss or damage suffered by any person or any other persons placing any reliance on, acting on the basis of, the contents hereof. No party shall be entitled to raise any claim or suit of action on the basis of the contents of this report.

Michael Monaghan may use all or part of this document as part of managing the trees within this report. This includes sharing this report with a third-party contractor as long as this does under a confidential basis, and they do not redistribute the report without prior written consent from Campbells Arboricultural Consulting.

2. Brief

Melissa Cowburn was engaged by Michael Monaghan on behalf of the estate of Mary Margaret Monaghan.

For the purpose of conducting a Vegetation Identification for an ecology report to estimate offsets on a proposed property Development at 6 Golf links Rd, Hepburn..

The report will follow the Arboriculture Australia reporting guidelines (version 2 2009)

Site is zoned.

(NRZ) NEIGHBOURHOOD RESIDENTIAL ZONE,

(NRZ4) NEIGHBOURHOOD RESIDENTIAL ZONE Schedule 4 ,

(RCZ) RURAL CONSERVATION ZONE

(RCZ2) RURAL CONSERVATION ZONE schedule 2

OVERLAYS

(ESO) ENVIRONMENTAL SIGNIFICANCE OVERLAY

(ESO2) ENVIRONMENTAL SIGNIFICANCE OVERLAY Schedule 2

(ESO1) ENVIRONMENTAL SIGNIFICANCE OVERLAY Schedule 1

(BMO) BUSHFIRE MANAGEMENT OVERLAY

(land.vic.gov.au)

3. Assessment Methodology

Melissa Cowburn attended 6 Golf Links Rd Hepburn on the 3rd March 2023 and assessed the subject Vegetation (see Site Map for location of the trees). Assessment on the vegetation was visual assessments carried out from the ground and was for identification purposes and TPZ impact.

The following equipment was used for the tree assessment:

- Measuring tape
- Ipad MP 272x/A
- GPS

4. Site map

Building envelope in red.


19	<i>Eucalyptus aromaphloia</i>
8	<i>Eucalyptus rubida</i>
15	<i>Eucalyptus radiata</i>
1	<i>Dead</i>
1	<i>acacia melanoxylon</i>
44	TOTAL TREES



5. Observations

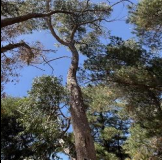
- 44 Native Trees recorded.
- Many in poor health and failing structure.
- Trees are competing with remnants of a pine plantation.

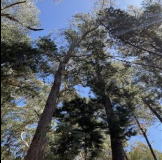
6. Tree Detail

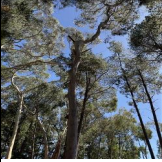
Tree 1		5.13%
DBH of trunk at 1.4m up from base in cm		29 From 0 to 300
 <p>Photo 1</p>		
Tree Species		Blackwood (<i>Acacia melanoxylon</i>)
Health rating		Good
Structure rating		Fair
Is this a hazard tree		Tree is in reasonable health


Tree 2		5.25%
DBH of trunk at 1.4m up from base in cm	41 From 0 to 300	
 <p>Photo 2</p>		
Tree Species	Dead	
Tree Height	10-20m	
Stem assessment	Co-dominate stem	
Health rating	Dead	
Structure rating	Poor	
Is this a hazard tree	Tree is in decline	

Tree 3		2.56%
DBH of trunk at 1.4m up from base in cm	13 From 0 to 300	
 <p>Photo 3</p>		
Tree Species	Scent bark(<i>Eucalyptus aromaphloia</i>)	
Tree Height	5-10m	
Health rating	Poor	
Structure rating	Poor	
Is this a hazard tree	Poor health	


Tree 4	
DBH	32 From 0 to 300
	
Tree Species	Scent bark (<i>Eucalyptus aromaphloia</i>)
Tree Height	10-20m
Health rating	Fair
Structure rating	Poor
Is this a hazard tree	Tree is in reasonable health


Tree 5		7.34%
DBH of trunk at 4m up from base in cm	49 From 0 to 300	
		
Tree Species	Scent bark(<i>Eucalyptus aromaphloia</i>)	
Tree Height	10-20m	
Health rating	Fair	
Structure rating	Fair	
Is this a hazard tree	Tree is in reasonable health	


Tree 6		5.6%
DBH of trunk at 1.4m up from base in cm		39 From 0 to 300
 <p>Photo 6</p>		
Tree Species	Candlebark (<i>Eucalyptus rubida</i>)	
Tree Height	10-20m	
Form	Crown missing Sparse foliage	
Health rating	Poor	
Structure rating	Poor	
Is this a hazard tree	Tree is in decline	


Tree 7	
10.27%	
DBH of trunk at 1.4m up from base in cm	71 From 0 to 300
 <p>Photo 7</p>	
Tree Species	Candlebark (<i>Eucalyptus rubida</i>)
Tree Height	10-20m
Health rating	Good
Structure rating	Good
Is this a hazard tree	Healthy tree

Tree 8		11.67%
DBH of trunk at 1.4m up from base in cm	86 From 0 to 300	
 <p>Photo 8</p>		
Tree Species	Candlebark (<i>Eucalyptus rubida</i>)	
Tree Height	20-30m	
Health rating	fair	
Structure rating	fair	
Is this a hazard tree	Tree is in reasonable health	

Tree 9	
DBH of trunk at 1.4m up from base in cm	8 From 0 to 300
 <p>Photo 9</p>	
Tree Species	Narrow Leafed Peppermint (<i>Euc radiata</i>)
Tree Height	10-20m
Health rating	Fair
Structure rating	Fair
Is this a hazard tree	Tree is in reasonable health


Tree 10		9.22%
DBH of trunk at 1.4m up from base in cm		67 From 0 to 300
		
Photo 10		
Tree Species	Candlebark (<i>Eucalyptus rubida</i>)	
Tree Height	10-20m	
Health rating	Fair	
Structure rating	Poor	
Is this a hazard tree	Tree is in reasonable health	


Tree 11		1.98%
DBH of trunk at 1.4m up from base in cm		7 From 0 to 300
		
Photo 11		
Tree Species	Scent bark(<i>Eucalyptus aromaphloia</i>)	
Tree Height	10-20m	
Stem assessment	Decay in main stem	
Health rating	Fair	
Structure rating	Poor	
Is this a hazard tree	Tree is in reasonable health	

Tree 12	
DBH of trunk at 1.4m up from base in cm	25 From 0 to 300
 <p>Photo 12</p>	
Tree Species	Narrow Leafed Peppermint (<i>Euc radiata</i>)
Tree Height	10-20m
Form	Sparse foliage
Health rating	Fair
Structure rating	Fair
Is this a hazard tree	Tree is in reasonable health


Tree 13		4.08%
DBH of trunk at 1.4m up from base in cm		26 From 0 to 300
		
Photo 13		
Tree Species	Scent bark (<i>Eucalyptus aromaphloia</i>)	
Tree Height	10-20m	
Stem assessment	Co-dominate stem	
Health rating	Fair	
Structure rating	Poor	
Is this a hazard tree	Major branch failure likely	


Tree 14		2.1%
DBH of trunk at 1.4m up from base in cm		7 From 0 to 300
		
Photo 14		
Tree Species	Narrow Leaved Peppermint (<i>Euc radiata</i>)	
Tree Height	10-20m	
Form	Sparse foliage	
Health rating	Poor	
Structure rating	Poor	
Is this a hazard tree	Poor health	


Tree 15		3.03%
DBH of trunk at 1.4m up from base in cm		14 From 0 to 300
		
Photo 15		
Tree Species	Scent bark (<i>Eucalyptus aromaphloia</i>)	
Tree Height	10-20m	
Form	Sparse foliage	
Health rating (10 = healthy & 1 = dead)	Fair From 0 to 10	
Structure rating (10 = healthy & 1 = failure imminent)	Fair From 0 to 10	
Is this a hazard tree	Poor health	


Tree 16		3.85%
DBH of trunk at 1.4m up from base in cm		22 From 0 to 300
		
Photo 16		
Tree Species	Scent bark (<i>Eucalyptus aromaphloia</i>)	
Tree Height	10-20m	
Stem assessment	3 X stems	
Form	Sparse foliage	
Health rating	Fair	
Structure rating	Poor	
Is this a hazard tree	Tree is in reasonable health	


Tree 17		4.67%
DBH of trunk at 1.4m up from base in cm		31 From 0 to 300
		
Photo 17		
Tree Species	Scent bark (<i>Eucalyptus aromaphloia</i>)	
Tree Height	20-30m	
Root assessment	Root plate lifting	
Health rating	Fair	
Structure rating	Very poor	
Is this a hazard tree	Has signs that it will likely fail in the next 12 months	

Tree 18		3.5%
DBH of trunk at 1.4m up from base in cm		19 From 0 to 300
		
Photo 18		
Tree Species	Scent bark(<i>Eucalyptus aromaphloia</i>)	
Tree Height	10-20m	
Root assessment	Decay at base	
Stem assessment	Co-dominate stem	
Health rating	Fair	
Structure rating	Poor	
Is this a hazard tree	Tree is in reasonable health	


Tree 19		3.73%
DBH of trunk at 1.4m up from base in cm		20 From 0 to 300
		
Photo 19		
Tree Species	Scent bark(<i>Eucalyptus aromaphloia</i>)	
Tree Height	10-20m	
Health rating	Fair	
Structure rating	Fair	
Is this a hazard tree	Tree is in reasonable health	

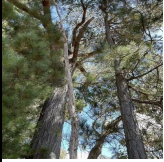
Tree 20		5.83%
DBH of trunk at 1.4m up from base in cm		39 From 0 to 300
		
Photo 20		
Tree Species	Narrow Leafed Peppermint (<i>Euc radiata</i>)	
Tree Height	10-20m	
Stem assessment	4X main stems	
Health rating	Fair	
Structure rating	Poor	
Is this a hazard tree	Tree is in reasonable health	

Tree 21		7.12%
DBH of trunk at 1.4m up from base in cm		48 From 0 to 300
		
Photo 21		
Tree Species		Candlebark (<i>Eucalyptus rubida</i>)
Tree Height		10-20m
Health rating		Fair
Structure rating		Fair F
Is this a hazard tree		Tree is in reasonable health


Tree 22		2.8%
DBH of trunk at 1.4m up from base in cm		18 From 0 to 300
		
Photo 22		
Tree Species	Narrow Leafed Peppermint (<i>Euc radiata</i>)	
Tree Height	10-20m	
Root assessment	Decay at base	
Stem assessment	Co-dominate stem	
Form	Sparse foliage	
Health rating	Very Poor	
Structure rating	Very Poor	
Is this a hazard tree	Has signs that it will likely fail in the next 12 months	

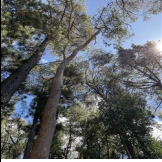
Tree 23		2.68%
DBH of trunk at 1.4m up from base in cm		14 From 0 to 300
 <p>Photo 23</p>		
Tree Species	Candlebark (<i>Eucalyptus rubida</i>)	
Tree Height	10-20m	
Form	Sparse foliage	
Health rating	Poor	
Structure rating	Fair	
Is this a hazard tree	Poor health	

Tree 24		1.75%
DBH of trunk at 1.4m up from base in cm		7 From 0 to 300
		
Photo 24		
Tree Species	Scent bark(<i>Eucalyptus aromaphloia</i>)	
Tree Height	10-20m	
Root assessment	Decay at base	
Stem assessment	Major Lean	
Health rating	Poor	
Structure rating	Very Poor	
Is this a hazard tree	Has signs that it will likely fail in the next 12 months	

Tree 25		8.05%
DBH of trunk at 1.4m up from base in cm		55 From 0 to 300
 <p>Photo 25</p>		
Tree Species	Scent bark(<i>Eucalyptus aromaphloia</i>)	
Tree Height	20-30m	
Health rating	Fair	
Structure rating	Fair	
Is this a hazard tree	Tree is in reasonable health	


Tree 26		1.98%
DBH of trunk at 1.4m up from base in cm	8 From 0 to 300	
 <p>Photo 26</p>		
Tree Species	Scent bark(<i>Eucalyptus aromaphloia</i>)	
Tree Height	5-10m	
Stem assessment	Decay in main stem	
Health rating	Poor	
Structure rating	Very Poor	
Is this a hazard tree	Has signs that it will likely fail in the next 12 months	


Tree 27		2.57%
DBH of trunk at 1.4m up from base in cm		11 From 0 to 300
		
Photo 27		
Tree Species	Narrow Leafed Peppermint (<i>Euc radiata</i>)	
Tree Height	10-20m	
Root assessment	Decay at base	
Health rating	Fair	
Structure rating	Poor	
Is this a hazard tree	Has signs that it will likely fail in the next 12 months	


Tree 28		2.33%
DBH of trunk at 1.4m up from base in cm		8 From 0 to 300
 <p>Photo 28</p>		
Tree Species		Narrow Leafed Peppermint (<i>Euc radiata</i>)
Tree Height		5-10m
Health rating		Fair From 0 to 10
Structure rating		Fair From 0 to 10
Is this a hazard tree		Tree is in reasonable health

Tree 29		3.73%
DBH of trunk at 1.4m up from base in cm		24 From 0 to 300
		
Photo 29		
Tree Species	Narrow Leafed Peppermint (<i>Euc radiata</i>)	
Tree Height	10-20m	
Form	Sparse foliage	
Health rating	Poor	
Structure rating	Very Poor	
Is this a hazard tree	Poor health	


Tree 30		11.07%
DBH of trunk at 1.4m up from base in cm		82 From 0 to 300
		
Photo 30		
Tree Species	Scent bark (<i>Eucalyptus aromaphloia</i>)	
Tree Height	10-20m	
Stem assessment	Co-dominate stem	
Health rating	Fair	
Structure rating	Fair	
Is this a hazard tree	Tree is in reasonable health	


Tree 31		6.53%
DBH of trunk at 1.4m up from base in cm		45 From 0 to 300
		
Photo 31		
Tree Species	Scent bark(<i>Eucalyptus aromaphloia</i>)	
Tree Height	10-20m	
Stem assessment	3 X stems	
Health rating	Fair	
Structure rating	Poor	
Is this a hazard tree	Tree is in reasonable health	


Tree 32		2.45%
DBH of trunk at 1.4m up from base in cm		9 From 0 to 300
 <p>Photo 32</p>		
Tree Species		Narrow Leafed Peppermint (<i>Euc radiata</i>)
Tree Height		10-20m
Health rating		Fair
Structure rating		Fair
Is this a hazard tree		Tree is in reasonable health


Tree 33		2.57%
DBH of trunk at 1.4m up from base in cm		13 From 0 to 300
		
Photo 33		
Tree Species	Narrow Leafed Peppermint (<i>Euc radiata</i>)	
Tree Height	10-20m	
Root assessment	Decay at base	
Health rating	Fair	
Structure rating	Very Poor	
Is this a hazard tree	Has signs that it will likely fail in the next 12 months	


Tree 34		2.91%
DBH of trunk at 1.4m up from base in cm		15 From 0 to 300
Take photo		
		
Photo 34		
Tree Species		Narrow Leafed Peppermint (<i>Euc radiata</i>)
Tree Height		10-20m
Stem assessment		Decay in main stem
Health rating		Fair
Structure rating		Poor
Is this a hazard tree		Tree is in reasonable health

Tree 35		2.1%
DBH of trunk at 1.4m up from base in cm		7 From 0 to 300
		
Photo 35		
Tree Species	Narrow Leafed Peppermint (Euc radiata)	
Tree Height	10-20m	
Health rating	Fair From 0 to 10	
Structure rating	Poor From 0 to 10	
Is this a hazard tree	Tree is in reasonable health	

Tree 36		3.73%
DBH of trunk at 1.4m up from base in cm	25 From 0 to 300	
 <p>Photo 36</p>		
Tree Species	Scent bark(<i>Eucalyptus aromaphloia</i>)	
Tree Height	10-20m	
Root assessment	Decay at base	
Form	Sparse foliage	
Health rating	Very Poor	
Structure rating	Very Poor	
Is this a hazard tree	Poor health	

Tree 37		3.03%
DBH of trunk at 1.4m up from base in cm		14 From 0 to 300
		
Photo 37		
Tree Species	Narrow Leafed Peppermint (<i>Euc radiata</i>)	
Tree Height	10-20m	
Health rating	Fair	
Structure rating	Fair	
Is this a hazard tree	Tree is in reasonable health	


Tree 38		3.5%
DBH of trunk at 1.4m up from base in cm		17 From 0 to 300
		
Photo 38		
Tree Species	Narrow Leafed Peppermint (<i>Euc radiata</i>)	
Tree Height	10-20m	
Health rating	Good	
Structure rating	Fair	
Is this a hazard tree	Tree is in reasonable health	

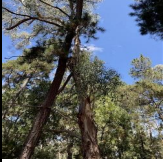
Tree 39		2.33%
DBH of trunk at 1.4m up from base in cm		8 From 0 to 300
 <p>Photo 39</p>		
Tree Species		Scent bark (<i>Eucalyptus aromaphloia</i>)
Tree Height		10-20m
Health rating		Fair
Structure rating		Fair
Is this a hazard tree		Tree is in reasonable health

Tree 40	
DBH of trunk at 1.4m up from base in cm	22 From 0 to 300
 <p>Photo 40</p>	
Tree Species	Scent bark (<i>Eucalyptus aromaphloia</i>)
Tree Height	10-20m
Root assessment	Decay at base
Stem assessment	Bifurcation
Health rating	Fair From 0 to 10
Structure rating	Poor From 0 to 10
Is this a hazard tree	Tree is in reasonable health

Tree 41		3.5%
DBH of trunk at 1.4m up from base in cm	18 From 0 to 300	
 <p>Photo 41</p>		
Tree Species	Narrow Leafed Peppermint (<i>Euc radiata</i>)	
Tree Height	10-20m	
Health rating	Fair	
Structure rating	Fair	
Is this a hazard tree	Tree is in reasonable health	

Tree 42		2.33%
DBH of trunk at 1.4m up from base in cm		14 From 0 to 300
 <p>Photo 42</p>		
Tree Species	Scent bark (<i>Eucalyptus aromaphloia</i>)	
Tree Height	10-20m	
Stem assessment	Decay in main stem	
	Major Lean	
Form	Sparse foliage	
Health rating	Very Poor	
Structure rating	Very Poor	
Is this a hazard tree	Has signs that it will likely fail in the next 12 months	

Tree 43	
13.19%	
DBH of trunk at 1.4m up from base in cm	105 From 0 to 300
 <p>Photo 43</p>	
Tree Species	Candlebark (<i>Eucalyptus rubida</i>)
Tree Height	20-30m
Location type	Good habitat value
Root assessment	Root plate lifting
Form	Sparse foliage
	Past branch failure
Health rating	Poor
Structure rating	Ver Poor
Is this a hazard tree	Has signs that it will likely fail in the next 12 months

Tree 44		9.22%
DBH of trunk at 1.4m up from base in cm		67 From 0 to 300
 <p>Photo 44</p>		
Tree Species		Candlebark (<i>Eucalyptus rubida</i>)
Tree Height		10-20m
Health rating		Fair
Structure rating		Fair
Is this a hazard tree		Tree is in reasonable health

Appendix

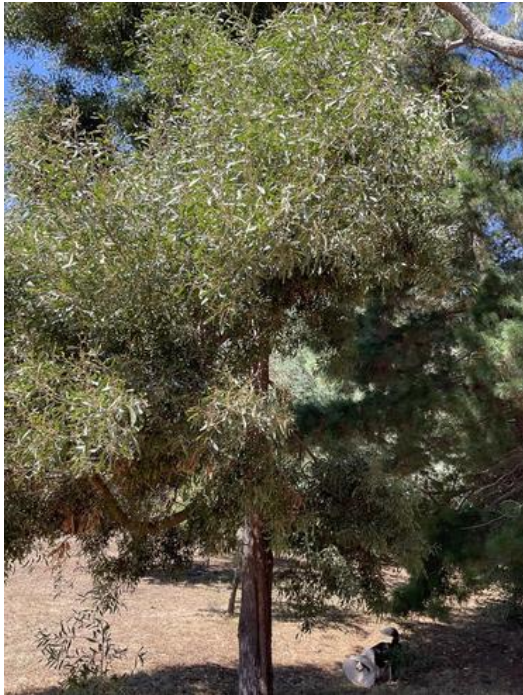


Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8



Photo 9



Photo 10



Photo 11



Photo 12



Photo 13



Photo 14



Photo 15



Photo 16



Photo 17



Photo 18



Photo 19



Photo 20



Photo 21



Photo 22



Photo 23



Photo 24



Photo 25



Photo 26



Photo 27



Photo 28



Photo 29

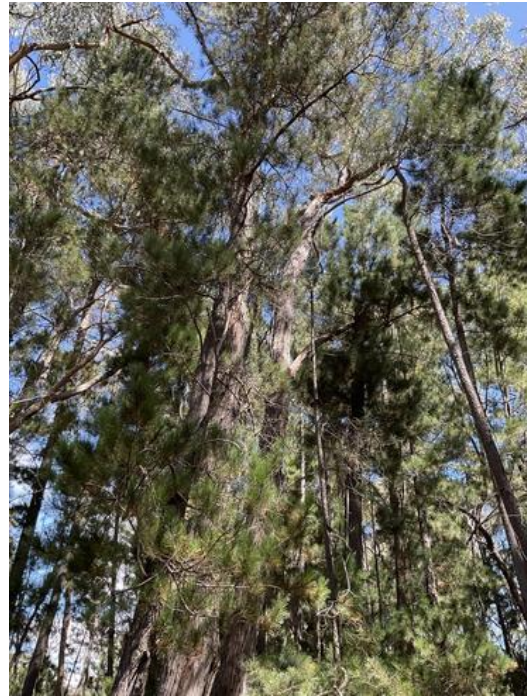


Photo 30



Photo 31



Photo 32



Photo 33



Photo 34



Photo 35



Photo 36



Photo 37



Photo 38



Photo 39



Photo 40



Photo 41



Photo 42



Photo 43



Photo 44

- In total 44 trees were assessed, not all trees are in the building envelope, but TRZ will impacted.

8. Recommendations

This report identifies native species , health and structure and needs to be considered when preparing offsets.

9. Conclusion

- 44 Native trees assessed.
- many in poor health with failing structure.
- Native vegetation competing with remnants of a pine plantation.

10. References, definitions

Tree Health Definitions

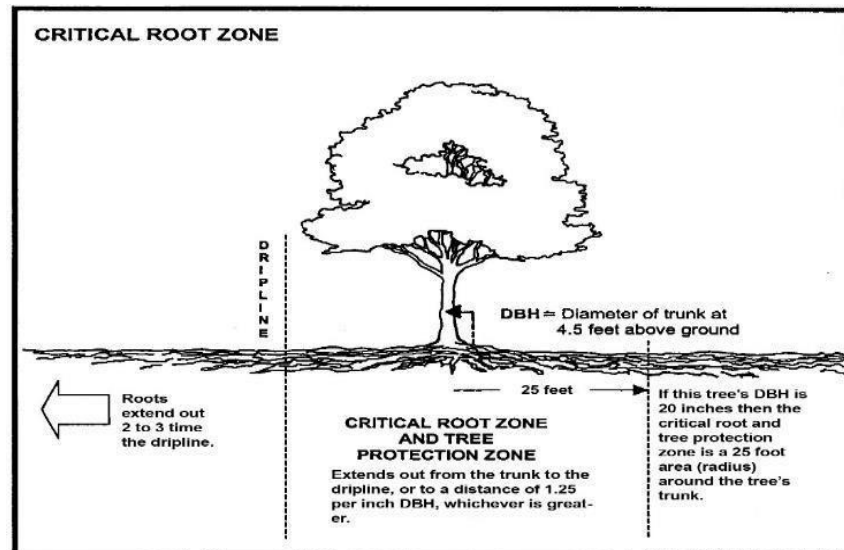
Term	Definition
Excellent	The tree is demonstrating excellent or exceptional growth. The tree should exhibit a full canopy of foliage and be free of pest and disease problems.
Very Good	The tree is functioning very well and is free of pest and diseases.
Good	The tree is in reasonable condition and growing well. The tree should exhibit a full canopy of foliage and only minor pest and disease problems.
Fair	The tree is in reasonable condition and growing well. The tree should exhibit an adequate canopy of foliage. There may be some dead wood present in the crown. Some grazing of insects or possums may be evident.
Poor	The tree is not growing to its full capacity; extension growth of the laterals is minimal. The crown may be thinning or sparse. Large amounts of dead wood may be evident or symptoms of stress indicating tree decline.
Very Poor	The tree appears to be dying, with a significant amount of dead wood in the canopy. Pest and disease problems maybe causing a severe decline in tree health.
Dead	The tree is dead – no evidence of any live tissue.

Tree Structure Definitions

Term	Definition
Excellent	The form of the tree is very typical of the species and all union joints are strong. There are no cracks and the bark is consistent.
Good	The tree has a well-defined and balanced crown. Branch unions appear to be strong, with no defects evident in the trunk or in the branches. Major limbs are well defined. The tree is considered a good example of the species.
Fair	The tree has some minor problems in the structure of the crown. The crown may be slightly out of balance and some branch unions may be exhibiting minor structural faults. If the tree has a single trunk, it may be on a slight lean or exhibiting minor defects.
Poor	The tree may have a poorly structured crown. The crown may be unbalanced or exhibit large gaps. Major limbs may not be well defined. Branches may be rubbing or crossing over. Branch unions may be poor or faulty at the point of attachment. The tree may have suffered root damage.
Very Poor	The tree has a poorly structured crown. The crown is unbalanced or exhibit large gaps with possibly large sections of dead wood. Major limbs may not be well defined. Branches may be rubbing or crossed over. Branch unions may be poor or faulty at the point of attachment. Branches may exhibit large cracks that are likely to fail in the future. The tree may have suffered major root damage
Failed	The tree has a very poorly structured crown. A section of the tree has failed or is in imminent danger of failure

Glossary of Arboricultural Terms

- Bifurcation: To divide into two parts or branches. Also referred to as Co-dominant stems where two stems or trunks of equal size that develop from 2 apical buds at the tip of the same stem. Each co-dominant stem is a direct extension of the stem below its origin. There are no branch collars or truck collars at the base of co-dominant stems. Also, there is no 'built in' protection zone at the base of each co-dominant stem as there is at the base of branches. When a pathogen spreads downwards in a co-dominant stem, there are no natural protection boundaries to resist its spread, A stem bark ridge separates the 2 stems from each other. The 2 stems may have a strong union and the ridge of the stem will point upwards. If included bark separates the 2 stems, a very weak union develops and the stem bark ridge turns inwards or invaginated. This leads to structural failure and branch splitting. (Shigo 1986)
- Buttress Zone; The region at the base of a tree where the major lateral roots join the stem.
- Co-dominant stem; two or more main stems (or "leaders") that are about the same diameter and emerge from the same location on the main trunk.
- Critical Root Zone



- Diameter at breast height (DBH) The nominal trunk diameter at 1.4 m above ground level determined by the circumference of the trunk divided by pi. For trees with multiple trunks

$$\text{Total DBH} = \sqrt{(\text{DBH}_1)^2 + (\text{DBH}_2)^2 + (\text{DBH}_3)^2}$$

- Tree Protection Zone (TPZ): A specified area above and below the ground and at a given distance from the trunk set aside for the protection of a trees roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development. As per the Australian Standard AS 4970:2009 It is calculated as 12 x DBH of the tree trunk.
- Tree Structure: Refers to the trunk form and branch structure. It refers to the arrangement of scaffold branches, the degree of trunk taper, the symmetry of the canopy, whether the tree has any decay present in the branches, trunk or roots, or other structural problems such as included bark in the union of codominant stems. It covers tree stability and branch points of attachment. It also pertains to the root system which may or may not have been disturbed through earthworks, or other structural root problems such root girdling which may affect a trees stability Categories: Very Good, Good, Fair, Poor.
- U.L.E – Useful Life Expectancy: That age at which a tree is sufficiently healthy and free of problems which can cause the tree to be hazardous. If the tree has structural or other health anomaly's the tree may be managed through arboricultural inputs that are not excessive and justify the trees ongoing management and preservation. Once a tree undergoes senescence the tree will have usually entered the end of its U.L.E 'Included' Trunk or branch Unions: where the branch bark ridge turns inward creating a structurally flawed union. It typically occurs with co – dominant stems that originate from the same position often growing to a similar diameter as the stem diameter increases the stems or trunks push against one another and may cause cracks below the stems which are prone to failure under moderate loading.

References

Native Vegetation Technical Infrastructure Sheet 2011

AS 4970 – 2009 – Protection of Trees on development sites

Tree Protection Standards in Construction Sites, Dicke S.G 2006. Publication #FO468 of the Forest and Wildlife

Arboricultural reporting guidelines for developments (version 2 November 2009)

Modern Arboriculture Alex L Shigo 2003

Google maps

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

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

CFA Ref: 15000-79806-137826
Council Ref: PLN23/0061

19 July 2024

Richard Siedlecki
Hepburn Shire Council
PO Box 21
DAYLESFORD VIC 3460

Dear Richard,

LETTER OF ADVICE

Application No: PLN23/0061
Site Address: 6 Golf Links Road Hepburn 3461
Proposal: Three (3) Lot Subdivision In Bmo

I refer to correspondence dated 9th July 2024 seeking comments on the above application. CFA have reviewed the application documentation and provide the following comments:

1. Application does not meet the objectives of AM 5.2 to Clause 53.02-4.4

Further Comments

- The design of the subdivision does not meet the objectives of AM5.2 to Clause 53-02-4.4, specifically the defensible space and access components.
 - The proposed defensible space within lot S5 does not provide reasonable assurance of continued management and cannot be considered 'shared' between the lots in the subdivision. Furthermore, the application of defensible space on land subject to the Rural Conservation Zone (RCZ) & Environmental Significance Overlay (ESO) likely contradicts the intention of the zone and overlay.
 - The proposed turn around area relies on trafficable hardstand within lot S5 which does not provide reasonable assurance of continued maintenance. The access arrangement should be on common property.
- CFA advise that the proposed building envelopes do not appear to achieve fire hydrant coverage from the existing infrastructure and any subdivision will likely be required to meet the hydrant conditions.

- CFA's RFI dated 11 July 2023 raised discrepancies between the plan of subdivision and the Bushfire Management Plan (BMP). The updated application documents did not include an updated plan of subdivision so CFA have been unable to determine if the discrepancies have been remedied.

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

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M Bailey', with a stylized flourish at the end.

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

12 A RESILIENT AND SUSTAINABLE ENVIRONMENT

12.1 CLIMATE RISK MANAGEMENT POLICY

DIRECTOR INFRASTRUCTURE AND DELIVERY

In providing this advice to Council as the Sustainability and Climate Resilience Coordinator, I Manny Pasqualini have no interests to disclose in this report.

ATTACHMENTS

1. Hepburn Shire Council Draft Climate Risk Management Policy 2024 [12.1.1 - 7 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *Adopts the Climate Risk Management Policy as attached to this report; and,*
2. *Endorses a copy of the of the Climate Risk Management Policy to be published on Council's website.*

EXECUTIVE SUMMARY

Climate hazards, such as increased storm and rainfall intensity, extreme temperatures and fire risk are already being felt across Hepburn Shire. With extreme weather becoming more intense and frequent, climate hazards will increasingly impact the municipality's assets and operations unless appropriately mitigated. Highly valued natural environments in the Shire are also already being impacted, with flow on impacts to community and the local economy. In recognition of this growing risk, Hepburn Shire Council declared a Climate Emergency in 2019 and has prioritised both climate mitigation and adaptation in recent years.

Council understands the benefit of taking action and mitigating risk early and in a planned way, far outweighs the likely cost of addressing severe impacts to our operations and community in an ad-hoc manner.

The Climate Risk Management Policy formalises Council's approach to climate risk and resilience and reconfirms an organisational wide commitment to embed sustainability and climate change into Council decision-making processes.

BACKGROUND

This scope of work was identified as a priority action in the 2023/2024 Council Annual Plan and an important strategic action in our Sustainable Hepburn Strategy 2022-2026. The Climate Risk Management Policy was presented to Councillors at a briefing on 13 August 2024, following a series of presentations in recent months to the Executive Leadership Team, Senior Leadership Team and via a dedicated workshop in May 2024 with leadership and key officers from a number of Council teams.

Climate hazards, such as increased storm and rainfall intensity, extreme temperatures and fire risk are already being felt. With extreme weather becoming more intense and frequent, climate hazards will increasingly impact the municipality's assets and operations unless appropriately mitigated. Highly valued natural environments in the Shire are also already being impacted, with flow on impacts to community and the local economy. In recognition of this growing risk, Hepburn Shire Council declared a Climate Emergency in 2019. Key Council documents such as the Council Plan 2021-2025, the Municipal Health and Wellbeing Plan, and Sustainable Hepburn Strategy 2022-2026 further identify the impacts of climate change across the Shire, and the need for immediate action to both mitigate and adapt to climate change.

Despite local, national and international efforts to mitigate climate change, some climate changes are already "locked in". Global average temperature is already in excess of 1.5 degrees Celsius warmer than pre-industrial levels. Climate adaptation and risk management involves minimizing harm, identifying and acting on opportunities, and coping with consequences. Hepburn Shire Council has prioritised both climate mitigation and adaptation in recent years and understands that the benefit of taking action and mitigating risk early in a planned way far outweighs the likely cost of addressing severe impacts to our operations and community in an ad-hoc manner.

The Climate Risk Management Policy formalises Council's approach to climate risk and resilience and confirms the organisation-wide commitment to embed sustainability and climate change into Council decision-making processes.

Key terms and concepts

Climate mitigation: The process of deliberately reducing or preventing greenhouse gas emissions and resource usage in order to contribute to limiting the severity of future climate change. Mitigation strategies play a key role in limiting the extent of global warming and mitigating its adverse impact on socio-ecological systems.

Climate risk: Occurs when hazards pose potential negative consequences due to the exposure and vulnerability of human or ecological systems, impacting various aspects of life, livelihoods, health, infrastructure, ecosystems, and more.

Climate adaptation: The process of adjusting to the actual or anticipated effects of climate change. Adaptation strategies play a crucial role in reducing exposure and vulnerability to climate change, with approaches ranging from proactive to transformational.

Climate resilience: The ability of systems, including social, economic, natural, and engineered systems, to withstand and respond effectively to hazardous events or disturbances while maintaining their core functions and structures.

KEY ISSUES

Council recognises that the climate is changing, and that Council has a key role to play in ensuring the municipality is adapting to a future with more frequent and severe climate-related events like bushfires, floods, droughts and heatwaves. With climate impacts projected to affect almost all areas of local government responsibility, future-proofing Council's operations, services and decision-making processes is crucial to continued service delivery. Additionally, Council is committed to addressing climate justice and equity through its adaptation efforts by ensuring that all members of the community are supported and have access to resources in the face of these challenges.

Council will:

- Deliver climate-responsive operations, services and decision-making processes consistently and meaningfully across all Council service areas
- Proactively minimise climate-related service disruption and impact to its customers, staff and stakeholders
- Promote and implement climate justice, circular economy, and intergenerational equity principles in all climate risk management practices
- Make preparedness to climate change a key priority to help buffer future impacts and recovery costs of extreme weather events
- Advocate to other levels of government and work in partnership with the community and key stakeholders to coordinate adaptation responses.

This is proposed to be achieved through application of a climate lens across six opportunity areas, outlined in the attached Policy document.

This policy statement is designed to assist Council and provide direction in its decision-making and managing risks from climate change, build adaptive capacity and reduce vulnerability to future proof our operations. It applies to all Council staff and all decisions, operations and actions across Council service areas.

A climate risk assessment of Council operations and 'gaps and opportunities' review has been initiated and is currently in draft form. It has included participation and review by members of the Senior Leadership Team and other staff from relevant areas during the first half of 2024.

The policy will be integrated into Council's broader Risk Management process, including regular updates to the Risk Register.

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.

1.2 Prioritise environmental management, protection and regeneration.

1.3 Transition to ecologically sustainable and accountable tourism.

1.4 Development meaningful policies and strategic partnerships that link sustainability and public health

1.5 Protect and regenerate the natural resources of the Shire including soils, water and ecological systems from both current and future threats

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

3.1 Partner with and empower our Traditional Owners and broader community to acknowledge, understand, celebrate and preserve our area's cultures, traditions and environs.

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

A dynamic and responsive Council

5.4 Improve staff resourcing, support, and capacity building.

5.5 Strong asset management and renewal.

The Climate Risk Management Policy formalises Council's approach to climate risk and resilience and reconfirms the organisation-wide commitment to embed sustainability and climate change into Council decision-making processes. This is in line with the duty of care, role and legislative responsibility of all local governments in Victoria, which under the *Local Government Act 2020*, *Climate Change Act 2017* and *Public Health and Wellbeing Act 2008* now extends to decision-making in the context of climate change risk and adaptation.

FINANCIAL IMPLICATIONS

This policy is not about financial investment, it is about improving decision making processes to better insulate ourselves against future climate impacts, or respond to impacts already experienced. We don't know exactly what those impacts will be or how severe - that will depend on the rate of global greenhouse gas reduction and carbon sequestration, and what happens with global and local climate systems. What

we do know is that we are already experiencing climate impacts of greater frequency, severity and unpredictability, and that this will continue to be the case even if global action improves in the coming years.

What we can do is improve on the things that we can control, such as decisions relating to areas of our operations and service provision that could expose us to unexpected costs in future. We know that the costs of climate change are real and are likely to get worse, and that when investment is required, early investment is financially prudent. International research estimates that every \$1 spent on adapting to climate change now saves society an average of \$3-6 in future costs.

It is important that all teams, managers and leadership are brought into decision-making around climate change and the risks and opportunities it presents, and that is what this policy seeks to embed across council operations.

Any decisions around funding specific climate resilience measures will be made as part of a separate process, or on a case by case basis as the situation requires. This is how we have approached climate mitigation and adaptation response in previous years and the primary change that this policy would bring is a more coordinated, efficient and effective approach across the organisation as a whole.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

This policy relates to Council internal operations and as such there are no community or stakeholder engagement implications associated with this report, however extensive engagement and co-design with the community was key to developing the Sustainable Hepburn Strategy to which this policy is a key action. Our Sustainable Hepburn Advisory Committee has been consulted as the policy was developed over the past 12 months.

RISK AND GOVERNANCE IMPLICATIONS

The Climate Risk Management Policy formalises Council's approach to climate risk and resilience and reconfirms the organisation-wide commitment to embed sustainability and climate change into Council decision-making processes. This is in line with the duty of care, role and legislative responsibility of all local governments in Victoria, which under the *Local Government Act 2020*, *Climate Change Act 2017* and *Public Health and Wellbeing Act 2008* now extends to decision-making in the context of climate change risk and adaptation.

The *Local Government Act 2020* includes the overarching governance principle that:

"The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted."

There is a clear expectation and legal responsibility for Council to publicly acknowledge climate impacts, address opportunities to reduce exposure and

vulnerability across the Shire and take steps to make informed climate-responsive decisions.

This policy statement is designed to assist Council and provide direction in its decision-making and managing risks from climate change, build adaptive capacity and reduce vulnerability to future proof our operations. It applies to all Council staff and all decisions, operations and actions across Council service areas.

A climate risk assessment of Council operations and 'gaps and opportunities' review has been initiated and is currently in draft form. It has included participation and review by members of the Senior Leadership Team and other staff from relevant areas during the first half of 2024.

The policy will also be integrated into Council's broader Risk Management process, including regular updates to the Risk Register.

ENVIRONMENTAL SUSTAINABILITY

Climate hazards, such as increased storm and rainfall intensity, extreme temperatures and fire risk are already being felt across Hepburn Shire. With extreme weather becoming more intense and frequent, climate hazards will increasingly impact the municipality's assets and operations unless appropriately mitigated. Highly valued natural environments in the Shire are already being impacted, with flow on impacts to community and the local economy. In recognition of this growing risk, Council declared a Climate Emergency in 2019. Key Council documents such as the Council Plan 2021-2025, the Municipal Health and Wellbeing Plan, and Sustainable Hepburn Strategy 2022-2026 further identify the impacts of climate change across the Shire, and the need for immediate action to both mitigate and adapt to climate change.

Despite local, national and international efforts to mitigate climate change, some climate changes are already "locked in". Global average temperature is already in excess of 1.5 degrees Celsius warmer than pre-industrial levels. Climate adaptation and risk management involves minimizing harm, identifying and acting on opportunities, and coping with consequences. Hepburn Shire Council has prioritised both climate mitigation and adaptation in recent years and understands that the benefit of taking action and mitigating risk early on far outweighs the likely cost of addressing severe impacts to our operations and community in an ad-hoc manner.

The Climate Risk Management Policy formalises Council's approach to climate risk and resilience and reconfirms the organisation-wide commitment to embed sustainability and climate change into Council decision-making processes.

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report. However, gender impact assessments will be made on a case by case as part of the delivery of this policy.

CLIMATE RISK MANAGEMENT POLICY

POLICY NUMBER: 96 (C)

NAME OF POLICY: CLIMATE RISK MANAGEMENT POLICY

DATE OF NEXT REVIEW: <Month Year - based on review frequency>

DATE APPROVED: <Insert date adopted by Council>

RESPONSIBLE OFFICER: Director Infrastructure and Delivery

REFERENCES: Local Government Act (2020)
Climate Change Act (2017)
Public Health and Wellbeing Act (2008)

CLIMATE RISK MANAGEMENT POLICY

INTRODUCTION

Climate hazards, such as increased storm and rainfall intensity, and extreme temperatures are already being felt across Hepburn Shire. With extreme weather becoming more intense and frequent, climate hazards will increasingly impact the municipality's assets and operations unless appropriately mitigated. Highly valued natural environments in the Shire are also already being impacted, with flow on impacts to community and the local economy.

In recognition of this growing risk, Hepburn Shire Council declared a Climate Emergency in 2019. Key Council documents such as the Council Plan 2021-2025, Municipal Public Health and Wellbeing Plan, and Sustainable Hepburn 2022-2026 further identify the impacts of climate change across the Shire, and the need for immediate action to both mitigate and adapt to climate change. Whilst Council already has clear climate mitigation goals and targets outlined in multiple strategies and plans, as the impacts of climate change intensify, climate adaptation is becoming increasingly important and requires a coordinated and systematic approach across Council. Working internally as well as in collaboration with the local community, the Dja Dja Wurrung traditional owners, and regional partners is imperative to Hepburn Shire Council's ability to lessen the impact of climate change events in future.

The Climate Risk Management Policy formalises Council's approach to climate risk, adaptation and resilience, and reconfirms the organisation-wide commitment to embed sustainability and climate change into Council decision-making processes. This is in line with the duty of care, role and legislative responsibility of all local governments in Victoria, which under the Local Government Act (2020), Climate Change Act (2017) and Public Health and Wellbeing Act (2008) now extends to decision-making in the context of climate change risk and adaptation.

SCOPE

This policy statement is designed to formalise and communicate Council's approach to climate risk and resilience. It is designed to ensure consistency and alignment with the organisation-wide commitment to embed sustainability and climate change into Council decision-making processes. It applies to all Council staff and all decisions, operations and actions across Council service areas.

CLIMATE RISK MANAGEMENT POLICY

POLICY

Hepburn Shire Council recognises that the climate is changing and that Council has a key role to play in ensuring the municipality is adapting to a future with more frequent and severe climate-related events like bushfires, floods, droughts and heatwaves. With climate impacts projected to affect almost all areas of local government responsibility, future-proofing Council's operations, services and decision-making processes is crucial to continued service delivery. Additionally, Council is committed to addressing climate justice and equity through its adaptation efforts by ensuring that all members of the community are supported and have access to resources in the face of these challenges.

Council will:

- Deliver climate-responsive operations, services and decision-making processes consistently and meaningfully across all Council service areas
- Proactively minimise climate-related service disruption and impact to its customers, staff and stakeholders
- Promote and implement climate justice, circular economy, and intergenerational equity principles in all climate risk management practices
- Make preparedness to climate change a key priority to help buffer future impacts and recovery costs of extreme weather events
- Advocate to other levels of government and work in partnership with the community and key stakeholders to coordinate adaptation responses.

This is proposed to be achieved through application of a climate lens across the six opportunity areas described below.

CLIMATE RISK MANAGEMENT POLICY

1. Governance and Risk

Council will:

- Apply a climate change and climate justice lens to procurement and investment decisions
- Uphold strong climate governance and climate risk management practices
- Foster a positive climate risk culture across Council
- Ensure Council staff are supported to respond to climate risk in their day-to-day duties
- Balance urgent and long-term climate-related organisational objectives

2. Strategies and Planning

Council will:

- Apply a long-term financial lens to funding climate responses by considering the financial implication and climate impact of decisions, both in terms of mitigation and adaptation, over entire lifecycles where possible
- Elevate climate risk considerations in all new policies, strategies and frameworks to assist in the consistent consideration and delivery of climate responsive outcomes
- Apply a climate lens to scheduled reviews of existing Council policies, strategies, frameworks and development

3. Asset Design and Management

Council will:

- Design, deliver and manage assets responsibly and sustainably in the context of climate change
- Apply a climate lens to the development of asset plans and strategies, programmed asset inspections, routine maintenance, intervention works, and renewal programs
- Ensure funding of capital projects recognises the operational benefits of emissions reduction and acknowledges the future cost of climate change to operations and maintenance

CLIMATE RISK MANAGEMENT POLICY

4. Community and Partnerships

Council will:

- Play an ongoing key role in supporting the local community and other stakeholders to improve their knowledge and capacity to respond to climate change, with a specific focus on addressing climate inequities and ensuring marginalised and vulnerable populations receive targeted support and resources to build their resilience
- Support regional adaptation efforts by developing meaningful and strategic partnerships with the Dja Dja Wurrung, neighbouring Councils, key health and emergency management agencies.

5. Learning and Embedding

Council will:

- Identify and act on opportunities for councillors and staff to improve capacity and capability to undertake roles in responding to climate risk
- Operationalise this Policy and associated climate risk management practices across the organisation

6. Monitor and Review

Council will:

- Conduct effective monitoring and evaluation of projects and programs to understand long-term success of climate adaptation efforts
- Regularly monitor externally developed climate-related data sets to improve future decision-making processes

DEFINITIONS

The following terms are referred to in the policy.

Term	Definition
Council	Hepburn Shire Council
Council Staff	Includes permanent and temporary full-time and part-time council employees, and contractors and consultants while engaged by Council.

CLIMATE RISK MANAGEMENT POLICY

Term	Definition
Climate hazard	The potential threats posed by natural events and processes to cause harm or damage to human lives, property, livelihoods, ecosystems, and economies
Climate risk	Occurs when hazards pose potential negative consequences due to the exposure and vulnerability of human or ecological systems, impacting various aspects of life, livelihoods, health, infrastructure, ecosystems, and more.
Climate impacts	The tangible outcomes or effects resulting from exposure to hazards and the associated risks.
Climate mitigation	The process of deliberately reducing or preventing greenhouse gas emissions and resource usage in order to contribute to limiting the severity of future climate change
Climate adaptation	The process of adjusting to the actual or anticipated effects of climate change. Adaptation strategies play a crucial role in reducing exposure and vulnerability to climate change, with approaches ranging from proactive to transformational.
Climate resilience	The ability of systems, including social, economic, natural, and engineered systems, to withstand and respond effectively to hazardous events or disturbances while maintaining their core functions and structures.

FURTHER INFORMATION

Any enquiries about the Climate Risk Management Policy should be directed to Council's Coordinator Sustainability and Climate Resilience.

IMPLEMENTATION

This policy will be available on the Intranet and the corporate website. Training will be administered to relevant staff to support understanding and compliance.

This policy will be integrated into Council's broader Risk Management process, including regular updates to the Risk Register.

CLIMATE RISK MANAGEMENT POLICY

REVIEW

The Climate Risk Management Policy will be reviewed every 4 years or sooner if required by legislation or organisational changes.

The officer responsible for the review of this policy is the Director Infrastructure and Delivery.

13 A HEALTHY, SUPPORTED, AND EMPOWERED COMMUNITY

13.1 INDOOR AQUATICS PROVISION FEASIBILITY STUDY AND BUSINESS CASE DIRECTOR COMMUNITY AND CORPORATE

In providing this advice to Council as the Coordinator Sport and Recreation, I Kathie Schnur have no interests to disclose in this report.

ATTACHMENTS

- Nil

OFFICER'S RECOMMENDATION

That Council:

- 1. Acknowledges that there have been delays in the progress of the project and notes the progress made on the development of the Indoor Aquatics Provision Feasibility Study and Business Case;*
- 2. Notes that further consideration to establish a position on future indoor aquatics provision within the Hepburn Shire be deferred to early 2025 and discussions will continue into the next Councillor term;*
- 3. Acknowledges the involvement to date, of community members, key stakeholders and community organisations in the development of the Indoor Aquatics Provision Feasibility Study and Business Case; and,*
- 4. Notes that officers will engage with key stakeholders and community organisations to advise of Council's decision.*

EXECUTIVE SUMMARY

Following the adoption of the Hepburn Shire Aquatics Strategy in April 2022, officers commenced development of the Hepburn Shire Indoor Aquatics Provision Feasibility Study and Business Case. The outcome is to provide a series of practical indoor aquatics provision options, with independent assessments of feasibility and sustainability, each designed for the Hepburn Shire community.

The development of Hepburn Shire Indoor Aquatics Provision Feasibility Study and Business Case commenced in November 2022. The key planning and reporting milestones achieved have informed the scope and financial implications of final options.

A revised Final Options and Feasibility Report was presented at the 13 August 2024 Councillor Briefing noting a project update report to be presented to the September Council meeting. Noting that current reports are in a 'draft' status, require additional work and are not in a position to be publicly published at this stage, but will be when the project progresses.

BACKGROUND

In April 2022, Council adopted the Hepburn Shire Council Aquatics Strategy (the Strategy). The Strategy identified a need for an indoor all year-round aquatics facility to support the needs of Hepburn Shire residents.

A priority recommended action of the Strategy was to undertake further detailed planning work including feasibility, business case and a funding strategy to fully understand Council's ability to fund, develop and operate an indoor aquatics facility.

Planning to develop the Hepburn Shire Indoor Aquatics Provision Feasibility and Business Case commenced in November 2022.

The following project milestones have been achieved and have informed the development of the Final Options and Feasibility Stage of the project:

Date	Milestone Achieved
13 December 2022 (Councillor Briefing)	Project Framework endorsed.
28 February 2023 (Councillor Briefing)	Community and Stakeholder Engagement Plan endorsed.
March to June 2023	Community and Stakeholder Engagement undertaken.
1 August 2023 (Councillor Briefing)	Options for preliminary feasibility analysis endorsed.
12 December 2023 (Councillor Briefing)	The draft Hepburn Shire Indoor Aquatics Provision Feasibility Study and Business Case, Final Options and Feasibility Report presented. Additional engineering investigations on existing pool shell infrastructure requested.
January to August 2024	Project resourcing delay experienced. Procurement and engineering investigations of existing pools undertaken. Revised the draft Hepburn Shire Indoor Aquatics Provision Feasibility Study and Business Case, Final Options and Feasibility Report.
6 August 2024 (Councillor Briefing)	Engineering Investigations presented.

13 August 2024 (Councillor Briefing)	Revised final Options and Feasibility Report was presented.
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All milestones achieved have informed the scope and long-term financial implications of the Final Options and Feasibility Report for Councillors to consider and establish a position on future indoor aquatics provision for the Hepburn Shire.

KEY ISSUES

Project Delays

Throughout the development of the future indoor aquatics provision planning, the project completion has experienced delays including:

- A project hold point to undertake the engineering investigations to the existing pool shells as requested at the 12 December 2023 Councillor Briefing and;
- Officer resourcing being temporarily shifted from the project to lead Council's development of the Victorian Government's Tiny Towns Grant Funding submissions.

Indoor Aquatics Provision Feasibility Study and Business Case, a Final Options and Feasibility Report

Following the finalisation of the key project milestones, a revised Hepburn Shire Indoor Aquatics Provision Feasibility Study and Business Case, Final Options and Feasibility Report were presented at the 13 August 2024 Councillor Briefing.

It was noted that a further report would be presented to the September Ordinary Council meeting noting the progress made and further consideration to establish a position on future indoor aquatics provision within the Hepburn Shire be deferred to early 2025.

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

Council allocated \$160,000 in the 2022/2023 budget to undertake the development of the Indoor Aquatics Provision Feasibility Study and Business Case. The additional

engineering investigation of the existing outdoor pool shells was undertaken through the within the 2023/2024 project budget allocation.

It is noted that the future indoor aquatics provision for Hepburn Shire is currently unfunded. This will need to be considered together with other long-term financial priorities, as part of future budgeting processes, including external funding opportunities.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Hepburn Shire Indoor Aquatics Provision Feasibility Study and Business Case is considered a high-level project under Council's Community and Stakeholder Engagement Policy.

Phase one Community and Stakeholder Engagement was undertaken from March to June 2023 and focused on further exploring and expanding on the community feedback gathered to develop the Hepburn Shire Aquatics Strategy.

An online community survey through Participate Hepburn was undertaken in March 2023. A total of 443 completed surveys were received which indicates a strong response rate.

Direct engagement with the following key stakeholders was also undertaken:

- Creswick and District Aquatic Group
- Daylesford Indoor Aquatics Centre
- Sport and Recreation Victoria
- Daylesford Primary School
- Daylesford Secondary College
- Two consultations with Central Highlands Rural Health

Engagement with internal service providers relevant to the existing and/or future provision of aquatics services was also undertaken.

Phase one community engagement findings were presented to Councillors in August 2023. The project will continue to undertake a suite of community engagement activities to further inform the feasibility and business case of indoor aquatics provision options which may include (but are not limited to):

- Executive Team and Councillor Briefing sessions
- Internal project working and control group meetings
- Council staff workshop/s
- Key stakeholder interviews
- Online surveying and analysis
- In-person community engagement

The community and key stakeholders will continue to be kept informed of the engagement opportunities and key project milestones through:

- Social media

- Publications (flyers, fact sheets, reports)
- Direct communication (phone calls, letters, emails, briefings)
- Media releases to local news outlets
- Hepburn Life newsletter
- Signage at the pools and Creswick Splash Park
- Participate Hepburn project page
- Other communication opportunities that may arise throughout the planning process

Councillors will continue to be informed of community engagement opportunities and key project milestones through Briefings and bulletins, following the Councillor caretaker period.

RISK AND GOVERNANCE IMPLICATIONS

Consistent messaging and timing of engagement with community and stakeholders will be crucial.

Transparent messaging on the financial affordability to Council and community on future indoor aquatics provision options will be required to manage expectations and to build an understanding of Council's capacity to deliver any proposed future actions coming from the feasibility study and business case outcomes.

ENVIRONMENTAL SUSTAINABILITY

Economic, social and environmental sustainability matters have been key considerations in the planning undertaken to develop the Feasibility Study and Business Case.

GENDER IMPACT ASSESSMENT

As per Council's Gender Impact Assessment Matrix this project will require a gender impact assessment to be undertaken as the project has a direct and significant impact on the public.

The Hepburn Shire Indoor Aquatics Provision Feasibility Study and Business Case project aligns with, and draws on, actions from the following documents:

- Council Plan 2021-2025,
- Municipal Public Health and Wellbeing Plan,
- Rainbow Action Plan,
- Disability Access and Inclusion Plan,
- Youth Strategy,
- Gender Equality Action Plan, and
- Fair Access Policy

to ensure the actions acknowledge and reflect the intersectional diversity of priority groups' needs.

The Feasibility Study and Business Case actions will be delivered in line with the abovementioned strategies and will meet universal design requirements to remove barriers that traditionally prevent female and gender-diverse people from participating in community sport and active recreation in public places and spaces.

14 EMBRACING OUR PAST AND PLANNING FOR OUR FUTURE

14.1 GLENLYON RECREATION RESERVE COMMUNITY PAVILION – DESIGN UPDATE DIRECTOR INFRASTRUCTURE AND DELIVERY

In providing this advice to Council as the Project Manager, I Elizabeth Atkin have no interests to disclose in this report.

ATTACHMENTS

1. Report - Glenlyon Recreation Reserve - Bushfire Hazard Identification Assessment - Existing Pavilion [14.1.1 - 33 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *Notes the progress that officers and the project consultants have made in the design of the Glenlyon Recreation Reserve Community Pavilion;*
2. *Notes the implications of the Bushfire Hazard Identification Assessment completed for a pavilion located on the site of the existing pavilion, rendering this location incompatible with the requirements of planning permit referral agencies;*
3. *Endorses officers to investigate alternative site/s for locating a new pavilion within the reserve; and,*
4. *Endorses the proposed next steps for the project.*

EXECUTIVE SUMMARY

Officers and the appointed project team have commenced design of a new pavilion at Glenlyon Recreation Reserve on the site of the existing pavilion. An initial step in the design process was to complete a Bushfire Hazard Identification Assessment. The outcome of this assessment is for a pavilion design to comply with a Bushfire Attack Level (BAL) of 40 - and would also require a 60m radius (from the pavilion site) of trees and vegetation to be largely cleared along the Loddon River.

Compliance authorities have advised these requirements would not be supported as part of a planning permit application.

Bushfire regulations, as well as the planning scheme, have the objective of minimising risk, especially loss of human life. Other sites at the reserve are better able to achieve these objectives. Officer's advice is that it would be irresponsible to continue to investigate the site of the current pavilion for future development.

In response to this advice, officers have outlined next steps for the progression of the project.

BACKGROUND

The Glenlyon Recreation Reserve Masterplan was adopted by Council at the April 2024 meeting. The resolution that was passed at the meeting included:

That the new pavilion is located on the site of the old pavilion and could include renovation and/or replacement.

Based on this resolution, officers have engaged a project architect and sub-consultant team to commence the design documentation. As part of the typical project commencement activities, the architect and sub-consultant team have made site visits to the reserve, inspected the existing pavilion and held meetings to discuss project objectives and constraints and reviewed available information.

KEY ISSUES

Bushfire Hazard Identification Assessment (BHIA)

The Glenlyon Recreation Reserve has a Bushfire Management Overlay (BMO), requiring a planning permit for the construction of a new pavilion or the renovation (greater than 50%) of an existing pavilion. This ensures bushfire risk is considered, and bushfire protection measures are in place.

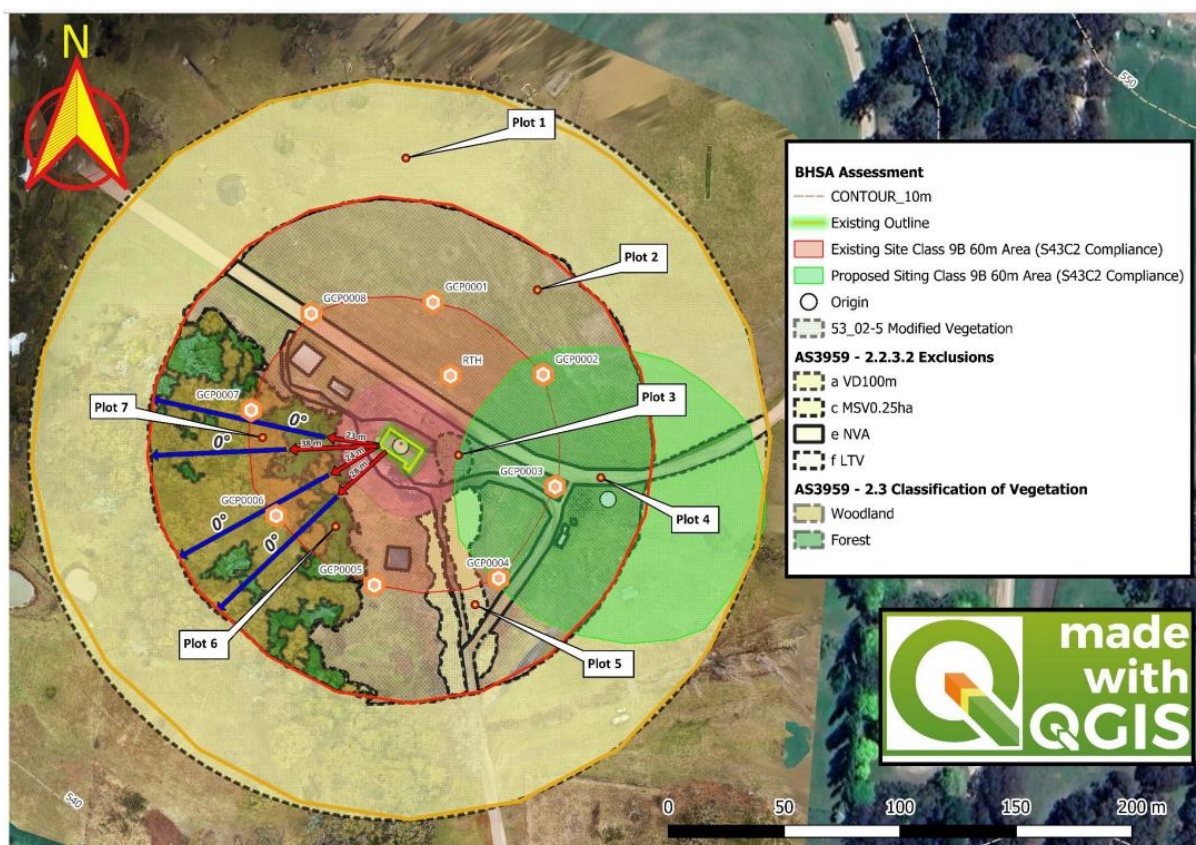
The first step in tailoring the pavilion design to the BMO is to conduct a BHIA. This assessment is specific to the location of the pavilion as it considers distance between the pavilion and nearby vegetation, type of vegetation and the slope of the ground surrounding the pavilion.

All buildings in a BMO must be designed to comply with Australian Standard AS3959. As the Glenlyon Pavilion will be a Class 9b building the design must also comply with National Construction Code (NCC) Specification 43. Specification 43 sets out more onerous vegetation separation distances than AS3959 due to the higher likelihood of people seeking shelter in a public building.

Over the course of two site visits, the bushfire planning consultant completed the BHIA (see figure below extracted from pg. 17 of this assessment). The BHIA evaluates the existing site conditions prior to any modifications that may be implemented to lower the bushfire risk.

Within a 100m radius of the existing pavilion site, all vegetation types were classified into categories and the slope of the ground recorded. The key outcomes of the assessment are:

1. Due to the forest and woodland classification of the vegetation along the Loddon River corridor (23m from the pavilion), the pavilion must be designed to a BAL rating of 40.
2. To comply with the NCC Specification 43, there must be a 60m separation distance (red shaded circle) from the pavilion to the forest-woodland vegetation along the Loddon River corridor.



BAL 40 is the second highest rating and signifies a substantial risk of ember attack and direct flame exposure. The BAL rating controls the materiality, specifications and construction detailing of a building. The higher the BAL rating, the more onerous these controls become. That is, a building can be designed to satisfy BAL 40, but it would come at a cost penalty and possibly impact on the form, materiality and appearance of the building.

Specific to this project, preliminary Planning Department and Country Fire Authority (CFA) advice is that proceeding to design a pavilion that requires a BAL rating of 40 is not supported. As part of the planning permit process, there will be a mandatory referral of the design to the CFA. Proceeding with the design of the pavilion in this location would be an irresponsible use of project resources.

In addition to meeting the design requirements of BAL 40, the removal of native vegetation on the scale required to satisfy the 60m separation distance is not supported. It is anticipated that the broader community will be better able to relate to large scale native vegetation removal than the technical design requirements of the BAL 40. Permission to remove native vegetation is managed through the planning permit process and the removal required as described above is unlikely to be supported.

Renovation of the Existing Pavilion

If renovation of the existing pavilion was considered, rather than demolition and new construction, it is anticipated renovation would require works to greater than 50% of

the existing building. The renovated pavilion would need to include mandatory components to support the occupancy level of the building (eg, DDA compliance and circulation, minimum number of toilets and egress requirements) and address the general poor condition of the building fabric and structure. In doing so, there would be works to greater than 50% of the building and this would trigger a building and a planning permit requirement. Accordingly, the same bushfire considerations would apply as for a new construction because the CFA is a mandatory referral agency in the planning permit process.

Aside from the bushfire consideration, there would be heritage and flood requirements to satisfy. Coliban Water (also a planning permit referral agency) have confirmed that the floor level of the renovated building would need to be 600mm higher than current level. This is impractical for the current pavilion, with the timber building being founded on a concrete slab. Further design detail is required to assess heritage considerations therefore this would only occur when the design is more developed.

Alternative Pavilion Sites

A BHIA would need to be repeated to evaluate alternative site/s within the reserve.

As an alternative, if the pavilion was located to the east of the existing toilet block, the bushfire consultant has indicated by means of a green shaded circle in the diagram above, that this site appears to be greater than 60m from the forest/woodland vegetation along the Loddon River. This site would still be subject to designing to a BAL, but initial interpretation of the report would suggest this BAL would be lower than 40 and there would be significantly less vegetation management requirements.

A site that proves feasible following the BHIA is still subject to further analysis to develop a Bushfire Management Plan (BMP) that will stipulate requirements such as water storage and emergency vehicle access. The BMP is required for the planning permit application.

Pavilion Design

In parallel with the BHIA, the architect has been progressing a concept design of a new pavilion. The design has been developed comprising of components shared with user groups during the consultation and development of the Masterplan. The concept design is a high-level layout of different rooms and spaces. At this stage, the design hasn't been tailored to a specific site. For example, the orientation, location of accessible parking or connection to the existing internal road network have not been determined. The design also hasn't been developed to the level that demonstrates compliance with various statutory requirements such as flood, heritage, accessibility and bushfire attack level.

The design is developed to a stage that it is ready for initial feedback from the Glenlyon Recreation Reserve Community Asset Committee. This can occur in parallel

with determining where the pavilion can be located. Subject to Councillors endorsing the next steps outlined in this report, officers will meet with the Glenlyon Recreation Reserve Community Asset Committee to discuss and confirm the components of the pavilion.

In the lead up to the September Ordinary Council Meeting, Council officers:

- Met with Glenlyon Recreation Reserve Community Asset Committee (the Committee) to explain the BHIA Report.
- Provided the link to the Agenda papers for the Committee to review the Officer report.
- Notified Glenlyon Progress Association (GPA) advising them of the BHIA Report.
- Provided the link to the Agenda papers for the GPA to review the Officer report.

Next Steps

Subject to Councillor endorsement and noting that constructing a new pavilion on the site of the existing pavilion is not feasible:

1. Officers and the project team will pause further progression of the design and investigate alternative sites for the new pavilion to be located. A suitable site will have a BAL lower than 40 and the separation distance will be achieved with an acceptable level of vegetation management.
2. If the approximate location of the existing toilet block proves to be a feasible alternative location, officers and the project team will recommence the design process. Otherwise, further sites will be investigated and bought to a future Council meeting for endorsement.
3. Post the Ordinary Council Meeting, officers will notify key project stakeholders and distribute a media release on Council's decision.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

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

{custom-field-council-plan-objective}

FINANCIAL IMPLICATIONS

The funding for this project will be drawn from a 2024/25 financial year budget allocation of \$200,000 inclusive of \$100,000 funding from external sources.

Project Budget Allocation	\$200,000
Actual Expenditure - To 20/08/2024	\$53,110

Architectural and consultant team contract	\$104,840
Estimated additional costs against the project	\$85,000
Total estimated expenditure against the project	\$242,950
Surplus/shortfall on the project	\$42,950 shortfall

The above table only considers the cost of completing the design to a “tender ready” stage. Development of the design into construction would be the subject of a separate budget. the figures above are anticipatory only and will be refined as the project progresses. Any actual requirement for additional funding will be subject to an approvals process through a mid-year budget review.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

A community engagement matrix is under development. The Community Asset Committee for the reserve will be the key stakeholder in the design phase, with opportunities for the broader community and other community groups to engage through to process as well.

RISK AND GOVERNANCE IMPLICATIONS

A risk assessment for the project is under development.

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

A gender impact assessment is under development for the project.

Greenwood Consulting P/L

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2024

BUSHFIRE HAZARD IDENTIFICATION ASSESSMENT (BHIA)

Including BAL Assessment

Prepared For JMA Architects

Site address

Glenlyon Recreation Reserve, Vic, 3461

Prepared by Daniel Benincasa

Bushfire Planning Consultant

Grad. Cert. Bushfire Planning & Management (2nd Class Hons, Div. B), University of Melbourne

5 September 2024

Reference: 7898 240905 BHIA JMA Glenlyon Rec Reserve

Sutton Glenlyon Ln

TABLE OF CONTENTS

TABLE OF CONTENTS	1
1. DOCUMENT CONTROL	3
2. DOCUMENTS REVIEWED	3
3. INTRODUCTION.....	4
4. AS 3959 BAL SITE ASSESSMENT REPORT	6
4.1 PROPERTY DETAILS & DESCRIPTION OF WORKS	6
4.2 SITE MAPPING – AERIAL 100M BAL ASSESSMENT.....	7
4.3 SITE MAPPING – AERIAL 150M NORMALISED VEGETATION INDEX (NDVI) FOLIAGE COVER AND VEGETATION CLASSIFICATION MAP	8
5. VEGETATION CLASSIFICATION SITE PHOTOS.....	10
5.1 RELEVANT FIRE DANGER INDEX.....	14
5.2 POTENTIAL BUSHFIRE IMPACTS.....	14
5.3 DETERMINED BUSHFIRE ATTACK LEVEL (BAL).....	14
6. DISCLAIMER.....	15
7. STATEMENT	15
APPENDIX 1 PLANS AND DRAWINGS.....	16
APPENDIX 2 ADDITIONAL INFORMATION / ADVISORY NOTES	17
APPENDIX 3 PROPERTY PLANNING REPORT	20
APPENDIX 4 CLASSIFICATION OF VEGETATION.....	25
APPENDIX 5 EXCLUSIONS	26
APPENDIX 6 VEGETATION MANAGEMENT REQUIREMENT	27
APPENDIX 7 BAL AND PREDICTED FIRE ATTACK.....	28
APPENDIX 8 CLASS 9 BUILDING VEGETATION SEPARATION	29

APPENDIX 9 DETERMINING OVERALL FUEL HAZARD & INDICATIVE FUEL LOADS	30
APPENDIX 10 BUSHFIRE MANAGEMENT PLAN SAMPLE.....	31
8. REFERENCES	32

1. DOCUMENT CONTROL

File reference	File type	Modifications	Modified by	Date
7898 240802 BHIA JMA Glenlyon Rec Reserve Sutton Glenlyon Ln	BHIA & BAL	Original Document	Daniel Benincasa	2/08/2024
7898 240904 BHIA JMA Glenlyon Rec Reserve Sutton Glenlyon Ln	BHIA & BAL	Clarification on BAL Assessment	Daniel Benincasa	04/09/2024
7898 240905 BHIA JMA Glenlyon Rec Reserve Sutton Glenlyon Ln	BHIA & BAL	Minor updates for clarity and compliance assurance	Daniel Benincasa	05/09/2024

2. DOCUMENTS REVIEWED

Title	Date	Author	Company
Glenlyon Property Inspection and Report_30.06.2024	30/06/2024	JM	JMA Architects

3. INTRODUCTION

This report determines the Bushfire Attack Level (BAL) and provides a Bushfire Hazard Identification Assessment (BHIA) for the redevelopment of the community pavilion at Glenlyon Recreation Reserve. Guided by JMA Architects, this project is classified as a Class 9b building by the (Victorian Building Authority, 2024)), encompassing buildings where people gather for social, political, theatrical, religious, or civic purposes, such as schools, universities, and sports facilities.

JMA Architecture has requested this BAL assessment and bushfire hazard identification assessment in preparation for the proposed redevelopment. The report evaluates the bushfire hazard within 100 metres of the development site, adhering to the guidelines in Section 2 of AS3959:2018, Construction of buildings in bushfire-prone areas (Standards Australia, 2018).

Given the nature of the community pavilion, it is crucial to consider vulnerable community members, including children and older adults. Although Specification 43 of the National Construction Code (NCC) (Australian Building Codes Board, 2022), explicitly applies to certain Class 9 buildings (including Class 9a healthcare buildings, early childhood centres, primary or secondary schools classified as Class 9b, and Class 9c residential care buildings), this assessment incorporates elements of Specification 43 to ensure the safety and wellbeing of all potential users of the pavilion.

Proactive Approach

This assessment considers the pavilion's current location and bushfire risk against Specification 43, utilising AS3959:2018 for vegetation classification and Table S43C2 for vegetation separation. The goal is to determine the most practical solution for decision-makers, focusing on three key areas

Construction Standards:

- Meet construction standards based on the determined BAL rating.
- Manage radiant heat exposure.
- Use materials and construction methods compliant with AS3959:2018.

Siting and Vegetation Separation:

- Ensure separation from classified vegetation as prescribed by Table S43C2.
- Assess the site for compliance with required vegetation separation distances.
- Mitigate bushfire risk effectively.

Defendable Space and Vegetation Management:

- Establish a defendable space around the pavilion.

- ATTACHMENT 14.1.1
- Implement a vegetation management plan aligned with 53.02-5 Table 6 requirements.
 - Reduce radiant heat exposure and enhance bushfire resilience.

Additional Considerations

Deemed-to-Satisfy Provisions:

Have a qualified fire engineer assess elements to:

- Meet Performance Requirements through compliance.
- Ensure access to adequate water supply.
- Provide appropriate access routes for firefighting purposes.

CFA Referral for Buildings in a BMO

Mandatory Referral:

Proposed buildings within a Bushfire Management Overlay (BMO) require a mandatory referral to the Country Fire Authority (CFA) to ensure compliance with bushfire safety standards.

Relevant Regulation:

Clause 44.06-6 of the Victorian Planning Provisions (VPP) mandates a CFA referral for developments in a BMO. This applies to community pavilions and other public buildings to ensure community safety.

Permit Triggers:

Permit Required: For construction, subdivision, and works associated with education centres, hospitals, places of assembly, etc.

Exemptions: Small extensions or alterations to existing buildings or buildings/works under 100 square metres not used for accommodation.

Maps & Photographs are available in Sections 4 AS 3959 BAL Site Assessment Report and 5 Vegetation Classification Site Photos, depicting the bushfire hazard accurately.

AS3959:2018 aims to improve the ability of buildings in bushfire-prone areas to withstand bushfire attacks, protecting occupants and the building itself until the fire front passes.



4. AS 3959 BAL SITE ASSESSMENT REPORT

This report has been prepared by an Accredited BPAD Practitioner using the Simplified Procedure (Method 1) as detailed in Section 2 of AS 3959 – 2018. Consideration has been given to the conditions and factors evident on the date of the assessment, including vegetation and slope.

FPA Australia makes no warranties as to the accuracy of the information provided in the report. All enquiries related to the information and conclusions presented in this report must be made to the BPAD Accredited Practitioner.

4.1 PROPERTY DETAILS & DESCRIPTION OF WORKS

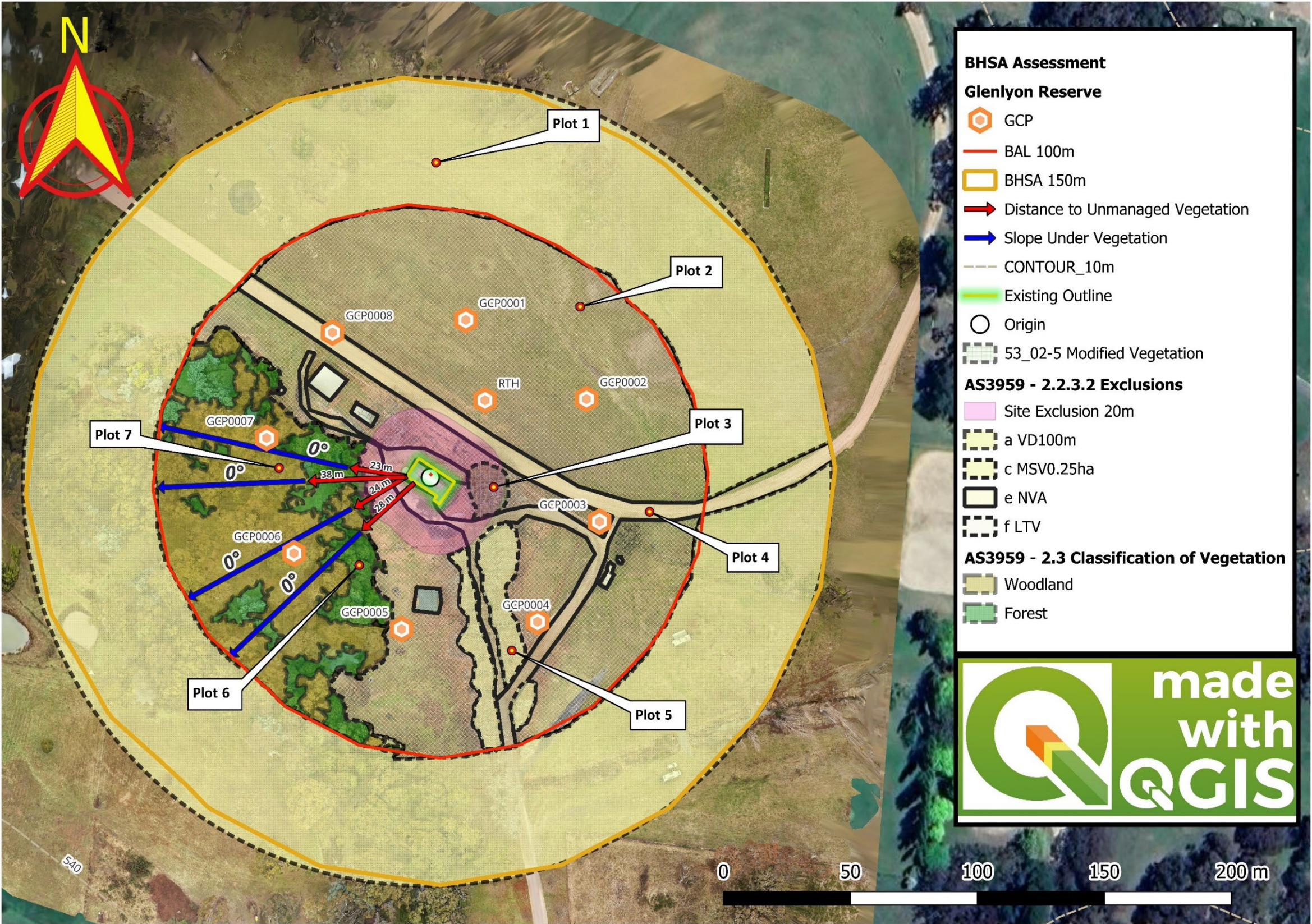
TABLE 1 ADDRESS, LGA & VBA CLASS

TABLE 1 ADDRESS, LGA & VBA CLASS						
Address Details	Unit no	Street no	Lot no	Street		
		-		Suttons Lane		
	Suburb/Town				State	Postcode
	Glenlyon				VIC	3461
	Local government area					
Hepburn Shire Council						
Main BCA class of the building	Class 9b	Use(s) of the building		Community Pavilion		
Description of the building or works	Demolition & Construction					

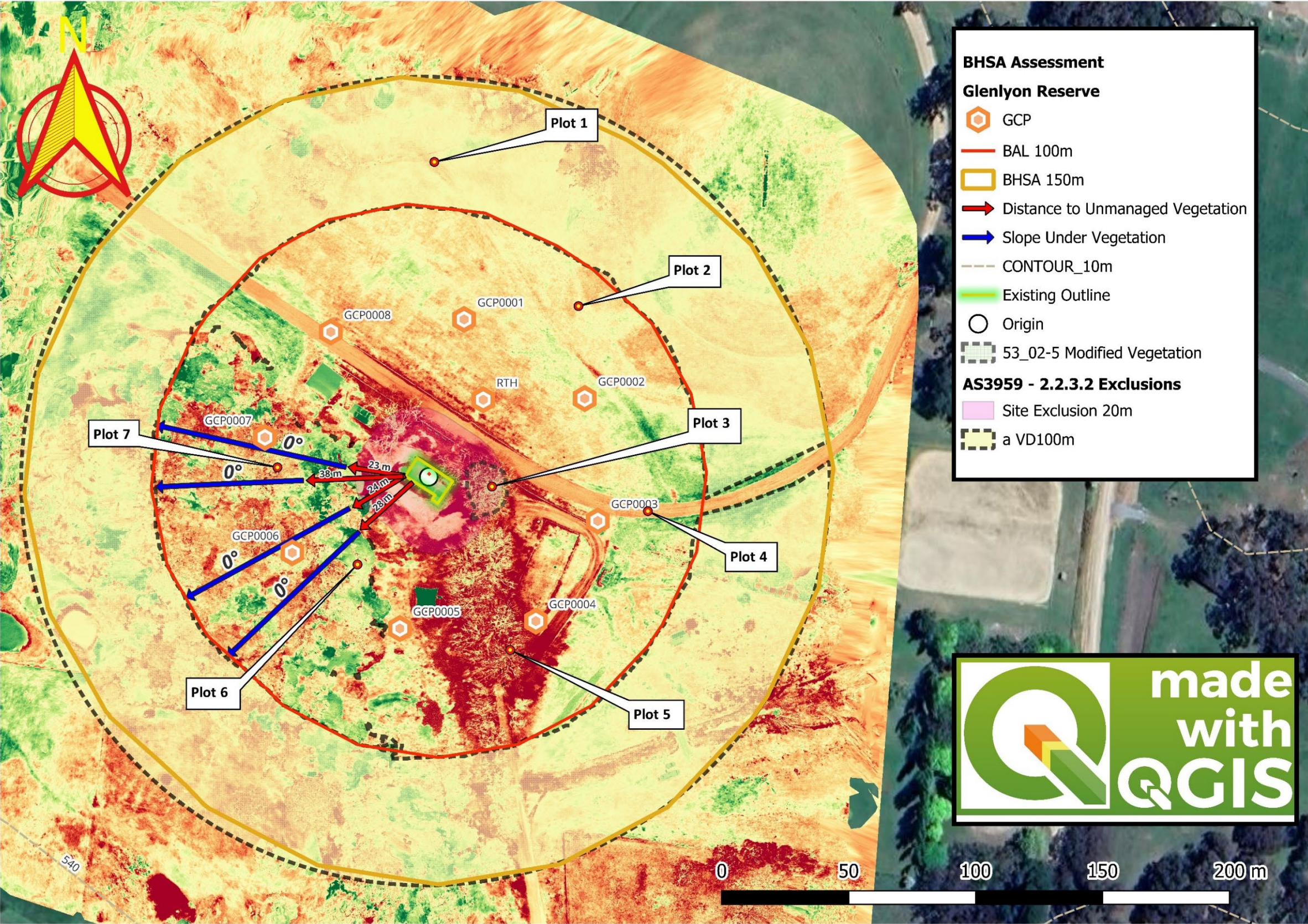
TABLE 2 PLANNING SCHEME, ASSESSMENT & REPORT DETAILS

Lot and Plan Number A Allot. 5 Sec. 48 (Refer Appendix 1)	SPI (Standard Parcel Identifier) 5~48\PP5324	Is the site within a designated bushfire-prone area? YES	Is the site within a Bushfire Management Overlay YES
Planning Scheme Zone PUBLIC PARK AND RECREATION ZONE (PPRZ)	Assessment Date 15th July 2024	Assessor Dan Benincasa	Other Overlays & Areas of Significance ESO1, ESO2,H0891,ACHS,BPA
Report / Job Number 7898	Report Version 1	Assessment Date 15 July 2024	Report Date 2 August 2024

4.2 SITE MAPPING – AERIAL 100M BAL ASSESSMENT



4.3 SITE MAPPING – AERIAL 150M NORMALISED VEGETATION INDEX (NDVI) FOLIAGE COVER AND VEGETATION CLASSIFICATION MAP



SITE MAPPING - 3D VEGETATION CLASSIFICATION AND BUSHFIRE HAZARD ASSESSMENT



Figure 1 Key Specifications:

- Table S43C2 Separation from classified vegetation: Specification 43 Bushfire protection for certain Class 9 buildings: Minimum Separation Classification Radius – 60m
- BHSA Ring – 150m
- Maximum Tree Vegetation Height – 27m

The assessment of this site/development was undertaken on 20 June 2024 by a BPAD Accredited Practitioner for the purpose of determining the Bushfire Attack Level in accordance with AS 3959 - 2018 Simplified Procedure (Method 1).

5. VEGETATION CLASSIFICATION SITE PHOTOS

All vegetation within 150m of the site / proposed development was classified in accordance with Clause 2.2.3 of AS 3959-2018. Each distinguishable vegetation plot with the potential to determine the Bushfire Attack Level is identified below.







<div>Photo ID:</div> <div>GCP0001</div> <div>Plot:</div> <div>1</div>	<div><div>GCP0001</div></div> <div><div>GCP0001</div></div> <div></div>
<div>Vegetation Classification or Exclusion Clause</div> <div>Excludable - 2.2.3.2(a) >100m from site</div> <div>Description / Justification for Classification</div> <div><div>Understory and fuel load</div><div>Surface Fine Fuel Hazard: Low (Litter poorly interconnected. Large Bare Soil. <60% Surface Litter Cover. Very thin litter layer <10mm.).</div><div>Near-Surface Fine Fuel Hazard: Low <10% Plant Cover <10% dead Near-surface fuel is absent or virtually absent.</div><div>Elevated Fine Fuel Hazard: Low <20% Plant Cover or low flammability species<20% Zero Vertical Continuity</div><div>Bark Hazard: Very high Stringy And Fibrous barksLarge amounts of combustible bark. 10-50% of trunk charred. Upper Parts of the tree may not be charred at all.</div><div>Overall Fuel Hazard Rating: Low</div><div>Height of vegetation</div><div>Trees are approximately 15-20 metres tall.</div><div>Vegetation coverage</div><div>Sparse canopy with managed understorey</div><div>Density of vegetation</div><div>Low <20% Plant cover Easy to walk in any direction without needing to choose a path between shrubs.</div><div>Description of exclusion clause if applied</div><div>Vegetation greater than 100m from the site to the north is not likely to have significant radiant heat on-site.</div></div>	
<div>Photo ID:</div> <div>GCP0002</div> <div>Plot:</div> <div>2</div>	<div><div>GCP0002</div></div> <div><div>GCP0002</div></div> <div></div>
<div>Vegetation Classification or Exclusion Clause</div> <div>Excludable - 2.2.3.2(f) Low Threat Vegetation</div> <div>Description / Justification for Classification</div> <div><div>Understory and fuel load</div><div>Surface Fine Fuel Hazard: Low (Litter poorly interconnected. Large Bare Soil. <60% Surface Litter Cover. Very thin litter layer <10mm.).</div><div>Near-Surface Fine Fuel Hazard: Low <10% Plant Cover <10% dead Near-surface fuel is absent or virtually absent.</div><div>Elevated Fine Fuel Hazard: Low <20% Plant Cover or low flammability species<20% Zero Vertical Continuity</div><div>Bark Hazard: Low Other Bark TypesNo trees present or Trunk and branches of tree entirely smooth</div><div>Overall Fuel Hazard Rating: None</div><div>Height of vegetation</div><div>Trees are approximately 0 metres tall.</div><div>Vegetation coverage</div><div>Cut Grass with minimal tree or shrub presence in these areas</div><div>Density of vegetation</div><div>Low <20% Plant cover Easy to walk in any direction without needing to choose a path between shrubs.</div><div>Description of exclusion clause if applied</div><div>Low-threat vegetation has regular, consistent interval vegetation management, such as grass cutting and slashing.</div></div>	

Photo ID:	GCP0003	Plot:	3
Vegetation Classification or Exclusion Clause			
Modified - 53.02-5 Table 1 & 2			
Description / Justification for Classification			
Understory and fuel load Surface Fine Fuel Hazard: Moderate (Litter well connected. Some Bare Soil. 60–80% Surface Litter Cover. Thin litter layer 10-25mm). Near-Surface Fine Fuel Hazard: Low <10% Plant Cover <10% dead Near-surface fuel is absent or virtually absent. Elevated Fine Fuel Hazard: Low <20% Plant Cover or low flammability species<20% Zero Vertical Continuity Bark Hazard: Low Other Bark TypesLimited amount of combustible bark. Overall Fuel Hazard Rating: Low/Moderate Height of vegetation Trees are approximately 10-15 metres tall. Vegetation coverage No canopy with debris understorey Density of vegetation Low <20% Plant cover Easy to walk in any direction without needing to choose a path between shrubs. Description of exclusion clause if applied The area of vegetation doesn't fit into the vegetation classification of AS3959:2018 due to having limited or no understorey vegetation. Still, it is not a low threat as trees are within 20m of the site.			



Photo ID:	GCP0004	Plot:	5
Vegetation Classification or Exclusion Clause			
Excludable - 2.2.3.2(c) Multi Areas < 0.25Ha			
Description / Justification for Classification			
Understory and fuel load Surface Fine Fuel Hazard: Moderate (Litter well connected. Some Bare Soil. 60–80% Surface Litter Cover. Thin litter layer 10-25mm). Near-Surface Fine Fuel Hazard: Low <10% Plant Cover <10% dead Near-surface fuel is absent or virtually absent. Elevated Fine Fuel Hazard: Low <20% Plant Cover or low flammability species<20% Zero Vertical Continuity Bark Hazard: Low Other Bark TypesLimited amount of combustible bark. Overall Fuel Hazard Rating: Low/Moderate Height of vegetation Trees are approximately 10-15 metres tall. Vegetation coverage No canopy with debris understorey Density of vegetation Low <20% Plant cover Easy to walk in any direction without needing to choose a path between shrubs. Description of exclusion clause if applied Multiple areas of vegetation less than 0.25ha in area and not within 20m of the site. Or each other, or other areas of vegetation being classified as vegetation.			



Photo ID:	GCP0005	Plot:	4
Vegetation Classification or Exclusion Clause			
Excludable - 2.2.3.2(e) Non Vegetated Areas			
Description / Justification for Classification			
<p>Understory and fuel load</p> <p>Surface Fine Fuel Hazard: Low (Litter poorly interconnected. Large Bare Soil. <60% Surface Litter Cover. Very thin litter layer <10mm.).</p> <p>Near-Surface Fine Fuel Hazard: Low <10% Plant Cover <10% dead Near-surface fuel is absent or virtually absent.</p> <p>Elevated Fine Fuel Hazard: Low <20% Plant Cover or low flammability species<20% Zero Vertical Continuity</p> <p>Bark Hazard: Low Other Bark TypesNo trees present or Trunk and branches of tree entirely smooth</p> <p>Overall Fuel Hazard Rating: None</p> <p>Height of vegetation</p> <p>Trees are approximately 0 metres tall.</p> <p>Vegetation coverage</p> <p>No canopy with no understorey</p> <p>Density of vegetation</p> <p>Low <20% Plant cover Easy to walk in any direction without needing to choose a path between shrubs.</p> <p>Description of exclusion clause if applied</p> <p>Non-vegetated areas are permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops.</p>			



Photo ID:	GCP0006	Plot:	6
Vegetation Classification or Exclusion Clause			
Class A Forest - Open forest A-03			
Description / Justification for Classification			
<p>Understory and fuel load</p> <p>Surface Fine Fuel Hazard: High (Litter well connected. Little Bare Soil. 80–90% Surface Litter Cover. Established litter with layers of leaves ranging from freshly fallen to decomposing 20-30mm.).</p> <p>Near-Surface Fine Fuel Hazard: High 20-40% Plant Cover >20% dead Gaps between fuel patches are greater than the size of fuel patches.</p> <p>Elevated Fine Fuel Hazard: Low <20% Plant Cover or low flammability species<20% Zero Vertical Continuity</p> <p>Bark Hazard: Moderate Ribbon or CandlebarksNo long ribbons of bark present. Trunk and branches of trees almost entirely smooth.</p> <p>Overall Fuel Hazard Rating: Moderate</p> <p>Height of vegetation</p> <p>Trees are approximately 20-25 metres tall.</p> <p>Vegetation coverage</p> <p>Dense canopy with significant understorey</p> <p>Density of vegetation</p> <p>Moderate 20–30% Plant Cover <20% dead Easy to choose a path through but brush against vegetation occasionally.</p> <p>Description of exclusion clause if applied</p> <p>Effective slope: Flat = (0°)</p> <p>Separation distance: 23m</p>			



Photo ID: GCP0007 Plot: 7

Vegetation Classification or Exclusion Clause

Class B Woodland - Woodland B-05

Description / Justification for Classification

Understory and fuel load
Surface Fine Fuel Hazard: Moderate (Litter well connected. Some Bare Soil. 60–80% Surface Litter Cover. Thin litter layer 10-25mm).
Near-Surface Fine Fuel Hazard: Moderate 10–20% Plant Cover <20% dead Gaps many times the size of fuel patches.
Elevated Fine Fuel Hazard: Moderate 20–30% Plant Cover <20% Most of the fine fuel is at the top of the layer
Bark Hazard: Moderate Ribbon or CandlebarksNo long ribbons of bark present. Trunk and branches of trees almost entirely smooth.
Overall Fuel Hazard Rating: Moderate
Height of vegetation
Trees are approximately 15-25 metres tall.
Vegetation coverage
Moderate canopy connection with moderate understorey
Density of vegetation
Moderate 20–30% Plant Cover <20% dead Easy to choose a path through but brush against vegetation occasionally.
Description of exclusion clause if applied
Effective slope: Flat = (0°)
Separation distance: 24m



Photo ID: GCP0008 Plot: 4

Vegetation Classification or Exclusion Clause

Excludable - 2.2.3.2(e) Non Vegetated Areas

Description / Justification for Classification

Understory and fuel load
Surface Fine Fuel Hazard: Low (Litter poorly interconnected. Large Bare Soil. <60% Surface Litter Cover. Very thin litter layer <10mm.).
Near-Surface Fine Fuel Hazard: Low <10% Plant Cover <10% dead Near-surface fuel is absent or virtually absent.
Elevated Fine Fuel Hazard: Low <20% Plant Cover or low flammability species<20% Zero Vertical Continuity
Bark Hazard: Low Other Bark TypesNo trees present or Trunk and branches of tree entirely smooth
Overall Fuel Hazard Rating: None
Height of vegetation
Trees are approximately 0 metres tall.
Vegetation coverage
No canopy with no understorey
Density of vegetation
Low <20% Plant cover Easy to walk in any direction without needing to choose a path between shrubs.
Description of exclusion clause if applied
Non-vegetated areas are permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops.



5.1 RELEVANT FIRE DANGER INDEX

The fire danger index for this site has been determined in accordance with Table 2.1 or otherwise determined in accordance with a jurisdictional variation applicable to the site.

Fire Danger Index			
FDI 40 <input type="checkbox"/>	FDI 50 <input type="checkbox"/>	FDI 80 <input type="checkbox"/>	FDI 100 <input checked="" type="checkbox"/>
<i>Table 2.7</i>	<i>Table 2.6</i>	<i>Table 2.5</i>	<i>Table 2.4</i>

5.2 POTENTIAL BUSHFIRE IMPACTS

The potential bushfire impact to the site / proposed development from each of the identified vegetation plots are identified below.

Plot	Vegetation Classification	Effective Slope	Separation (m)	BAL
1	Excludable – Clause 2.2.3.2(a)	N/A	100	BAL – 12.5
2	Excludable – Clause 2.2.3.2(f)	N/A	N/A	BAL – 12.5
3	53.02-5 Table 1 & 2 Modified	N/A	<20	BAL – 29
4	Excludable – Clause 2.2.3.2(e)	N/A	N/A	BAL – 12.5
5	Excludable – Clause 2.2.3.2(c)	N/A	>20	BAL – 12.5
6	Class A - Forest	Upslope/flat	23	BAL – 40
7	Class B Woodland	Upslope/flat	24	BAL – 29

Table 3 BAL Analysis

***Modified Vegetation is not classified for a BAL rating as per AS3959:2018. Instead, it has a BAL rating derived from Bushfire Planning Clause 53.02-5 'Defendable Space & Construction'. It is a minimum requirement that modified vegetation plots construct to a minimum BAL 29 construction standard, with defendable space being 50 metres or to the property boundary, whichever is lesser."**

5.3 DETERMINED BUSHFIRE ATTACK LEVEL (BAL)

The Determined Bushfire Attack Level (highest BAL) for the site / proposed development has been determined in accordance with clause 2.2.6 of AS 3959-2018 using the above analysis.

Determined Bushfire Attack Level	BAL – 40
---	-----------------

6. DISCLAIMER

Importantly, this BAL assessment provides a calculated fire risk model based on current conditions and does not forecast potential future events. Given the modelled fire risk, it remains crucial for property owners and residents to be vigilant and adhere to bushfire safety measures, including the use of appropriate construction materials for any redevelopment or maintenance work.

By fully understanding the property's BAL rating and acting in accordance with the AS3959:2018 standards, the risks associated with bushfires can be significantly mitigated, even if they cannot be eliminated.

7. STATEMENT

BPAD ACCREDITED PRACTITIONER STATEMENT AND DETAILS

I have taken all reasonable steps to ensure that the information provided is correct and reflects the conditions of the site on the date of the assessment. Assessments can be subject to CFA & FRV Referrals and hence open to varying observations of vegetation classification.

Reliance on the assessment and determination of the Bushfire Attack Level contained in this report should not extend beyond a period of 12 months from the date of issue of the report. If this report was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and, where required, an updated report issued.

Signed



Daniel Benincasa

Date

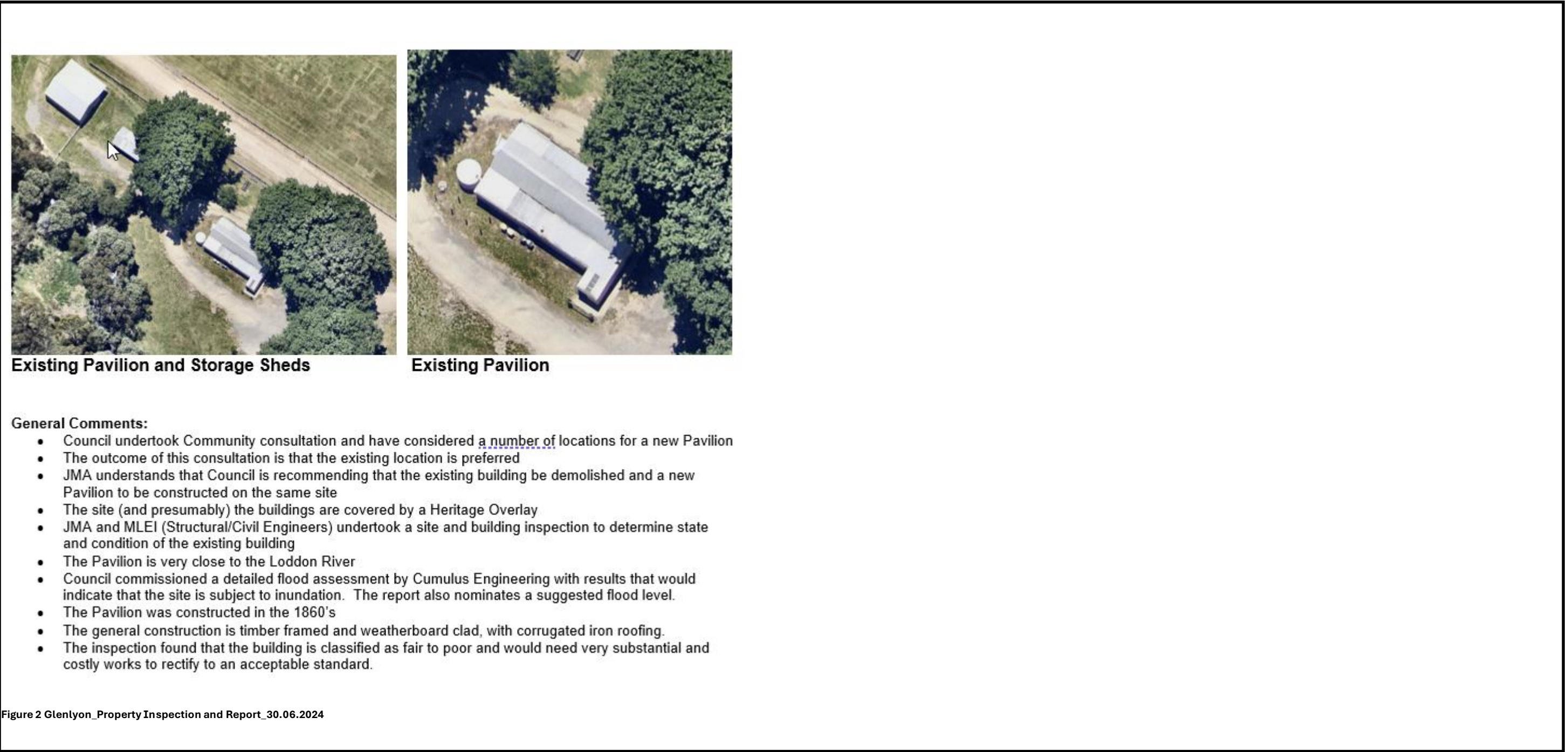
Monday, 15th July, 2024

Authorised Practitioner Badge



APPENDIX 1 PLANS AND DRAWINGS

PLANS AND DRAWINGS		
Plans and drawings relied on to determine the bushfire attack level.		
Drawing / Plan Description Site Existing Status		
Job Number Nil	Revision Nil	Date of Revision 30/06/2024



APPENDIX 2 ADDITIONAL INFORMATION / ADVISORY NOTES

TABLE 4 RECOMMENDATIONS

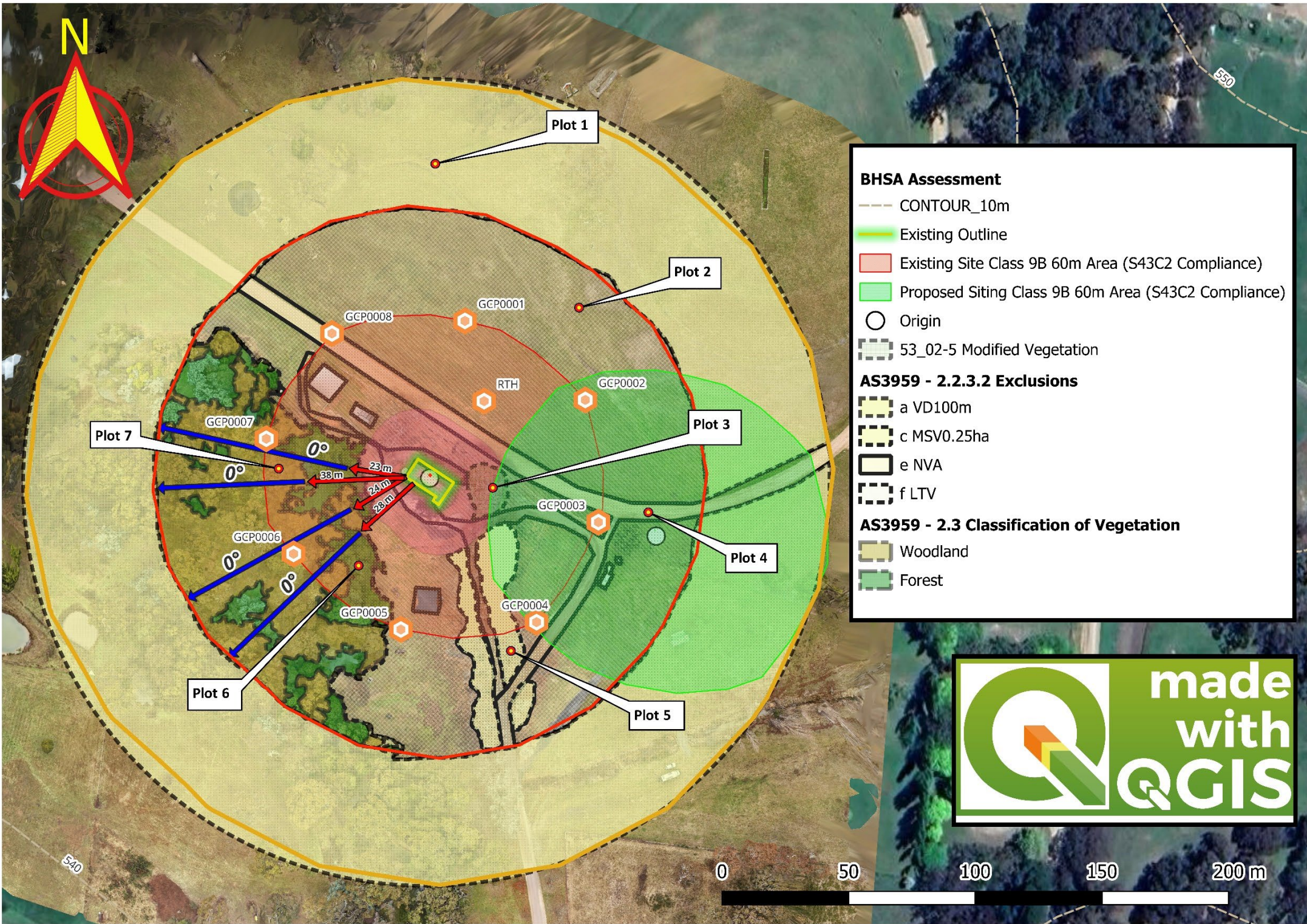


Figure 3 Existing & Proposed Siting for S43C2 Minimum Classified Vegetation Separation: High Risk (Forest or Woodland), Upslope & Flat Land = 60m

Compliance Note for S43C2, Class 9B Buildings, and Vegetation Separation

The attached diagram, in Figure 3, shows the assessment for bushfire hazard and vegetation classification at Glenlyon Recreation Reserve.

This assessment is crucial for ensuring compliance with bushfire protection standards, especially for buildings classified as Class 9b, which often serve vulnerable populations, refer to Appendix 8.

Existing and Proposed Sites**Current Site (Red Circle):**

- Indicates the current location, which has undergone a BAL assessment.
- Rated as BAL 40, meaning radiant heat levels could range between 29kW/m^2 and 40kW/m^2 under certain conditions (e.g., Forest Fire Danger Index of 100).
- This exceeds the 10kW/m^2 maximum limit set by the National Construction Code (NCC) for Class 9b buildings that accommodate vulnerable populations.
- Vegetation within the red circle would need to be removed or extensively managed in line with S43C2 requirements to meet bushfire compliance.
- It would also require stringent construction materials complying with Section 8 of AS3959:2018 (Construction in Bushfire Prone Areas) or materials satisfying AS1530.8.1, which tests the fire resistance of building elements and materials in bushfire-prone areas.

Potential Alternative Site (Green Circle):

- Shows a potential alternative centred location that also requires a BAL assessment.
- More likely to meet the minimum S43C2 separation from classified vegetation compliance for $<10\text{kW/m}^2$ radiant heat exposure, potentially resulting in a lower BAL rating.
- More likely to suit a wider range of bushfire prone area construction materials.
- Further investigation would need to be done to evaluate this potential alternative site

Minimum Separation Requirement and Compliance

The current site (red circle) needs extensive vegetation clearance to reduce radiant heat exposure below 10kW/m^2 . This is required by 'S43C2 Separation from classified vegetation' as per the (Australian Building Codes Board, 2022), under Specification 43 for Bushfire Protection for certain Class 9 buildings.

Appendix 6 provides full details of these requirements. The necessary vegetation management measures include:

- Tree Removal: Ensure a 5-metre canopy separation between trees.
- Branch Clearance: Maintain a minimum of 2 metres clearance from the ground to reduce fuel loads.
- Grass Management: Cut grass to a nominal height of 100mm to minimise fine fuels.
- Shrub Restrictions: Limit shrubs to clumps of no larger than 5 square metres and space them at least 5 metres apart to prevent continuous fuel paths.

These measures must be implemented on a regular management cycle as a mandatory bushfire protection strategy to ensure ongoing compliance with S43C2 and bushfire management overlay defensible space requirements.

Alternative: Relocation Benefits

Relocating the pavilion to a new site centred within the green circle would likely avoid the need for extensive vegetation removal because it offers better natural separation from classified vegetation, which significantly reduces bushfire risk.

Advisory Note:

As the site is within a Bushfire Management Overlay (BMO), a new BAL assessment is recommended once a potential new site is selected. A Bushfire Management Plan (BMP) should then be developed, following the sample in Appendix 10, and should include

Subsequently, a Bushfire Management Plan (BMP) should be developed. This plan, illustrated as a sample document in Appendix 10, should include:

- Defensible Space Calculations: Ensure the area around the proposed site is properly cleared and managed to reduce fire risk.
- Vegetation Management Requirements: Outline the necessary steps for maintaining vegetation to comply with bushfire safety standards.
- Construction Standards: BAL rating as set out in AS3959 and or advised by Specification 43 Bushfire protection for certain Class 9 buildings.
- Water Supply Requirements: Outline supply capacity for dedicated water supply fire fighting resources and appropriate safe distances.
- Access Requirements: Outline appropriate access capabilities and specifications to accommodate firefighting appliances.

These measures should be part of the mandatory bushfire protection requirements and referred to the Country Fire Authority (CFA) for approval. This ensures the safety and compliance of the proposed development within the bushfire-prone area.

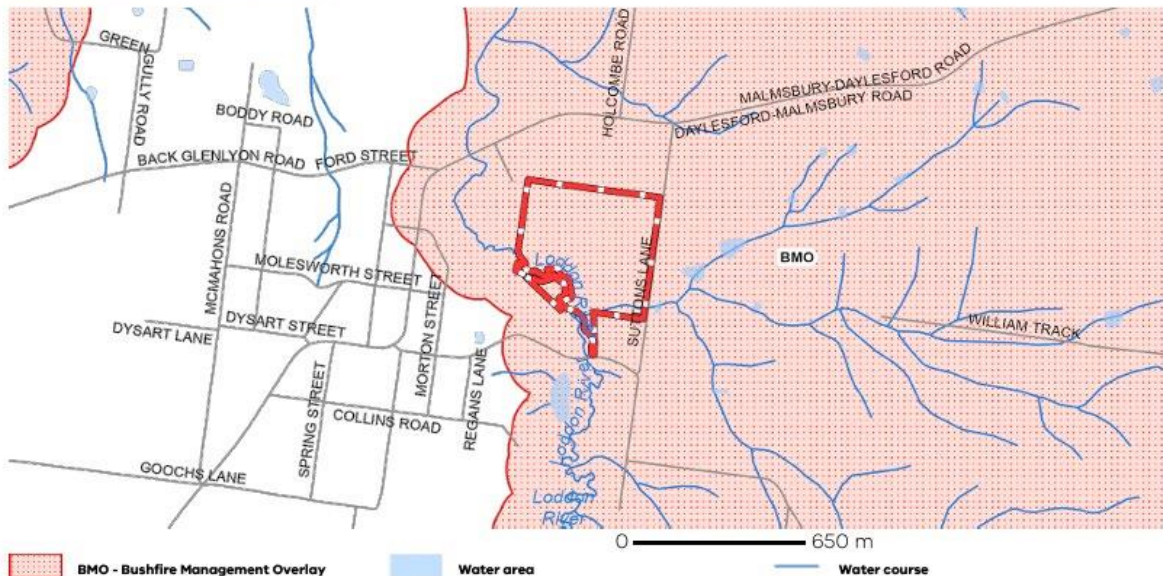
APPENDIX 3 PROPERTY PLANNING REPORT

PLANNING PROPERTY REPORT



Planning Overlays

BUSHFIRE MANAGEMENT OVERLAY (BMO)



BAL Assessment Report

ATTACHMENT 14.1.1

Fire Protection Association Australia Life Property Environment

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

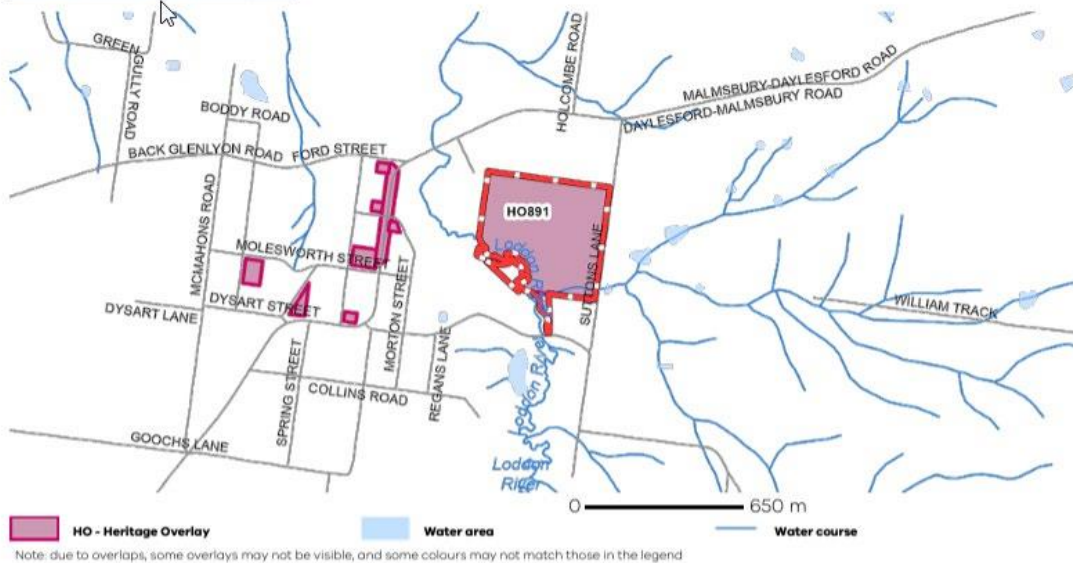
ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1)

ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2 (ESO2)



HERITAGE OVERLAY (HO)

HERITAGE OVERLAY - SCHEDULE (HO891)



Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this property is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to <http://www.gov.nrms.net.au/govQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, can also be found here - <https://www.aboriginalvictoria.vic.gov.au/aboriginal-heritage-legislation>



Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



PROPERTY REPORT

Energy,
Environment
and Climate ActionFrom www.land.vic.gov.au at 02 August 2024 11:45 AM

PROPERTY DETAILS

Address: **SUTTONS LANE GLENLYON 3461**

Crown Description: **This property has 4 parcels. See table below**

Standard Parcel Identifier (SPI): **See table below**

Local Government Area (Council): **HEPBURN**

Council Property Number: **200140**

Directory Reference: **Vicroads 59 F6**

www.hepburn.vic.gov.au

SITE DIMENSIONS

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

**Area:** 217612 sq. m (21.76 ha)**Perimeter:** 2854 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.

57 overlapping dimension labels are not being displayed

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](#)

PARCEL DETAILS

The letter in the first column identifies the parcel in the diagram above

Lot/Plan or Crown Description	SPI
TOWNSHIP OF GLENLYON	
A. Allot. 5 Sec. 48	5-48\PP5324
B. Allot. 6 Sec. 48	6-48\PP5324
C. Allot. 7 Sec. 48	7-48\PP5324
D. Allot. 2D Sec. 49	2D-49\PP5324

Figure 4 Detailed planning property report Detailed Planning Property Report (Victoria State Government, 2024)

APPENDIX 4 CLASSIFICATION OF VEGETATION

AS PER TABLE 2.3 AS3959-2018 (Standards Australia, 2018)

Vegetation Classification	AUSLIG Description	Grouping in AS 3959–2009	Descriptions from AS 3959–2009.
Forest	Tall open forest	A	Trees over 30 metres high; 30–70% foliage cover; (may include understorey ranging from rainforest and tree ferns to low trees and tall shrubs). Found in areas of high reliable rainfall. Typically dominated by eucalypts.
	Tall woodland		
	Open forest		Trees 10–30 metres high; 30–70% foliage cover; (may include understorey of sclerophyllous low trees and tall scrubs or grass). Typically dominated by eucalypts.
	Low open forest		
	Pine plantations		Trees 10–30 metres in height at maturity, generally comprising Pinus species or other softwood species, planted as a single species for the production of timber.
Woodland	Woodlands	B	Trees 10–30 metres high; 10–30% foliage cover dominated by eucalypts; understorey of low trees to tall shrubs typically dominated by Acacia, Callitris or Casuarina.
	Open woodlands		
	Low woodland		Low trees and shrubs 2–10 metres high; foliage cover less than 10%. Dominated by eucalypts and Acacias. Often have a grassy understorey or low shrubs. Acacias and Casuarina woodlands grade to Atriplex shrublands in the arid and semi-arid zones.
	Low open woodland		
	Open shrubland		
Shrubland	Closed heaths	C	Found in wet areas that are affected by poor soil fertility or shallow soils. Shrubs 1–2 metres high, often comprising Banksia, Acacia, Hakea and Grevillea. Wet heaths occur in sands adjoining dunes of the littoral (shore) zone. Montane heaths occur on shallow or water-logged soils.
	Open heaths		
	Low shrubland		Shrubs <2 metres high; greater than 30% foliage cover. Understoreys can contain grasses. Acacia and Casuarina often dominant in the arid and semi-arid zones.
Scrub	Closed scrub	D	Found in areas wet enough to support eucalypt trees, which are affected by poor soil fertility or shallow soils. >30% foliage cover. Dry heaths occur in rocky areas. Shrubs >2 metres high. Often coastal heaths and wetlands.
	Open scrub		Trees greater than 2 metres high, 10–30% foliage cover. Dominated by eucalypts or co-dominant Melaleuca and Myoporum with a mixed understorey.
Mallee/Mulga	Tall shrubland	E	Vegetation dominated by shrubs (especially eucalypts) with a multi-stemmed habit; usually greater than 2 metres in height; <30% foliage cover. Understorey of widespread to dense low shrubs or sparse grasses. Note: Mulga is not found in Victoria.
Rainforest	Tall closed forest	F	Trees 10–40 metres in height; >90% foliage cover; understorey may contain a large number of species with a variety of heights.
	Closed forest		
	Low closed forest		
Grassland		G	All forms, including situations with shrubs and trees if the overstorey foliage cover is less than 10%.

APPENDIX 5 EXCLUSIONS

As defined in AS3959:2018 (Standards Australia, 2018)- 2.2.3.2 - Low threat vegetation and non-vegetated areas, some areas may be considered low-threat vegetation and or non-vegetated areas and thus can be excluded from classification in accordance with Section 2.2.3.2 of AS 3959:2018 if they meet one or more of the following:

- (a) *Vegetation of any type that is more than 100m from the site **(this exemption is not applicable if a BMO applies)***
- (b) *Single areas of vegetation less than 1ha in area and not within 100m of other areas of vegetation being classified vegetation.*
- (c) *Multiple areas of vegetation less than 0.25ha in area and not within 20m of the site, or each other or of other areas of vegetation being classified vegetation.*
- (d) *Strips of vegetation less than 20m in width (measured perpendicular to the elevation exposed to the strip of vegetation) regardless of length and not within 20m of the site or each other, or other areas of vegetation being classified vegetation.*
- (e) *Non-vegetated areas are permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops.*
- (f) *Vegetation is regarded as a low threat due to flammability, moisture content or fuel load. This includes grassland managed in a minimum fuel condition¹, mangroves and other saline wetlands, maintained lawns, golf courses (such as playing areas and fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards banana plantations, market gardens (and other non-curing crops), cultivated gardens, commercial nurseries, nature strips and windbreaks².*

¹ Minimum fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack (recognizable as short cropped grass for example, to a nominal height of 100mm).

² A windbreak is considered a single row of trees used as a screen or to reduce the effect of wind on the leeward side of the trees.

APPENDIX 6 VEGETATION MANAGEMENT REQUIREMENT

Defendable Space



Note: These requirements are contained in Table 6 of Clause 53.02 (Department of Transport and Planning, 2024) and must not be changed unless agreed in writing by CFA

Vegetation (and other flammable materials) within the defendable space will be modified and managed in accordance with the following requirements:

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

APPENDIX 7 BAL AND PREDICTED FIRE ATTACK

Bushfire Attack level (BAL)	Description of predicted bushfire attack and levels of exposure
BAL – LOW	There is insufficient risk to warrant specific construction requirements
BAL – 12.5	Ember attack
BAL – 19	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux between 12.5 and 19 kW m ²
BAL – 29	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux between 19 and 29 kW m ²
BAL – 40	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux with the increased likelihood of exposure to flames
BAL – FZ	Direct exposure to flames from fire front in addition to heat flux and ember attack

APPENDIX 8 CLASS 9 BUILDING VEGETATION SEPARATION

Extraction From -Specification 43 Bushfire protection for certain class 9 buildings (Australian Building Codes Board, 2022), S43C2 Separation from classified vegetation, as per NCC 2022 Volume One - Building Code of Australia Class 2 to 9 buildings, Section G Ancillary provisions.

(1) The building must be separated from classified vegetation—

- a) by not less than the minimum distances specified in Table S43C2; or
- b) such that radiant heat flux on exposed building elements will not exceed 10kW/m^2 .

(2) For the purposes of (1), the term 'classified vegetation' has the meaning that it has in AS 3959.

TABLE S43C2 MINIMUM DISTANCE OF BUILDING TO CLASSIFIED VEGETATION		
VEGETATION CLASSIFICATION	SLOPE	MINIMUM DISTANCE (M) OF THE BUILDING TO CLASSIFIED VEGETATION
HIGH RISK	UPSLOPE AND FLAT LAND	60
HIGH RISK	DOWNSLOPE MAX 20 DEGREES	110
MEDIUM RISK	UPSLOPE AND FLAT LAND	40
MEDIUM RISK	DOWNSLOPE MAX 20 DEGREES	80
LOW RISK	UPSLOPE AND FLAT LAND	30
LOW RISK	DOWNSLOPE MAX 20 DEGREES	50

1. Table values are based on a Fire Danger Index of 100 in accordance with AS 3959.
2. High risk equates to vegetation classification of **forest and woodland** in accordance with AS 3959.
3. Medium risk equates to vegetation classification of **scrub and rainforest** in accordance with AS 3959.
4. Low risk equates to vegetation classification of **shrubland, mallee/mulga and grassland** in accordance with AS 3959.

APPENDIX 9 DETERMINING OVERALL FUEL HAZARD & INDICATIVE FUEL LOADS

① Bark Hazard	② Elevated Fine Fuel Hazard	③ Combined Surface and Near-surface Fine Fuel Hazard *				
		L	M	H	VH	E
Low or Moderate	L	L	M	M	H	H
	M	L	M	M	H	H
	H	L	M	H	VH	VH
	VH	VH	VH	VH	VH	VH
	E	E	E	E	E	E
High	L	L	M	H	H	H
	M	L	M	H	H	H
	H	L	H	H	VH	VH
	VH	VH	VH	VH	VH	E
	E	E	E	E	E	E
Very High or Extreme	L	L	VH	VH	VH	E
	M	M	VH	VH	E	E
	H	M	VH	E	E	E
	VH	E	E	E	E	E
	E	E	E	E	E	E

* Combined Surface and Near-surface Fine Fuel Hazard is a measure of the Surface Fine Fuel Hazard adjusted to account for the level of near-surface fine fuel

Fuel	Fuel hazard rating				
	Low	Moderate	High	Very High	Extreme
Bark	0	1	2	5	7
Elevated	0-1	1-2	2-3	3-5	5-8
Near-surface	1-2	2-3	3-4	4-6	6-8
Surface	2-4	4-10	8-14	12-20	16-20+

Plot Classification measures use Overall fuel Hazards and Indicative fuel loads for comparative fuel load calculations.(Hines, Tolhurst, Wilson, & McCarthy, 2010)

APPENDIX 10 BUSHFIRE MANAGEMENT PLAN SAMPLE

Bushfire Management Plan – Add Property Address

Insert plan here

Prepared by:

Version:

Date:

Bushfire Protection Measures

Mandatory Condition

The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

a) Defensible Space

Defensible space is provided for a distance of metres around the building or to the property boundary whichever is the lesser and managed in accordance with the following:

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

b) Construction Standard

The building must comply to a minimum Bushfire Attack Level of BAL – Select BAL

c) Water Supply

The following requirements apply:

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

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

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

d) Access

Access Required: No ☐

Yes ☐ The following design and construction requirements apply:

- All-weather construction.
- A load limit of at least 15 tonnes.
- Provide a minimum trafficable width of 3.5 metres.
- Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves must have a minimum inner radius of 10 metres.
- The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.
- Dips must have no more than a 1 in 8 (12.5%) (7.1°) entry and exit angle.

Length of access is greater 100 metres: Yes ☐ No ☐

Where length of access is greater than 100 metres the following design and construction requirements apply:

- A turning circle with a minimum radius of eight metres, or
- A driveway encircling the building, or
- The provision of other vehicle turning heads – such as a T or Y Head – which meet the specification of Austroad Design for an 8.8 metre service vehicle.

Length of driveway is greater than 200 metres: Yes ☐ No ☐

Where length of access is greater than 200 metres the following design and construction requirement applies:

- Passing bays are required at least every 200 metres that are a minimum 20 metres long and a minimum trafficable width of 6 metres.

8. REFERENCES

VICTORIA STATE GOVERNMENT. (2024, JUNE). PROPERTY AND PARCEL SEARCH. RETRIEVED FROM DEPARTMENT OF TRANSPORT AND PLANNING, VICTORIA.:
[HTTPS://WWW.LAND.VIC.GOV.AU/PROPERTY-AND-PARCEL-SEARCH](https://www.land.vic.gov.au/property-and-parcel-search)

AUSTRALIAN BUILDING CODES BOARD. (2022). SPECIFICATION 43 BUSHFIRE PROTECTION FOR CERTAIN CLASS 9 BUILDINGS. RETRIEVED FROM NATIONAL CONSTRUCTION CODE: [HTTPS://NCC.ABCB.GOV.AU/EDITIONS/NCC-2022/ADOPTED/VOLUME-ONE/G-ANCILLARY-PROVISIONS/43-BUSHFIRE-PROTECTION-CERTAIN-CLASS-9-BUILDINGS](https://ncc.abcb.gov.au/editions/ncc-2022/adopted/volume-one/g-ancillary-provisions/43-bushfire-protection-certain-class-9-buildings)

DEPARTMENT OF TRANSPORT AND PLANNING. (2024, MAY FRIDAY, 3RD). CLAUSE 53.02 BUSHFIRE PLANNING. RETRIEVED FROM VICTORIA PLANNING SCHEMES ONLINE: [HTTPS://PLANNING-SCHEMES.APP.PLANNING.VIC.GOV.AU/MANNINGHAM/ORDINANCE/53.02](https://planning-schemes.app.planning.vic.gov.au/MANNINGHAM/ORDINANCE/53.02)

HINES, F., TOLHURST, K. G., WILSON, A. A., & MCCARTHY, G. (2010, JULY). OVERALL FUEL HAZARD ASSESSMENT GUIDE 4TH EDITION.

STANDARDS AUSTRALIA. (2018). AS3959:2018 CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS. SYDNEY: STANDARDS AUSTRALIA.

VICTORIAN BUILDING AUTHORITY. (2024). BUILDING CLASSES. RETRIEVED FROM VICTORIAN BUILDING AUTHORITY:
[HTTPS://WWW.VBA.VIC.GOV.AU/BUILDING/REGULATORY-FRAMEWORK/BUILDING-CLASSES](https://www.vba.vic.gov.au/building/regulatory-framework/building-classes)

14.2 DAYLESFORD COMMUNITY FACILITIES PROJECT DIRECTOR INFRASTRUCTURE AND DELIVERY

In providing this advice to Council as the Project Manager, I Elizabeth Atkin have no interests to disclose in this report.

ATTACHMENTS

- Nil

OFFICER'S RECOMMENDATION

That Council:

- 1. Notes the progress of the Daylesford Community Facilities project, demonstrating feasibility at the Daylesford Town Hall site to locate the library and multipurpose spaces either within the existing Town Hall, in a new construction on the site of the Senior Citizens or in a combination of the two approaches;*
- 2. Proceeds with the project at the Daylesford Town Hall site next stage to develop concept design for future Council consideration; and*
- 3. Endorses the next design stages for the project, noting the potential to consider utilising a portion of land from the Daylesford Pool site if required and a more optimal design is achievable.*

EXECUTIVE SUMMARY

The project team, assisted by the Project Advisory Group, have undertaken early feasibility work to evaluate locating the library and multipurpose community facilities on the Town Hall site. This feasibility work demonstrates it is feasible to locate the library and multipurpose spaces either within the existing Town Hall, in a new construction on the site of the Senior Citizens (a later addition – not of heritage significance - at the rear of the building) or a combination of the two approaches.

BACKGROUND

In December 2023, Council resolved to progress the Daylesford Town Hall site as the site of a future library and multipurpose community facility for the Birch ward.

Officers have subsequently engaged a project consultant team and established a Project Advisory Group of seven community members, co-chaired by the two ward Councillors, to develop project documentation to a schematic level.

KEY ISSUES

Spatial Relationship Diagrams

The project architect has developed two high level, draft options referred to as spatial relationship diagrams (SRD). SRD depict different components of a building by colour coding and approximate size, but do not show details such as the layout of doors, joinery or furniture. These diagrams demonstrate the feasibility of locating the library and multipurpose spaces either within the existing Town Hall, in a new construction on the site of the Senior Citizens or a combination of the two approaches.

The SRDs reflect the components to be included in the facility and their approximate floor area allocation. The components to be included in the facility are adapted from a review of the 2015 community consultation (the previous project design phase at this site) together with a critical assessment of how these components meet the needs of the current community and align with current day operations. The PAG has been involved in this review.

This exercise has demonstrated that it is spatially feasible to locate the library and other key elements of a new community facility either within the Town Hall, within a new construction on the site of the Senior Citizens or a combination of the two approaches.

Officers propose that this site is confirmed for the project, at which point the design process then undertakes further analysis to determine the details of the preferred approach.

Daylesford Pool Site

Subject to further consideration of the Aquatic Provision Feasibility Study and Business Case, and any asset and site management planning for the Daylesford Pool site, the project team could explore a scenario of utilising a portion of land from the Daylesford Pool site for the development of the Daylesford Community Facilities, to achieve a better design outcome.

High level benefits of this approach include activating and improving the Bridport Street frontage, improved parking and vehicle access into the site for deliveries and library collection logistics and lower rise development and simplification of construction.

Project Advisory Group

Following the May 2024 Council meeting endorsement of the community representatives on the Project Advisory Group (PAG), this group has met on five occasions addressing the following key points:

- Their role and responsibilities as a member of the PAG
- A tour of the Daylesford Town Hall
- Review of the return brief that details the components to be included in the facility and their approximate floor area allocation

- A tour of The Mechanics Trentham and a discussion session with members of The Mechanics Trentham PAG
- Review of two SRDs

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

2.3.3 – Support access and participation through strong asset management practices aligned with developing a long-term Asset Plan

2.3.5 – Promote the use of libraries and hubs throughout Hepburn Shire

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

FINANCIAL IMPLICATIONS

Income	
2024/25 Budget	\$300,000
Total	\$300,000
Expenditure/Commitments	
Stage 1.1 Feasibility	\$53,532
Stage 1.2 Schematic Design	\$94,317
Miscellaneous	\$2,500
Project Management	\$105,000
Design Contingency	\$25,000
Total	\$277,849

Progression beyond Stage 1.2 Schematic Design is contingent on further project funding.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Daylesford Community Facilities project scores 12 on the level of engagement matrix. This corresponds to a medium level of engagement (consult or involve).

A media release was issued in late August to provide a general project update to the community.

Dependent on the progression of the schematic design, a period of consultation will be scheduled for late 2024/early 2025 to receive community input on the design.

This will be followed by a subsequent period of engagement to demonstrate how feedback has been incorporated into the final schematic design.

Planning of engagement beyond the completion of the schematic design phase will occur when further project funding is secured.

RISK AND GOVERNANCE IMPLICATIONS

An initial risk assessment is being reviewed and refined as the project proceeds.

ENVIRONMENTAL SUSTAINABILITY

There are no sustainability implications associated with this report.

GENDER IMPACT ASSESSMENT

A gender impact assessment is under development in partnership with the PAG.

**14.3 AWARD OF TENDER - HEPBU.RFT2024.153 - DAYLESFORD TOWN HALL CONDITION UPGRADE PROJECT
DIRECTOR INFRASTRUCTURE AND DELIVERY**

In providing this advice to Council as the Project Manager, I Sam Hattam have no interests to disclose in this report.

ATTACHMENTS

1. CONFIDENTIAL REDACTED - Summary Tender Evaluation Matrix HEPB U. RF T 2024.153 Daylesford Town Hall Upgrade [**14.3.1** - 1 page]
2. CONFIDENTIAL REDACTED - HEPB U. RF T 2024.153 - Report - Request For Tenders Evaluation - Daylesford Town Hall - Condition U [**14.3.2** - 5 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *Awards Contract Number HEPBU.RFT2024.153 to Abode for the sum of \$1,021,322 (excl. GST);*
2. *Authorises the Chief Executive Officer to sign the contract documents on behalf of Council;*
3. *Authorises Council officers to make variations to the contract in excess of the awarded lump sum contract value, within approved officer delegations and allocated budget; and,*
4. *Resolves that the attached Tender Evaluation Report and matrix remains confidential.*

EXECUTIVE SUMMARY

This report recommends to Council the award of contract HEPBU.RFT2024.153 - Daylesford Town Hall Upgrade. The contract is for critical first stage preservation works to the roof and associated building elements on the heritage Daylesford Town Hall building.

BACKGROUND

Built in the 1880s, the Daylesford Town Hall is a significant local public building that is protected by heritage controls.

Recent condition surveys have identified the need for extensive renewal works on the building, including roof renewal and electrical system replacement. These works are planned for the next 12-18 months and will precede (and futureproof) any works planned through the Daylesford Community Facilities project.

Heritage building experts assessed the Daylesford Town Hall and documented detailed roof renewal works that include roof replacement, gantry, parapet and rendering work. Design and approvals are complete, and procurement for the works has been undertaken. A second stage of renewal of the electrical system will be subject to a later procurement process.

KEY ISSUES

The scope of this contract includes:

- Renew the roof complete with all roof plumbing and checking and refixing of all roof framing.
- The construction of a plant platform and roof access safety system.
- The repair and reconstruction of rendered parapets, weatherings, cornices and copings, the orbs atop the parapet and the balustrading to the front façade.
- The repairs to render on the front porch lintels and treatment of the rusting iron lintel bars.
- Repairs to the chimney tops.

This work has been scoped and detailed by expert heritage architects, and budgeted for delivery in 2024-25.

A standard tender process, compliant with Council's procurement Policy, was undertaken. Three tender submissions were received by the closing date.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

Embracing our past and planning for the future

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

FINANCIAL IMPLICATIONS

The funding for this project will be drawn from a budget allocation of \$2,028,000 (excl. GST)

Project Budget Allocation	\$2,028,000 (excl. GST)
Actual Expenditure – To: 10/9/2024	\$187,332 (excl. GST)
Recommended Tender Amount	\$1,021,322 (excl. GST)
Estimated Additional Costs Against Project	\$819,346 (excl. GST)
Total Estimated Expenditure Against Project	\$2,028,000 (excl. GST)

Surplus/Shortfall on Project	\$nil
Funding Source if Shortfall Exists	\$N/a

A second stage of works renewing the electrical system will also be drawn from this project budget.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are no community or stakeholder engagement implications associated with this report.

Standard community communications will be undertaken on the contract award and delivery of the works.

RISK AND GOVERNANCE IMPLICATIONS

The risk implications of the project have been considered in the evaluation of this tender.

ENVIRONMENTAL SUSTAINABILITY

There are no sustainability implications associated with this report.

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report.

14.4 LOCAL GOVERNMENT INSPECTORATE - CONCLUSION OF INVESTIGATION CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Chief Executive Officer, I Bradley Thomas have no interests to disclose in this report.

ATTACHMENTS

1. LGI Media Release - Conclusion of investigation of Hepburn Shire Council [14.4.1 - 2 pages]
2. Hepburn Shire Council Media Release [14.4.2 - 2 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *Notes that the Local Government Inspectorate (LGI) issued a media release on Monday 2 September 2024, detailing that the LGI's investigation has now been finalised, and that the LGI will not be publishing any report; and*
2. *Requests the Mayor and Chief Executive Officer write to the Attorney-General of Victoria, the Victorian Minister for Local Government and the Chief Municipal Inspector noting Council's disappointment in the length the investigation took, and that no report will be issued.*

EXECUTIVE SUMMARY

The Local Government Inspectorate (LGI) issued a media release (attached) on Monday 2 September 2024, detailing that the LGI's investigation has now been finalised, and that the LGI will not be publishing any report.

Council issued a media release in response to the LGI release.

This report is to formalise the receipt of the LGI position.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

A dynamic and responsive Council

5.2 Actively communicate, inform and engage with our community about events and decision-making

FINANCIAL IMPLICATIONS

There are no direct financial implications of the report as it is for noting.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are no direct community or stakeholder engagement implications associated with this report, as the report is for noting.

RISK AND GOVERNANCE IMPLICATIONS

There are no direct risk or governance implications associated with this report, as the report is for noting. Council's media release did note that significantly improved governance, policies, and the culture in the organisation, implementing systemic change and improvements to ensure that the failures of The Rex project are never repeated again.

ENVIRONMENTAL SUSTAINABILITY

There are no sustainability implications associated with this report.

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report.

Conclusion of investigation of Hepburn Shire Council

In 2019, the LGI received a complaint that made allegations relating to the Hepburn Shire Council's involvement with the Rex Theatre development.

Published: Tuesday 3 September 2024 at 8:23 am

Local Government Inspectorate - Conclusion of investigation of Hepburn Shire Council

1. The Local Government Inspectorate (**LGI**) is the dedicated integrity agency for local government in Victoria. The Chief Municipal Inspector (**CMI**) leads the LGI and has functions and powers, including those set out in the *Local Government Act 2020*, to enable the LGI to examine, investigate and prosecute any matter relating to a Council's operations and any potential breaches of the 2020 Act and its predecessor the *Local Government Act 1989* (**1989 Act**).
2. In 2019, the LGI received a complaint that made allegations relating to the Hepburn Shire Council's involvement with the Rex Theatre redevelopment.
3. Since receipt of the complaint, the LGI has undertaken a rigorous investigation of the allegations. Throughout, Hepburn Shire Council and its Councillors have co-operated.
4. The LGI's investigation has now been finalised and the CMI has concluded that there is insufficient evidence to prove to the requisite standard of proof the commission of any disciplinary breaches or criminal offences contrary to the 1989 Act. Further, the CMI is satisfied that the Council has taken remedial action to put in place measures to avoid future complaints of a similar nature, including the creation of a new governance and policy framework.
5. Accordingly, the LGI will not be taking any further action in respect of the investigation. Nor will the LGI be publishing any report.
6. More information about the LGI can be found at:

6.1 LGI's website <https://www.lgi.vic.gov.au> <<https://www.lgi.vic.gov.au>>; ATTACHMENT 14.4.1

6.2 The *Local Government Act 2020* Governance Resources
<https://www.localgovernment.vic.gov.au/council-governance/how-we-regulate-councils> <<https://www.localgovernment.vic.gov.au/council-governance/how-we-regulate-councils>>;

6.3 The relevant legislation, by searching <https://www.legislation.vic.gov.au> <<https://www.legislation.vic.gov.au>>; and

6.4 The Municipal Association of Victoria's website <https://www.mav.asn.au/what-we-do/procurement/resources-hub/for-councils> <<https://www.mav.asn.au/what-we-do/procurement/resources-hub/for-councils>>. General inquiries may be made to (03) 9667 5555.

Should you wish to discuss the issues raised in this media release, please contact:
Local Government Inspectorate
Level 27, 1 Spring Street, Melbourne, VIC 3000
1800 469 359
inspectorate@lgi.vic.gov.au <<mailto:inspectorate@lgi.vic.gov.au>>

Updated 3 September 2024

Inspectorate announces there will be no Rex report

Hepburn Shire Council Media release - published on 02 September 2024

Council has been notified today that the Local Government Inspectorate ("LGI") will not be releasing a report on the Hepburn Hub at The Rex project.

Mayor, Cr Brian Hood, said that it is extremely disappointing that it has taken so long for the Inspectorate to arrive at this decision and that no report will be issued.

"We are frustrated that a comprehensive, detailed report won't be released. The failure to issue a report into The Rex project denies transparency and accountability and lets down the community, Councillors and Council officers," said Cr Hood.

The LGI have stated that *"The LGI's investigation has now been finalised and the Chief Municipal Inspector has concluded that there is insufficient evidence to prove to the requisite standard of proof the commission of any disciplinary breaches or criminal offences contrary to the 1989 Act. They have also noted that the 'LGI will not be taking any further action in respect of the investigation, nor will the LGI be publishing a report.'"*

Bradley Thomas, Hepburn Shire Council CEO, said that it was important to note that the Chief Municipal Inspector has concluded that *"council has taken remedial action to put in place measures to avoid future complaints of a similar nature, including the creation of a new governance and policy framework."*

"We have significantly improved governance, policies, and the culture in the organisation, implementing systemic change and improvements to ensure that the failures of The Rex project are never repeated again. This should give Councillors, and most importantly the community, confidence as we move forward," said Mr. Thomas.

Some of the organisational changes put in place since the commencement of the Inspectorate investigation include:

- Creation of a Major Projects Team (that does not report to the CEO)
- Development of a Project Management Framework
- Updates on high risk/complex projects being provided regularly to the Audit and Risk Committee (the Audit and Risk Committee comprises four independent members)
- Adoption of a contemporary Risk Management Framework
- Established a CEO Employment and Remuneration Committee, with external, independent members, along with Councillors
- Adoption of a new Procurement Policy
- Development of a Disposal and Acquisition of Land Property Policy that ensures all purchases and sales comply with legislation, and that a current and independent valuation is obtained before Council enters into such arrangements
- Significant investment in the Governance and Risk Unit to ensure it has appropriately skilled and experienced staff to provide advice and monitor compliance with legislation and governance requirements.

Interim Chief Executive Officer, Bruce Lucas, paused the Hepburn Hub at The Rex project in June 2018, when becoming concerned about governance failures, also reporting the issue to the Audit and Risk Committee. Incoming Chief Executive Officer, Evan King reported concerns to IBAC, and ultimately the Inspectorate commenced an investigation.

Councillors, Officers, and the Audit and Risk Committee, have been fully supportive of the reporting, working through the investigation and have repeatedly called for the finalisation of the investigation to occur. The LGI have noted that throughout, Hepburn Shire Council and its Councillors have co-operated in the investigation.

Mayor, Cr Brian Hood, said “Ensuring we have the appropriate checks and balances in place means failures of the past will not be repeated, and having a culture where officers of all levels feel able to raise concerns about governance is vital.”

“Council has been unable to find evidence that an independent, external valuation was completed prior to the purchase of The Rex building, something that is now a requirement due to the adoption of the Disposal and Acquisition of Land Property Policy,” said Mayor Hood.

Mayor, Cr Brian Hood, said that although extremely disappointing that we won’t have a report, we can now endeavor to draw a line in the sand and move forward as an organisation and community.

“I’m pleased this announcement was made before the end of this Council term. We have a busy couple of weeks ahead of us with the consideration of the next stages of the Future Hepburn project including township structure plans, the financial vision and the last council meeting for the term,” he said.

“Council is progressing a project to assess the feasibility of maximising the community use of the Daylesford Town Hall site, with an option to consolidate and upgrade the building so it could become more of a community hub, and possibly incorporate the Daylesford Library. This has included the creation of a community-based Project Advisory Group, and also the appointment of a lead architect for the Daylesford Community Facilities Project,” said Cr Hood.

“It is imperative that the Inspectorate has the appropriate powers to investigate failings in Local Government and that it has adequate resourcing into the future, preventing delays such as with this investigation, and ensuring that there is transparency and accountability in the use of ratepayers funds” said Cr Hood.

Enquiries regarding the Local Government Inspectorate investigation process should be directed to the LGI, with contact details and their media release available at <https://www.lgi.vic.gov.au>.

-ENDS-

14.5 AWARD OF CONTRACT HEPBU.RFT2024.E1 - SEALED ROAD PATCHING 2024/2025 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 - HEPBU RFT2024 E1 Procurement Evaluation Report [**14.5.1** - 5 pages]
2. CONFIDENTIAL REDACTED - HEPB U. RF T 2024. E 1 Sealed Road Patching 2024-2025 - Evaluation Score (averaged) [**14.5.2** - 1 page]
3. CONFIDENTIAL REDACTED - HEPB U. RF T 2024. E 1 Sealed Road Patching 2024-2025 - Price Comparison [**14.5.3** - 1 page]

OFFICER'S RECOMMENDATION

That Council:

1. *Awards contract HEPBU.RFT2024.E1 Sealed Road Patching 2024/2025 to Civil By Parker PTY LTD on a schedule of rates contract for a maximum of \$450,000 (excl. GST);*
2. *Authorises the Chief Executive Officer to sign and seal the contract documents on behalf of Council; and,*
3. *Resolves that the attached Tender Evaluation Report remain confidential.*

EXECUTIVE SUMMARY

In preparation for Council's bituminous reseal program, it is proposed to appoint a suitably qualified contractor to undertake road repairs and patch areas of the sealed road network. Similar treatments are proposed to other areas of the network where poor pavement conditions are identified.

BACKGROUND

Each year Council takes steps to prepare select sealed roads for bituminous reseal. Works may include drainage, vegetation management, and patching works. In 2023/2024 Council awarded an expanded patching contract that allowed for an extension of patching works to include defects identified across the whole sealed road network. Of all the defects identified, the previous contract remediated around one third. Council proposes to award a contract for a similar scope of works this financial year, focusing on the bituminous reseals and the remainder of the sealed road defects identified as priority defects.

KEY ISSUES

In financial year 2023/2024 Council conducted a road condition audit. The audit helps identify roads that are a priority for intervention over the subsequent years. The audit also identified that previous targeted investment in capital patching has made a material impact on the overall sealed road condition, but equally identified there is still room for further improvements for small scale works, such as continual investment in patching. This contract aims to leverage the new data to improve the sealed road asset condition.

This recommended contract award is a required part of the road renewal program for 2024/2025.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

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

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

FINANCIAL IMPLICATIONS

Similar to the previous contract, award of contract HEPBU.RFT2024.E1 – Sealed Road Patching 2024/2025 is a schedule of rates contract with an upper limit of \$450,000 (excl. GST). Funding is drawn from the budgets of 'Road Reseals Program' and 'Sealed Road Rehabilitation' which have annual budgets of \$1,000,000 and \$778,000 respectively.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are no community or stakeholder engagement implications associated with this report.

RISK AND GOVERNANCE IMPLICATIONS

There are no risk and governance implications associated with this report.

ENVIRONMENTAL SUSTAINABILITY

Focussing remediation efforts to targeted and smaller areas has the benefit of reducing the overall project footprint. Stabilised pavement patching is the process of improving the existing pavement.

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report.

15 A DYNAMIC AND RESPONSIVE COUNCIL
15.1 2023/2024 FINANCE CARRY FORWARD REPORT
DIRECTOR COMMUNITY AND CORPORATE

In providing this advice to Council as the Manager Financial Services, I Natalie Martin have no interests to disclose in this report.

ATTACHMENTS

1. Table 1 - Capital Works 2023-2024 - Carry Forward [15.1.1 - 1 page]
2. Table 2 - Special Operating Projects 2023-2024 - Carry Forward [15.1.2 - 1 page]

OFFICER'S RECOMMENDATION

That Council approves the amended capital works and special projects program per tables 1 and 2 for the 2024/2025 financial year.

EXECUTIVE SUMMARY

This report provides Council with a review of the proposed carry forward projects from the 2023/2024 Capital Works Program and Special Operating Projects in line with the year-end Financial Statements and seeks approval for the carry forward to 2024/2025.

In 2023/2024, the Capital Works Program delivered a total of \$16.8M across 48 projects, including major projects such as The Mechanics Trentham, Creswick Bowls Club, and the Bullarto Station. Council also delivered \$9.6M of Special Operating Projects, which included storm recovery and rectification works as well as the Future Hepburn strategic planning program.

Given the economic disruptors including cost escalation, supply chain shortages and contractor availability, the Capital Works Program has been reviewed for projects that are in progress or not yet started. Officers advise that 33 projects (16 Capital Works Projects and 17 Special Operating Projects) require carry forward expense to the 2024/2025 financial year with a total of \$9.97M.

BACKGROUND

Budgets are developed each year using the most relevant information and assumptions available at the time. It is standard process that a number of projects remain unfinished as at 30 June 2024 and need to be a 'carry-forward' into the new financial year to be completed.

KEY ISSUES

A review of all capital and special operating projects has been completed to identify expense and income required to be carried over to complete the project.

The review was based on the best information and estimates at the time.

The review has not considered changes to any projects that were adopted in the 2024/2025 budget.

Summary of Adjustments to the 2024/2024 Budget

Description	Budget	Refer to
Capital Works Project expenditure carried forward from 2023/2024 - 16 projects	\$9.09M	Table 1
Capital Works Project income carried forward from 2023/2024 - 7 projects	\$4.98M	Table 1
Special Operating Project expenditure carried forward from 2023/2024 - 17 projects	\$0.88M	Table 2
Special Operating Project income carried forward from 2023/2024 - 4 projects	\$0.06M	Table 2

Details are provided in the attachments.

The net cash impact of the carry-forwards is funded by the closing position as at 30 June 2024. The estimated unrestricted cash position as at 30 June 2025 has been adjusted to \$0.25M as per the draft 2023/2024 financial out-turn. A detailed review of the position in June 2025 will be conducted as part of the ongoing work to finalise the statutory accounts and the ten-year Financial Plan.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

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.

FINANCIAL IMPLICATIONS

The project budget review incorporates changes to Council's 2024/2025 budget to identify the consolidated financial implications of all known and reported variances.

Council has a commitment to those projects where an existing funding allocation has been made in 2023/2024, and this funding allocation will be carried forward to allow the completion of the projects in 2024/2025 budget year.

Reporting on the project of these carry-forward projects will form part of the 2024/2025 budget and quarterly financial reporting provided to Council.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The review of the Capital Works Program and Special Operating Projects has been undertaken by officers with consideration for impacts on community expectations and needs. Outcome of this review will be communicated appropriately to the Hepburn Shire community.

RISK AND GOVERNANCE IMPLICATIONS

There are risks in the management of community expectations and Council's reputation. Officers will mitigate risks and implications through effective communications with community and external funders.

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 is no sustainability implications associated with this report.

GENDER IMPACT ASSESSMENT

A Gender Impact Assessment (GIA) was undertaken on previous adopted budgets.

Table 1. Carry Forward Capital Projects from 2023/2024

Number	Project Name	2023/24 project expense to carry forward	2023/24 project income to carry forward	Comments
000557	IT Hardware / Technology Renewal Program	\$ 27,400	\$ 0	Completion September 2024 to allow for works 24 Vincent Street
001077	Server Equipment Replacement	7,500	0	Delays due to timing
001081	Pool Building Renewal Works Program	268,800	0	Leak remediation contract works commenced, project underway
001088	Glenlyon Pavilion Redevelopment Project	158,600	150,000	Delays in commencement of project, design phase underway
001137	Creswick Bowls Club - Green Redevelopment	0	430,000	Project complete, await grant income from Local Community Infrastructure
001192	Newlyn Sports Ground Lighting Upgrade	0	38,550	Project complete, await final grant income
000497	Mechanics at Trentham	135,005	316,000	Site operational with minor works to complete in 2024/25.
001190	Creswick Trails - Construction	2,355,700	0	Project on track to complete by December 2025.
001200	LRCI Phase 4	0	1,190,000	Project nominations accepted for Chanters Lane and D'ford Town Hall
001144	Dog Parks Master Planning	10,700	0	Project delay due to timing.
000975	Creswick Mechanics Institute Building upgrades	33,600	0	Ongoing monitoring of building.
001198	Building and Structures Renewal Program (2023-24)	40,000	0	Allocations for alterations scheduled in 2024/25.
001183	Daylesford Town Hall Reweal - Stage 1	812,700	0	Design and documentation proceeding. Works expected to commence Spring 2024.
001182	Hepburn Bath House Drainage Upgrade	499,000	0	Hertigate requirements submitted and delays due to timing.
000753	Bridge Renewal - Wheelers Bridge	3,140,900	2,560,000	Construction tendering late 2024.
001227	Mechanics Trentham Landscaping	44,100	0	Delays due to timing.
001073	Wombat Hill Botanic Gardens	765,500	300,000	Project in progress. Construction completion expected qtr 2 2024/25.
001202	Road Rehab - Chanters Lane and Pearson Road	739,100	0	Project identified for LRCI phase 4 (income shown separately)
001204	Road Rehab - Road Safety Upgrade	50,000	0	Projects committed, awaiting deliveries
Total Capital Projects		9,088,605	4,984,550	

*All projects in table 1 come at no net additional cost to Council, other than already budgeted.

Table 2. Carry Forward Special Operating Projects from 2023/2024

Number	Project Name	2023/24 project expense to carry forward	2023/24 project income to carry forward	Comments
001150	Technology One Development	\$ 320,900	\$ 0	Continue TechOne upgrades, following on the adoption of the ICT strategy.
000570	Innovate RAP	17,400	0	In progress
001211	Protective Data Security Plan Implementation	13,000	0	In progress and finalise September 2024.
001210	Short Term Rental Regulation	30,000	0	Delays in timing
000676	Implement Biodiversity Strategic Actions	46,700	0	Part of strategic planning project - vegetation assessment.
001147	Western Transmission Line Strategy	48,900	0	Western Transmission Line work and strategic planning - utilised for the EES preparation.
001160	Settlement Strategy and Township Structure Plans	49,000	0	Strategic planning - extensive engagement required.
001166	Integrated Transport Strategy	30,500	0	Delays in timing
001191	Onsite Domestic Wastewater Management Plan	40,000	20,000	Delays in timing
001181	Best Start Best Life reform	62,070	10,000	Extension granted for completion of project.
001194	Mineral Springs Awareness	8,900	8,900	Extension granted for completion of project.
001209	HSC Aquatics Strategy - Business Case Development	60,200	0	Delays in timing
001129	New Office Accommodation Planning	11,160	0	Stage 1 completion anticipated December 2024.
001217	Council Land Assessment	6,600	0	Anticipate completion December 2024
001109	Sustainable Hepburn Implementation	24,770	0	Delays in timing
001135	Regenerative Agriculture	4,900	0	Contribution to Carbon Pilot Partnership. Delays in timing.
001189	Creswick Flood Mitigation Study	104,000	24,000	In progress
Total Special Operating Projects		879,000	62,900	

*All projects in table 2 come at no net additional cost to Council, other than already budgeted.

15.2 ANNUAL FINANCIAL STATEMENTS AND PERFORMANCE STATEMENTS 2023/2024 DIRECTOR COMMUNITY AND CORPORATE

In providing this advice to Council as the Manager Financial Services, I Natalie Martin have no interests to disclose in this report.

ATTACHMENTS

1. Draft Financial Statements 2023/2024 [**15.2.1** - 52 pages]
2. Draft Performance Statement 2023/2024 [**15.2.2** - 12 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *Receives, notes and adopts 'in-principle' the financial statements and performance statement for the year ended 30 June 2024;*
2. *Notes that minor changes may be made to the statements as recommended by the Auditors and that material changes will be reported to Council; and,*
3. *Notes that once the final statements have been certified by the nominated Councillors and the independent auditor's reports received from VAGO, they will form part of Council's Annual Report which will be forwarded to the Minister.*

EXECUTIVE SUMMARY

The Annual Financial Statements and Performance Statement are still subject to audit clearance, however, have been finalised to a stage where the draft statements are presented for Councillor consideration, as changes are expected to only be minimal.

Details of the report are included in the key issues section that details Council's performance during the 2023/2024 financial year.

Once the final statements have been approved in principle by Council and signed by the nominated Councillors and the Chief Executive Officer, the independent auditor's report will be received by the Victorian Auditor General's Office (VAGO). These documents will form part of Council's Annual Report which will be forwarded to the Minister.

BACKGROUND

Audit

Council Officers prepared an initial draft set of statements for the year ended 30 June 2024. Crowe Australia, as Council's appointed external auditors, conducted an audit of the accounts between 26 August – 6 September 2024.

The Statements are presented by officers and representatives from Crowe Australia have confirmed that an unqualified audit opinion will be issued.

Financial Statements

The Annual Financial Report has been prepared in accordance with the Local Government Better Practice Guide, Model Financial Report, and the Local Government Better Practice Guide – Performance Reporting Template. The following statements are contained in the report:

- Comprehensive Income Statement
- Balance Sheet
- Statement of Changes in Equity
- Statement of Cashflows
- Statement of Capital Works
- Notes to the Financial Statements
- Performance Statement

The financial statements provide information on current and prior year balances and other information as required by accounting standards, the *Local Government Act 2020* and Regulations.

The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures as developed by the Victorian Government under the performance reporting framework.

KEY ISSUES

Audit and Risk Committee

The Audit and Risk Committee met on Monday 9 September 2024 and provided the following recommendations in relation to the draft financial and performance statements:

That the Audit and Risk Committee:

- 1. Congratulates Officers on the quality of the accounts and notes that there are no significant changes indicated by the External Auditors at this stage of the Audit, and;*
- 2. Recommends to Council that the draft financial statements should be adopted "in principle" by Council on 16 September 2024, subject to any material changes identified.*

Financial Statements

Council, like most local governments, is experiencing a challenging fiscal environment including three major storm events over the past two years and the current rising costs in the economy. Although rate capping has been implemented for several years, the impact on rate revenue for small rural councils is still significant.

The significant deficit and low unrestricted cash position was expected. Council absolutely remains in a position to pay debts to as, and when required.

Council will need to closely monitor its financial position and performance over the coming years to ensure it remains in a financially sustainable position. Council adopted its Financial Vision on 10 September 2024.

Council has implemented operational efficiencies of \$1.5M across the organisation as part of the adopted Budget 2024/2025 as a further step to ensuring Council's ongoing financial sustainability.

Timing of government grants, both operating and capital, has impacted on the financials presented.

Surplus / Deficit

The operating result for 2023/2024 was a deficit of \$9.88M.

It is not unusual for councils to report a deficit, however, sometimes it does not reflect the "true" financial performance and cash position of Council. The adopted budget 2023/2024 was for a deficit of \$5.07M – so a final result of a deficit position was not unexpected.

The 2023/2024 results for Council include several one-off items, which have had a minor impact on the operating result. The operating deficit would have reduced slightly to \$9.13M taking into account the impact of storms, and if asset write off were not required.

2023/2024	2022/2023
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	\$'000	\$'000
Report Surplus / Deficit for the year	(9,881)	(2,594)
Add back loss on disposal of assets	1,910	2,973
Add back write off of WIP (Work in Progress)	-	1,693
Capital Projects not able to be capitalised	-	2,018
Storm Income Received	(2,361)	(5,046)
Storm Expense incurred	1,202	6,393
Surplus / (Deficit) after removal of material one-off items	(9,130)	5,437

It should be noted that the Federal Government in previous years has pre-paid the majority of its annual funding (Financial Assistance Grants) in each of the financial years for a number of years. In late 2023/24 the Federal Government decided to return to payment of funds in the year the grants relate too. The impact is that for the 2023/24 financial year effectively no Financial Assistance Grants was paid, thus increasing the deficit. The 2023/24 allocation for Hepburn Shire was \$6.06M and thus had funding been received in the correct year – the deficit reduces to \$3.07M.

The underlying surplus/deficit can often be a better measure of Council's performance. Council's underlying result is a deficit, and although significantly impacted by the timing in the Financial Assistance Grants demonstrates a year-on-year trend of deficits. The underlying deficits and need for systemic change to the revenue and expenditure of Council is a key feature in the proposed Financial Vision.

	2023/2024	2022/2023	2021/2022
	\$'000	\$'000	\$'000
Surplus / Deficit for the year	(9,881)	(2,594)	(5,565)
Less non-recurrent capital grants	(2,594)	(8,663)	(3,969)
Less non-monetary contributions	(1,135)	-	(38)
Adjusted underlying Surplus / (Deficit)	(13,610)	(11,257)	(9,572)
Add back loss on disposal of assets	1,910	2,973	1,346
Add back Write off of WIP (Work in Progress)	-	1,693	3,562

Capital Projects not able to be capitalised	-	2,018	-
Storm Income Received	(2,361)	(5,046)	(4,167)
Storm Expense incurred	1,202	6,393	7,316
Underlying Surplus / (Deficit) after removal of material one-off items	(12,859)	(3,226)	(1,515)

The \$12.86 underlying deficit is significant but needs to be read in context that the adopted budget 2023/2024 forecast is a deficit of \$9.6M.

Income

Council receives income from a wide range of sources, including rates, user fees, statutory fees, grants, contributions, and other income. The total income received for 2023/2024 was \$39.18M (\$54.03M in 2022/2023) a decrease of \$14.9M or 27.5%.

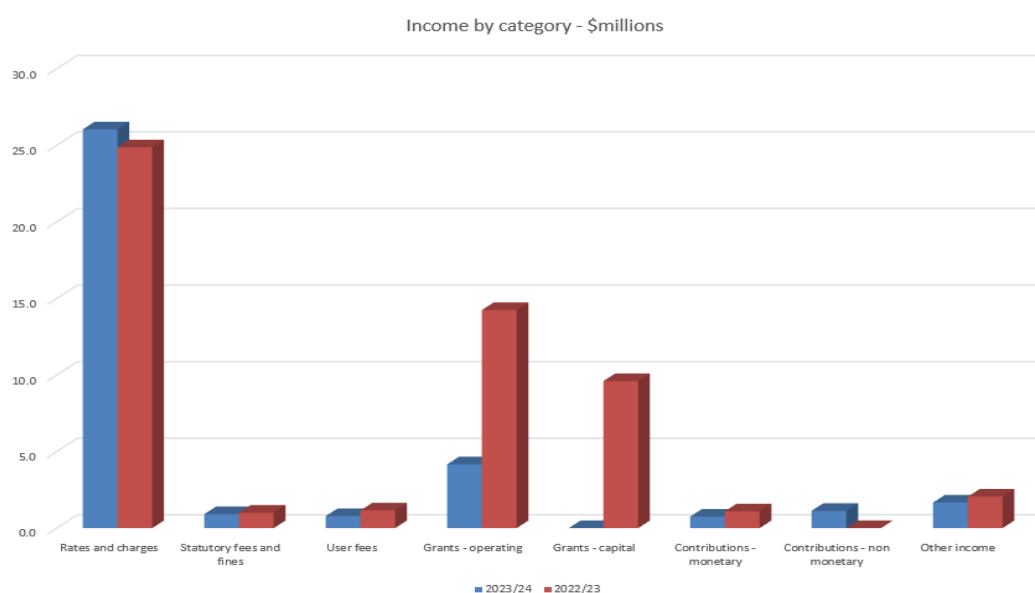
Traditional income categories of rates, fees and other income remained constant however a decrease in both operating and capital grants was due to the realignment of the financial assistance grants for receipt in the year applicable, and grant income not yet received for capital projects. Note 3 of the financial statements provides a more detailed breakdown against prior year actual.

Explanation of key income movements include:

- Operating grants decreased by \$10.08M (70.7%) as the financial assistance grants for 2024/2025 have been realigned for receipt in the year applicable, so no advanced payment was received in 2023/2024 (\$6.1M prior advance 2022/2023). The movement has been compounded by increased storm recovery income (\$3.6M) received in 2022/2023 as compared to the current financial year. These are timing specific issues and do not impact on the ongoing financial sustainability of Council.
- Capital grants decreased by \$5,893k (61.4%) – the timing of capital grants relates often to the timing of works being undertaken. Significant grant funding was received in the two prior years and we expect further capital grant funding in 2024/25 as projects are completed.
- Rates and charges increased \$1,172k (4.7%) which is in line with the State Government rate cap, growth and increase in waste charges.
- User fees and charges decreased by \$366k (31.7%) which was a combination of building services applications decreasing as Council stopped undertaking this role.

- Contributions decreased by \$347k (31.5%), these are related to capital project delivery.
- Contributions non-monetary have been identified in 2023/2024 (\$1.1M) as a result of subdivisions of land and infrastructure across the Shire.
- Other income decreased by \$384k (18.7%) which was predominately a reduction in insurance claims (\$134k), other reimbursements (\$144k), and commercial property rental income (\$102k) which was high in the previous year as services returned to strength from the covid pandemic impacts.

The below graph provides the income categories with a comparison of the current year and prior year.



Council's income of \$39.18M was \$3.89M (8.9%) below budget, which was predominately due to reduced capital and operating grants being received (\$4.7 M) that were budgeted for, and partially offset by unbudgeted non-monetary contributions (\$1.1M).

Note 2.1.1 provides analysis of current year performance against budget.

Expenses

Council's total operating expenditure including depreciation for 2023/2024 was \$49.06M. Expenditure relates to the ongoing or operation costs to deliver services that benefit the community. Expenditure categories summarised below include employee costs, materials and services, depreciation, and other expenses.

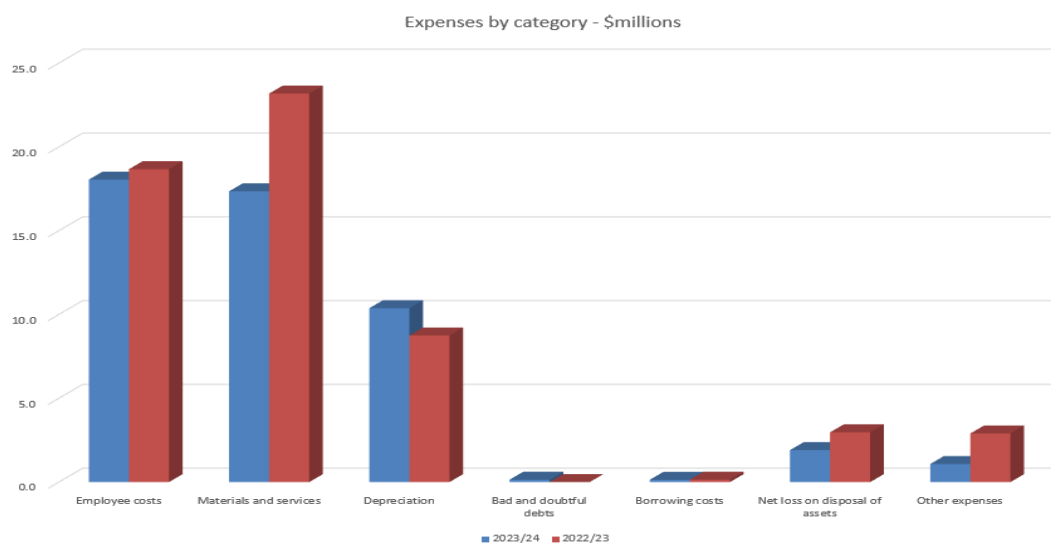
Total operational expenditure has decreased from the prior year \$56.63M, a decrease of \$7.57M (14.0%).

Explanation of key expenditure movements include:

- Employee costs decreased by \$622k (3.3%) which was staff vacancies and a reduction of staff working on storm recovery as the reinstatement works were finalised from the October 2022 storm event.
- Materials and services decreased by \$5.8M (10.3%) due to costs associated with the storm recovery works \$6.1M in the prior year and other general administration cost decreases \$200k, offset in part by strategic planning \$500k for key structure planning projects (Future Hepburn).
- Loss on disposal of property decreased as the prior year was impacted by the sale of the Rex.
- Other expenses decreased by \$1.82M (62.8%), as the prior year was impacted by the major write off of costs associated with work in progress projects.
- General savings were also identified (where possible) across the organisation given the Council's financial position.

Total operational expenditure was \$506k (1.1%) above budget due to similar factors outlined above, with major impacts being storm recovery costs budgeted at a higher than anticipated level and also additional depreciation expense due to increased capital expenditure and impact of asset revaluations.

The below graph provides the expense categories with a comparison of the current year and previous year.



Capital Works

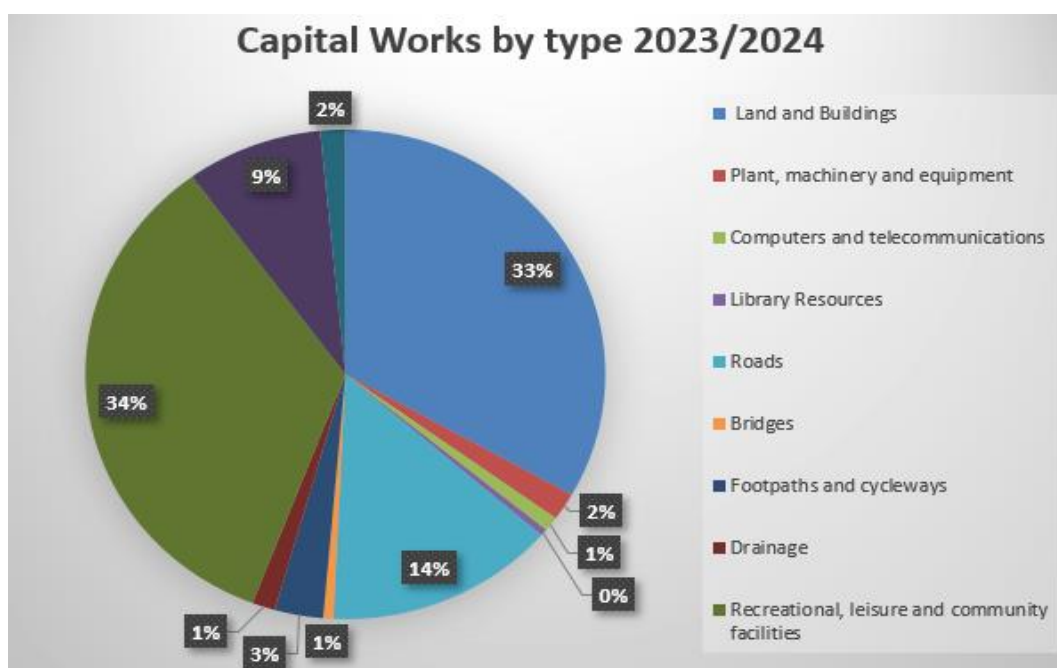
Council delivered \$16.8M of capital works throughout the financial year (\$14.59M in 2022/2023). The most in recent history, as a number of key projects were finalised or significantly progressed.

The most significant areas of capital investment were on buildings and improvements (The Mechanics Trentham), roads and recreational, leisure and community facilities (Djuwang Baring). The \$16.8M is 86.6% of the total capital works

adopted budget for 2023/2024. Including the carried forward from 2022/2023 this would revert to 66.2% of the budget.

An estimate of \$9.1M of capital works and \$0.8M of special projects expenditure will be carried forward into 2023/2024 (\$7.7M in 2022/2023) with the intention of completing these projects in 2024/2025. A separate carry-forward report will be presented to Council for adoption.

The following chart illustrates the value of each type of capital works expenditure delivered during 2023/2024.



Financial Sustainability

In 2023/2024 the Victorian Government capped overall rate increases at 3.5%. Council elected not to apply for an exemption to this rate cap and continued to review operations throughout the year to ensure delivery of important services and best value for money for the community.

Reduced revenue and increasing costs mean that it is vital for Council to identify efficiencies and alternative funding opportunities to reduce the reliance of rate revenue. Council relies heavily on support from State and Federal Governments to deliver key infrastructure projects and provide support for other important programs.

Hepburn Shire Council has faced substantial challenges over the past four years, including the impacts of natural disasters such as floods and storms, escalating material and project delivery costs, and financial pressures resulting from cost shifting by other levels of government.

In the 2024/2025 Budget, Council determined to implement reductions to operational budgets by \$1.50M, while seeking to minimise the impact on service delivery. The Budget also identified that an annual cash shortfall of approximately \$4.0M exists from 2025/2026 onwards.

Key Sustainability Indicators

The Victorian Auditor General's Office (VAGO) issued a number of financial sustainability indicators which are used to compare all 79 councils. The below table provides Council's indicators for 2023/2024. These indicators should be considered collectively and are more useful when assessed over time as part of trend analysis. Council remains mainly in the "low" risk category.

Indicator	Result	Risk Rating ¹	Formula
Underlying result	-41%	High	Adjusted net surplus/ total underlying revenue
Liquidity	1.41:1	Low	Current assets/ current liabilities
Indebtedness	31%	Low	Non-current liabilities/ own-sourced revenue
Self-financing	1.7%	High	Net operating cash flows/ underlying revenue
Capital replacement	162%	Low	Capital expenditure/ depreciation
Renewal gap	75%	Medium	Renewal and upgrade expenditure/ depreciation

Council's underlying result of negative 41% and self-financing 1.7% places us in the high-risk category. This is significantly impacted by the timing of the Financial Assistance Grants. This financial performance is only acceptable in the short term and particularly impacted by the timing of grants, but not sustainable long term.

Renewal gap has dropped to below 100% due to the capital program delivering a high percentage of new assets – this is expected to increase well above 100% in 2024/25 as a number of carry-forward projects are completed.

It is positive that three indicators remain in the low-risk rating category.

Balance Sheet

Council has a stable balance sheet as detailed above in the VAGO indicators. Many of the balance sheet line items remained similar, major changes are explained below.

- Cash and other financial assets (term deposits) totalled \$7.8M as at 30 June 2024, which was a decrease of \$10.7M from the previous year. The decrease was due to the realignment of the financial assistance grants for receipt in the year applicable, thus no advance payment was received in 2023/2024. Further detail is provided in relation to Council's unrestricted cash assets in note 5.1.
- Non-current assets increased by \$120.3M to a total valuation of \$484.7M. This is a combination of full asset revaluations for land and buildings, and roads together with indexation of other infrastructure \$114.9M, capital work expenditure of \$16.8M and \$10.4M of depreciation. Further detail is provided in relation to Council's property, plant, and infrastructure assets in note 6.1.
- Trade and other payables increased by \$659k due to increased creditor invoices being processed in June but not paid until July. This relates to timing only and is a result of a large number of capital works underway – Council is paying all debts within its legislated timeframes.
- Unearned income/revenue decreased by \$0.9M due to grants that were received in previous years being included as income in the current year.
- Interest-bearing liabilities increased in total due to a new \$5.887M loan being drawn down during the year.
- Reserves increased by \$114.5M to a total of \$340.0M. Most of this movement was due to the physical revaluation of Land and Buildings, and a change to the methodology for the revaluations of infrastructure which is a non-cash transaction. Other reserves decreased from \$6.4M to \$6.0M and reflect cash backed reserve such as open space and the mineral springs reserve which are allocations of funding for future works.

Unrestricted cash assets – Council has cash and other financial assets (term deposits) that total \$7.8M, however, it is important to note that the majority of these funds have intended allocations which are detailed below.

	<u>2023/2024</u>	<u>2022/2023</u>
Total Financial Assets (\$'000)	7,832	18,476
Council's cash and cash equivalents are subject to external restrictions		
Trust funds and deposits (Note 5.3)	(1,736)	(1,496)
Statutory Reserves (note 9.1(b))	(1,967)	(1,842)
Total unrestricted financial assets	4,129	15,138
Amounts allocated for specific future purposes by Council		
Cash held to fund carried forward works	(4,930)	(5,040)

Unexpended grants received (Note3.4(c))	0	(2,151)
Discretionary reserves (9.1(b))	(4,037)	(4,525)
Total unrestricted financial assets	(4,838)	3,422
2024/2025 Grants commission received in advance	-	(6,062)
Total unrestricted and allocated financial assets	(4,838)	(2,640)

Net position – receivables / trade payables	3,556	3,404
Net unrestricted and allocated financial assets	(1,282)	764

With a negative unrestricted cash balance as at 30 June 2024 and a low positive unrestricted cash balance budgeted for in 2024/2025 and projected in future years, Council will need to (and is) carefully manage this in the short term. Council has committed in this Council term to adopt a Financial Plan that is a strategic indicator for the next Council. At the Special Meeting of Council on 28 May 2024, Council resolved the following –

Requests that the Chief Executive Officer works with Councillors to undertake additional Councillor workshops, engage with the community during July and prepare an updated Financial Plan (10-years) for consideration at the September 2024 Council Meeting that addresses the long-term financial sustainability of Council.

The negative unrestricted cash position is not unexpected and has been forecast into the Budget 2024/2025.

- The Budget 2024/2025 forecasts an unrestricted cash position of positive \$295,000.
- Based on finishing position of 2023/2024, carry-forwards and adjustments this is currently forecast at \$246,000. The decrease of \$49,000 will be worked through in the first quarter of 2024/2025.
- The negative unrestricted cash position is being partly impacted by higher receivables than previously. After effectively three financial years of no/limited debt follow up due to the COVID Pandemic, officers have restarted debt collection conversations. Late in 2023/2024 we saw an increase in outstanding debts being paid, and we expect this to continue in 2024/2025 with an increased focus by the Financial Services team. This is important to transfer receivables to cash, given our cashflow position.

Performance Reporting

Attached is the current performance statement, which details a set of audited results against State Government prescribed performance indicators and measures.

The majority of indicators have remained stable during the last twelve months.

Sustainable Capacity

The construction and renewal of infrastructure assets has increased the value of all infrastructure controlled by Council. The growing proportion of infrastructure relative to the population shows Council's commitment to improving and accurately recording infrastructure.

The expenses incurred by Council compared to the population has decreased this year on a per person basis as the impacts of prior year storm events are reduced, along with decreased write off of costs incurred that were not recognised as assets in the prior year reporting.

Service Performance

Waste diversion from landfill has increased aided by the introduction of FOGO in April 2024, along with the change of garbage frequency from weekly to fortnightly.

Library results for participation were within target and expected to continue to remain positive with the opening of The Mechanics Trentham along with the introduction of Open Libraries next financial year.

Financial Performance

The measure of liquidity is one reflection of Council's current financial position. The higher assets relative to liabilities shows Council is able to settle its liabilities. The slight increase from prior years reflects the current financial position as Council adjusts for the realignment of the Financial Assistance Grants for receipt in the year applicable, with no payment received in 2023/2024.

Interest bearing loans as a percentage of rate revenue increased this year as a new loan of \$5.887M was drawn down for major capital projects.

Non-current liabilities as a percentage of Council's revenue from rates and fees has increased due to a previous commitment to draw down a new loan in the current year. This result confirms that Council is well within its capacity to meet its loan repayment obligations.

Generally, the financial performance results remain within the expected range.

Report of Operations

Attached is the current report of operations.

This is the key service performance indicators that form part of the Local Government Performance Reporting Framework.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

A dynamic and responsive Council

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

Under Section 98 of the *Local Government Act 2020*:

1. A Council must prepare an annual report in respect of each financial year.
2. An annual report must contain the following:
 - a) A report of operations of the Council;
 - b) An audited performance statement;
 - c) Audited financial statements;
 - d) A copy of the auditor's report on the performance statement;
 - e) A copy of the auditor's report on the financial statements under Part 3 of the *Audit Act 1994*;
 - f) Any other matter required by the regulations.

Under Section 99 of the *Local Government Act 2020*;

3. The Council must ensure that the performance statement and financial statements, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by -
 - a) 2 Councillors authorised by the Council for the purpose of this subsection.
 - b) Any other persons prescribed by the regulations for the purposes of this subsection.

FINANCIAL IMPLICATIONS

As noted under Key Issues.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Once the final statements have been certified by the nominated Councillors and the independent auditor's report has been received from VAGO, they will form part of Council's Annual Report which will be forwarded to the Minister. After the Annual Report has been submitted to the Minister, Council must give public notice that the Annual Report has been prepared and can be inspected at the Council offices and on Council's website. Other appropriate communication of Council's financial performance and results will be undertaken including media release, inclusion in Hepburn Life and reports placed on Council's website.

RISK AND GOVERNANCE IMPLICATIONS

Generally, the financial performance results remain within the expected range.

Council has identified the strategic risk of Financial Sustainability as a 'failure to maintain our long term financial sustainability to deliver on our business objectives', with the current residual risk identified as 'High'. A control to bring the risk into tolerance includes the adoption of a Financial Vision to support the 10-year Financial Plan. Council's Audit and Risk Committee (ARC) has advised that if no decisive action is taken regarding the Long-Term Financial Plan (known as the Financial Vision) in September 2024, an adjustment for the risk rating for ST1 - Financial Sustainability is required. This risk remains outside of Council's risk appetite and will need to be revised from 'likely' with a major consequence of 'major', to 'certain'.

ENVIRONMENTAL SUSTAINABILITY

There are no sustainability implications associated with this report.

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report.



DRAFT ANNUAL FINANCIAL REPORT

For the Year Ended 30 June 2024

Hepburn Shire Council

Financial Report

Table of Contents

FINANCIAL REPORT		Page
Certification of the Financial Statements		4
Victorian Auditor-General's Office Audit Report		5
 Financial Statements		
Comprehensive Income Statement		7
Balance Sheet		8
Statement of Changes in Equity		9
Statement of Cash Flows		10
Statement of Capital Works		11
 Notes to the Financial Statements		
Note 1	Overview	12
Note 2	Analysis of our results	14
	2.1. Performance against budget	14
	2.2. Analysis of council results by program	17
Note 3	Funding for the delivery of our services	19
	3.1. Rates and charges	19
	3.2. Statutory fees and fines	19
	3.3. User fees	19
	3.4. Funding from other levels of government	20
	3.5. Contributions	22
	3.6. Net gain/(loss) on disposal of property, infrastructure, plant and equipment	22
	3.7. Other income	22
Note 4	The cost of delivering services	23
	4.1. Employee costs	23
	4.2. Materials and services	23
	4.3. Depreciation	23
	4.4. Allowance for impairment losses	24
	4.5. Borrowing costs	24
	4.6. Other expenses	24

Hepburn Shire Council

Financial Report

Table of Contents

FINANCIAL REPORT		Page
Note 5	Investing in and financing our operations	25
	5.1. Financial assets	25
	5.2. Non-financial assets	27
	5.3. Payables, trust funds and deposits and contract and other liabilities	28
	5.4. Interest-bearing liabilities	29
	5.5. Provisions	30
	5.6. Financing arrangements	32
	5.7. Commitments	32
	5.8. Leases	33
Note 6	Assets we manage	34
	6.1. Property, infrastructure plant and equipment	34
Note 7	People and relationships	41
	7.1. Council and key management remuneration	41
	7.2. Related party disclosure	42
Note 8	Managing uncertainties	43
	8.1. Contingent assets and liabilities	43
	8.2. Change in accounting standards	44
	8.3. Financial instruments	44
	8.4. Fair value measurement	46
	8.5. Events occurring after balance date	46
Note 9	Other matters	47
	9.1. Reserves	47
	9.2. Reconciliation of cash flows from operating activities to surplus/(deficit)	49
	9.3. Superannuation	50
Note 10	Change in accounting policy	52

Certification of the Financial Statements

In my opinion, the accompanying financial statements have been prepared in accordance with the *Local Government Act 2020*, the *Local Government (Planning and Reporting) Regulations 2020*, the Australian Accounting Standards and other mandatory professional reporting requirements.

<Principal Accounting Officer Name & Qualifications>
Principal Accounting Officer

Dated : <Date>
Daylesford

In our opinion, the accompanying financial statements present fairly the financial transactions of the Hepburn Shire Council for the year ended 30 June 2024 and the financial position of the Council as at that date.

At the date of signing, we are not aware of any circumstances that would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify the financial statements in their final form.

<Councillor 1 Name>
Councillor
Dated : <Date>
Daylesford

<Councillor 2 Name>
Councillor
Dated : <Date>
Daylesford

Bradley Thomas
Chief Executive Officer
Dated : <Date>
Daylesford

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Comprehensive Income Statement For the Year Ended 30 June 2024

	Note	2024 \$'000	2023 \$'000
Income / Revenue			
Rates and charges	3.1	26,038	24,866
Statutory fees and fines	3.2	915	1,013
User fees	3.3	788	1,154
Grants - operating	3.4	4,168	14,243
Grants - capital	3.4	3,710	9,603
Contributions - monetary	3.5	753	1,100
Contributions - non monetary	3.5	1,135	-
Other income	3.7	1,673	2,057
Total income / revenue		39,180	54,036
Expenses			
Employee costs	4.1	18,051	18,673
Materials and services	4.2	17,354	23,188
Depreciation	4.3	10,380	8,750
Allowance for impairment losses	4.4	144	(3)
Borrowing costs	4.5	141	146
Net gain (or loss) on disposal of property, infrastructure, plant and equipment	3.6	1,910	2,973
Other expenses	4.6	1,081	2,903
Total expenses		49,061	56,630
Surplus/(deficit) for the year		(9,881)	(2,594)
Other comprehensive income			
Items that will not be reclassified to surplus or deficit in future periods			
Net asset revaluation gain/(loss)	6.2	114,891	23,951
Total other comprehensive income		114,891	23,951
Total comprehensive result		105,009	21,357

The above comprehensive income statement should be read in conjunction with the accompanying notes.

Balance Sheet As at 30 June 2024

	Note	2024 \$'000	2023 \$'000
Assets			
Current assets			
Cash and cash equivalents	5.1	1,645	14,274
Trade and other receivables	5.1	7,703	6,892
Other financial assets	5.1	6,187	4,202
Inventories	5.2	5	13
Prepayments	5.2	44	55
Other assets	5.2	36	-
Total current assets		15,620	25,436
Non-current assets			
Property, infrastructure, plant and equipment	6.2	484,726	364,442
Total non-current assets		484,726	364,442
Total assets		500,346	389,878
Liabilities			
Current liabilities			
Trade and other payables	5.3	4,147	3,488
Trust funds and deposits	5.3	1,736	1,496
Contract and other liabilities	5.3	1,629	2,540
Provisions	5.5	2,680	2,747
Interest-bearing liabilities	5.4	883	408
Total current liabilities		11,075	10,679
Non-current liabilities			
Provisions	5.5	526	464
Interest-bearing liabilities	5.4	8,498	3,494
Other liabilities		10	42
Total non-current liabilities		9,034	4,000
Total liabilities		20,109	14,679
Net assets		480,237	375,199
Equity			
Accumulated surplus		140,193	149,684
Reserves	9.1	340,043	225,515
Total Equity		480,237	375,199

The above balance sheet should be read in conjunction with the accompanying notes.

Statement of Changes in Equity For the Year Ended 30 June 2024

	Note	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
2024					
Balance at beginning of the financial year		375,199	149,684	219,149	6,366
Opening balance adjustment *		29	29	-	-
Revised opening balance		375,228	149,713	219,149	6,366
Surplus/(deficit) for the year		(9,881)	(9,881)	-	-
Net asset revaluation gain/(loss)	6.2	114,891	-	114,891	-
Transfers to other reserves	9.1	-	8,227	-	(8,227)
Transfers from other reserves	9.1	-	(7,865)	-	7,865
		480,237	140,193	334,040	6,004
Balance at end of the financial year		480,237	140,193	334,040	6,004

		Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
2023					
Balance at beginning of the financial year		353,840	155,156	195,198	3,486
Surplus/(deficit) for the year		(2,594)	(2,594)	-	-
Net asset revaluation gain/(loss)	6.2	23,951	-	23,951	-
Transfers to other reserves	9.1	-	6,307	-	(6,307)
Transfers from other reserves	9.1	-	(9,187)	-	9,187
		375,199	149,684	219,149	6,366
Balance at end of the financial year		375,199	149,684	219,149	6,366

* Prior year error in accounting treatment of depreciation for sale of Rex.

The above statement of changes in equity should be read in conjunction with the accompanying notes.

Statement of Cash Flows For the Year Ended 30 June 2024

	Note	2024 Inflows/ (Outflows) \$'000	2023 Inflows/ (Outflows) \$'000
Cash flows from operating activities			
Rates and charges		25,411	23,842
Statutory fees and fines		932	995
User fees		502	1,311
Grants - operating		4,526	15,592
Grants - capital		2,799	3,951
Contributions - monetary		753	1,100
Interest received		435	423
Rent received		1,234	1,384
Trust funds and deposits taken		36	355
Other receipts		60	354
Net GST refund/payment		3,300	3,224
Employee costs		(18,065)	(18,696)
Materials and services		(20,116)	(26,484)
Other payments		(1,189)	(1,299)
Net cash provided by/(used in) operating activities	9.2	620	6,052
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment		(16,744)	(14,590)
Proceeds from sale of property, infrastructure, plant and equipment	3.6	143	4,001
Payments for investments		(1,985)	-
Proceeds from sale of investments		-	13,000
Net cash provided by/(used in) investing activities		(18,586)	2,411
Cash flows from financing activities			
Finance costs		(141)	(146)
Proceeds from borrowings		5,887	1,500
Repayment of borrowings		(408)	(2,123)
Net cash provided by/(used in) financing activities		5,338	(769)
Net increase (decrease) in cash and cash equivalents		(12,629)	7,694
Cash and cash equivalents at the beginning of the financial year		14,274	6,579
Cash and cash equivalents at the end of the financial year	5.1	1,645	14,273
Financing arrangements	5.6		
Restrictions on cash assets	5.1		

The above statement of cash flows should be read in conjunction with the accompanying notes.

Statement of Capital Works For the Year Ended 30 June 2024

	Note	2024 \$'000	2023 \$'000
Property			
Land improvements		16	-
Buildings		5,549	4,466
Total property		<u>5,565</u>	<u>4,466</u>
Plant and equipment			
Plant, machinery and equipment		303	1,243
Computers and telecommunications		162	242
Library books		75	28
Total plant and equipment		<u>540</u>	<u>1,513</u>
Infrastructure			
Roads		2,402	2,663
Bridges		106	526
Footpaths and cycleways		507	299
Drainage		240	278
Recreational, leisure and community facilities		5,725	4,341
Parks, open space and streetscapes		1,424	452
Other infrastructure		259	52
Total infrastructure		<u>10,664</u>	<u>8,611</u>
Total capital works expenditure		<u>16,768</u>	<u>14,590</u>
Represented by:			
New asset expenditure		8,948	6,142
Asset renewal expenditure		4,150	5,553
Asset upgrade expenditure		3,670	2,895
Total capital works expenditure		<u>16,768</u>	<u>14,590</u>

The above statement of capital works should be read in conjunction with the accompanying notes.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 1 OVERVIEW

Introduction

The Hepburn Shire Council was established by an Order of the Governor in Council on 19 January 1995 and is a body corporate. The Council's main office is located at 24 Vincent St, Daylesford 3460.

Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020*.

The Council is a not-for-profit entity and therefore applies the additional AUS paragraphs applicable to a not-for-profit entity under the Australian Accounting Standards.

Accounting policy information

1.1 Basis of accounting

Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported. Specific accounting policies applied are disclosed in sections where the related balance or financial statement matter is disclosed.

The accrual basis of accounting has been used in the preparation of these financial statements, except for the cash flow information, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

The financial statements are based on the historical cost convention unless a different measurement basis is specifically disclosed in the notes to the financial statements.

The financial statements have been prepared on a going concern basis. The financial statements are in Australian dollars. The amounts presented in the financial statements have been rounded to the nearest thousand dollars unless otherwise specified. Minor discrepancies in tables between totals and the sum of components are due to rounding.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of employee provisions (refer to Note 5.5)
- the determination of landfill provisions (refer to Note 5.5)
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of AASB 15 Revenue from Contracts with Customers or AASB 1058 Income of Not-for-Profit Entities (refer to Note 3)
- the determination, in accordance with AASB 16 Leases, of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.8)
- whether or not AASB 1059 Service Concession Arrangements: Grantors is applicable
- other areas requiring judgements

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

Goods and Services Tax (GST)

Income and expenses are recognised net of the amount of associated GST. Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the taxation authority is included with other receivables or payables in the balance sheet.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 1 OVERVIEW (continued)

1.2 Storm Events

Council has been impacted by three significant storm events during the financial years 2020/21 to 2022/23 with the works finishing in 2023/24. The first event occurred in the Trentham area in June 2021, the second event was in the Creswick area in January 2022 and the third event in October 2022 was state wide.

The result of these storms was significant damage to property and infrastructure across the areas. A storm recovery team was set up by council to co-ordinate a response to the disasters and provide support and information to the affected communities.

The costs to respond to the storm events is being partially reimbursed through government disaster recovery funding and insurance claim assessments and approval. Total costs for the three events is \$14.9m, with all major expenditure for the storms having been completed by 30 June 2024.

Total Financial Impact of Storm Events on Council

	Storm Event Trentham June 2021	Storm Event Creswick January 2022	Storm Event October 2022	Total
	\$'000's	\$'000's	\$'000's	\$'000's
Claims Received	4,886	1,507	5,177	11,570
Costs				
Employee Benefits	635	461	397	1,493
Contractors	5,055	1,791	6,259	13,106
Other	182	114	15	311
Total Expenditure	5,872	2,366	6,671	14,910
(Cost) / Benefit to Council	(986)	(860)	(1,494)	(3,340)

Impact of Storm Events on 2023/2024 financial results

	Storm Event Trentham June 2021	Storm Event Creswick January 2022	Storm Event October 2022	Total
	\$'000's	\$'000's	\$'000's	\$'000's
Claims Received	563	1,500	298	2,361
Costs				
Employee Benefits	11	0	143	154
Contractors	20	5	1,022	1,048
Other	0	0	0	0
Total Expenditure	31	5	1,165	1,202
(Cost) / Benefit* to Council	532	1,494	(867)	1,159

* reimbursements for prior years storm events

1.3 Carried Forward Works

The carried forward works value disclosed in Note 5.1(b) is stated at 30 June 2024 budget value. This amount may fluctuate due to cost inflation in the construction industry and the changing economic climate.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 2 ANALYSIS OF OUR RESULTS

2.1 Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variances. Council has adopted a materiality threshold of the lower of 10 percent or \$100,000 where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figures detailed below are those adopted by Council on 27 June 2023. The budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for income and expense targets in this budget in order to meet Council's planning and financial performance targets for both the short and long-term. The budget did not reflect any changes to equity resulting from asset revaluations, as their impacts were not considered predictable.

These notes are prepared to meet the requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

2.1.1 Income / Revenue and expenditure

	Budget 2024 \$'000	Actual 2024 \$'000	Variance \$'000	Variance %	Ref
Income / Revenue					
Rates and charges	26,159	26,038	(121)	0%	1
Statutory fees and fines	1,130	915	(215)	-19%	2
User fees	1,016	788	(228)	-22%	3
Grants - operating	6,849	4,168	(2,681)	-39%	4
Grants - capital	5,782	3,710	(2,072)	-36%	5
Contributions - monetary	570	753	183	32%	6
Contributions - non monetary	-	1,135	1,135	100%	7
Other income	1,572	1,673	101	6%	8
Total income / revenue	43,277	39,180	(3,898)	-9%	
Expenses					
Employee costs	17,991	18,051	60	0%	
Materials and services	20,431	17,354	(3,077)	-15%	9
Depreciation	8,809	10,380	1,571	18%	10
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	200	1,910	1,710	855%	11
Allowance for impairment losses	15	144	129	860%	12
Borrowing costs	211	141	(70)	-33%	
Other expenses	898	1,081	183	20%	13
Total expenses	48,555	49,061	506	1%	
Surplus/(deficit) for the year	(5,077)	(9,881)	(4,404)	87%	14

(i) Explanation of material variations

- Rates and Charges** - Service charges are unfavourable to budget (\$83k) as a result of slightly lower than expected waste management charges recovered compared to budget. A reduced level of supplementary rates has been returned in the rating year than expected (\$28k).
- Statutory Fees and Fines** - The decrease in statutory fees and fines is attributable to town planning fees being unfavourable. A mid-year budget adjustment downwards of \$280k realigned this area based on the actual rate of receiving these fees thereby revising the variance to \$65k. There has been a significant drop recently in planning and building applications compared to prior years whereby government stimulus packages were used to incentivise this area.
- User Fees** - Unfavourable movement in the gate fees charges at the transfer stations \$182k as compared to the adopted budget together with a reduction in the building fee income being generated \$20k.
- Grants Operating** - The decrease in operating grants is a result of the financial assistance grant for 2024/2025 having been realigned for receipt in the year applicable, so no advanced payment was received in 2023/2024. (\$6.1M prior advance 2022/2023) The movement has been compounded by increased storm recovery income (\$3.6M) received in 2022/2023 as compared to the current financial year. These issues are timing specific.
- Grants Capital** - The decrease in capital grants received is due to a major project for bridges having not commenced to the construction stage \$2.5m, this is offset in part by final instalments for Local Roads and Community Infrastructure Program (LRCI) Phase 1 and Phase 2 projects being received in 2023/24 that were completed in a prior financial year.
- Contributions - monetary** - Greater than expected subdivision activity has occurred across the Shire in the year, funds which developers are required to submit to Council are transferred to a financial reserve for capital investment by Council in future years.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 2 ANALYSIS OF OUR RESULTS (continued)

- 7 **Contributions - non monetary** - New subdivisions occurred across the Shire resulting in non-monetary contributions, land under roads of \$181k and infrastructure assets of \$954k were brought to account for the first time.
- 8 **Other income** - decrease predominately due to a reduction in insurance claims (\$134k), other reimbursements (\$144k), and commercial property rental income (\$102k) which was high in the previous year as services returned to strength from the covid pandemic impacts.
- 9 **Materials and Services** - Materials and services are favourable to budget due to costs associated with storm recovery works \$3.1M not required at the budgeted amount. Corresponding net off of income budget for storms.
- 10 **Depreciation** - The budgeted depreciation has not taken into account the increase due to the large capital program and impact of revaluations. It is noted that depreciation is a non-cash item.
- 11 **Net gain / (loss) on disposal of asset** - The increase compared to budget relates to the written down value of disposed infrastructure as a result of capital works undertaken. Given the value of infrastructure disposed is difficult to assume, and it being a non-cash item, it is therefore not budgeted for.
- 12 **Allowance for impairment losses** - Provision has been made for historical infringement debts across the regulatory services of local laws, fire prevention, parking and planning \$111k
- 13 **Other expenses** - The increase compared to budget has resulted from one off and new items that were unbudgeted in the 2023/24 financial year. These include rental adjustments for transfer stations \$16k, corporate memberships \$12k, compensation payments \$40k, grants and donations \$47k. A mid-year adjustment to the adopted budget of \$68k also took place. The resultant position with this adjustment is a variance of \$115k to the revised budget.
- 14 **Surplus (deficit) for the year** - Result is unfavourable to budget due to lower than expected income from both operating and capital grants. This is due to timing specific issues.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 2 ANALYSIS OF OUR RESULTS (continued)

2.1.2 Capital works

	Budget 2024 \$'000	Actual 2024 \$'000	Variance \$'000	Variance %	Ref
Property					
Land improvements	-	16	16	0%	
Buildings and improvements	3,462	5,549	2,087	60%	1
Total property	3,462	5,565	2,103	61%	
Plant and equipment					
Plant, machinery and equipment	600	303	(297)	-50%	2
Computers and telecommunications	200	162	(38)	-19%	
Library books	60	75	15	25%	
Total plant and equipment	860	540	(320)	-37%	
Infrastructure					
Roads	2,730	2,402	(328)	-12%	3
Bridges	3,000	106	(2,894)	-96%	4
Footpaths and cycleways	275	507	232	84%	5
Drainage	264	240	(24)	-9%	
Recreational, leisure and community facilities	7,720	5,725	(1,995)	-26%	6
Parks, open space and streetscapes	760	1,424	664	87%	7
Other infrastructure	300	259	(41)	-14%	
Total infrastructure	15,049	10,664	(4,385)	-29%	
Total capital works expenditure	19,371	16,768	(2,603)	-13%	
Represented by:					
New asset expenditure	8,805	8,948	143	2%	
Asset renewal expenditure	9,629	4,150	(5,479)	-57%	
Asset upgrade expenditure	937	3,670	2,733	292%	
Total capital works expenditure	19,371	16,768	(2,603)	-13%	

(i) Explanation of material variations

Variance Ref	Item / Explanation
1	Buildings and Building Improvements - Mechanics at Trentham finalised in 2023/24 with carry forward from 2022/23 and mid-year budget adjustments totalling \$2.7m added to the original budget allocation.
2	Plant, machinery & equipment - \$600k adopted budget shows a favourable variance of \$297k resulting from a proportion of capital works expenditure (composting trial) from a prior reporting period being expensed due to not meeting the capitalisation threshold.
3	Roads - due to delays in the 2022/23 program, a budget of \$636k was carried forward to the current financial year. As a result of this prior year carry forward, the program is fully expended in 2023/24 with a marginal variance to the amended budget.
4	Bridges - a major bridge renewal has commenced with the design work completed in the prior financial year. Construction of this renewal is anticipated in a future financial year, with the variance to budget of \$2.9m identified as a 2023/24 carry forward.
5	Footpaths and cycleways - due to delays in the 2022/23 program, a budget of \$220k was carried forward to the current financial year. As a result of this prior year carry forward, the program is fully expended in 2023/24 with a marginal variance to the amended budget.
6	Recreation, leisure and community facilities - major project of Djuwang Baring is scheduled for completion late December 2024 therefore variance to budget of just over \$2m has been identified to carry forward to 2024/25.
7	Parks, open space and streetscapes - Central Springs Reserves renewal has identified an overrun on the adopted budget which is impacting on the 2023/24 financial year. Prior year budget has been carried forward of \$627k to eliminate any overruns. The spend to this project will be offset in part from the discretionary reserves.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 2 ANALYSIS OF OUR RESULTS (continued)

2.2 Analysis of Council results by program

Council delivers its functions and activities through the following programs.

CEO Office

The Chief Executive Office (CEO) provides the strategic direction across council to enable the efficient, effective delivery of policy commitments, council vision and mission.

Infrastructure and Delivery

Infrastructure and Delivery Services is responsible for constructing new infrastructure and maintaining existing infrastructure across a very diverse range of assets that underpin the wellbeing of the community. These assets include capital works engineering services, environment and waste, parks and gardens, facilities maintenance, and the delivery of major projects.

Community and Corporate

Community Services provides high quality community focused programs, service delivery and communication to residents. Community Services is comprised of community care, connected communities, family services, health communities, leisure and recreational services and social planning and investment.

Community Services is underpinned by both customer commitments and customer service strategies. Community and economic development are responsible for business improvement and customer service. Community and economic development also advocate on behalf of the community for major events, arts, culture, economic development and cultural opportunities including the delivery of a reconciliation action plan with the traditional owners of the land of the Dja Dja Wurrung.

The corporate functions of finance services, governance and risk are incorporated into this directorate that supports the whole of council to enable the delivery of all council services.

Development and Regulation

Development Services incorporates planning services and includes the assessment of shire development, planning strategy and urban growth. Health and community safety services, emergency management and municipal resources are also included as part of this program.

People and Transformation

People and Transformation provides efficient, effective and proactive support services across council to enable the delivery of all council services. The provision of these services includes finance services, governance, risk, digital information and technology and culture and performance.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 2 ANALYSIS OF OUR RESULTS (continued)

2.2.2 Summary of income / revenue, expenses, assets and capital expenses by program

	Income / Revenue	Expenses	Surplus/ (Deficit)	Grants included in income / revenue	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
2024					
CEO Office	-	1,026	(1,026)	-	-
Infrastructure and Delivery Services	13,998	18,736	(4,739)	6,374	375,922
Community and Corporate Services	23,455	19,886	3,569	861	75,375
People and Transformation	350	4,627	(4,276)	334	29,739
Development and Regulation	1,377	4,786	(3,408)	310	19,310
	39,180	49,061	(9,881)	7,878	500,346
	Income / Revenue	Expenses	Surplus/ (Deficit)	Grants included in income / revenue	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
2023					
CEO Office	-	1,786	(1,786)	-	-
Infrastructure and Delivery Services	28,680	24,994	3,685	10,469	294,094
Community and Development Services	3,471	10,462	(6,991)	8,161	34,630
Organisational Services	21,886	19,388	2,498	5,216	61,154
	54,036	56,630	(2,594)	23,846	389,878

Note - change to organisational structure from July 2023.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 3 FUNDING FOR THE DELIVERY OF OUR SERVICES

3.1 Rates and charges

2024	2023
\$'000	\$'000

Council uses Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. The CIV of a property is an approximation of its market value.

The valuation base used to calculate general rates for 2023/24 was \$9,947,301 million (2022/23 \$9,045,824 million).

General rates	20,117	19,331
Garbage and Recycling Rates	2,864	2,643
Waste management charge	2,626	2,409
Special rates and charges	66	85
Supplementary rates and rate adjustments	92	78
Interest on rates and charges	268	311
Revenue in lieu of rates	5	9
Total rates and charges	26,038	24,866

The date of the general revaluation of land for rating purposes within the municipal district was 1 January 2023 and the valuation was first applied in the rating year commencing 1 July 2023.

Annual rates and charges are recognised as income when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

3.2 Statutory fees and fines

Infringements and costs	42	44
Permits	12	11
Local Law Permits	26	11
Environmental Health Permits	69	52
Registration fees	273	230
Town planning fees	430	596
Other fees and fines	63	69
Total statutory fees and fines	915	1,013

Statutory fees and fines (including parking fees and fines) are recognised as income when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

3.3 User fees

Aged and health services	-	8
Building Services	196	232
Aquatic Centre Fees	13	9
Waste management services	492	456
Other fees and charges	87	449
Total user fees	788	1,154

User fees by timing of revenue recognition

User fees recognised over time	-	-
User fees recognised at a point in time	788	1,154
Total user fees	788	1,154

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 3 FUNDING FOR THE DELIVERY OF OUR SERVICES (continued)

	2024 \$'000	2023 \$'000
3.4 Funding from other levels of government		
Grants were received in respect of the following:		
Summary of grants		
Commonwealth funded grants	1,732	8,318
State funded grants	6,146	15,527
Total grants received	7,878	23,845
(a) Operating Grants		
<i>Recurrent - Commonwealth Government</i>		
Financial Assistance Grants - VGC	187	5,039
Local Road funding - VGC	87	2,332
Aged care	-	6
Community health	2	1
<i>Recurrent - State Government</i>		
Aged care	4	16
Libraries	177	177
Maternal and child health	329	119
Emergency Management	120	120
School crossing supervisors	45	44
Youth	35	36
Other	56	52
Total recurrent operating grants	1,042	7,942
<i>Non-recurrent - State Government</i>		
Commerce and tourism	-	300
Community Health	150	-
Emergency Management	495	791
Family and Children	20	-
Waste and environment	-	37
Storm Events	-	5,045
Other	2,461	128
Total non-recurrent operating grants	3,126	6,301
Total operating grants	4,168	14,243
(b) Capital Grants		
<i>Recurrent - Commonwealth Government</i>		
Roads to recovery	1,116	940
Total recurrent capital grants	1,116	940
<i>Non-recurrent - Commonwealth Government</i>		
Buildings	74	-
Roads	266	-
<i>Non-recurrent - State Government</i>		
Buildings	959	6,030
Roads	489	977
Recreation, leisure and community facilities	805	1,609
Other	-	47
Total non-recurrent capital grants	2,594	8,663
Total capital grants	3,710	9,603

Notes to the Financial Report For the Year Ended 30 June 2024

Note 3 FUNDING FOR THE DELIVERY OF OUR SERVICES (continued)

(c) Recognition of grant income

Before recognising funding from government grants as revenue the Council assesses whether there is a contract that is enforceable and has sufficiently specific performance obligations in accordance with *AASB 15 Revenue from Contracts with Customers*. When both these conditions are satisfied, the Council:

- identifies each performance obligation relating to revenue under the contract/agreement
- determines the transaction price
- recognises a contract liability for its obligations under the agreement
- recognises revenue as it satisfies its performance obligations, at the point in time or over time when services are rendered.

Where the contract is not enforceable and/or does not have sufficiently specific performance obligations, the Council applies *AASB 1058 Income of Not-for-Profit Entities*.

Grant revenue with sufficiently specific performance obligations is recognised over time as the performance obligations specified in the underlying agreement are met. Where performance obligations are not sufficiently specific, grants are recognised on the earlier of receipt or when an unconditional right to receipt has been established. Grants relating to capital projects are generally recognised progressively as the capital project is completed. The following table provides a summary of the accounting framework under which grants are recognised.

Income recognised under AASB 1058 <i>Income of Not-for-Profit Entities</i>	2024 \$'000	2023 \$'000
General purpose	-	-
Specific purpose grants to acquire non-financial assets	3,710	9,602
Other specific purpose grants	995	8,550
Revenue recognised under AASB 15 <i>Revenue from Contracts with Customers</i>		
Specific purpose grants	3,173	5,693
	<u>7,878</u>	<u>23,845</u>
	2024 \$'000	2023 \$'000
(d) Unspent grants received on condition that they be spent in a specific manner		
Operating		
Balance at start of year	1,225	2,378
Received during the financial year and remained unspent at balance date	328	1,219
Received in prior years and spent during the financial year	(645)	(2,371)
Balance at year end	<u>908</u>	<u>1,225</u>
Capital		
Balance at start of year	925	5,660
Received during the financial year and remained unspent at balance date	214	735
Received in prior years and spent during the financial year	(810)	(5,470)
Balance at year end	<u>329</u>	<u>925</u>

Unspent grants are determined and disclosed on a cash basis.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 3 FUNDING FOR THE DELIVERY OF OUR SERVICES (continued)

3.5 Contributions	2024 \$'000	2023 \$'000
Monetary	753	1,100
Non-monetary	1,135	-
Total contributions	1,888	1,100
<i>Contributions of non monetary assets were received in relation to the following asset classes.</i>		
Land	181	-
Roads	954	-
Total non-monetary contributions	1,135	-

Monetary and non monetary contributions are recognised as income at their fair value when Council obtains control over the contributed asset.

3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment

Proceeds of sale	143	4,001
Written down value of assets disposed	(52)	(6,693)
Written down value of infrastructure assets renewed	(2,001)	(281)
Total net gain/(loss) on disposal of property, infrastructure, plant and equipment	(1,910)	(2,973)

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

3.7 Other income

Interest	435	423
Reimbursements	31	235
Facilities rental income	1,178	1,280
Sales of materials	98	114
Other	(69)	5
Total other income	1,673	2,057

Interest is recognised as it is earned.

Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

Notes to the Financial Report For the Year Ended 30 June 2024

	2024 \$'000	2023 \$'000
Note 4 THE COST OF DELIVERING SERVICES		
4.1 (a) Employee costs		
Wages and salaries	14,439	14,481
WorkCover	398	321
Superannuation	1,651	1,478
Fringe benefits tax	117	94
Agency staff	1,446	2,299
Total employee costs	18,051	18,673

(b) Superannuation

Council made contributions to the following funds:

Defined benefit fund

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	86	50
	<u>86</u>	<u>50</u>
Employer contributions payable at reporting date.	-	-

Accumulation funds

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	675	568
Employer contributions - other funds	986	864
	<u>1,661</u>	<u>1,432</u>
Employer contributions payable at reporting date.	-	-

Contributions made exclude amounts accrued at balance date. Refer to note 9.3 for further information relating to Council's superannuation obligations.

4.2 Materials and services

Building maintenance	52	53
Consultants	3,002	2,469
Contract Payments		
Waste services	4,105	3,062
Infrastructure Maintenance	1,825	7,953
General Contracts	1,651	2,531
Information technology	1,214	1,151
Insurance	628	576
Materials and services	3,783	4,081
Office administration	387	614
Utilities	707	699
Total materials and services	17,354	23,188

Expenses are recognised as they are incurred and reported in the financial year to which they relate.
\$5.8M was incurred in 2023 in relation to storm recovery (\$6.3M in 2022).

4.3 Depreciation

Property	2,865	2,335
Plant and equipment	1,192	1,169
Infrastructure	6,322	5,245
Total depreciation	10,380	8,750

Refer to note 5.2(c), 5.8 and 6.2 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 4 THE COST OF DELIVERING SERVICES (continued)

	2024	2023
	\$'000	\$'000

4.4 Allowance for impairment losses

Other debtors	144	(3)
Total allowance for impairment losses	144	(3)

Movement in allowance for impairment losses in respect of debtors

Balance at the beginning of the year	(16)	(110)
New allowances recognised during the year	(116)	(5)
Amounts already allowed for and written off as uncollectible	2	87
Amounts allowed for but recovered during the year	6	12
Balance at end of year	(124)	(16)

An allowance for impairment losses in respect of debtors is recognised based on an expected credit loss model. This model considers both historic and forward looking information in determining the level of impairment.

4.5 Borrowing costs

Interest - Borrowings	141	146
Total borrowing costs	141	146

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

4.6 Other expenses

Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	52	51
Auditors' remuneration - Internal Audit	33	38
Councillors' allowances	259	254
Community grants	438	300
Operating pension rebate	36	36
Tourism board membership	100	80
Work in Progress Write Off #	1	1,693
Others	163	451
Total other expenses	1,081	2,903

This prior year write off figure includes the works completed on the Trentham Sportsground Pavilion as it is not a Council Asset.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 5 INVESTING IN AND FINANCING OUR OPERATIONS

	2024	2023
	\$'000	\$'000
5.1 Financial assets		
(a) Cash and cash equivalents		
Cash on hand	3	3
Cash at bank	628	8,228
Term deposits	1,014	6,043
Total cash and cash equivalents	<u>1,645</u>	<u>14,274</u>
(b) Other financial assets		
Current		
Term deposits	6,187	4,202
Total current other financial assets	<u>6,187</u>	<u>4,202</u>
Total other financial assets	<u>6,187</u>	<u>4,202</u>
Total cash and cash equivalents and other financial assets	<u>7,832</u>	<u>18,476</u>
Council's cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:		
- Trust Funds and Deposits (note 5.3)	1,736	1,496
- Statutory reserves (note 9.1(b))	1,967	1,842
Total restricted funds	<u>3,703</u>	<u>3,339</u>
Total unrestricted cash, cash equivalents and financial assets	<u>4,129</u>	<u>15,137</u>
Intended Allocations		
Although not externally restricted the following amounts have been allocated for specific future purposes by Council.		
- Cash held to fund carried forward works	4,930	5,040
- Discretionary reserves (Note 9.1(b))	4,037	4,525
Total unrestricted financial assets	<u>(4,838)</u>	<u>5,573</u>

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of three months or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

Other financial assets include term deposits and those with original maturity dates of three to 12 months are classified as current, whilst term deposits with maturity dates greater than 12 months are classified as non-current.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 5 INVESTING IN AND FINANCING OUR OPERATIONS (continued)

(c) Trade and other receivables

	2024	2023
	\$'000	\$'000
Current		
<i>Statutory receivables</i>		
Rates debtors	5,329	4,702
Special rate assessment	550	346
Infringement debtors	172	189
Net GST receivable	408	522
<i>Non statutory receivables</i>		
Other debtors - rental	60	68
Other debtors - government grants	660	741
Other debtors - miscellaneous	648	339
Allowance for expected credit loss - other debtors	(124)	(16)
Total current trade and other receivables	<u>7,703</u>	<u>6,892</u>
Total trade and other receivables	<u>7,703</u>	<u>6,892</u>

Short term receivables are carried at invoice amount. An allowance for expected credit losses is recognised based on past experience and other objective evidence of expected losses. Long term receivables are carried at amortised cost using the effective interest rate method.

(d) Ageing of Receivables

The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	1,275	993
Past due by up to 30 days	1	26
Past due between 31 and 180 days	2	22
Past due between 181 and 365 days	84	96
Past due by more than 1 year	8	11
Total trade and other receivables	<u>1,369</u>	<u>1,148</u>

(e) Ageing of individually impaired Receivables

At balance date, other debtors representing financial assets with a nominal value of \$124K (2023: \$16K) were impaired. The amount of the allowance raised against these debtors was \$124K (2023: \$16K). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

The ageing of receivables that have been individually determined as impaired at reporting date was:

Current (not yet due)	-	-
Past due by up to 30 days	-	-
Past due between 31 and 180 days	-	-
Past due between 181 and 365 days	-	-
Past due by more than 1 year	124	16
Total trade & other receivables	<u>124</u>	<u>16</u>

Notes to the Financial Report For the Year Ended 30 June 2024

Note 5 INVESTING IN AND FINANCING OUR OPERATIONS (continued)

5.2 Non-financial assets

(a) Inventories

Inventories held for distribution

Total inventories

2024

\$'000

5

5

2023

\$'000

13

13

Inventories held for distribution are measured at cost, adjusted when applicable for any loss of service potential. All other inventories, including land held for sale, are measured at the lower of cost and net realisable value. Where inventories are acquired for no cost or nominal consideration, they are measured at current replacement cost at the date of acquisition.

(b) Other assets

Prepayments

Other

Total other assets

44

36

80

55

-

55

Notes to the Financial Report For the Year Ended 30 June 2024

Note 5 INVESTING IN AND FINANCING OUR OPERATIONS (continued)

5.3 Payables, trust funds and deposits and contract and other liabilities

(a) Trade and other payables

	2024	2023
	\$'000	\$'000
Current		
<i>Non-statutory payables</i>		
Trade payables	2,694	2,035
Accrued expenses	1,453	1,452
Total current trade and other payables	4,147	3,876

(b) Trust funds and deposits

Current		
Refundable deposits	263	241
Fire services levy	550	438
Retention amounts	350	243
Other refundable deposits	573	574
Total current trust funds and deposits	1,736	1,496

(c) Contract and other liabilities

Contract liabilities

Current		
Income in advance	391	388
Grants received in advance - operating	908	1,346
Grants received in advance - capital	330	806
Total contract liabilities	1,629	2,540
Total contract and other liabilities	1,629	2,540

Trust funds and deposits

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.

Contract liabilities

Contract liabilities reflect consideration received in advance from customers in respect of capital and other grants. Contract liabilities are derecognised and recorded as revenue when promised goods and services are transferred to the customer. Refer to Note 3.

Purpose and nature of items

Refundable deposits - Deposits are taken by council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

Fire Service Levy - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

Retention Amounts - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 5 INVESTING IN AND FINANCING OUR OPERATIONS (continued)

5.4 Interest-bearing liabilities

	2024 \$'000	2023 \$'000
Current		
Borrowings - secured	883	408
Total current interest-bearing liabilities	883	408
Non-current		
Borrowings - secured	8,498	3,494
Total non-current interest-bearing liabilities	8,498	3,494
Total	9,381	3,903

Borrowings are secured by a deed of charge over council rates		
(a) The maturity profile for Council's borrowings is:		
Not later than one year	883	408
Later than one year and not later than five years	3,920	1,758
Later than five years	4,578	1,737
	9,381	3,903

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. The Council determines the classification of its interest bearing liabilities based on contractual repayment terms at every balance date.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 5 INVESTING IN AND FINANCING OUR OPERATIONS (continued)

5.5 Provisions

	Employee	Landfill restoration	Other	Total
	\$ '000	\$ '000	\$ '000	\$ '000
2024				
Balance at beginning of the financial year	2,918	293	-	3,211
Additional provisions	1,041	-	-	1,041
Amounts used	(1,015)	(31)	-	(1,046)
Balance at the end of the financial year	2,944	262	-	3,206
<i>Provisions - current</i>	2,654	26	-	2,680
<i>Provisions - non-current</i>	290	236	-	526
2023				
Balance at beginning of the financial year	2,909	328	-	3,237
Additional provisions	1,220	-	-	1,220
Amounts used	(1,211)	(35)	-	(1,246)
Balance at the end of the financial year	2,918	293	-	3,211
<i>Provisions - current</i>	2,721	26	-	2,747
<i>Provisions - non-current</i>	197	267	-	464
(a) Employee provisions			2024	2023
Current provisions expected to be wholly settled within 12 months			\$'000	\$'000
Annual leave			840	927
Long service leave			336	343
Other			122	51
			1,298	1,321
Current provisions expected to be wholly settled after 12 months				
Annual leave			69	84
Long service leave			1,287	1,316
			1,356	1,400
Total current employee provisions			2,654	2,721
Non-current				
Long service leave			290	197
Total non-current employee provisions			290	197
Aggregate carrying amount of employee provisions:				
Current			2,654	2,721
Non-current			290	197
Total aggregate carrying amount of employee provisions			2,944	2,918

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 5 INVESTING IN AND FINANCING OUR OPERATIONS (continued)

Annual leave

A liability for annual leave is recognised in the provision for employee benefits as a current liability because the Council does not have an unconditional right to defer settlement of the liability. Liabilities for annual leave are measured at:

- nominal value if the Council expects to wholly settle the liability within 12 months
- present value if the Council does not expect to wholly settle within 12 months.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at the present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

Long service leave

Liability for long service leave (LSL) is recognised in the provision for employee benefits. Unconditional LSL is disclosed as a current liability as the Council does not have an unconditional right to defer settlement. Unconditional LSL is measured at nominal value if expected to be settled within 12 months or at present value if not expected to be settled within 12 months. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability and measured at present value.

Key assumptions:

	2024	2023
- discount rate	4.45%	4.06%
- index rate	2.50%	2.50%
- settlement rate	7 years	7 years

(b) Landfill restoration

	2024	2023
	\$'000	\$'000
Current	26	26
Non-current	236	267
	262	293

Council is obligated to restore both Creswick and Daylesford sites to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

Council reviews the landfill restoration provision on an annual basis, including the key assumptions listed below.

Key assumptions:

- aftercare period	30 years	30 years
- discount rate	4.45%	4.06%
- index rate	2.50%	2.50%

Notes to the Financial Report For the Year Ended 30 June 2024

Note 5 INVESTING IN AND FINANCING OUR OPERATIONS (continued)

5.6 Financing arrangements

The Council has the following funding arrangements in place as at 30 June.

Credit card facilities	150	150
Other facilities	9,381	3,903
Total facilities	9,531	4,053
Used facilities	9,486	4,008
Unused facilities	45	45

5.7 Commitments

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

(a) Commitments for expenditure

	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
2024					
Operating					
Maternal and child health	315	315	629	-	1,259
Library services	143	-	-	-	143
Kerbside collection	3,901	3,872	-	-	7,773
Transfer stations	1,057	1,057	617	-	2,731
ICT	781	788	1,576	-	3,145
Other	285	154	39	-	478
Total	6,482	6,186	2,861	-	15,529
Capital					
Buildings	162	-	-	-	162
Roads	2,427	71	-	-	2,498
Drainage	2,588	71	-	-	2,659
Total	5,177	142	-	-	5,319
2023					
Operating					
Maternal and child health	122	-	-	-	122
Library services	143	144	-	-	287
Kerbside Collection	2,953	3,071	3,194	-	9,218
Other	331	127	57	-	515
Total	3,549	3,342	3,251	-	10,142
Capital					
Buildings	3,290	-	-	-	3,290
Infrastructure	1,634	-	-	-	1,634
Total	4,924	-	-	-	4,924

Notes to the Financial Report For the Year Ended 30 June 2024

Note 5 INVESTING IN AND FINANCING OUR OPERATIONS (continued)

(b) Operating lease receivables

Operating lease receivables

The Council has entered into commercial property leases on its investment property, consisting of surplus freehold office complexes. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 25 years. All leases include a CPI based revision of the rental charge annually.

Future undiscounted minimum rentals receivable under non-cancellable operating leases are as follows:

	2024 \$'000	2023 \$'000
Not later than one year	1,046	997
Later than one year and not later than five years	5,272	4,253
Later than five years	10,409	2,975
	16,727	8,225

Non-cancellable lease commitments - Short-term and low-value leases

Commitments for minimum lease payments for short-term and low-value leases are payable as follows:

Payable:

Within one year	4	-
Later than one year but not later than five years	15	-
Total lease commitments	18	-

Notes to the Financial Report For the Year Ended 30 June 2024

Note 6 ASSETS WE MANAGE

6.1 PROPERTY, INFRASTRUCTURE, PLANT AND EQUIPMENT

Summary of property, infrastructure, plant and equipment

	Carrying amount 30 June 2023 \$'000	Additions \$'000	Revaluation \$'000	Depreciation \$'000	Disposal \$'000	Write-off \$'000	Contributions \$'000	Transfers from WIP \$'000	Carrying amount 30 June 2024 \$'000
Property	135,717	-	50,953	(2,865)	-	(76)	181	8,321	192,231
Plant and equipment	3,976	-	-	(1,192)	(52)	-	-	1,594	4,326
Infrastructure	217,024	-	63,937	(6,322)	(2,001)	(32)	954	6,006	279,566
Work in progress	7,755	16,768	-	-	-	1	-	(15,921)	8,603
	364,472	16,768	114,891	(10,380)	(2,053)	(107)	1,135	(0)	484,726

Summary of Work in Progress

	Opening WIP \$'000	Additions \$'000	Write-off \$'000	Transfers \$'000	Closing WIP \$'000
Property	3,602	5,565	-	(7,983)	1,184
Plant and equipment	1,101	540	1	(1,594)	48
Infrastructure	3,052	10,664	-	(6,345)	7,371
Total	7,755	16,768	1	(15,921)	8,603

Notes to the Financial Report For the Year Ended 30 June 2024

Note 6 ASSETS WE MANAGE (continued)

(a) Property

	Land - specialised	Land - non specialised	Land improvements	Total Land & Land Improvements	Buildings - specialised	Buildings - non specialised	Total Buildings	Work In Progress	Total Property
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2023	33,788	21,523	13,982	69,293	141,701	12,791	154,492	3,602	227,387
Accumulated depreciation at 1 July 2023	-	-	(6,100)	(6,100)	(77,238)	(4,760)	(81,998)	-	(88,098)
Opening Balance Adjustment	-	-	-	-	-	30	30	-	30
	33,788	21,523	7,882	63,193	64,463	8,061	72,524	3,602	139,319
Movements in fair value									
Additions	-	-	-	-	-	-	-	5,565	5,565
Revaluation	11,124	10,067	-	21,191	15,849	(8,278)	7,571	-	28,762
Write-off	-	-	-	-	(327)	-	(327)	-	(327)
Contributions	181	-	-	181	-	-	-	-	181
Transfers from WIP	-	-	1,112	1,112	-	7,209	7,209	(7,983)	338
	11,305	10,067	1,112	22,484	15,523	(1,069)	14,453	(2,418)	34,519
Movements in accumulated depreciation									
Depreciation and amortisation	-	-	(272)	(272)	(2,382)	(210)	(2,593)	-	(2,865)
Revaluation	-	-	-	-	22,140	51	22,191	-	22,191
Write-off	-	-	-	-	251	-	251	-	251
	-	-	(272)	(272)	20,009	(159)	19,849	-	19,577
At fair value 30 June 2024	45,093	31,590	15,094	91,777	157,224	11,722	168,945	1,184	261,906
Accumulated depreciation at 30 June 2024	-	-	(6,372)	(6,372)	(57,229)	(4,889)	(62,119)	-	(68,491)
Carrying amount	45,093	31,590	8,722	85,405	99,994	6,832	106,827	1,184	193,415

Notes to the Financial Report For the Year Ended 30 June 2024

Note 6 ASSETS WE MANAGE (continued)

(b) Plant and Equipment

	Plant machinery and equipment \$'000	Fixtures fittings and furniture \$'000	Computers and telecomms \$'000	Library books \$'000	Work In Progress \$'000	Total plant and equipment \$'000
At fair value 1 July 2023	8,070	994	2,054	979	1,101	13,198
Accumulated depreciation at 1 July 2023	(5,126)	(844)	(1,439)	(711)	-	(8,120)
	2,943	150	615	268	1,101	5,078
Movements in fair value						
Additions	-	-	-	-	540	540
Disposal	(733)	-	-	-	-	(733)
Write-off	-	-	-	-	1	1
Transfers from WIP	1,350	-	169	75	(1,594)	-
	617	-	169	75	(1,053)	(192)
Movements in accumulated depreciation						
Depreciation and amortisation	(767)	(23)	(366)	(36)	-	(1,192)
Accumulated depreciation of disposals	681	-	-	-	-	681
	(86)	(23)	(366)	(36)	-	(511)
At fair value 30 June 2024	8,687	994	2,223	1,054	48	13,006
Accumulated depreciation at 30 June 2024	(5,212)	(867)	(1,805)	(747)	-	(8,631)
Carrying amount	2,943	127	418	307	48	4,374

Notes to the Financial Report For the Year Ended 30 June 2024

Note 6 ASSETS WE MANAGE (continued)

(c) Infrastructure

	Roads	Bridges	Footpaths and cycleways	Drainage	Recreational, leisure and community facilities	Parks open space and streetscapes	Off street car parks	Other Infrastructure	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2023	270,088	30,427	10,953	19,663	2,534	4,026	421	7,741	3,052	348,905
Accumulated depreciation at 1 July 2023	(96,773)	(15,065)	(4,010)	(9,333)	(909)	(183)	(39)	(2,518)	-	(128,830)
	173,315	15,362	6,943	10,330	1,625	3,843	382	5,224	3,052	220,075
Movements in fair value										
Additions	-	-	-	-	-	-	-	-	10,664	10,664
Revaluation	35,248	793	1,172	1,768	5,758	2,992	12	487	-	48,230
Disposal	(2,282)	-	(122)	(31)	-	-	-	-	-	(2,436)
Write-off	-	-	-	-	(42)	-	-	-	-	(42)
Contributions	496	-	41	416	-	-	-	-	-	954
Transfers from WIP	2,282	-	522	180	1,563	1,424	-	35	(6,345)	(338)
	35,743	793	1,613	2,333	7,279	4,416	12	522	4,319	57,031
Movements in accumulated depreciation										
Depreciation and amortisation	(4,888)	(239)	(235)	(328)	(317)	(137)	(21)	(158)	-	(6,322)
Accumulated depreciation of disposals	416	-	14	6	-	-	-	-	-	435
Revaluation	23,342	(220)	(394)	(405)	(4,863)	(1,551)	(2)	(201)	-	15,707
Write-off	-	-	-	-	10	-	-	-	-	10
Contributions	-	-	-	-	-	-	-	-	-	-
	18,871	(458)	(616)	(727)	(5,170)	(1,688)	(23)	(359)	-	9,831
At fair value 30 June 2024	305,831	31,220	12,566	21,996	9,813	8,442	433	8,263	7,371	405,936
Accumulated depreciation at 30 June 2024	(77,902)	(15,523)	(4,626)	(10,060)	(6,079)	(1,871)	(62)	(2,877)	-	(118,999)
Carrying amount	227,929	15,697	7,940	11,936	3,734	6,571	371	5,386	7,371	286,936

Notes to the Financial Report For the Year Ended 30 June 2024

Note 6 ASSETS WE MANAGE (continued)

Acquisition

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. Refer also to Note 8.4 for further disclosure regarding fair value measurement.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

	Depreciation Period	Threshold Limit \$'000
<i>Asset recognition thresholds and depreciation periods</i>		
Land & land improvements		
land	-	10,000
land improvements	20 - 100 years	10,000
Buildings		
buildings	25 - 150 years	10,000
building and leasehold improvements	25 - 150 years	10,000
Plant and Equipment		
plant, machinery and equipment	3 - 10 years	3,000
others	3 - 10 years	3,000
Infrastructure		
roads - pavements, substructure, formation and earthworks	10 - 80 years	10,000
roads - kerb, channel and minor culverts and other	10 - 65 years	10,000
bridges - deck and substructure	50 - 200 years	10,000
footpaths and cycleways	75 years	10,000
others	5 - 80 years	10,000
Intangible assets	3 - 10 years	10,000

Land under roads

Council recognises land under roads acquired after 30 June 2008 at fair value. Council does not recognise land under roads that it controlled prior to that period in this financial report.

Depreciation and amortisation

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed above and are consistent with the prior year unless otherwise stated.

Repairs and maintenance

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 6 ASSETS WE MANAGE (continued)

Valuation of land and buildings

Valuation of land and buildings were undertaken by a qualified independent valuer [Jake Musgrave, Certified Practising Valuer: 113610] The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

The date and type of the current valuation is detailed in the following table.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2024 are as follows:

	Level 1	Level 2	Level 3	Date of Valuation	Type of Valuation
Land	-	31,590	-	Jun-24	Full
Specialised land	-	-	45,093	Jun-24	Full
Land Improvements	-	-	8,722	Jun-24	Full
Buildings	-	6,832	99,994	Jun-24	Full
Total	-	38,422	153,809		

Valuation of infrastructure

Valuation of infrastructure assets being roads and footpaths has been determined in accordance with an independent condition survey and an in-house valuation undertaken by Council officers.

The date and type of the current valuation is detailed in the following table. An index based revaluation was conducted in the current year, this valuation was based on the changes in indexation indicators from the Producer Price Indexes, Australia, a full revaluation of these assets will be conducted from 2024/25 onwards. The indexation applied to the asset class of bridges, drainage, recreational, leisure and community facilities, parks, open space and streetscapes, off street car parks, and other infrastructure.

The valuation is at fair value based on current replacement cost less accumulated depreciation as at the date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2024 are as follows:

	Level 1	Level 2	Level 3	Date of Valuation	Type of Valuation
Roads	-	-	227,929	Jun-24	Full
Bridges	-	-	15,697	Jun-24	Index
Footpaths and cycleways	-	-	7,940	Jun-24	Full
Drainage	-	-	11,936	Jun-24	Index
Recreational, leisure and community facilities	-	-	3,734	Jun-24	Index
Parks, open space and streetscapes	-	-	6,571	Jun-24	Index
Off Street Car Parks	-	-	371	Jun-24	Index
Other infrastructure	-	-	5,386	Jun-24	Index
Total	-	-	279,565		

Notes to the Financial Report
For the Year Ended 30 June 2024

Note 6 ASSETS WE MANAGE (continued)

Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 5% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$1 and \$1,600 per square metre.

Land values for parcels with restrictions have been based on market evidence at level 2, using a cost approach as the market approach would be inappropriate due to the lack of an open and active market of sales of restricted land assets. No discount for this zoning has been applied.

Specialised buildings are valued using a current replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs are calculated on a square metre basis and ranges from \$248 to \$13,237 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 5 years to 150 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

Infrastructure assets are valued based on the current replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 5 years to 200 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2024	2023
	\$'000	\$'000
Reconciliation of specialised land		
Land under roads	312	118
Parks and reserves	44,781	33,670
Total specialised land	45,093	33,788

Notes to the Financial Report For the Year Ended 30 June 2024

Note 7 PEOPLE AND RELATIONSHIPS

7.1 Council and key management remuneration

(a) Related Parties

Parent entity

Hepburn Shire Council is the parent entity.

Subsidiaries and Associates

Interests in subsidiaries and associates are detailed in Note 6.3.

(b) Key Management Personnel

Key management personnel (KMP) are those people with the authority and responsibility for planning, directing and controlling the activities of Hepburn Shire Council. The Councillors, Chief Executive Officer and Directors are deemed KMP.

Details of KMP at any time during the year are:

		2024 No.	2023 No.
Councillors			
	Councillor Brian Hood (Mayor from 15.11.2022))	1	1
	Councillor Juliet Simpson to (Deputy Mayor from 15.11.2023)	1	1
	Councillor Jen Bray	1	1
	Councillor Lesley Hewitt (Deputy Mayor from 15.11.2022-14.11.2023)	1	1
	Councillor Tessa Halliday	1	1
	Councillor Timothy Drylie	1	1
	Councillor Don Henderson	1	1
Officers			
	Chief Executive Officer - Bradley Thomas	1	1
	Director Infrastructure and Delivery - Bruce Lucas	1	1
	Director Community and Corporate - Karina Lamb (from 31.07.2023)	1	-
	Exec. Manager People & Transformation - Brooke Holmes (from 31.07.2023)	1	-
	Executive Manager Development - Ron Torres (from 31.07.2023)	1	-
Total Number of Councillors		7	7
Total of Chief Executive Officer and other Key Management Personnel		5	5
Total Number of Key Management Personnel		12	12

(c) Remuneration of Key Management Personnel

Remuneration comprises employee benefits including all forms of consideration paid, payable or provided by Council, or on behalf of the Council, in exchange for services rendered. Remuneration of Key Management Personnel and Other senior staff is disclosed in the following categories.

Short-term employee benefits include amounts such as wages, salaries, annual leave or sick leave that are usually paid or payable on a regular basis, as well as non-monetary benefits such as allowances and free or subsidised goods or services.

Other long-term employee benefits include long service leave, other long service benefits or deferred compensation.

Post-employment benefits include pensions, and other retirement benefits paid or payable on a discrete basis when employment has ceased.

Termination benefits include termination of employment payments, such as severance packages.

	2024 \$'000	2023 \$'000
Total remuneration of key management personnel was as follows:		
Short-term employee benefits	1,163	972
Other long-term employee benefits	49	11
Post-employment benefits	120	90
Termination benefits	-	-
Total	1,332	1,072

Notes to the Financial Report For the Year Ended 30 June 2024

Note 7 PEOPLE AND RELATIONSHIPS (continued)

The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:

	2024 No.	2023 No.
\$10,000 - \$19,999	-	1
\$20,000 - \$29,999	4	4
\$30,000 - \$39,999	2	1
\$40,000 - \$49,999	-	1
\$50,000 - \$59,999	-	1
\$80,000 - \$89,999	1	-
\$150,000 - \$159,999	1	1
\$170,000 - \$179,999	-	1
\$190,000 - \$199,999	1	-
\$200,000 - \$209,999	1	-
\$210,000 - \$219,999	1	1
\$280,000 - \$289,999	-	1
\$300,000 - \$309,999	1	-
	12	12

(d) Remuneration of other senior staff

Other senior staff are officers of Council, other than Key Management Personnel, whose total remuneration exceeds \$170,000 and who report directly to a member of the KMP.

	2024 \$'000	2023 \$'000
Total remuneration of other senior staff was as follows:		
Short-term employee benefits	-	145
Other long-term employee benefits	-	3
Post-employment benefits	-	14
Termination benefits	-	115
Total	-	277

The number of other senior staff are shown below in their relevant income bands:

Income Range:	2024 No.	2023 No.
\$170,000 - \$179,999	-	-
\$180,000 - \$189,999	-	-
\$270,000 - \$279,999	-	1
	-	1

Total remuneration for the reporting year for other senior staff included above, amounted to: 277

7.2 Related party disclosure

(a) Transactions with related parties

During the period Council had no reportable transactions with related parties. 2023:Nil

(b) Outstanding balances with related parties

There are no outstanding balances at the end of the reporting period in relation to transactions with related parties. 2023:Nil

(c) Loans to/from related parties

Council does not make loans to or receive loans from related parties, no guarantees have been provided. 2023:Nil

(d) Commitments to/from related parties

Council has no outstanding commitments to or from related parties. 2023:Nil

Notes to the Financial Report For the Year Ended 30 June 2024

Note 8 MANAGING UNCERTAINTIES

8.1 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

(a) Contingent assets

Council have not received all money for claims submitted for Storm recovery events. The below table outlines the amount receivable based on various claim rates.

Outstanding Claims from the June 2021, January 2022 and October 2022 Storm

Maximum Amount to be refunded			\$734,008
Claim rates on outstanding claims	80%	90 %	100%
Claim Amounts	\$587,206	\$660,607	\$734,008

(b) Contingent liabilities

Contingent liabilities are:

- possible obligations that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council; or
- present obligations that arise from past events but are not recognised because:
 - it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligation; or
 - the amount of the obligation cannot be measured with sufficient reliability.

Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

Future superannuation contributions

In addition to the disclosed contributions, Council has paid unfunded liability payments to Vision Super totalling \$0 (2022/23 \$0). There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2024. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2025 are \$80,000.

Legal matters

From time to time Council is involved in legal matters which are conducted through Council's solicitors. As these matters may yet be finalised, or the financial outcomes are unable to be reliably estimated, no allowance for these contingencies has been made in the financial report.

Liability Mutual Insurance

Council is a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

MAV Workcare

Council was a participant of the MAV WorkCare Scheme. The MAV WorkCare Scheme provided workers compensation insurance. MAV WorkCare commenced business on 1 November 2017 and the last day the Scheme operated as a self-insurer was 30 June 2021. In accordance with the Workplace Injury Rehabilitation and Compensation Act 2013, there is a six year liability period following the cessation of the Scheme (to 30 June 2027). During the liability period, adjustment payments may be required (or received). The determination of any adjustment payments is dependent upon revised actuarial assessments of the Scheme's tail claims liabilities as undertaken by Work Safe Victoria. If required, adjustments will occur at the 3-year and 6-year points during the liability period, and will affect participating members.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 8 MANAGING UNCERTAINTIES (continued)

8.2 Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2024 reporting period. Council assesses the impact of these new standards.

<< In December 2022 the Australian Accounting Standards Board (AASB) issued AASB 2022-10 Amendments to Australian Accounting Standards - Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities to modify AASB 13 Fair Value Measurement. AASB 2022-10 amends AASB 13 Fair Value Measurement for fair value measurements of non-financial assets of not-for-profit public sector entities not held primarily for their ability to generate net cash inflows. The AASB 13 modifications:

- are applicable only to not-for-profit public sector entities;
 - are limited to fair value measurements of non-financial assets not held primarily for their ability to generate net cash inflows;
 - are to be applied prospectively for annual periods beginning on or after 1 January 2024;
 - would not necessarily change practice for some not-for-profit public sector entities; and
- do not indicate that entities changing practice in how they measure relevant assets made an error in applying the existing requirements of AASB 13. Council will assess any impact of the modifications to AASB 13 ahead of the 2024-25 reporting period. >>

<< In December 2022 the Australian Accounting Standards Board (AASB) issued AASB 2022-6 Amendments to Australian Accounting Standards - Non-current Liabilities with Covenants. AASB 2022-6 amends AASB 101 Presentation of Financial Statements to improve the information an entity provides in its financial statements about long-term liabilities with covenants where the entity's right to defer settlement of those liabilities for at least twelve months after the reporting period is subject to the entity complying with conditions specified in the loan arrangement. The amendments in AASB 2022-6 are effective for annual periods beginning on or after 1 January 2024. Council will assess any impact of the modifications to AASB 101 ahead of the 2024-25 reporting period. >>

8.3 Financial instruments

(a) Objectives and policies

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the material accounting policy information and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

(b) Market risk

Market risk is the risk that the fair value or future cash flows of council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes council to fair value interest rate risk / Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 2020*. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 8 MANAGING UNCERTAINTIES (continued)

(c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council have exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- council have a policy for establishing credit limits for the entities council deal with;
- council may require collateral where appropriate; and
- council only invest surplus funds with financial institutions which have a recognised credit rating specified in council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when council provide a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any allowance for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

(d) Liquidity risk

Liquidity risk includes the risk that, as a result of council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1(c), and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

(e) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of + 1% and -1% in market interest rates (AUD) from year-end rates of 4.35%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 8 MANAGING UNCERTAINTIES (continued)

8.4 Fair value measurement

Fair value hierarchy

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

Revaluation

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. (For plant and equipment carrying amount is considered to approximate fair value given short useful lives). At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from two to five years. The valuation is performed either by experienced council officers or independent experts. The following table sets out the frequency of revaluations by asset class.

Asset class	Revaluation frequency
Land	Biennial
Buildings	Biennial
Roads	4 years
Bridges	5 years
Footpaths and cycleways	4 years
Drainage	10 years
Recreational, leisure and community facilities	5 years
Waste management	Not scheduled
Parks, open space and streetscapes	5 years
Other infrastructure	5 years

Where the assets are revalued, the revaluation increases are credited directly to the asset revaluation reserve except to the extent that an increase reverses a prior year decrease for that class of asset that had been recognised as an expense in which case the increase is recognised as revenue up to the amount of the expense. Revaluation decreases are recognised as an expense except where prior increases are included in the asset revaluation reserve for that class of asset in which case the decrease is taken to the reserve to the extent of the remaining increases. Within the same class of assets, revaluation increases and decreases within the year are offset.

Impairment of assets

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

8.5 Events occurring after balance date

No matters have occurred after balance date that require disclosure in the financial report.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 9 OTHER MATTERS

9.1 Reserves

(a) Asset revaluation reserves

2024

Property

Land and land improvements

Buildings

Infrastructure

Roads

Other infrastructure

Total asset revaluation reserves

2023

Property

Land and land improvements

Buildings

Infrastructure

Roads

Other infrastructure

Total asset revaluation reserves

	Balance at beginning of reporting period \$'000	Increase (decrease) \$'000	Balance at end of reporting period \$'000
2024			
Property			
Land and land improvements	51,912	21,191	73,103
Buildings	45,971	29,763	75,734
	97,883	50,954	148,837
Infrastructure			
Roads	109,798	61,305	171,103
Other infrastructure	11,467	2,632	14,099
	121,266	63,937	185,202
Total asset revaluation reserves	219,149	114,891	334,039
2023			
Property			
Land and land improvements	54,793	(2,881)	51,912
Buildings	39,150	6,821	45,971
	93,943	3,940	97,883
Infrastructure			
Roads	89,788	20,010	109,798
Other infrastructure	11,467	-	11,467
	101,255	20,010	121,266
Total asset revaluation reserves	195,198	23,951	219,149

The asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 9 OTHER MATTERS (continued)

(b) Other reserves

2024

	Balance at beginning of reporting period \$'000	Transfer from accumulated surplus \$'000	Transfer to accumulated surplus \$'000	Balance at end of reporting period \$'000
Clunes caravan park reserve	7	-	-	7
Heritage advisory fund	20	-	-	20
Mineral springs financial reserve	1,485	1,142	(1,644)	983
Mt Beckworth pit reserve	28	-	-	28
Public open space reserve*	1,842	360	(235)	1,967
Smeaton Hill pit reserve	74	-	-	74
Waste management reserve	801	6,363	(6,348)	816
Staff accommodation and Birch ward facilities	2,109	-	-	2,109
Total Other reserves	6,367	7,865	(8,227)	6,004

2023

Clunes caravan park reserve	7	-	-	7
Heritage advisory fund	20	-	-	20
Mineral springs financial reserve	1,273	1,070	(858)	1,485
Mt Beckworth pit reserve	28	-	-	28
Public open space reserve*	2,008	396	(561)	1,842
Smeaton Hill pit reserve	74	-	-	74
Waste management reserve	77	5,590	(4,866)	801
Staff accommodation and Birch ward facilities	-	2,132	(22)	2,109
Total Other reserves	3,486	9,187	(6,307)	6,367

* Indicates statutory reserve

Public Open Space Reserve is used to hold developer contributions towards public open infrastructure arising from property developers undertaking property subdivisions.

Mineral Springs Financial Reserve is to fund future works associated with mineral springs across the municipality and the refurbishment of the spa complex.

Staff Accommodation and Birch ward facilities reserve was created following the sale of The Rex and is to be used towards solutions for staffing accommodation and community facilities.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 9 OTHER MATTERS (continued)	2024	2023
9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)	\$'000	\$'000
Surplus/(deficit) for the year	(9,881)	(2,594)
<i>Non-cash adjustments:</i>		
Depreciation	10,380	8,750
Profit/(loss) on disposal of property, infrastructure, plant and equipment	1,910	2,973
Contributions - Non-monetary assets	(1,135)	-
Interest Expense	141	146
Write off Work in progress	1	1,722
Other	80	-
<i>Change in assets and liabilities:</i>		
(Increase)/decrease in trade and other receivables	(811)	(32)
(Increase)/decrease in prepayments	(25)	62
Increase/(decrease) in trade and other payables	660	389
(Decrease)/increase in contract and other liabilities	(911)	(5,651)
(Decrease)/increase in other liabilities	(32)	(18)
(Increase)/decrease in inventories	8	4
(Decrease)/increase in provisions	(5)	(26)
Increase/(decrease) in trust funds/deposits	240	327
Net cash provided by/(used in) operating activities	620	6,052

9.3 Superannuation

Hepburn Shire Council makes many of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

Accumulation

The Fund's accumulation category, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2024, this was 11.0% as required under Superannuation Guarantee (SG) legislation (2023: 10.5%)).

Defined Benefit

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

Funding arrangements

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary. A triennial actuarial investigation for the Defined Benefit category as at 30 June 2023 was conducted and completed by 31 December 2023. The vested benefit index (VBI) of the Defined Benefit category as at 30 June 2023 was 104.1%. Council was notified of the 30 June 2023 VBI during August 2023. The financial assumptions used to calculate the 30 June 2023 VBI were:

Net investment returns 5.7% pa
Salary information 3.5% pa
Price inflation (CPI) 2.8% pa

Notes to the Financial Report For the Year Ended 30 June 2024

Note 9 OTHER MATTERS (continued)

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2023 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

Employer contributions

(a) Regular contributions

On the basis of the results of the 2023 triennial actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2024, this rate was 11.0% of members' salaries (10.5% in 2022/23). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2023 triennial valuation.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

(b) Funding calls

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 98% from 26 July 2024 (previously 97%).

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

The 2023 triennial actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. A full investigation was conducted as at 30 June 2023.

The Fund's actuarial investigation identified the following for the Defined Benefit category of which Council is a contributing employer:

	2023 (Triennial) \$m	2022 (Interim) \$m
- A VBI Surplus	84.7	44.6
- A total service liability surplus	123.6	105.8
- A discounted accrued benefits surplus	141.9	111.9

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2023.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2023.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2023.

Notes to the Financial Report For the Year Ended 30 June 2024

Note 9 OTHER MATTERS (continued)

The 2024 interim actuarial investigation

An interim actuarial investigation is being conducted for the Fund's position as at 30 June 2024 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2024.

The VBI of the Defined Benefit category was 105.4% as at 30 June 2024. The financial assumptions used to calculate the 30 June 2024 VBI were:

Net investment returns 5.6% pa
Salary information 3.5% pa
Price inflation (CPI) 2.7% pa

Council was notified of the 30 June 2024 VBI during August 2024.

Because the VBI was above 100%, the Defined Benefit category was in a satisfactory financial position at 30 June 2024 and it is expected that the actuarial investigation will recommend that no change will be necessary to the Defined Benefit category's funding arrangements from prior years.

The 2020 triennial investigation

The last triennial actuarial investigation conducted prior to 30 June 2023 was at 30 June 2020. This actuarial investigation was completed by 31 December 2020. The financial assumptions for the purposes of that investigation was:

	2020 Triennial investigation	2023 Triennial investigation
Net investment return	5.6% pa	5.7% pa
Salary inflation	2.5% pa for two years and 2.75% pa thereafter	3.50% pa
Price inflation	2.0% pa	2.8% pa

Superannuation contributions

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2024 are detailed below:

Scheme	Type of Scheme	Rate	2024 \$'000	2023 \$'000
Vision super	Defined benefits	11.0% (2023:10.5%)	86	50
Vision super	Accumulation	11.0% (2023:10.5%)	675	568
Other funds	Accumulation	11.0% (2023:10.5%)	986	864

Council has not paid any unfunded liability payments to Vision Super during the 2023/24 and 2022/23 years.

There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2024.

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2025 is \$80,000.

**Notes to the Financial Report
For the Year Ended 30 June 2024**

Note 10 CHANGE IN ACCOUNTING POLICY

There have been no changes to accounting policies in the 2023-24 year.

Draft



DRAFT PERFORMANCE STATEMENT

For the Year Ended 30 June 2024

Draft

Performance Statement
For the Year Ended 30 June 2024

Description of Municipality

Hepburn Shire is a small rural Shire, with a population of 16,555. The population is projected to reach 17,700 by 2036. The Shire covers an area of 1,473square kilometres which includes Clunes, Creswick, Daylesford, Hepburn Springs and Trentham, and the villages of Glenlyon, Allendale, Kingston, Leonard's Hill, Lyonville, Newlyn, Denver and Smeaton, and other smaller settlements, each with their own unique identity and character. Located in central Victoria, the Shire is ideally situated within easy access to Melbourne, Ballarat and Bendigo. It is a great place to live, work, invest and visit.

Hepburn Shire has a rich cultural history which began with the Dja Dja Wurrung People, the Traditional Owner and custodian's of the area. Mass migration during Victoria's goldrush era saw many cultures settle in the region, which created a distinctive architecture and culture, still present throughout the Shire today. The Shire is renowned for its native forests, mineral springs reserves and waterways, botanical gardens, volcanic plains with rich soils, gold, and many spectacular heritage buildings. It is a popular tourist destination that has a reputation for indulgence and relaxation, festivals and outdoor recreational activities.

The Shire has a vibrant and diverse welcoming community that is well services by schools ad childcare, recreation facilities, libraries, hospitals and shopping precincts. There is a large range of events throughout the year including markets, community run festivals, book fairs, LGBTIQA+ festivals and artisan masterclasses. With a strong arts a community there are opportunities to visit artist studios, exhibitions and workshops.

There has been three significant storm events that have impacted the Shire during 2021/2022 and 2022/2023 and the recovery works required following these storms have had a significant financial impact on the Council. Commentary throughout the performance statements will reflect the impact of the storm events on Council's results.

Performance Statement
For the Year Ended 30 June 2024

Sustainable Capacity Indicators					
Indicator / measure [formula]	Results 2021	Results 2022	Results 2023	Results 2024	Comments
Population					
C1 Expenses per head of municipal population [Total expenses / Municipal population]	\$2,225.60	\$3,237.76	\$3,420.72	\$2,943.07	Total expenses have reduced this year due to the recovery works for prior year storm events being less. Previous year included writing off of costs incurred that were not recognised as assets.
C2 Infrastructure per head of municipal population [Value of infrastructure / Municipal population]	\$19,903.57	\$21,088.82	\$18,196.86	\$23,954.47	The construction and renewal of assets combined with revaluation of assets has increased the value of assets controlled by Council.
C3 Population density per length of road [Municipal population / Kilometres of local roads]	11.28	11.37	11.56	11.46	Remained consistent
Own-source revenue					
C4 Own-source revenue per head of municipal population [Own-source revenue / Municipal population]	\$1,323.20	\$1,647.32	\$1,757.17	\$1,764.49	Remained consistent
Recurrent grants					
C5 Recurrent grants per head of municipal population [Recurrent grants / Municipal population]	\$439.19	\$594.99	\$536.51	\$129.45	The financial assistance grants for 2024/2025 have been realigned for receipt in the year applicable, so no advanced payment was received in 2023/2024.
Disadvantage					
C6 Relative Socio-Economic Disadvantage [Index of Relative Socio-Economic Disadvantage by decile]	6.00	6.00	6.00	6.00	The socio-economic index summarises a range of information about the economic and social conditions of people and households within the shire. The decile has remained constant throughout the past four years.

Performance Statement
For the Year Ended 30 June 2024

Sustainable Capacity Indicators					
Indicator / measure [formula]	Results 2021	Results 2022	Results 2023	Results 2024	Comments
Workforce turnover					
C7 Percentage of staff turnover	22.5%	35.3%	23.7%	23.4%	The trend for staff turnover is positive and stabilised with a return to a more normalised work environment.
[Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100					

Definitions

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"infrastructure" means non-current property, plant and equipment excluding land

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"population" means the resident population estimated by council

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA

"SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

Performance Statement
For the Year Ended 30 June 2024

Service Performance Indicators					
Service/indicator/measure	Results 2021	Results 2022	Results 2023	Results 2024	Comments
Aquatic Facilities Utilisation AF6 <i>Utilisation of aquatic facilities</i> [Number of visits to aquatic facilities / Municipal population]	1.20	1.64	1.47	1.10	Minimal participation data collected throughout the season, has resulted in lower than anticipated visitation figures for the 2023/2024 Aquatics Season.
Animal Management Health and safety AM7 <i>Animal management prosecutions</i> [Number of successful animal management prosecutions]	0%	0%	100%	0.00%	Council prosecutes as needed and on the legal advice from Council's lawyers.
Food Safety Health and safety FS4 <i>Critical and major non-compliance outcome notifications</i> [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100	50.00%	100.00%	100.00%	100.00%	All critical and non-major compliant functions have been followed up.
Governance Consultation and engagement G5 <i>Satisfaction with community consultation and engagement</i> [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]	44.00	44.00	46.00	52.00	Community Satisfaction ratings showing an upward trend over the past three years.

Performance Statement
For the Year Ended 30 June 2024

Service Performance Indicators					
Service/indicator/measure	Results 2021	Results 2022	Results 2023	Results 2024	Comments
Libraries Participation					
LB7 <i>Library Membership</i> [Number of registered library members / Population] x100	N/A	N/A	N/A	28.42%	The percentage of library membership is within target, with room to improve. We anticipate an increase in patrons with the opening of The Mechanics Trentham along with the introduction of Open Libraries next financial year.
Maternal and Child Health (MCH) Participation					
MC4 <i>Participation in the MCH service</i> [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100	76.96%	86.01%	85.37%	81.60%	The percentage of infants enrolled in the MCH service who attend MCH service has remained fairly constant. Families who have moved during the year are now required to be reflected in the data therefore a slight drop in percentage can be seen from previous years due to families having sessions at other MCH services.
MC5 <i>Participation in the MCH service by Aboriginal children</i> [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100	75.76%	80.95%	88.89%	73.33%	The percentage of Aboriginal infants enrolled in the MCH service who also attend MCH service has remained fairly constant over the previous four years.
Roads Condition					
R5 <i>Sealed local roads maintained to condition standards</i> [Number of kilometres of sealed local roads below the renewal intervention level set by Council / Kilometres of sealed local roads] x100	96.91	97.73	98.19	98.36	Updated data from a new road condition audit shows Council has continued to maintain road assets to a targeted condition.

Performance Statement
For the Year Ended 30 June 2024

Service Performance Indicators					
Service/indicator/measure	Results 2021	Results 2022	Results 2023	Results 2024	Comments
Statutory Planning Service standard					
SP4 <i>Planning applications decided within required time frames</i> [(Number of regular planning application decisions made within 60 days) + (Number of VicSmart planning application decisions made within 10 days) / Number of planning application decisions made] x100	64.47%	19.70%	33.79%	17.86%	Process improvements in Quarter 4 mean we are now reporting accurately, however the first 3 quarters of the year are unreliable, therefore the figure is skewed. The data shows more permits are being issued in Q4 compared to Q4 last year, therefore an upward trend.
Waste Collection Waste diversion					
WC5 <i>Kerbside collection waste diverted from landfill</i> [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	48.46%	40.22%	34.23%	37.72%	FOGO was introduced in April 2024, along with a change of garbage frequency from weekly to fortnightly. This has assisted with the diversion of waste from landfill. Inaccurate data was provided for 20/21 & 21/22 due to reporting in cubic metres not tonnages, showing an inflated result.

Definitions

"Aboriginal child" means a child who is an Aboriginal person

"Aboriginal person" has the same meaning as in the Aboriginal Heritage Act 2006

"active library member" means a member of a library who has borrowed a book from the library

"annual report" means an annual report prepared by a council under sections 131, 132 and 133 of the Act

"CALD" means culturally and linguistically diverse and refers to persons born outside Australia in a country whose national language is not English

"class 1 food premises" means food premises, within the meaning of the Food Act 1984, that have been declared as class 1 food premises under section 19C of that Act

"class 2 food premises" means food premises, within the meaning of the Food Act 1984, that have been declared as class 2 food premises under section 19C of that Act

"critical non-compliance outcome notification" means a notification received by council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorised officer under that Act, of a deficiency that poses an immediate serious threat to public health

"food premises" has the same meaning as in the Food Act 1984

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"major non-compliance outcome notification" means a notification received by a council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

"MCH" means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age

"population" means the resident population estimated by council

"target population" has the same meaning as in the Agreement entered into for the purposes of the Home and Community Care Act 1985 of the Commonwealth

"WorkSafe reportable aquatic facility safety incident" means an incident relating to a council aquatic facility that is required to be notified to the Victorian Workcover Authority under Part 5 of the Occupational Health and Safety Act 2004.

Financial Performance Indicators									
Dimension/indicator /measure	Results 2021	Results 2022	Results 2023	Results 2024	Forecast 2025	Forecast 2026	Forecast 2027	Forecast 2028	Material Variations and Comments
Efficiency Expenditure level									
E2 Expenses per property assessment [Total expenses / Number of property assessments]	\$3,129.05	\$4,497.40	\$4,817.52	\$4,128.67	\$3,598.84	\$3,431.03	\$3,501.24	\$3,572.20	The average expenditure per property has reduced as the prior year storm events associated with recovery works have been completed in 2023/2024. Future expected expenditure levels will continue to reduce as operational efficiencies are implemented to address Council's long term financial sustainability.
Revenue level									
E4 Average rate per property assessment [General rates and Municipal charges / Number of property assessments]	1,598.16	1,612.58	\$1,651.04	\$1,700.66	\$1,764.03	\$1,973.98	\$2,021.34	\$2,069.23	This measure shows the continuing upward trend in average rates and reflects Council's commitment to maintain rate increases within the State Government imposed restrictions on rate revenue. Hepburn Council is a lower rating Council than most other Small Rural Councils.
Liquidity Working capital									
L1 Current assets compared to current liabilities [Current assets / Current liabilities] x100	223.75%	194.62%	238.19%	141.04%	117.92%	117.74%	122.62%	128.08%	This measure is one reflection of Council's current financial position. The lower assets reflects the realignment of the Financial Assistance Grants for receipt in the year applicable, so no advanced payment was received in 2023/2024.
Unrestricted cash									
L2 Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	22.96%	16.16%	3.80%	-63.10%	40.50%	41.04%	51.96%	57.52%	This measure is one reflection of Council's financial position. The reduction from the prior year is due to the financial assistance grants being realigned for receipt in the year applicable, so no advanced payment was received in 2023/2024.

Financial Performance Indicators									
Dimension/indicator /measure	Results 2021	Results 2022	Results 2023	Results 2024	Forecast 2025	Forecast 2026	Forecast 2027	Forecast 2028	Material Variations and Comments
Obligations									
Loans and borrowings									
O2 Loans and borrowings compared to rates [Interest bearing loans and borrowings / Rate revenue] x100	30.00%	19.17%	15.75%	36.12%	52.06%	40.69%	32.90%	25.26%	Interest bearing loans as a percentage of rate revenue increased this year as a new loan of \$5.887m was drawn down.
O3 Loans and borrowings repayments compared to rates [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	2.63%	9.54%	9.16%	2.11%	4.79%	8.63%	8.37%	8.12%	Reduction due to a previous loan being paid out in April 2023. New loan commitments drawn down in late 2023/2024 with commencement of repayments in 2024/2025. This indicator is low compared to industry targets.
Indebtedness									
O4 Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	23.42%	16.67%	13.75%	30.71%	41.89%	31.89%	24.79%	17.81%	Non current liabilities as a percentage of Councils revenue from rates and finance has increased due to a previous commitment to drawn down a new loan in the current year. Council is well within its capacity to meet its loan repayment obligations.
Asset renewal and upgrade									
O5 Asset renewal and upgrade compared to depreciation [Asset renewal and asset upgrade expense / Asset depreciation] x100	123.21%	103.42%	96.55%	75.34%	116.20%	132.62%	99.22%	85.62%	This result shows that Council's spending on asset renewal is within the expected range. The reduction is due to the large capital program and the investment in renewal and upgrade projects and an increase in depreciation charge.
Operating position									
Adjusted underlying result									
OP1 Adjusted underlying surplus (or deficit) [Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100	-17.07%	-22.18%	-24.81%	-41.39%	-9.69%	1.67%	1.88%	2.14%	The financial assistance grants for 2024/2025 have been realigned for receipt in the year applicable, so no advanced payment was received in 2023/2024.

Financial Performance Indicators									
Dimension/indicator /measure	Results 2021	Results 2022	Results 2023	Results 2024	Forecast 2025	Forecast 2026	Forecast 2027	Forecast 2028	Material Variations and Comments
Stability									
Rates concentration									
S1 Rates compared to adjusted underlying revenue	71.53%	54.71%	54.62%	74.85%	69.09%	71.06%	71.03%	70.97%	The financial assistance grants for 2024/2025 have been realigned for receipt in the year applicable, so no advanced payment was received in 2023/2024.
[Rate revenue / Adjusted underlying revenue] x100									
Rates effort									
S2 Rates compared to property values	0.36%	0.35%	0.27%	0.26%	0.28%	0.29%	0.29%	0.29%	Remains constant and reflects future commitment to maintain the financial sustainability of Council within the scope of State Government imposed restrictions on rate revenue.
[Rate revenue / Capital improved value of rateable properties in the municipality] x100									

Definitions

"adjusted underlying revenue" means total income other than:

(a) non-recurrent grants used to fund capital expenditure; and

(b) non-monetary asset contributions; and

(c) contributions to fund capital expenditure from sources other than those referred to above

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

"current assets" has the same meaning as in the AAS

"current liabilities" has the same meaning as in the AAS

"non-current assets" means all assets other than current assets

"non-current liabilities" means all liabilities other than current liabilities

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants

"population" means the resident population estimated by council

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges

"recurrent grant" means a grant other than a non-recurrent grant

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

"restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

Performance Statement
For the Year Ended 30 June 2024

Other Information

1. Basis of preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020.

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures. The Local Government (Planning and Reporting) Regulations 2020 requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its Annual Budget on 25 June 2024 and which forms part of the council plan. The strategic resource plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements.

Performance Statement
For the Year Ended 30 June 2024

Certification of the performance statement

In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020.

Principal Accounting Officer

Date :

In our opinion, the accompanying performance statement of Hepburn Shire Council for the year ended 30 June 2023 presents fairly the results of council's performance in accordance with the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by Council and by the Local Government (Planning and Reporting) Regulations 2020 to certify this performance statement in its final form.

Mayor Cr Brian Hood

Councillor

Date :

Councillor

Date :

Bradley Thomas

Chief Executive Officer

Date :

15.3 ANNUAL REPORT 2023/2024 CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Communications Officer, I Maria Abate have no interests to disclose in this report.

ATTACHMENTS

1. Hepburn Shire Council Annual Report 2023-2024 V 12 [15.3.1 - 100 pages]

OFFICER'S RECOMMENDATION

That Council adopts the Annual Report 2023/2024, and authorises the Chief Executive Officer to make minor, administrative amendments if required.

EXECUTIVE SUMMARY

The Annual Report provides an overview of highlights, achievements and challenges of the 2023/2024 financial year. The report also measures our performance and progress against the objectives and priorities of the four-year Council Plan and the Local Government Performance Reporting Framework indicators.

BACKGROUND

Council's Annual Report informs our community of our performance for the financial year, 1 July 2023 to 30 June 2024. It also provides details of our operations, achievements and challenges. Performance is measured against how well we achieved our goals and objectives outlined in the Council Plan 2021–2025 (Year Three).

The information contained in this report complies with the legislative requirements as per the *Local Government Act 2020*.

KEY ISSUES

The Annual Report of Operations is broken up into six sections:

- 1) Introduction
 - a. Details the Community Vision, Plan and introductions from Mayor and CEO
- 2) Year in Review
 - a. Provides a summary of highlights and key events from each month
- 3) Our Shire
 - a. Demographic details of our shire
 - b. Overview of Councillors
- 4) Our People
 - a. Details about the staffing component of the organisation
 - b. People and culture workforce outcomes
- 5) Performance

- a. Detail of how we are progressing against the Council Plan
- b. Overview of activities towards the Municipal Public Health and Wellbeing Plan progress
- c. Local Government Performance Reporting Framework indicators
- 6) Governance
 - a. The role of local government and governance
 - b. Council meetings
 - c. Financial report – noting that the financial and performance statements have been placed on our website following their sign off by VAGO and adoption at the September Council meeting.
- 7) Statutory information.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

5. A dynamic and responsive Council

- 5.2 A sustainable and agile organisation with strong corporate governance that supports excellent operations.
- 5.3 Actively communicate, inform and engage with our community about events and decision-making.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There has been internal consultation on the Annual Report. The adopted report will be forwarded to the Minister for Local Government, will also be uploaded to our website and through our various communication channels will update community and stakeholders that the Annual Report has been adopted.

RISK AND GOVERNANCE IMPLICATIONS

This report as presented meets the Legislative requirements of Section 100(1) and 18(1)(d) of the *Local Government Act 2020* (The Act) and was prepared in line with the requirements of Section 99 of The Act.

The Financial Statements have been prepared in accordance with Australian Accounting Standards and form a sub-attachment of the Annual Report.

ENVIRONMENTAL SUSTAINABILITY

There are no sustainability implications directly associated with this report.

GENDER IMPACT ASSESSMENT

The report affirms Council's position on gender equity and includes data and information on Council's action in respect to gender equity throughout the year. Photographs in the report have been selected to show a broad representation of genders through photos of Councillors, staff and community members.

Hepburn

SHIRE COUNCIL



2023/2024 Annual Report

Contents

1 Introduction	3
Council Plan	4
Community Vision	5
Municipal Public Health and Wellbeing Plan	5
Message from the Mayor and CEO	6
2 The Year In Review	8
Highlights	9
The year in review	12
Awards and Recognition	24
3 Our Shire	26
Yearly statistics within our shire	27
Councillors	28
4 Our People	30
Organisational structure	31
People and Culture workforce outcomes	34
5 Performance	38
Council Plan progress	39
MPHWP progress	76
6 Governance	86
The role of local government	87
Council meetings	87
7 Financial Report	96
Financial report	97
Statutory information	98

Acknowledgement of Country

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

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

Introduction 01



Council Plan

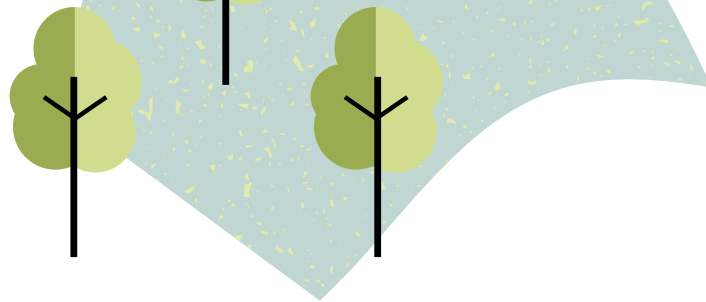
The Council Plan 2021–25 is Council's key strategic document, which describes the community's long-term vision for Hepburn Shire. The Council plan is shaped by the voice of the community and incorporates:

- **Community Vision:** the long-term aspirations that the community has for our Shire.
- **Municipal Public Health and Wellbeing Plan:** what the Council will do to protect, improve and promote public health and wellbeing in the Hepburn Shire.

The plan and vision were developed through the Hepburn Together Project, where we heard from ten per cent of the Shire's community. Council held community drop-in sessions, hosted surveys, and undertook a deliberative engagement process made up of citizens reflective of our community.



ATTACHMENT 15.3.1



Our engagement with the community on the Council Plan identified five key focus areas:

Focus area one: A resilient, sustainable and protected environment

A responsive, adaptive and resilient community that addresses changes to our climate and biodiversity.

Focus area two: A healthy, supported and empowered community.

A community that values connection, supports diversity, health and wellbeing, and is inclusive of all people and their needs.

Focus area three: Embracing our past and planning for the future.

We acknowledge and empower the Traditional Owners and other cultures of our area to protect our historical roots, while planning for future generations.

Focus area four: Diverse economy and opportunities

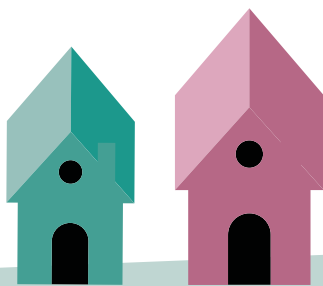
Our community is enhanced by a diverse and resilient economy that supports local aspirations through opportunity.

Focus area five: A dynamic and responsive Council

Council and the community partner to achieve their aspirations through excellent communication and engagement, the delivery of effective services, strong financial management, and governance.

Community Vision

The Community Vision, developed in partnership with the community, is an aspirational statement and includes the elements that we heard were important to our community.



‘Hepburn Shire – an inclusive rural community located in Dja Dja Wurrung country where all people are valued, partnerships are fostered, environment is protected, diversity supported, and innovation embraced.’

Municipal Public Health and Wellbeing Plan

For the first time Council’s Municipal Public Health and Wellbeing Plan (MPHWP) has been integrated into the Community Vision and Council Plan 2021-2025. Council and community identified health and wellbeing priority areas for working towards the Community Vision. They were:

Tackling climate change and its impact on health

Resilient and safe communities that are adapting to the public health impacts of climate change.

Increasing healthy eating

Access to nutritious food and water for everyone, especially the most vulnerable. People are supported to make healthy lifestyle choices through collaborative people and place-based approaches.

Improving mental wellbeing

Hepburn Shire’s diverse communities are celebrated, included and respected. Social connections are strengthened through participation in community groups, clubs, arts, culture, nature and physical activity. Everyone can access mental health services, housing, learning and employment.

Preventing all forms of violence

Everyone is able to live free from all forms of violence. Prevention efforts focus on gender equity, while responding to the needs of our diverse population.

Message from the Mayor and Chief Executive Officer



At Hepburn Shire Council we continue to focus on delivering the commitments within our Council Plan and realising the Community Vision for a sustainable and thriving community.

Our Annual Report highlights key achievements for the year, reviews performance against Council Plan objectives, and details our progress relative to the Local Government Reporting Framework.

Council has continued to work towards the objectives set out in our Council Plan 2021-2025. A total of 47 actions have been fully delivered since the commencement of the Council Plan, including 22 throughout the 2023/2024 financial year. Significant progress has been made on a further 64 projects. Council is committed to completing all carry-over projects/initiatives subject to ongoing budgetary constraints.

We delivered almost \$16.8 million worth of projects as part of our annual capital works program. Over the life of the 2021-2025 Council Plan in excess of \$16 million has been invested into road/footpath/drainage assets, more than \$18 million into property, plant and equipment, and more than \$15 million into recreation/leisure/open space assets.

We cannot achieve our goals alone; the ongoing support of both the State and Federal Governments is vital to successfully deliver our projects. Once again Council played a crucial role in successfully advocating for funding from these levels of government.

In 2023/24, we built on the previous year's achievements through dedicated service delivery and continued partnering with the State and Federal Governments, creating opportunities for our community to grow and prosper.

Some significant achievements for 2023-24 include the completion of The Mechanics Trentham, advancing the considerable body of work in the Future Hepburn project, the completion of 32 kilometres of trails at Djuwang Baring (Creswick Trails) well ahead of schedule and the roll-out of the food and garden organics service.

Future Hepburn is a significant, once-in-a-generation project designed to protect and enhance the character of our towns and rural settlements. Through strategic planning controls, it aims to sensitively and respectfully manage future growth and development across the Shire while protecting our valuable agricultural land. Council has devoted substantial resources to developing these critical plans and strategies. The draft Township Structure Plans cover Clunes, Creswick, Daylesford and Hepburn Springs, Glenlyon, and Trentham, and are complemented by the Rural Hepburn: Agricultural Land & Rural Settlement Strategy.

In addition to these projects and emergency recovery works, our staff continued regular service delivery for the community. This included building and maintaining roads and footpaths, collecting waste and recycling, maintaining and beautifying our numerous parks and open spaces, and providing library services, youth programs, and positive ageing initiatives.

Long term financial sustainability remains an ongoing and imposing challenge for our Shire, as it does for most councils across Victoria. At Hepburn Shire, our financial environment has been severely impacted by rising inflation driving substantially higher costs for the delivery of services and construction of infrastructure; cost shifting from other levels of government; and extraordinary costs associated with recovery from multiple flood and storm events. Successive years of State Government-prescribed rate caps below the rate of inflation have also had a negative impact on our financial sustainability. It is important to note that councils have limited opportunities for alternate, unregulated income streams – particularly in regional and rural areas. The breadth and depth of strategic decisions that must be taken to ensure Hepburn Shire's longer term financial sustainability should not be underestimated. It will be necessary to realign our strategies and priorities in order to provide core services and infrastructure for the community within our means. To that end work to ensure our long-term financial viability continues, in conjunction with the community.

We are proud of what we have achieved over the past 12 months and look forward to continuing this progress in 2024/25 and beyond. We would like to acknowledge the hard work and contributions of our Councillors, community and staff and the ongoing support extended by many external partners.

Please read though the Annual Report for a summary of the services, initiatives and projects delivered over the last 12 months.



Cr Brian Hood
Mayor



Bradley Thomas
Chief Executive Officer

The Year in Review 02



(Left) Adaptive riding on Djuwang Baring (Creswick Trails).



(Right) Central Springs Reserve at Lake Daylesford.

Highlights

Future Hepburn

Future Hepburn is a major once-in-a-generation project. It aims to protect and enhance the existing character of our towns and rural settlements through strategic planning controls to help manage future growth and development. The draft Township Structure Plans are for Clunes, Creswick, Daylesford and Hepburn Springs, Glenlyon, and Trentham, along with the Rural Hepburn: Agricultural Land & Rural Settlement Strategy. Council has dedicated significant resources to the development of these important plans and strategy.

The six draft documents have been informed by extensive community input throughout 2023, Council-commissioned specialist technical studies, and Council's specialist officers on planning, ecology, infrastructure, transport, recreation and economic development. The final drafts are being recommended for Council adoption in early 2024/25.

Future Hepburn has been a major undertaking for such a small rural Council. The project was made possible through the commitment of Councillors, community, our technical consultant partners and our incredible staff who have ensured the development of quality strategic planning documents for community consultation and possible endorsement.

The Mechanics Trentham

The Mechanics Trentham was officially opened by Mayor Cr Brian Hood, Mary-Anne Thomas MP and The Hon. Catherine King MP on 21 June 2024. This state-of-the-art facility includes playgroup space, library and study nooks, workspaces, visitor information, a commercial-style kitchen, and a function space for 245 people standing or 180 seated.

The new space incorporates elements of the original building, which dates to the late 1800s, and remains an integral part of the town's history. The respectfully restored former hall serves as the new library, a fitting nod to the function of Mechanics buildings through the formative years of many communities. The completed building achieves energy efficiency and draws its beautiful natural surrounds in through large picture windows. Ample on-site parking is available at the rear of the building along with an electric vehicle charging station. At the official opening, a magnificent piece of Indigenous artwork was unveiled. It is a series of purpose made glass and woven fish traps created by Auntie Marilynne Nicholls. The kitchen was named after long-time local Kit Manning. The meeting rooms are named after local rivers and feature nameplates in both English and Dja Dja Wurrung languages.



Future Hepburn.



The Mechanics Trentham.

The new building has a back-up generator to service the community in case of a power outage. It will ensure the building, which would be capable of being designated as an Emergency Relief Centre, can keep operating. Council prioritised the project and contributed \$2.35 million. This key project has been a major investment for Trentham and surrounds. It was borne out of a 2013 review of local facilities, and extensive consultation between Council and the people of Trentham.

Construction of Djuwang Baring

Djuwang Baring will be a 60-kilometre network of mountain bike trails that start at the Hammon Park Trailhead, a five-minute walk from the centre of Creswick. Djuwang Baring means 'long track' in Dja Dja Wurrung language.

Since receiving external funding in 2018, the project has made steady progress towards completion. Funding for Hammon Park and Djuwang Baring has been provided by the State Government's Regional Tourism Infrastructure Fund (\$4.66m) and Creswick Community Bank (\$250,000 for Hammon Park) with Council funding the remainder.

After completion of the planning and design stage, a Construction Planning Permit was issued in early 2022. The Hammon Park Trailhead was completed mid-2023 and the entire network of trails are expected to be open by December 2024.

Food and garden organics collection

Council started a weekly kerbside collection of food and garden organics for township residents.

The organics bins are collected from township households in Creswick, Trentham, Daylesford, Hepburn and Hepburn Springs. Food scraps and garden cuttings are taken to the Creswick Transfer Station and composted for local distribution.

With the introduction of weekly organics collection for townships, the red-lidded landfill (general rubbish) bins, and yellow-lidded recycling bins are now collected fortnightly.

Audits of bins in 2023 showed that the lime green-lidded food and garden organics bins will be able to take up to half the contents of the red-lidded landfill bins. This includes food scraps and leftovers, meat, bones, dairy products, garden clippings, leaves and non-noxious weeds. A further 12 percent of the contents of red-lidded bins can be recycled in the yellow-lidded recycling bins. By separating items carefully, it may be possible to reduce landfill waste by around 60 percent.

We continue to work with the community to educate and share information about the food and garden organics service and ways to reduce household rubbish.



Xanthia Chatham from Creswick was the first to officially ride on Djuwang Baring.

Working with our community

Advisory committees

We have several advisory committees that enable community members to have input into our projects and activities. They are our Disability Advisory Committee, Mineral Springs Reserves Advisory Committee, LGBTIQ+ Advisory Committee, Reconciliation Advisory Committee, Sustainable Hepburn Advisory Committee, Gender Equity Advisory Committee, Heather Mutimer International Women's Day Advisory Committee, The Mechanics Trentham Project Control Group and the Daylesford Community Facilities Project Advisory Group.

All advisory committees operate in accordance with the Governance Rules and each has a Terms of Reference, which sets out the role of the committees and how they operate, explains how members are selected, and any specific provisions that apply.

Advisory committees provide valuable local insight for Council decision making.

Volunteers

Council greatly values the significant contribution made by community members who volunteer their time. Everyone has something unique to offer.

Volunteers play an important role in supporting Council's delivery of services to the community. They work in a variety of areas, some of which include Visitor Information Centres, Advisory Committees, Special Committees, Activity Groups, and Friends of Groups. Our volunteers help make the Hepburn Shire a great place to live, work and visit.

Community engagement

Community engagement is about empowering and hearing the community's voice and expertise, allowing them to actively contribute to Council decisions. Council values and appreciates community input.

The ability for people to be involved and heard on important issues that affect them fosters greater ownership and transparency in decision-making. It creates greater community trust and confidence in the activities of Council.



Volunteers Jenny McKenzie and Kathy Burgum.

The Year in Review

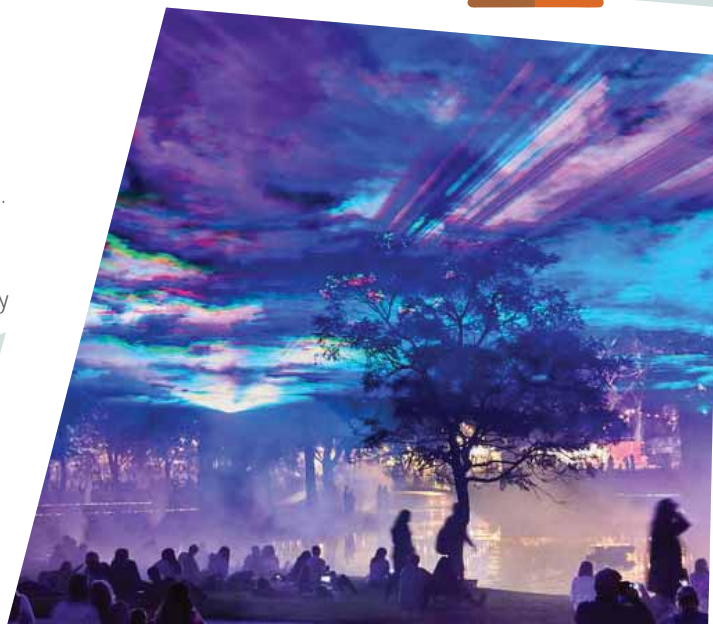
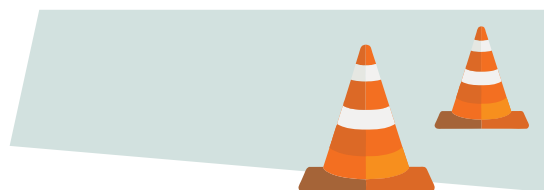
July 2023

- Released results of Community Satisfaction Survey, which show our improvements.
- Council responded to Commonwealth Games cancellation. We were disappointed at the shock decision but pleased with the introduction of the regional support package to help balance the effects of the cancellation.
- Hosted event to recognise the renaming of Jim Crow Creek to Larni Barramal Yaluk.
- Council invested \$500,000 in a road patching contract, while also investigating a regional approach to bituminous resealing. There is \$2.73 million in the next budget for reconstruction and \$3 million for other repair work.
- Adopted the Annual Plan 2023/24.
- Announced that Borealis is returning to Lake Daylesford.
- Celebrated International Women's Day.
- An invitation was sent to residents to join the community panels to advise on the Township Structure Plans.

ATTACHMENT 15.3.1



Council invested \$500,000 in a road patching contract.



Borealis returned to Lake Daylesford in 2023.



Township Structure Plans – Community advised on Township Structure Plans.



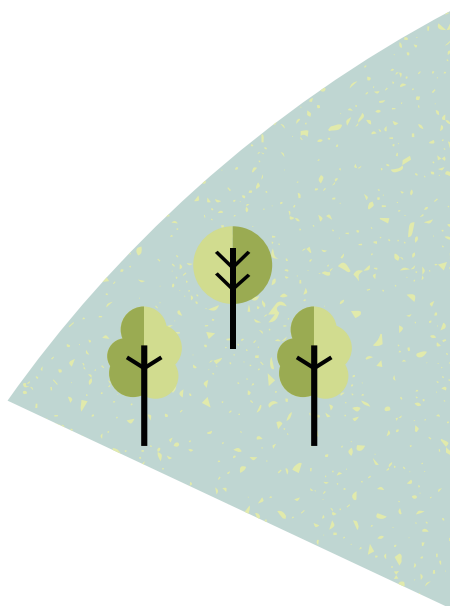
International Women's Day 2023.

August 2023

- Council welcomed disability advisory committee members and renewed the two-year term of seven serving members, (Andrew Brown, John Condon, Graham Downey, Kaylene Howell, Darren Manning, David Moten and Peter Waters). Council also appointed a new member, Jo Pegg. Council acknowledged the three departing members (Lainey Curr, Steve Kelly and Fiona Porter) for their contributions and involvement in the Committee.
- Formally stated unanimous support for the constitutional recognition of Aboriginal and Torres Strait Islander peoples through the Voice to Parliament.
- Summary of progress on the 2022/2023 Annual Plan deliverables were tabled at the Council meeting. It was pleasing to reflect on some of the achievements of the last year, especially considering the challenges faced in terms of ongoing recovery from multiple storm and flood events, the rising costs of construction, challenges with supply chains and increasing financial pressures.
- Citizenship Ceremony hosted with 9 new citizens.



Voice to parliament – unanimous support for the constitutional recognition of Aboriginal and Torres Strait Islander peoples through the Voice to Parliament.



Ongoing recovery from multiple storm and flood events.

September 2023

- Draft masterplans for Queens Park and Pioneer Park in Clunes were released for public feedback. The masterplans aim to improve accessibility and safety; but also to increase participation, visitation and connections for the community. The draft masterplan includes 18 potential actions at Pioneer Park and 17 at Queens Park.
- In collaboration with Agriculture Victoria, we held the inaugural Agriculture Forum to assist Hepburn Shire farmers engage in vital discussions surrounding biosecurity, planning, and emergency management.
- Free school holiday programs including do-it-yourself book bags and skate workshops, song writing, and an all-ages gig. A trip was also planned for 12–18-year-olds to visit the PopCon Convention in Ballarat.
- Implemented an early years survey to understand how parents and caregivers accessed early years services in our Shire in preparation for the implementation of the State Government 'Best Start, Best Life' reforms. This survey also helped Council to understand any unmet or future needs for Early Years services in our Shire.
- Announced introduction to begin food and garden organics collections in early 2024.
- Community award nominations opened for Citizen of the Year, Young Citizen of the Year, and Event of the Year.
- Transport survey released. The Transport Discussion Paper outlines the current transport needs and challenges facing our Shire, along with suggestions on how these may be addressed. Issues include public safety, footpaths and trails of varying condition, limited public transport network, signage, parking and more.
- Adoption of Affordable Housing Strategy and Action Plan. Council to establish a Housing Working Group to guide implementation. Options to investigate will be efforts to encourage property owners to provide long-term affordable rental accommodation rather than short-term holiday leasing, consideration of co-operatives to build and manage housing, and exploration of affordable retirement living options or public private partnerships.
- Supported residents on their low-waste journey through a free Cloth Nappy Workshop, which included a cloth nappy starter pack for all attendees.
- Council received and adopted its annual financial statements and performance statement for 2022/23 at its ordinary meeting. The financial statements set out the financial performance, financial position and cash flows for the financial year ending 30 June 2023, while the performance statement included the results of the prescribed indicators and measures developed by the Victorian Government under its performance reporting framework.
- Central Highlands Water (CHW) and Council joined forces to launch a new Choose Tap drinking fountain at the Hammon Park Trailhead in Creswick. New drinking fountains provide easy access to quality drinking water.



Transport Survey – Transport discussion paper covers public safety, including footpaths.



Food and Garden Organics are now separated to reduce landfill.



Affordable Housing.



Cloth nappies introduced as part of a low-waste program.



Council issued biodiversity and Landcare grants to 19 community groups.

October 2023

- Review of Council-owned property policy. Council owns more than 80 properties and manages a further 50 reserves as Committee of Management. The two new policies will help to develop a practical and effective framework to guide decisions that are transparent, fair, and benefit the community.
- Council reaffirmed commitment to implement policies, strategies and programs founded in fairness, inclusion, respect, diversity, equity and prevention of violence.
- Announcement of Council's 2022/23 Biodiversity and Landcare grants in the amount of \$38,900 to 19 community groups.
- Creswick Ward Councillor Don Henderson received a 15-year service award for his outstanding contribution to Hepburn Shire at the Municipal Association of Victoria Annual Conference Gala Dinner on Thursday 12 October. Cr Don Henderson is the longest serving councillor since Hepburn Shire was formed in 1995.
- Businesses in Hepburn Shire were encouraged to join a business networking evening, hosted by Council, with the aim of bringing together local business owners and operators from across the shire to celebrate the achievements of the year and to build future connections.
- Citizenship Ceremony hosted with 3 new citizens.



Wombat Gardens.

November 2023

- Worked closely with Central Highlands Rural Health to offer mental health support to the many people impacted by the tragic accident outside the Royal Daylesford Hotel on 5 November.
- Council elected Cr Brian Hood as Mayor and Cr Juliet Simpson as Deputy Mayor.
- 1920s Bullarto Station building restoration completed.



A vigil and extensive counselling were offered to the community.



Bullarto Station seat.

December 2023

- Works commenced at Central Springs Reserve in Daylesford, which included drilling a new mineral spring bore to a depth of around 50 metres. This will provide more reliable and safe mineral drinking water.
- Launch of new event toolkit to help local event organisers to plan and carry out events.
- Funding was received for visitor service improvements, with Daylesford Macedon Tourism and Macedon Ranges Shire.
- Council adopted the Leases and Licences Policy and Disposal and Acquisition of Land Policy.
- Council joined more than 230 organisations in signing the Statement of Solidarity with the Trans Community.



Trans day of visibility – Council commits to solidarity with the Trans community.

January 2024

- Supported a range of Australia Day events organised by community groups throughout the Shire.
- Hosted workshop at Creswick to help farmers work on strategies to deal with extreme weather events.
- Citizenship Ceremony and Community Awards hosted with 2 new citizens and the following award winners
 - Joint Citizen of the Year, Neville Cartledge OAM
 - Joint Citizen of the Year Pat Tacey
 - Young Citizen of the Year Alice Newitt. The band Elysium, which formed in 2021, received a Special Commendation in the Young Citizen category
 - Event of the Year award, ChillOut Festival.

February 2024

- Encouraged the community to provide a submission on the electoral structure review of Hepburn Shire, which was led by an independent electoral advisory panel.
- Hosted Sunset in the Springs family-friendly community concerts over two evenings.
- Promoted a visit from the Small Business Bus to local business operators.

March 2024

- Launched the Circular Hepburn Toolkit for Business and Beyond, a guide to help local businesses to reduce costs, reduce their impact on the environment and boost the circular economy.
- Opened Expressions of interest for the Daylesford Community Facilities Project Advisory Group.
- Five women added to the International Women's Day (IWD) Heather Mutimer Honour Roll: Anne Bremner, Nikki Marshall, Marj Green, Michelle Clifford and Yvonne Sillett.
- Hosted school holiday program activities.
- Council wins WorkSafe Award for significant progress in building positive health and safety culture.
- Released draft of our first Arts and Culture Strategy.
- Our second Sustainable Hepburn Day Out took place at Victoria Park in Daylesford, with a huge variety of stallholders and activities.
- ChillOut was held in Daylesford and surrounds. Council participated in the annual parade adopting a food and garden organics theme.



Sustainable Hepburn day out.



Local band Hobyas performing in our Shire.

April 2024

- Draft Township Structure Plans and Rural Hepburn released.
- Glenlyon Recreation Reserve Masterplan adopted.
- Round 3 of the Community Grants were distributed, with \$44,000 being allocated to community groups.
- Act@Play, promoting gender equality and cultural change, unveiled.
- Weekly Food and Organics collection program commenced for township households.
- Masterplans endorsed for future planning and development of Queens Park and Pioneer Park in Clunes.
- Opened Young Mayor's program.
- Refurbished Bowling Green at Creswick officially opened. The next stage of the project is to tackle significant improvements to the drainage and irrigation of the main oval to increase use and enjoyment of the oval and reduce flood occurrence.
- Held Creswick Flood Information sessions.
- Four 30-metre high light tower poles and AFL competition standard lights turned on at Newlyn Recreation Reserve.
- Detox your home session held at Daylesford Transfer Station.
- Discount voucher scheme launched for reuseable nappies, training pants or period pants.
- Installed temporary crossing at Fraser Street Clunes for vehicle and foot traffic management.



Council distributed \$44,000 to various community groups in Round 3.



Township households began using the lime green-lidded bins for organics.



Clunes Crossing.



Cambridge St – Creswick streetscape.



AFL competition standard lights on at Newlyn.

May 2024

- Draft Budget was opened for feedback.
- Creswick Trails officially announced as Djuwang Baring.
- Daylesford Community Facilities Project Advisory Group (PAG) established.
- Sustainable Hepburn Strategy (2022-2026) progress report tabled at the May Council meeting, which also endorsed the next annual Solar Savers program.
- Councillors met with representatives from community groups that secured more than \$25,000 funding through the second round of Community Grants for 2024.
- Advertised lease for Hepburn Pavilion and Kiosk.
- Two-month organics drop-off initiative launched, where ratepayers and residents can drop off 120 litres of food scraps to our transfer stations.
- Clunes crossing project launched at the corner of Fraser and Service Streets. Temporary trial pin-down islands trialled as refuge points for pedestrians. Community feedback opened in July.
- Renew 21-year lease on Clunes Caravan Park.
- Trentham Tennis Courts resurfaced with tree roots removed, root barriers installed, drainage works and other improvements installed.
- Reconciliation Week flag raising.

- Little Wombats, a First Nations program, performed at Trentham and Creswick Libraries.
- Hosted IDAHOBIT Day flag raising and speak-up session at Daylesford. Guest speakers included Ange Barry (former CEO of Joy Media), Ro Allen (Human Rights Commissioner), Danni Karametos (Joy Media), Max Primmer (Senior Award Winner) and Grace Lee (Counsellor).
- Stitch and Yarn at Creswick Hub launched.
- Solar Savers program continued, with six eligible residents being allocated solar installations.
- Weed removal carried out at Lake Daylesford.
- Drop-in session held for Cambridge Street streetscape works in Creswick.



Flag raising ceremony - CEO Bradley Thomas, Mayor Cr Brian Hood, Councillors and members of the Creswick Primary School raise the Aboriginal flag at Creswick.



Clunes Caravan Park leased for another 21 years.



Creswick Trails officially announced as Djuwang Baring.



Flag raising for IDAHOBIT day at Daylesford.



Trentham Tennis Courts.

June 2024

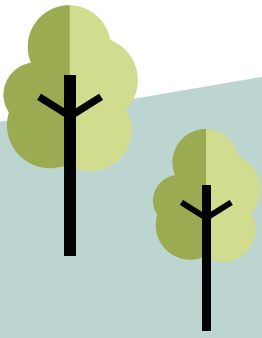
- The Mechanics Trentham officially opened 21 June by Mayor Cr Brian Hood, Mary-Anne Thomas MP, and The Hon Catherine King MP.
- Daylesford named finalist in 2024 Top Tourism Town Awards.
- The Budget was adopted at a Special Meeting of Council. This is the fourth and final year Budget under our current Council Plan. It funds important services such as roads, parks, waste and recycling, and more. The budget has a strong focus on the completion of current works, projects and infrastructure, and services and programs.
- Draft Township Structure Plans and Rural Hepburn engagement concluded. We received feedback from hundreds of community members. We created a comprehensive project page on Participate Hepburn, held community panels, community information sessions, webinars, hosted a survey and received hundreds of emails. The page received 7500 unique visitors, and we received more than 500 submissions. In-person community drop-in sessions were held at Creswick, Clunes, Glenlyon, Daylesford and Trentham.
- Community Satisfaction Survey showed a steady or improving satisfaction.
- Author talk with Leonie Kelsall at Daylesford and Creswick libraries.
- Adopted first Arts and Culture Strategy with the aim of providing a strategic framework for local artists, visitors and each other to grow the vibrancy of Hepburn Shire.



Lake Daylesford.



Little Wombats perform for school children in the libraries.

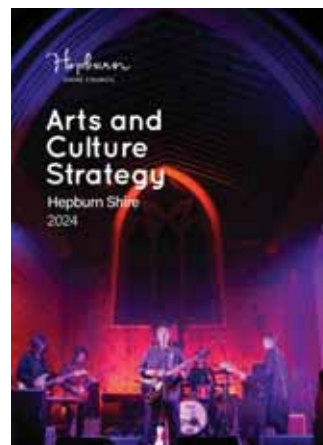


Central Springs Reserve Stage 1 complete.

- Winter School Holidays program with cooking, sand art, skate competitions and DJ workshops.
- Council's footpath network increased by approximately 2.7 linear kilometres in 2023/24.
- Creswick Creek clean-up completed with a reduction of obstructions and invasive plants. Works carried out along the 1.2 kilometre Wallaby Track section.
- Completion of Central Springs Reserve Stage 1 Masterplan. A new mineral spring bore and new mineral spring pump area featuring four stunning brass artworks by indigenous artist, Timani Nicholls, inlaid into the concrete splash pad; A BBQ and picnic shelter area with mobility scooter charge point; Rejuvenation of the historic hydropower pump infrastructure and Hard Hills spring pit; Creek works to stabilise existing stone walls, creek banks, eradicate weeds and introduce plantings to assist with erosion control; New connecting path network, all at accessible grade.
- Council successfully obtained a \$100,000 State Government Council support grant to assist with the activation of Djuwang Baring (Creswick Trails), including signage, photos/video development, visitor collateral, marketing and a public event.



Township Structure Plans - Community panels advised on Township Structure Plans.



Arts and Culture.

Awards and Recognition

Council wins Worksafe award

Hepburn Shire Council was recognised for significant progress in building a positive health and safety culture. We won the OHS Leadership/Achievement award at the 2024 Victorian WorkSafe Awards.

Council was one of eight winners across a number of categories representing the healthcare, emergency services, agriculture, transport and local government sectors that were honoured for their commitment to preventing workplace harm, or improving outcomes for injured workers.

The award is recognition of the commitment to safety shown by the staff and the organisation over the last 12 months. Council has worked hard to increase the number of health and safety representatives to 20 across different departments. It has also developed health and safety policies and practices that address workplace hazards. Training has been a key to improving the safety culture and our staff have been amazing in driving the improvements.

Cr Don Henderson receives 15 year service award

Creswick Ward Councillor, Cr Don Henderson, received a 15-year service award for his outstanding contribution to Hepburn Shire at the Municipal Association of Victoria Annual Conference Gala Dinner on 12 October 2023.

Cr Don Henderson is the longest serving councillor since Hepburn Shire was formed in 1995. Being re-elected to a fourth term as the Creswick Ward Councillor is a testament to Cr Henderson's popularity and commitment to the community.



Cr Don Henderson, Cr Lesley Hewitt, Mayor Cr Brian Hood, Acting HSC CEO Bruce Lucas.



CEO Bradley Thomas, Catherine Nurse, John Keehner and David Stewart with HSC's OHS Leadership Achievement award.



The Mechanics Trentham. One of a series of purpose-made fish traps created by Indigenous artist Aunty Marilyn Nicholls.

Our Shire 03



Yearly statistics within our shire



16,670

Estimated
resident population
(no.) 2023



52.5

Median age
2022



208

Aboriginal and Torres
Strait Islander Peoples
(no.) 2021



2.2

Average Household Size
(no. of persons) 2021



3,093

Youth population
0-19 years
2022



1,050

Persons who have need
for assistance with core
activities (no.) 2021



\$43,129

Median income (excl.
Government pensions and
allowances) (\$) 2020



1,782

Worked from home
(no.) 2021



1,738

Total number of
businesses
2023



\$295

Median weekly household
rental payment (\$) 2021



\$1,421

Median monthly household
mortgage payment (\$) 2021



6,846

Total Households
(no.) 2021



147,298.4

Land area (ha)
2021



3,578

Total protected
land area (ha)
2022



51.40%

Completed year 12
or equivalent (%) 2021



2.8

Average Household Size
Aboriginal and Torres
Strait Islander People
(no. of persons) 2021

Councillors

Birch Ward



Cr Lesley Hewitt

Deputy Mayor to November 2023

Mobile: 0408 793 941

Email: lhewitt@hepburn.vic.gov.au

Cr Hewitt represents Council on the Municipal Association of Victoria, Disability Advisory Committee and Gender Equity Advisory Committee.



Cr Jen Bray

Mobile: 0428 150 652

Email: jbray@hepburn.vic.gov.au

Cr Bray represents Council on the Z-NET Community Roundtable, Heather Mutimer International Women's Day Honour Roll Advisory Committee and Mineral Springs Reserves Advisory Committee.

Coliban Ward



Cr Brian Hood

Mayor from November 2022

Mobile: 0427 797 151

Email: bhood@hepburn.vic.gov.au

Cr Hood represents Council on the Audit and Risk Committee, Reconciliation Action Plan Advisory Committee, Loddon Campaspe Group of Councils, Greater Ballarat Alliance of Councils, and Sustainable Hepburn Community Advisory Committee.

Cameron Ward



Cr Tessa Halliday

Mobile: 0427 596 101

Email: thalliday@hepburn.vic.gov.au

Cr Halliday represents Council on the LGBTIQ+ Advisory Committee, and Heather Mutimer International Women's Day Honour Roll Advisory Committee.

Councillors

Creswick Ward

**Cr Tim Drylie**

Mobile: 0427 503 258

Email: tdrylie@hepburn.vic.gov.au

Cr Drylie represents Council on the Municipal Association of Victoria, and Sustainable Hepburn Community Advisory Committee.

**Cr Don Henderson**

Mobile: 0427 559 684

Email: dhenderson@hepburn.vic.gov.au

Cr Henderson represents Council on the Municipal Emergency Management Planning Committee, and World Heritage Listing of the Victorian Goldfields Region Steering Committee.

Holcombe Ward

**Cr Juliet Simpson**

Phone: 5321 6423

Mobile: 0427 855 603

Email: jsimpson@hepburn.vic.gov.au

Cr Simpson represents Council on the Audit and Risk Committee.

She resigned her position on 22 July 2024.

Our People 04



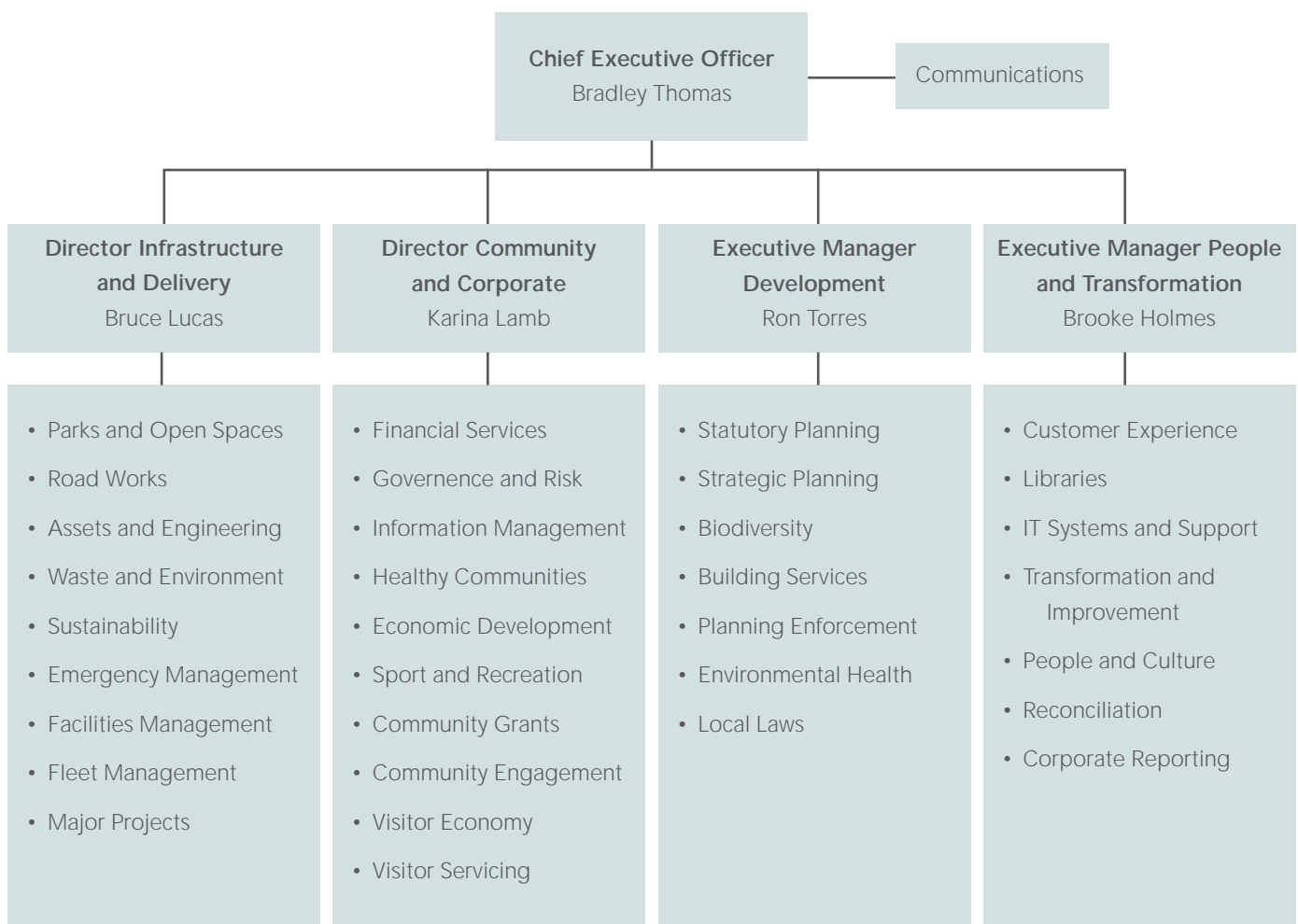
Organisational Structure

Hepburn Shire Council transitioned to a new structure in July 2023, which saw the introduction of four directorates reporting to the Chief Executive Officer. The four directorates are: Infrastructure and Delivery, Community and Corporate, Development, and People and Transformation.

Following the successful implementation of this structure, a further review was conducted, which focused on opportunities to further align functional capabilities to achieve greater efficiency, cross skill like roles and streamline priorities.

As a result of this review, a further structure realignment was proposed to ensure Council is best structured to meet the priorities of the 2024-2025 budget and ensure the organisation is positioned for long term financial sustainability. While no significant implications for individuals was proposed, organisational-wide employee consultations were held in June 2024 regarding department realignments and reporting line changes. The implementation of this structure realignment is expected to occur in August 2024.

Organisational structure



The average full time equivalent (FTE) across 2023/24 was 165.91. This fluctuates over time with seasonal workers along with changes to department structures, new roles, casual conversions, amendments to roles and vacancy rates.

New and amended positions

- Executive Manager People and Transformation
- Procurement Officer
- Systems Improvement Officer
- Creative Communities Officer
- Community Strengthening Grants
- Team Leader Community Safety
- Coordinator Environmental Health
- Project Officer
- Early and Middle Years Officer

Council employees

The following tables summarises the number of FTE Council employs by organisation structure, employment type and gender. This is accurate as at 30 June 2024.

FTE by Employee classification male and female

Banding	Female FTE	No.	Male FTE	No.
Band 1	1.04	4	0.3	3
Band 2	2.47	5	7.80	13
Band 3	1.00	1	19.05	20
Band 4	15.81	32	9.57	13
Band 5	20.26	23	9.78	10
Band 6	17.15	21	12.72	14
Band 7	10.86	11	7	7
Band 8	5.27	7	3	3
SEO+	7.81	8	7	7

FTE by organisational structure (excludes vacant roles/external consultants)

Office of the CEO as at June 2024

Tenure	Female FTE	No.	Male FTE	No.
Permanent Full Time (Perm FT)	1	1	0	0
Permanent Part Time (Perm PT)	.89	1	0	0
Fixed Term	0.8	1	1	1
Temp/casual	0	0	0	0

People and Transformation Directorate as at 30 June 2024

Tenure	Female FTE	No.	Male FTE	No.
Perm FT	9	9	4	4
Perm PT	8.90	16	1.63	2
Fixed Term	0	0	1	1
Temp/casual	0.2	4	0.1	2

Infrastructure and Delivery Directorate as at 30 June 2024

Tenure	Female FTE	No.	Male FTE	No.
Perm FT	13	13	50	50
Perm PT	4.17	6	3.47	5
Fixed Term	2.8	3	2.42	3
Temp/casual	.15	3	0.25	4

Community and Corporate Directorate as at 30 June 2024

Tenure	Female FTE	No.	Male FTE	No.
Perm FT	14	14	3	3
Perm PT	11.23	17	1.85	3
Fixed Term	1	1	2.4	3
Temp/casual	0.25	5	0	0

Development Directorate as at 30 June 2024

Tenure	Female FTE	No.	Male FTE	No.
Perm FT	10	10	4	4
Perm PT	4.23	7	1.04	2
Fixed Term	0	0	0	0
Temp/casual	0.05	1	0.1	2

Turnover

(Does not include seasonal workers or short-term casual).

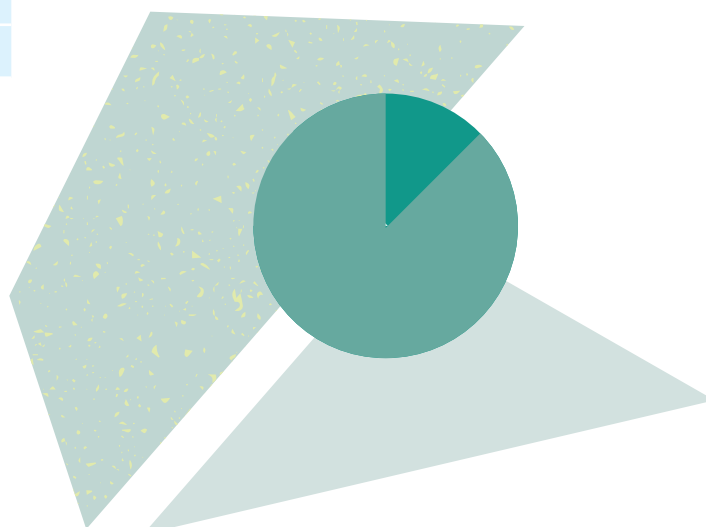
Planned turnover	4.35%
Unplanned turnover	19.02%
Total turnover	23.4%

Planned turnover - employees who are ending a period of employment with the organisation, which predominately relates to fixed-term positions including funded roles, parental leave replacements or project-based roles.

Unplanned turnover - due to resignations by employees.

Exit interview data shows a variety of reasons for departures, including career opportunity, health, working closer to home and retirement.

Unplanned turnover has reduced marginally from 23.39% to 23.37% and is consistent with the industry average for a small shire Council.



Recruitment and retention

Council's People and Culture team carried out 97 recruitment activities during the year, attracting a total of 1,527 candidates. Of these:

- 10 positions related to new positions
- The remaining 87 recruitment activities related to vacant roles, restructured roles or readvertised roles (8) over the 12-month period and includes seasonal roles such as Aquatics.

Overall, Council has experienced positive trends and outcomes in staff attraction. The exception to this experience is for vacancies in Planning, Procurement, Environmental Health and some field-based roles, which is common across the local government sector. Where recruitment challenges have continued, these vacancies are managed by external consultants and temporary staff to enable review of positions and re-advertisement when the market is favourable.

Council continues to encourage applications from all suitable applicants including Aboriginal and Torres Strait Islander people, and people of different ages, abilities, gender identities, sexual orientations and cultural backgrounds.

Council is a regional employer and recognises the importance of supporting young people's careers. We continue to work with schools and universities in the region to provide opportunities for students to be involved in the work environment and gain valuable work experience. This year Council hosted three trainees across various functions which provided trainees with an insight into the important role of local government in the development and support of local communities.

Council has continued to offer a 50% work from home flexible work arrangement for suitable roles and a compressed nine-day fortnight option to increase flexibility, work life balance and wellbeing. This approach has been successful with a majority of the staff opting to utilise the additional flexibility as suited to their role or their personal situation. This has also had the added benefit of enhancing our employment offering and broadening our talent pool with an increase in candidates opting for flexibility and work life balance over higher remuneration.

Industrial Relations/Employee Relations

There were no industrial issues that required Council to present to the Fair Work Commission for conciliation. People and Culture continue to work positively with unions on matters as they arise and have developed strong professional working relationships.

People and culture workforce outcomes

Workforce Plan

In November 2021, Council adopted a Workforce Strategy in accordance with the Local Government Act 2020. The Workforce Plan outlines our approach to recruitment, training and planning for our workforce needs over the coming years. The Workforce plan addresses key risks for the organisation in attracting and retaining staff. This year several key activities have occurred to advance our Workforce Plan including:

- Review of Child Safe requirements with Action Plan, Child Safe Policy and Code of Conduct update ready for endorsement.
- Refresh of Staff Consultative Committee with representation increasing from six representatives to 14 representatives.
- Update of Employee Pulse Survey with June survey reaching participation of 68%.
- Superannuation seminars.
- Diversity and significant day celebrations, including International Women's Day, National Reconciliation Week, NAIDOC Week, IDAHOBIT day, Wear it Purple Day, Trans Day of Visibility, R U OK Day and 16 Days of Activism against Gender-Based Violence.



Learning and employee development

During 2023/2024 financial year, Council invested significantly in evolving our existing learning and development programs.

Council has continued to evolve our face-to-face induction program to enhance the onboarding of new employees. This program provides new staff with a high-level overview of the organisation and key service areas, and covers key council policies, procedures, business processes and an introduction to corporate systems. This induction program is in addition to Council's online learning hub, which provides employees with an orientation to compliance and legislation obligations to support their commencement at Hepburn Shire.

This e-learning hub has undertaken a significant review with a new learning management system identified for implementation. The new learning management platform provided by ELMO will provide staff with an interactive learning experience, enabling employees to advance skills, personal knowledge and compliance knowledge. The platform includes over 400 learning modules and the opportunity to custom build learning content, which will enable Council to remain adaptable to employee learning needs, and to compliment face-face and virtual training provided from external providers. The integration of our new learning management system is due to be completed in September 2024.

In conjunction with internal programs, all staff are supported to undertake training specific to their role or industry. Compliance training continues to be at the forefront, with a refresh of compliance training implemented in July 2023 across Child Safety Standards, Privacy Training and Customer Experience.

Council continues to offer employee formal study assistance for individuals undertaking relevant undergraduate or postgraduate studies and provides ongoing work-related training programs. This year we had staff complete the LG Pro Executive Leadership Program and the Emerging Leaders program) and two of our emerging female leaders participated in a comprehensive Women in Leadership program focused on women in the Public Sector. Conferences, webinars and a variety of training sessions have also been attended by many of our staff as offered by a variety of industry organisations.

The annual Employee Performance Development Program, which is conducted twice per year across the organisation, has continued with success. This program concentrates on achievements, challenges, opportunities and behaviours and identifies development needs across departments and roles.

This program is an important input into the development of the annual learning and development program.

Diversity and Inclusion

Council is committed to equal opportunity and diversity and providing a workplace for employees that is free from all forms of discrimination, bullying and harassment.

This year Council has continued to work closely with Women's Health Grampians and the Communities of Respect and Equality (CoRE) Alliance. Gender Impact Assessment training has been conducted within the organisation to develop and embed a commitment to gender equity in program development and outcomes. Council has also encouraged and made available a range of modules for diversity, inclusion and intersectionality via the CoRE Alliance.

In November, Council hosted Dr Nikki Vincent, the Commissioner for Gender Equality, who spoke to staff on how we can further gender equality through our leadership in the community and the support of the Commission.

This year Council was required to report on our gender equality progress to the Public Sector Gender Equality Commissioner, which occurs every two years. This progress report tracks the policies, programs and services that were subject to gender impact assessment, Council's progress in relation to strategies set out in the Gender Equality Action Plan and our progress in relation to the workplace gender equality indicators.

Council has made significant progress in implementing the Gender Equality Action Plan as highlighted by the Progress Report. Key highlights included a notable increase in women working full-time from 30% to 45% and the number of women managers increasing from 43% to 50%. There was also a significant increase in women labourers from 27% to 48%. Council have also achieved a gender gap of positive 10, which means that for every \$100 paid to a man, \$110 was paid to a woman.

Reconciliation

This year saw Council complete the Reflect Reconciliation Action Plan (RAP) which aimed to build relationships with Aboriginal and Torres Strait Islander people, and more specifically with the Traditional Owners of the land on which Hepburn Shire is located, the Dja Dja Wurrung peoples.

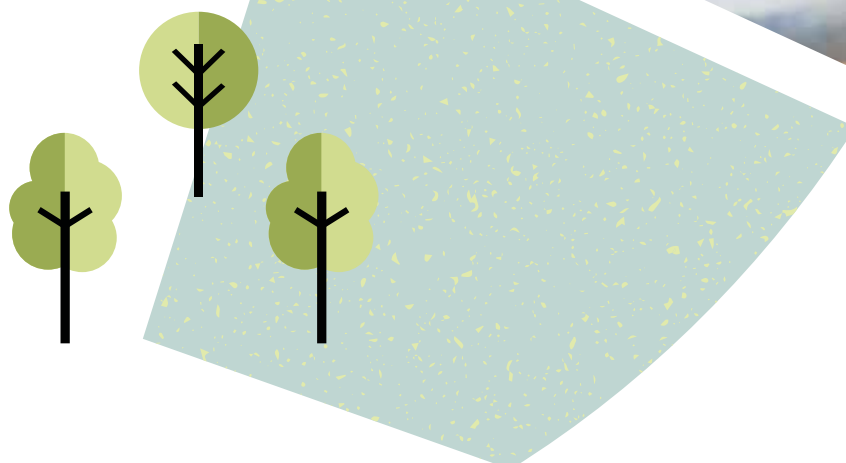
The success of the Reflect RAP has significantly raised the awareness and importance of the Aboriginal and Torres Strait Islander issues within our Council's sphere of influence and control. During this time Council has proudly delivered a number of meaningful reconciliation activities and projects within the Shire including:

- Commitment to Reconciliation including the adoption of the Uluru Statement of the Heart and the Voice to Parliament
- Cultural Value Assessment
- Diversity Plan
- Promotion of Reconciliation in our libraries and museums
- The renaming of Jim Crow Creek to Larni Barramal Yaluk and the co-naming of Lalgambuk
- The Manna Gums Frontier War Memorial
- The Coranderrk Portraits
- The naming of Djuwang Baring (Creswick Trails)

Council continues to embed Cultural Diversity training with three sessions being delivered this year and over 50 participants undertaking the program. Cultural Diversity training is scheduled every six months and is strongly attended due to Council's ongoing commitment to our Reconciliation Action Plan.

Council is now at the second stage of implementing the Reconciliation Framework named the Innovate RAP, which aims to further embed and advance Councils' vision for reconciliation. This year we have worked with an internal working group, our external advisory committee; Djarra (Dja Dja Wurrung Clans Aboriginal Corporation) and Reconciliation Australia to develop the next iteration of our RAP which is aimed at further embedding and advancing Council's vision for reconciliation.

The Innovate RAP is planned to commence implementation later in 2024 following Council endorsement, and seeks to further develop relationships with members of the Aboriginal and Torres Strait Islander community and Dja Dja Wurrung peoples through innovative approaches that align with the goals outlined in the Dja Dja Wurrung 'Dhelkunya Dja' Country Plan and the Recognition Settlement Agreement (RSA). This Innovate RAP will build on the learnings established through our Reflect RAP to deepen our understanding of histories, connections and stories to work together with the Dja Dja Wurrung peoples to heal country.



Work health safety and staff wellbeing

Council is committed to maintaining a safe and healthy workplace for all employees, contractors, volunteers, visitors and councillors, and recognises that safety is an integral part of our organisation.

This year Council delivered a program of work focused on improving the workplace health and safety culture through the training of several health and safety representatives, taking our number of representatives to 20 across various Council departments. Pleasingly, Council were recognised for this work by winning the 'OHS Leadership/Achievement' Award at the 2023 Victorian Worksafe Awards. Council was one of eight winners across a number of categories and industries, honored for their commitment to preventing workplace harm and improving outcomes for injured workers.

This year Council has also worked hard towards achieving status as a 'Heart Safe' Community. This is a joint initiative between Ambulance Victoria and the Heart Foundation which aims to improve survival rates for people who suffer a cardiac arrest. Council has been installing defibrillators in locations across the Shire that are accessible 24 hours a day, 7 days per week. To date Council has installed and registered ten defibrillators across the Shire. AED notification street signs have been installed at each location to ensure the public can easily locate them in the event of an emergency.

Council has also continued to focus on strengthening its safety management systems and practical safety applications within our workplaces. Our Work Health and Safety Committee continues to meet regularly to identify and discuss safety matters, compliance and training and awareness opportunities. This has seen the organisation contribute to key initiatives including over a third of staff opting to have a flu or Covid vaccination through Council delivery and initiatives aimed at improving wellbeing through days such as RU Ok Day and National Safe Work Month.



Performance 05



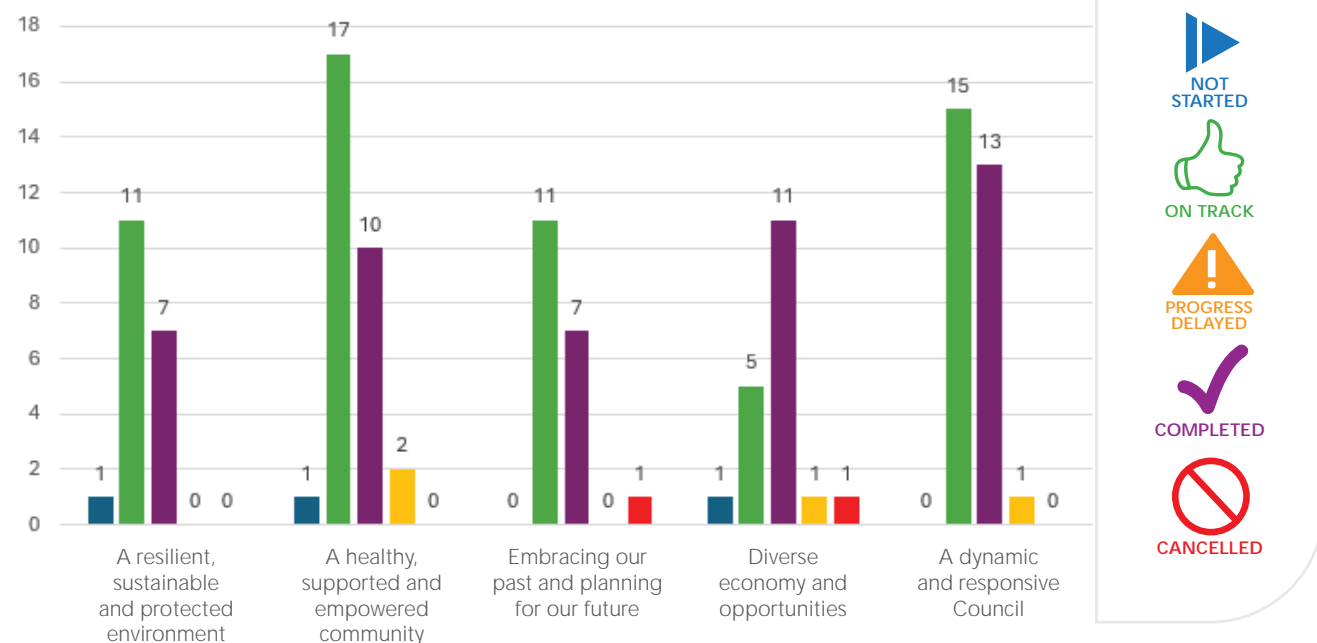
Council Plan Progress

The Council Plan 2021-2025, including the Municipal Public Health and Wellbeing Plan (MPHWP), is complemented by the Annual Plan 2023/24.

Council is committed to monitoring and reporting progress of the plan to the community. This reports on the progress of year three of the plan's deliverables and initiatives under each of the five Focus Areas.

Extensive progress has been made in delivering the actions in year three of the Council Plan 2021-2025. Of the 116 actions, a total of 47 have now been completed, 60 are on track with many of these having made significant progress and ongoing work will continue throughout the remaining period of the plan. Four actions have had their progress delayed, three are yet to commence and two have been cancelled.

Council Plan 2021-2025 action progress



Our five focus areas:



A resilient, sustainable and protected environment



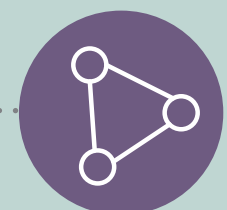
A healthy, supported and empowered community



Embracing our past and planning for our future



Diverse economy and opportunities



A dynamic and responsive Council

1 A resilient, sustainable and protected environment



MEASURES OF SUCCESS

FOCUS AREA 1 - STRATEGIC INDICATOR	TARGET	2021-22	2022/23	2023/24	Target Met	COMMENTS
Council's corporate emissions An annual reduction in Council's Corporate emissions measured via tonnes CO ₂ e.	>1% Reduction	14% Reduction	18% Reduction	18% Reduction	✓	<p>Another outstanding greenhouse gas (GHG) emissions reduction was recorded in financial year 2023/24 with emissions from Council operations down to 734 tCO₂e (tonnes of carbon dioxide equivalent) from 895tCO₂e in 2022/23. This represents an elimination of a further 161 tonnes of carbon dioxide over the past 12 months, or a 18% reduction compared to the previous financial year.</p> <p>We have now shifted our entire electricity needs to 100% Victorian renewable energy while reducing power costs through a long-term power purchase agreement which will secure cheap, local and emissions-free electricity until 2029.</p> <p>Electrification of Council facilities and fleet continue to be a priority now that the only remaining sources of greenhouse gas pollution are diesel and petrol from our heavy and light-medium vehicle fleets, and remaining gas heating and hot water services in Council buildings.</p> <p>Compared to the baseline year of 2021, we have reduced greenhouse gas emissions by 42%.</p>
Community emissions 10% reduction in community emissions measured by tonnes CO ₂ against the baseline of 70,715 tonnes.	10% reduction from baseline of 70,715t in 2021	49.6%	24%	9.6%	✓	<p>Net emissions from electricity across the whole municipality for the previous period were 48,510 tonnes of carbon equivalent (tCO₂e). This represents a 9.6% reduction in greenhouse gas emissions across the Shire compared to last financial year, and a 31.4% reduction from the baseline year of 2018.</p> <p>We added a huge 4 megawatts (MW) of new solar (total 20.1MW) which is a doubling of rooftop solar since 2018 (93%). We have met the Z-NET targets for new solar PV on residential and business (8.5MW) - and it will only pick up pace in 2024/25.</p> <p>Electricity consumption continues to rise (due to electrification) but is offset by the rapid growth in solar. Due to this, reductions in electricity emissions will be a less significant measurement of success - we hope to be using much more electricity over the coming years as transport fuel, heating and other factors shift to electric.</p> <p>Generation from community solar and wind match 37.6% of our electricity consumption, while Green PPAs offset another 1.4%.</p> <p>Substantial advances continue in the local sustainable energy scene through solar and battery installations, energy-efficiency measures, electric vehicles and a range of other sustainability measures, with Council and our partnerships through Hepburn Z-NET continuing to provide important leadership.</p>
Tonnes of waste to landfill per capita An annual reduction in tonnes of waste to landfill per capita measured by Weight of Garbage, Recyclables and green organics collected from kerbside bins against the baseline of 3,454 tonnes.	Reduction from 3,454	40.22%	34.3%	37.72%	✓	<p>Towards the end of the financial year, following the implementation of a new weekly Food and Garden Organics service, we have seen a decrease in waste sent to landfill.</p>

MEASURES OF SUCCESS

FOCUS AREA 1 - STRATEGIC INDICATOR	TARGET	2021-22	2022/23	2023/24	Target Met	COMMENTS
Roadside weed control across the Shire Maintain existing 11 kilometres of Roadside Weed Control across Shire measured by number of actual roadsides maintained.	11km	15km	16km	80km		Through Community Recovery funding and additional resourcing, significant additional works were able to be achieved in partnership with community and other agencies. 42 Roadside roads maintained and treated for weed control throughout 2023/2024.

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



ANNUAL PLAN 2022/23 INITIATIVE

Partner with Hepburn Energy and Chargefox to install three electric charging stations in Creswick, Hepburn Springs and Trentham.




The 3rd and final install of this project has been awaiting completion of the Mechanics Trentham development and was partly installed in June with final connection to Chargefox's national charging network to occur in late July/early August 2024.



ANNUAL PLAN 2023/24 INITIATIVE




Hepburn Shire Council Sustainability and Climate Change Policy: Adopt a Hepburn Sustainability and Climate Change Emergency policy and commence embedding this into Councils operations and decision-making processes.

A draft Climate Emergency & Risk Management Plan and accompanying draft Climate Risk Management Policy completed in June 2024. Draft policy to be presented to the Executive and Councillors in July/August with policy endorsement proposed for the September 2024 Ordinary Council Meeting.


Item	Strategy	2023/24 Actions and Outcomes
1.1.1 	Undertake actions to support Council's declaration of a climate emergency including bi-annual reporting to community on local actions and projects which are delivering upon climate change mitigation, while ensuring that the levels of activity remain consistent with the importance of the climate emergency.	The Sustainable Hepburn strategy and its 5 action plans ensure that Council continues to deliver progress on climate mitigation measures such as emissions reduction projects, climate adaptation and resilience initiatives, and accompanying advocacy and policy work in line with the importance and urgency of a global climate emergency. These actions are updated and briefed to Councillors twice a year and presented at the May Ordinary Council Meeting 2024.
1.1.2 	Review procurement policies and procedures to ensure they provide a focus on sustainable practices.	The current procurement policy was adopted in September 2023 and a review will be undertaken in 2024/2025 to ensure that it continues to adhere to best practice guidelines with a focus on sustainable practices.
1.1.3 	Continue to support the objectives of Hepburn Z-NET and the Hepburn Wind MoU (Memorandum of Understanding) to achieve the target of net zero community emissions by 2030.	Council continues to support the Hepburn Z-NET Community Roundtable in 2023-24 with 10 community members joining one Councillor, a Hepburn Shire Officer, and a representative from Hepburn Energy who are also co-convenors of the Roundtable. Other areas of collaboration with Hepburn Energy as per the goals of the MoU are the roll-out of public electric vehicle (EV) charging stations, working with local community groups to support renewable energy and energy efficiency bulk buys, an EV bulk buy, and a 'Hepburn Switch' event to assist the community to electrify their homes and businesses.

1.1.4  ON TRACK	Promote the use of environmentally sustainable practices through planning processes and the Environmentally Sustainable Development (ESD) Policy.	An ESD planning policy was included in the Hepburn Planning Scheme through Amendment C80. Council has become a member of the Council Alliance for Sustainable Built Environments is developing a framework to provide for local training and guidance on the application of ESD principles to development assessment.
1.1.5  ON TRACK	Pursue the environment and sustainability- objectives outlined in Council's Municipal Planning Scheme.	We continue to apply an environmentally sustainable lens to all of our work. This year we drafted our township structure plans which have included a number of environmental sustainability recommendations. This work will also help to strengthen future decision making on best practice decisions.
1.1.6  ON TRACK	Support community transition to zero emissions through the Sustainable Hepburn Grants Program and or any other applicable grant funding program.	Grant funding of \$39,740 was provided in 2023/2024 to six community organisations based in the Hepburn Shire to deliver projects ranging from increased renewable energy generation and storage, energy efficiency upgrades, a local microgrid, and a solar-powered electric chainsaw.
1.1.7  COMPLETED	Contribute to the implementation of the Grampians Region Climate Adaption Strategy.	<p>Council delivered two projects with the Department of Energy, Environment and Climate Action (DEECA) Grampians in 2022/23. A climate adaptation toolkit was developed in partnership with Hepburn Energy, Central Highlands Water, Djarra and other local stakeholders to help respond to climate impacts.</p> <p>Council developed and ran a series of workshops to assist Grampians Region Local Government Areas (LGAs) to respond to climate change by understanding adaptations options. Workshops were held in Ararat and Creswick.</p>
1.1.8  ON TRACK	Publish Council's emission profile annually.	Council published 2022/2023 year's emission profile in July 2023. Emissions for 2023/2024 will take place in September as the data required becomes available after the end of the previous financial year.





1.2 Prioritise environmental management, protection, and regeneration

Item	Strategy	2023/24 Actions and Outcomes
1.2.1 	Review Environmental Significance Overlays.	This will be the next stage following the adoption of our Rural Strategy and township structure plans.
1.2.2 	Undertake appropriate Municipal Emergency Management Planning to prepare for and respond to natural disasters.	Community Emergency Risk Assessment (CERA) completed and Municipal Emergency Management Committee quarterly workplan in place to develop plans and sub plans to prepare for and respond to emergencies by 30/06/2025. Pre-season briefings undertaken and a number of community information sessions in partnership with various agencies.
1.2.3 	Adopt and implement a Tree Management Strategy to protect existing trees and increase planting of new trees.	Hepburn Shire's Tree Management Plan was endorsed by Council's Executive Team in July 2022. The plan was developed to provide guidance for the management of public trees to ensure consistent approach whilst providing a safe environment for the community and increase township tree canopy cover.

1.3 Transition to ecologically sustainable and accountable tourism

Item	Strategy	2023/24 Actions and Outcomes
1.3.1 	Develop and implement a sustainable and accountable Visitor Economy Strategy that balances sustainability goals whilst supporting the economy.	Worked with our Visitor Economy Partners (Daylesford Macedon Tourism & Tourism Midwest Victoria) and adopted Destination Management Plans.

1.4 Develop meaningful policies and strategic partnerships that link sustainability and public health

Item	Strategy	2023/24 Actions and Outcomes
1.4.1  COMPLETED	Strengthen and protect existing agriculture to support the availability, sustainability, and accessibility of local food sources.	The Artisan Agricultural pilot is completed and resulted in strengthened relationships and contacts amongst the agricultural section. A shire wide Agricultural Forum was also held.
1.4.2  ON TRACK	Promote community adaptation to the public health risks of climate change to public health.	Throughout 2023/24 Council has provided a wide range of community adaptation through health and wellbeing messages and training, storm recovery activity and resilience planning.
1.4.3  ON TRACK	Increase community understanding of the risks of climate change to public health through communication and education.	Quarterly meetings with the external and internal Health and Wellbeing working groups have been held during 2023/2024. Ongoing communication plan to raise awareness continues. Sustainable youth and middle years activities embedded in school holiday programs. Community awareness initiatives, events and training offered throughout 2023/2024.
1.4.4  ON TRACK	Develop a meaningful and strategic partnership with Dja Dja Wurrung to identify and collaborate on our shared environmental priorities.	The Sustainable Hepburn team continues to work with Djaara and collaborate on our shared environmental priorities through awareness raising events such as the Sustainable Hepburn Day Out which saw Djaara run an information stall, as well as the specific actions in Sustainable Hepburn strategy that are bringing the two organisations together to tackle intergenerational equity issues such as access to and preservation of water resources and landscape ecosystems. The Climate Adaptation Toolkit was completed mid-2023 and is being utilised to help track and facilitate climate impact resilience.

1.5 Protect and regenerate the natural resources of the shire including soils, water and ecological systems, from both current and future threats



ANNUAL PLAN 2023/24 INITIATIVE

Let's Rethink Waste – FOGO Collection Service

Rollout of a new Food Organics and Garden Organics (FOGO) bin collection service across the townships in the Shire with a goal to reduce landfill and create opportunities for resource, recovery and re-use.

Food and garden organics kerbside service to the Shire's townships successfully rolled out on the 8th April 2024. This rollout also included a reduction of general waste collection from weekly to fortnightly.



ANNUAL PLAN 2023/24 INITIATIVE

Sustainable Hepburn Community Advisory Committee

Create a Sustainable Hepburn Community Advisory Committee to foster community support, involvement and partnership towards a sustainable Hepburn.

Sustainable Hepburn Community Advisory Committee adopted at the Ordinary October 2023 Council Meeting with the first meeting held on 30 November 2023.



ANNUAL PLAN 2023/24 INITIATIVE

Roadside Conservation

Continue environmental services with an increased focus on weed management and roadside vegetation management including development and implementation of a Roadside Conservation Strategy.

Appointment of a Biodiversity Officer and development and assessment of roadside weed management programs that include multi-year follow-up. Roadside Conservation Management Plan in early stage development.

Item	Strategy	2023/24 Actions and Outcomes
1.5.1 	Develop and implement the 'Sustainable Hepburn Strategy' to align waste, sustainability, and biodiversity strategies.	Sustainable Hepburn Strategy endorsed at the August 2022 Ordinary Council Meeting. All five action plans of the strategy have been implemented by the responsible teams. Across the five action plans, 74 actions currently are active with 65 on track or completed by 30 June 2024.
1.5.2 	Continue environmental services with an increased focus on weed management and roadside vegetation management including development and implementation of a Roadside Conservation Strategy.	Appointment of a Biodiversity Officer and development and assessment of roadside weed management programs that include multi-year follow-up. Roadside Conservation Management Plan in early stages of development.
1.5.3 	Support the implementation of priorities of the Integrated Water Management Plans.	No update from Integrated Water Management Plans beyond drafts.



2 A healthy, supported and empowered community

MEASURES OF SUCCESS

FOCUS AREA 2 - STRATEGIC INDICATOR	TARGET	2021-22	2022/23	2023/24	OUTCOME	COMMENTS
Proportion of adults eating sufficient fruit and vegetables Over the life of the Plan 5% increase in proportion of adults eating sufficient fruit and vegetables measured against the baseline of 46% using Australian Health survey data.	51%	No updated data available	No updated data available	47%	✗	Data collected in the 2024 Health and wellbeing survey. Expected slow increase in data given the long-term target.
Partnerships and networks to support access to mental health services Increase in the network of mental health service providers servicing the Shire established. 75% of the network active in Shire to support access to mental health services measured by an increase in the number of providers servicing the Shire above 50%.	75%	0%	0%	86%	✓	High attendance rate of providers actively engaged in the Community Services Support Network.
Percentage of population that are active library borrowers Over the life of the Plan, a 5% increase in percentage of population that are active library borrowers measured by percentage of the community that are active borrowers against a baseline of 15.66%.	1.25%	-3.2%	-1.6%	-1.88%	✗	Active library borrowers have continued to decrease following the pandemic, which is consistent with other Victorian public libraries. However, we know that many people who utilise the libraries are not active borrowers, but use the space to read newspapers or books; participate in programs; access internet, printers or public computers.
Partnerships and networks related to the prevention of all violence Increase in the network of providers servicing the Shire focusing on prevention of all violence. An increase of 25% to 75% of network active in Shire to support prevention of all violence, measured by the number of providers servicing the Shire.	75%	100%	100%	92%	✓	Majority of organisational members of Hepburn Prevention of Violence Network currently actively attending network.

MEASURES OF SUCCESS

FOCUS AREA 2

- STRATEGIC INDICATOR

TARGET

2021-22

2022/23

2023/24

OUTCOME

COMMENTS

Children enrolled in Maternal Child Health (MCH) who participated in services

5%

18%

26.2%

4.97%



While enrolments fell from the previous year, enrolments are currently on track with 401 children enrolled in 2023/2024.


Over the life of the Plan, a 5% increase of children against a baseline of 382 enrolled in Maternal Child Health (MCH) who participated in MCH services.

2.1 Support appropriate land use and accommodate more affordable long-term housing within townships that conforms with the character of the area

**ANNUAL PLAN 2023/24 INITIATIVE**

Review of Short Term Accommodation: Review possible regulation of short-term rental accommodation to assist with permanent rental housing supply, while still allowing for a diverse and sustainable base of tourist accommodation to support the local economy.

Through its Housing Statement, the Victorian Government announced the introduction of a Short Stay Levy in 2024. It is proposed that any local Council regulations and levies on short stay accommodation are removed upon introduction. Whilst this proposal clashes with Hepburn Shire's Strategy Action, Council remains committed to delivering other actions in its Strategy, and continues to advocate to Government, collaborate with stakeholders, and prepare strategic land use plans that support the Strategy.

Item	Strategy	2023/24 Actions and Outcomes
2.1.1 	Develop an Integrated Affordable Housing Policy and Strategy.	Informed by township character assessments, growth targets, demographic needs and of course 'A Home in Hepburn' our township structure plans have been structured to encourage more diversity in housing delivery whilst protecting the precious characteristics of our towns. There are recommendations in the plans on how infill development can better accommodate a better variety of housing, we have also looked at the inclusion of small parcels of additional land into our towns to provide more options for the housing market.
2.1.2 	Deliver the strategic planning program from the adopted Municipal Planning Scheme.	As part of the 7 key actions identified in C80 Hepburn Planning Scheme Review Future Strategic work - we have commenced all 7 targets tracking to complete at least 5 this financial year.
2.1.3 	Advocate for involvement in the Victorian State Government's Big Housing Build program.	Council has adopted an affordable housing strategy and has recently approved budget for a housing officer who will be tasked with encouraging a better variety of housing types in our towns through advocating to authorities such as the Big Housing Build and working with developers. There are currently 4 homes under construction as part of the Big Housing Building in the Hepburn Shire.

2.2 Increase the availability and accessibility of services in the Hepburn Shire area to support liveability, health, and wellbeing



ANNUAL PLAN 2023/24 INITIATIVE

Advocating for Improved Health Services: Council will advocate for access to high quality health services across the Shire, including early years program and through the upgrade of Daylesford Hospital.

Engagement in Community Support and Services Network, Youth Network and Early Years network has been consistent with the last quarter. MOU with Central Highland Rural Health continues to assist with consistent messaging and common health promotion throughout Hepburn Shire Council.



ANNUAL PLAN 2023/24 INITIATIVE

Best Start, Best Life - Kinder Infrastructure and Workforce Planning: Deliver the Best Start, Best Life program funded by the Victorian Government. This will involve an audit and analysis of the all Kindergarten facilities and early years workforce needs across the region into the future.

Council has submitted the final Early Years Workforce Development Plan to the Department of Education for Approval and Kindergarten Infrastructure Service Plan has been extended to 31st Dec 2024.



ANNUAL PLAN 2023/24 INITIATIVE

Storm Rectification and Road Repair Works: Continuation of Hepburn Shire's ongoing Storm Rectification Works program that includes the ongoing repair of sealed roads damaged by floods.

All works claimable through state and commonwealth funding bodies have been completed and financial claims submitted for assessment. Other remaining works completed under annual work program.



ANNUAL PLAN 2023/24 INITIATIVE

Dusk to Dawn Cat Curfew Rollout: Implement and enforce a cat curfew (effective from 1 July 2023) from dusk to dawn as part of the Domestic Animal Management Plan 2021-2025.

Dusk to Dawn Cat Curfew was introduced in July 2023. Promotion continues via a number of channels including social media, media releases, posters in vet clinics, attendance at community events and information on formal notices. Enforcement continues but is reactive due to resource constraints. Furthermore, the last quarter has been particularly challenging due to vets, pounds and shelters not accepting additional cats, due to a nationwide shortage of the cat flu vaccine. (Vaccination is a prerequisite to admission to these facilities).













ANNUAL PLAN 2023/24 INITIATIVE

Community Recovery Hub: Deliver community recovery and resilience activities across Hepburn Shire building resilience of community members to respond to and recover from emergency risks in the Shire.

This project has been successfully achieved. Pleasingly, additional external funding for the Community Recovery Officer (CRO) was received, allowing the extension of community recovery hub initiatives and activities into Financial Year (FY) 24-25.

Community hub activities are being delivered in-line with the funding agreement delivery plan. This additional funding allows continuation of ongoing activities and new initiatives to be scoped and delivered in FY 24-25.

Item	Strategy	2023/24 Actions and Outcomes
2.2.1 	Conduct a gap and needs analysis of local health and community services to support advocacy for funding parity.	Council will continue to work with partners and prepare a gap and needs analysis in 2024/2025.
2.2.2 	Promote partnerships with health service providers to improve shared community health outcomes.	Internal and external Health and wellbeing working groups monitor the actions set in the Health and wellbeing plan to ensure that collaborative approaches are taken with stakeholders. This is an ongoing action for 2024/2025.
2.2.3 	Support advocacy for a new facility for Central Highlands Rural Health.	Hepburn Council offers ongoing support and advocacy for the upgrade to Daylesford Hospital.
2.2.4 	Develop service networks to increase community awareness and access to local services.	Council developed The Community Service Support network in late 2022. The network continues to grow members and now involves many community groups working with venerable people in the Hepburn Shire. The network is focused on finding local solutions for local people.
2.2.5 	Develop, adopt, and implement an Early Years Strategy.	The Early Years Strategy 'Starting Blocks' was adopted in 2022. Council continues to work with partners to deliver on objectives outlined in the strategy.

<p>2.2.6</p>  <p>COMPLETED</p>	<p>Develop, adopt, and implement a Positive Ageing Strategy.</p>	<p>Annual action plans and reviews track the implementation of the eight focus areas of the strategy: 1. Community and Information, 2. Community and Health services, 3. Housing, 4. Outdoor spaces and Buildings, 5. Transport, 6. Social Participation, 7. Civic Participation and Employment, 8. Respect and Respectful. Key achievements over the 12 months have been Advocacy, Senior's festival events, Positive Ageing expo, stakeholder support and improvements in access to community information.</p>
<p>2.2.7</p>  <p>ON TRACK</p>	<p>Work with our partners to support the provision of Early Years Services, e.g., Maternal Child Health, Kindergartens, Childcare and Playgroup.</p>	<p>Council is now facilitating quarterly Early Years Network meetings for service providers and support services. Council has created and recruited to a new Early Years Officer role. Free family friendly events have been implemented across the Hepburn Shire to build local connection for young families. Central Highland Rural Health continues to provide Maternal Child Health on behalf of Council proactively offering support services to young families.</p>
<p>2.2.8</p>  <p>ON TRACK</p>	<p>Continue services to build strong, safe, and resilient communities (emergency management, local laws, animal control, environmental health).</p>	<p>Council continues to deliver services to build strong, safe and resilient communities.</p>
<p>2.2.9</p>  <p>COMPLETED</p>	<p>Deliver actions identified in the Disability Action and Inclusion Plan (DAIP) 2018-2022.</p>	<p>Disability Action and Inclusion Plan 2018-2022 was reviewed, and incomplete actions were carried forward in the New Disability Action Plan.</p>
<p>2.2.10</p>  <p>COMPLETED</p>	<p>Develop, adopt, and implement a new Disability Access and Inclusion Plan post-2022.</p>	<p>Disability Action and Inclusion plan reviewed and used to create new Disability Action Plan 2022-2026.</p>



Big Rainbow at Victoria Park in Daylesford.

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



CANCELLED

ANNUAL PLAN 2022/23 INITIATIVE

Walking and Cycling Strategy: Develop and adopt a Walking and Cycling Strategy.

This action has now been incorporated into the AP24.19 Action - Shire Wide Integrated Transport Strategy.



PROGRESS
DELAYED

ANNUAL PLAN 2023/24 INITIATIVE

Central Springs Mineral Reserve, Daylesford - Stage One Development: Enhance the visitor experience of our Mineral Springs by delivering accessibility and water quality improvements at Central Springs Mineral Reserve at Lake Daylesford.

Construction works, including drainage improvements, new mineral spring bores, shelter and landscaping practically complete with formal asset handover anticipated in July/August 2024.



PROGRESS
DELAYED

ANNUAL PLAN 2023/24 INITIATIVE

Recreation Masterplans for Clunes and Glenlyon: Prepare detailed designs for Clunes Recreation Reserve Masterplan and Glenlyon Recreation Reserve Masterplan, including detailed designs on the new Glenlyon Pavilion.

The Queens Park, Clunes and Pioneer Park, Clunes were adopted at the March 2024 Council Meeting. The Glenlyon Recreation Masterplan was adopted at the April 2024 Council Meeting. Eight meetings of the Clunes Community Project Advisory Group were convened up to June 2024 and Feasibility work required for this project has commenced, with further consideration needed into next financial year. Project is anticipated for completion by September 2024. An Architect has been engaged and has commenced the design phase of the new Glenlyon Recreation Reserve community pavilion.



PROGRESS
DELAYED

ANNUAL PLAN 2023/24 INITIATIVE

Aquatics Business Case Development: Finalise a business case on aquatics provision within the Shire, as informed by the 2022 Hepburn Shire Aquatics Strategy.

A structural report on the structural integrity of existing pool shells that will further inform consideration by Council on the final options and feasibility report is anticipated by July 2024. Reporting to Council on the draft Indoor Aquatics Provision Final Options and Feasibility Discussion Report to be determined once further consideration has been made in the new financial year.





Item	Strategy	2023/24 Actions and Outcomes
2.3.1 ON TRACK	Increase female health and wellbeing by implementing the Hepburn Shire Active Women and Girls Strategy.	Fair Access Policy was adopted at the June 2024 Council Meeting. The Fair Access Policy has incorporated the Active Women and Girls Strategy actions to be delivered with 4 years Fair Access Policy period.
2.3.2 ON TRACK	Implement appropriate actions from the 'Play is for everyone' Hepburn Shire Playspace Strategy.	Playspace Strategy implemented annually through the delivery of playground renewal projects as adopted in Council's annual Capital Works Program.

2.3.3  ON TRACK	Support access and participation through strong asset management practices aligned with developing a long-term Asset Plan.	Sport lighting assets improved and master planning projects commence to support access and participation.
2.3.4  ON TRACK	Facilitate walking and cycling infrastructure by implementing works outlined in the Walking and Cycling Strategy.	This action has now been incorporated into the development of a Shire Wide Integrated Transport Strategy, which is due to be completed in 2025.
2.3.5  ON TRACK	Promote the use of libraries and hubs throughout Hepburn Shire.	<p>Council's Hub approach has continued as our model of operations successfully, with changes in 2023/24 including lunch time closures to support staff wellbeing and reduce labour costs in these spaces.</p> <p>The opening of the Mechanics at Trentham has introduced an improved experience for Trentham residents.</p> <p>In 2024-2025 we are committed to the review of the operations of each Hub, alongside the introduction of Open Libraries in Q4 that will be a significant change and benefit to the community accessing our locations.</p>
2.3.6  ON TRACK	Maintain our open spaces for the enjoyment of our community and visitors.	Ongoing and periodic maintenance, both planned and reactive, of Council's vast open space portfolio continues.
2.3.7  COMPLETED	Design, develop and advocate for funding to enhance or build sport and active recreation facilities identified through Master Planning. Ensure design and construct projects comply with Universal Design principles, including compliance with the Design for Everyone Guide.	Federal Funding commitment of \$1.25m will co-fund priority projects from the Doug Lindsay and Glenlyon Recreation Reserves Master Plans. Council were successful in gaining a Victorian Government Grant of \$185,500 to co-fund new sportslighting at the Newlyn Recreation Reserve. Universal design elements were incorporated into the delivery of both the Trentham Sportsground Pavilion and Calembeen Park Amenities Projects that will support the development of diverse participation in a range of sport and active recreation participation opportunities.
2.3.8  PROGRESS DELAYED	Deliver key projects including Wombat Hill Botanic Gardens enhanced visitation experience, Bullarto Station Precinct development and Creswick Town Hall restoration.	<p>Bullarto Station Upgrade Project and the Creswick Town Hall Project have been completed.</p> <p>The Wombat Hill Botanical Gardens works has been delayed, with Heritage Victoria approval and procurement for works which are now underway. Works planned to be undertaken in Q1 2024/25.</p>
2.3.9  PROGRESS DELAYED	Finalise and implement the Hepburn Shire Aquatic Strategy.	The structural auditing of existing pool shells commenced in 23/24, this will inform further consideration by Council on the Indoor Aquatics Provision and Feasibility Business Case - Final Options and Feasibility Report.

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

Item	Strategy	2023/24 Actions and Outcomes
2.4.1  ON TRACK	Lead by example, by supplying and promoting healthier local food and drink options across Council-run meetings, events, activities, facilities and programs.	Drafted Hepburn Councils Healthy Eating policy for consultation and adoption in 2024/2025.
2.4.2  ON TRACK	Support initiatives that encourage healthier lifestyles and habits across the lifespan, particularly in children's early years.	Hepburn Council offers Children's grants to local providers to support young families. Hepburn Council 'Starting blocks' Early years strategy focuses on encouraging healthier lifestyles and improving outcomes for young families.
2.4.3  ON TRACK	Partner with local organisation/s to increase access to healthy and affordable food (including for vulnerable groups) and to support positive food system change.	Council officers are working with local Neighbourhood houses, Good Grub Club, 5000 Club and other food security groups to build better food access for vulnerable groups.
2.4.4  ON TRACK	Partner with key health agencies to support initiatives and services to improve health and wellbeing.	External Municipal Public Health and wellbeing working group continues to work together to improve health and wellbeing outcomes within Hepburn Shire. MOU continued with Central Highland Rural Health to support links with Health promotion and allied health professionals. New MOU signed with Live4Life Daylesford College to support youth mental health.

2.5 Improved mental wellbeing within the community

Item	Strategy	2023/24 Actions and Outcomes
2.5.1  ON TRACK	Raise awareness and understanding of mental health services and resources, and work with other levels of government to localise and improve mental health services available to residents with a specific focus on youth mental health.	Mental health awareness campaign throughout Council's social media. Seniors Festival supported events to combat social isolation for older people. Hepburn Council has signed a partnership with Daylesford College around the Live4life program addressing youth mental health through a collaborative community-based approach.
2.5.2  ON TRACK	Strengthen partnerships and support education, programs, events, and prevention activities that focus on community participation, diversity and inclusion.	2023/24 Gender Equity, Reconciliation, Disability, Rainbow advisory committees met regularly providing advice to Council on projects, programs and policy to ensure all services promote community participation, diversity and inclusion. Council officers facilitate and attend a wide range of committees and networks to support a collaborative approach across Council to community awareness.
2.5.3  COMPLETED	Adopt a co-benefit approach to improving mental wellbeing, supporting active living and healthy eating initiatives.	Active lifestyle programs supported through positive ageing groups, volunteer program (VIC's, Museums and L2P driver program), youth programs, Active in pools sessions and ongoing sporting facility upgrades. Healthy eating initiatives through council run events and activities such as Healthy Choices in pools, Cooking classes, Healthy eating showbags (free family events, Sustainable Hepburn Day and Positive Ageing Expo) and Seed planting packs for school holidays. Council also continues to advocate through actions such as a submission to the "Inquiry into Securing the Victorian Food Supply".
2.5.4  ON TRACK	Ensure Council services, activities and facilities are accessible and inclusive to remove barriers to participation.	All new and upgraded building compliant in line with DDA standards.

3 Embracing our past and planning for the future



MEASURES OF SUCCESS

FOCUS AREA 3 - STRATEGIC INDICATOR	TARGET	2021-22	2022/23	2023/24	OUTCOME	COMMENTS
Council staff completed cultural awareness training 90% of current staff have completed cultural awareness training within the last 4 years measured by the current number of completions against the number of current headcounts.	22.5% p.a	0%	8%	26%	✗	Pleasing progress has been made towards increasing the cultural awareness and knowledge training completed by staff. This year we had 50 staff complete training with further training scheduled every six months.
Deliver Council's documented and agreed annual strategic planning program Over the life of the plan, deliver 25 agreed actions from Council's documented and agreed annual strategic planning program measured by the number of actions completed.	50%	60%	68%	72%	✓	We are on track to deliver the Township Structure Plans and rural strategy as per Council Plan.
Length of walking and cycling trails available across the Shire A 3% per annum (1.5km) footpath expansion i.e., new footpath (generally concrete or asphalt, not granitic sand) to increase connectivity of walking paths across the Shire.	3%	2.5%	9%	10.93%	✓	Continual implementation of footpath projects has increased the footpath network by approximately 2.7km throughout the 2023/2024 FY.
Percentage of planning applications approved within required time frames Across the life of the Plan, a 10% increase in the percentage of Planning applications decided within required time frames against a baseline of 64.4%.	67.7%	44.77%	43%	19%	✗	The reporting methodology has been incorrect in previous years, and has now been rectified Whilst this result is a reflection of current application backlogs, Importantly this figure is improving each quarter so we are seeing an upwards trend.

3.1 Partner with and empower our Traditional Owners and broader community to acknowledge, understand, celebrate, and preserve our area's cultures, traditions, and environs



ANNUAL PLAN 2022/23 INITIATIVE

COVID Stimulus Infrastructure Projects: Continue to deliver key stimulus funded projects including, Bullarto Station Tourist Precinct, Creswick Town Hall and Wombat Hill Botanical Gardens

Bullarto Station Upgrade Project and Creswick Town Hall Project complete. Wombat Hill Botanical Gardens works now has Heritage Victoria approval. Procurement for works now underway. Works planned to be undertaken in Q1 2024-25.



ANNUAL PLAN 2022/23 INITIATIVE

Reconciliation Action Plan: Develop and adopt a Reconciliation Action Plan.

This action has been transferred to an action in the 2023/24 Annual Plan (AP24.15 Innovate Reconciliation Action Plan).



ANNUAL PLAN 2023/24 INITIATIVE

Arts and Culture Strategy: Finalise and adopt an Arts and Culture Strategy that provides support to local artists who enrich community wellbeing by providing cultural experiences.

The Arts and Culture Strategy was adopted at the June 2024 Council Meeting.



ANNUAL PLAN 2023/24 INITIATIVE

Innovate Reconciliation Action Plan: Develop and adopt a new Reconciliation Action Plan to ensure an inclusive community, reduce racial discrimination, identify and acknowledge issues requiring actions of reconciliation.

The Innovate RAP has been developed in consultation with key stakeholders including the Internal Council RAP Working Group, Council's external Advisory Committee, DJAARA who are acting on behalf of the Dja Dja Wurrung Peoples and Reconciliation Australia. The Innovate RAP will be discussed at Council briefing on 9 July with the intent of seeking endorsement to present at the Council Meeting on 20 August 2024.

Item	Strategy	2023/24 Actions and Outcomes
3.1.1 	Continue to implement and review the Reconciliation Action Plan (RAP) and build strong partnerships through the RAP Advisory Committee.	<p>Our Reflect RAP has established our commitment toward embedding reconciliation without our organisation with a focus on truth-telling and self-determination for Aboriginal and Torres Strait Islanders people who are a part of our community.</p> <p>The proposed Innovate RAP has been through consultation with our community through representation of our Reconciliation Advisory Committee and DJAARA. Our proposed Innovate RAP will presented to Council for endorsement in August, so we may progress on the final draft with Reconciliation Australia.</p>
3.1.2 	Hold annual strategic meetings with Dja Dja Wurrung to share and align projects and priorities.	Relationships and collaboration with Dja Dja Wurrung peoples is strong, thanks to our collaborative work with DJAARA. We have met often across the year to share and align projects and priorities including work on the Innovate RAP, the Djuwang Baring Trails, an MOU for trees removed from the Kingston Avenue of Honour (Creswick), support of the Referendum on the Voice to Parliament, Cultural Values Assessment, and returning language to Dja Dja Wurrung Country, known as Djandak.
3.1.3 	Develop and implement an Arts and Culture Strategy to support local artists to provide creative cultural experiences to enrich community wellbeing.	Arts and Culture Strategy was adopted in June 2024 and implementation will now commence.

3.1.4



ON TRACK

Develop and implement an Indigenous Heritage Strategy to support the recognition and preservation of Aboriginal cultural heritage.

We have recently received the Djarra Cultural Values Assessments, this a shire wide document which speaks to the cultural and land values within Hepburn shire.

3.1.5



ON TRACK

Manage and support our heritage buildings in accordance with the adopted Hepburn Heritage Strategy 2020-2030.

We have undertaken a GAPS analysis with RBA consultants which will make part of future work & strengthening of heritage work undertaken to date.

3.1.6



COMPLETED

Partner with other Council's to advocate for UNESCO World Heritage Listing of the Central Victorian Goldfields.

The Victorian Goldfields UNESCO World Heritage bid was given a boost thanks to \$3.8 million announced in the Victorian Budget for championing Victoria's outstanding heritage. Officers provided input into the draft World Heritage Sustainable Tourism Master Plan and all feedback has been accepted. The Steering Committee have postponed plan finalisation to allow for the shift to the "Victorian Goldfields" approved by the Minister Planning as this name is recognised better internationally. The Steering Committee will be called on to accept the report once this variation has been completed.

3.2 Protect and enhance the existing character of our towns and rural settings through community-inclusive strategic planning to strengthen planning controls on growth and development



ANNUAL PLAN 2022/23 INITIATIVE

Strategic Planning Work Program: Implement year 2 of council program of strategic planning work to be delivered in accordance with financial budget allocations, including continued work on Creswick Structure Plan and commencement of Trentham Structure Plan.

This action is now included in 24.16.



ANNUAL PLAN 2022/23 INITIATIVE

Future Hepburn: Continuation of Hepburn's key strategic planning program through the development of town structure plans, agricultural land and rural settlement strategy, integrated transport strategy and other supporting technical studies.

The community consultation period for the draft Rural Strategy and five township structure plans has now concluded. Officers are considering all submissions, and this will inform changes to the documents. The Rural Strategy and five structure plans are scheduled to be presented to a special council meeting on September 3 for adoption.

Item	Strategy	2023/24 Actions and Outcomes
3.2.1 ON TRACK	Develop and complete Town Structure Plans as per Council's strategic planning program.	Drafted township structure plans will be presented to council in September 2024.
3.2.2 CANCELLED	Support community planning to enable local communities to determine their priorities for the future.	Community Planning actions are no longer directly actioned by Council.
3.2.3 COMPLETED	Conduct a study of land development supply.	Completed. Land Demand & Supply study was prepared by Nation Partners in 2022 with an addendum provided in 2023. The reports are available through Participate Hepburn. These projections have been used to inform the development of our Township Structure plans and Rural Strategy.
3.2.4 ON TRACK	Develop an Agricultural Land Use and Settlement Strategy.	The draft Rural Strategy has been prepared and will be presented to Council for formal adoption in September 2024. This strategy underpins our land use strategies, focused on protecting our agricultural land and country first and foremost, encouraging housing to be channelled into our towns.
3.2.5 ON TRACK	Undertake strategic land use planning to identify access to commercial and industrial land.	The Land Demand and Supply analysis prepared to inform our township structure plans and Rural Strategy provided specific information on needed industrial and commercial land to help support our communities economically into the future. A number of recommendations to help the community to have better access to industrial & commercial land have been included in the draft Future Hepburn work.
3.2.6 COMPLETED	Develop and implement a local Environmentally Sustainable Design (ESD) Planning Policy.	Draft ESD policy was included in the C80 Hep Planning Scheme review. Further Environmentally Sustainable Design outcomes have been recommended through our Future Hepburn suite of work.

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



ANNUAL PLAN 2023/24 INITIATIVE

Daylesford Town Hall Restoration Stage 1: Award tender for the delivery of priority structural and electrical repair works to the Daylesford Town Hall to conserve our important heritage asset.

Conservation design works completed with construction procurement underway. Tender to be awarded at the September Ordinary Council Meeting 2024.



ANNUAL PLAN 2023/24 INITIATIVE

Creswick Trails Construction: Achieve construction delivery milestones to enable the 60km of trails to be completed in December 2024.

Trail construction progressing well. Signage design and trails naming work underway. On track for planned completion date for the trail network date in December 2024.



ANNUAL PLAN 2023/24 INITIATIVE

Shire Wide Integrated Transport Strategy: Adopt a 10-year integrated transport strategy for improved connections for the community through the various modes of transport including active transport such as walking and cycling.

Progress on the Integrated Transport Strategy has been delayed due to the need to focus on delivering the Rural Strategy and five structure plans. Work will continue on preparing a draft Integrated Transport Strategy and it is anticipated that community and stakeholder consultation will be undertaken in early 2025.



ANNUAL PLAN 2023/24 INITIATIVE

Completion of Trentham Hub Construction: Complete construction and open the new Trentham Community Hub for the community.

Construction now complete and facility operational.



ANNUAL PLAN 2023/24 INITIATIVE

Historic Wheelers Bridge in Lawrence:

With financial assistance from the Australian Government, begin construction on the historic Wheelers Bridge in Lawrence.

Detailed civil design and engineering checks in progress. Progress slowed by key consultant personnel turnover and the process of taking notes from both Council and independent checking engineering for incorporation. Detailed design approximately 60% complete.

Item	Strategy	2023/24 Actions and Outcomes
3.3.1 	Continue to provide strong management and maintenance of our infrastructure.	Ongoing activities including acquiring and maintaining asset data and asset planning to determine appropriate levels of maintenance and renewal. Activities completed in 2022-23 include updating building asset data, and a capital asset renewal of \$7.5M completed.
3.3.2 	Support the amenity of our towns through the maintenance, replacement and development of streetscapes.	Multiple streetscape projects have been delivered progressively since inception across all the townships. Projects have been a combination of capital improvements and operational works. Next steps planned for Creswick in FY 2024/25.
3.3.3 	Advocate, plan and deliver pedestrian, cycling and recreation paths and trails that reduce reliance on vehicles.	Over 55.5kms of works have been delivered on shared footpaths and trails throughout the Shire within the 2022-2023 Financial Year.

3.3.4



ON TRACK

Advocate to the State and Federal Government to improve cycling connections, public transport infrastructure and roll out of a public electric vehicle (EV) charging network across city boundaries and the broader region.

Hepburn's public EV charging network continued to expand over the past 12 months with a fourth charger installed in June (to be online in late July) at the new Mechanics Trentham building, adding to the existing Daylesford, Creswick and Hepburn Springs fast chargers. Work commenced in May 2024 on a future EV charger roadmap for Hepburn and the Central and Northwest Victoria region in collaboration with councils and the Central Victoria Greenhouse Alliance. 'Charging the Regions 3' will be completed in the second half of 2024.

3.3.5



COMPLETED

Ensure sustainable and accessible infrastructure that promotes healthy recreation, physical activity and social connection.

Sustainable and accessible infrastructure has been achieved in delivered sport and active recreation projects and through the master plan development undertaken on community sport and active recreation places and spaces.

3.3.6



ON TRACK

Maintain and improve the amenity and cleanliness of townships, roadsides and public spaces.

Ongoing project with continual investment in operational budgets.

3.3.7



ON TRACK

Advocate for and partner in the delivery of Council's priority projects.

Council officers continue to focus on advocacy and grant applications to support and enable the delivery of Council's priority projects. We have had success through the 2023-2024 year in attracting grant funding to support delivery of existing projects, and have been successful in grant funding for 2024-2025 for the activation of the Djuwang Baring (Creswick Trails), Tiny Towns, and Living Libraries.



4 Diverse economy and opportunity

MEASURES OF SUCCESS

FOCUS AREA 4 - STRATEGIC INDICATOR	TARGET	2021-22	2022/23	2023/24	OUTCOME	COMMENTS
Yield of tourist spend Over the life of the plan a 2% increase in total spend per visitor measured against a baseline of \$60 of total spend per visitor.	2%	40%	75.4%	16.6%	✓	Growth of 16.6% from \$235 in the previous year to \$274.
Per capita Gross Regional Product 4% annual increase in per capita Gross Regional Product against a baseline of \$46,730 per capita GRP (Gross Regional Product).	4%	9.6%	3.7%	12.87%	✓	Target met with GRP per capita at \$55,738 representing a 12.87% increase on last year.
Subscribers to Hepburn Shire Business E-newsletter 5% annual increase of subscribers to the Hepburn Shire business e-newsletter against a baseline of 595 subscribers.	5%	0.3%	-5.38	-3.4%	✗	Increase on numbers of subscribers from last year, however this is a minor decrease over the period of the plan.
Gross revenue generated by business and organisations, outside the Tourism sector 4% annual increase percentage of gross revenue generated by businesses and organisations, outside the Tourism sector against baseline of \$1,163.565M.	4%	6.2%	21%	10.4%	✓	Exceeded target.

4.1 Work in partnership to attract and retain young people in our area through the provision of improved digital connectivity, education opportunities, employment pathways, affordable housing, improved public and active transport options, and leadership opportunities







ANNUAL PLAN 2023/24 INITIATIVE

Hepburn Shire Young Mayors Program: Provide leadership and development opportunities for young people to increase youth advocacy and leadership by delivering the trial Young Mayors Program through peer led election of Youth Council Members.

Council has partnered with Foundation for Young Australian to implement the Young Mayors program. We have implemented a Youth Advisory Group to assist in building momentum and awareness for the program with nominations to begin early 2025.

Item	Strategy	2023/24 Actions and Outcomes
4.1.1	Develop and implement a Youth Strategy 2021-25 to support the delivery of services and opportunities to young people in Hepburn Shire.	"ACE' Youth Development Strategy 2022-2030 created in July 2022 and during 2023/24 implementation included a number of key actions: Youth mental health training, Apprenticeship program, FREE Freeza events, ongoing youth programs, School holiday programming, youth advocacy and creating a Youth Advisory group.
4.1.2	Explore offering a graduate or traineeship program in alignment with Council's Workforce Plan development.	Council supported three trainees, engaged within various departments of the organisation in 2023-2024. Council has made the decision to pause this program for 2024-2025 to consider our ongoing ability to support trainees.
4.1.3	Advocate to government to assist with funding of the business case for the establishment of Institute of Gastronomy within the shire.	Advocacy to government and support for the growth of the gastronomy industry within our shire continues.
4.1.4	Investigate the formation of a Youth Council or Youth Advisory Committee.	Investigations completed and Council has partnered with Foundation for Young Australian to implement the Young Mayors program. The Young Mayors program has pivoted to ensure a higher level of engagement from young people living, working studying or playing in Hepburn Shire. We have implemented a Youth Advisory Group to assist in building momentum and awareness for the program with nominations to begin early 2025.

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

Item	Strategy	2023/24 Actions and Outcomes
4.2.1  COMPLETED	Support implementation of Central Highlands Digital Plan.	All opportunities to Advocate for improved internet infrastructure to support business, residents who work from home, students, and other citizens of the Hepburn Shire area. New high speed fixed wireless NBN tower being planned for Sailors Falls, at a cost of \$430,374 funded by NBN. A number of other upgrade projects taking place in the region, including a number of 5G upgrades, power resilience programs, greenfield tower in Drummond, and upgrades to NBN fixed wireless in Clunes. Advocacy work will continue as an ongoing BAU activity. Public Wi-Fi available in all customer experience and library locations. Rollout will continue to other areas when budget or grant funding allows this.
4.2.2  CANCELLED	Review the impact of the co-working space at the Hepburn Hub at the Rex and explore the feasibility of a local co-working spaces in other parts of the Shire.	Project cancelled and external funding returned to funding body.
4.2.3  COMPLETED	Install public wi-fi in appropriate areas.	Public Wi-Fi available in all customer experience and library locations. Rollout will continue to other areas when budget or grant funding allows.
4.2.4  COMPLETED	Advocate to ensure that our community has access to, and benefits from, reliable digital services.	All opportunities to Advocate for improved internet infrastructure to support business, residents who work from home, students, and other citizens of the Hepburn Shire area. New high speed fixed wireless NBN tower being planned for Sailors Falls, at a cost of \$430,374 funded by NBN. A number of other upgrade projects taking place in the region, including a number of 5G upgrades, power resilience programs, greenfield tower in Drummond, and upgrades to NBN fixed wireless in Clunes. Advocacy work will continue as an ongoing BAU activity.

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



ANNUAL PLAN INITIATIVE 2023/24

Enhancing Hepburn's Digital Planning and Reporting Capability: With the financial assistance from the Victorian Government, deliver digital enhancements to modernise Council's planning services and improve the customer experience.

Final stages of implementation will occur in July, at which point it is expected that the project will be acquitted by the State Government.



ANNUAL PLAN INITIATIVE 2023/24

Destination Management Planning: Work with our tourism partners, Daylesford Macedon Tourism and Tourism Midwest Victoria to develop Destination Management Plans to support the Shire's visitor economy and provide foundations for sustainable growth which balances economic priorities with social, environmental and cultural factors in the region.

The Daylesford Macedon Tourism Destination Management Plan is complete and implementation works have commenced. The Tourism Midwest Victoria Sustainable Destination Management Plan has also been completed.



ANNUAL PLAN INITIATIVE 2023/24

Mineral Springs Awareness Campaign: Through funding from the Victorian Government, develop marketing tools to raise the awareness and understanding of Mineral Springs in the region for locals and visitors.

The website is currently under development. Due to additional website design works required from several of the mineral springs land managers. The project is anticipated to be completed by 30 August 2024.



ANNUAL PLAN INITIATIVE 2023/24

Build the Capacity of Event Organisers: Develop tools and templates to assist event organisers to build the capacity of the event industry to continue to deliver and enhance successful, sustainable and compliant events.

Event Toolkit is complete. Communications on the toolkit have been undertaken.

Item	Strategy	2022/23 Actions and Outcomes
4.3.1 	Implement a Business Concierge model (Customer Service, Planning and Economic Development) to enhance the permit approvals process.	The Planning and Economic Development Teams have established regular meetings to improve communications regarding business permits and applications.
4.3.2 	Invest in streetscapes and infrastructure in commercial and retail areas across the Shire.	<p>The following streetscapes works/investments were completed in FY22/23:</p> <ul style="list-style-type: none"> • Vincent St, Daylesford roundabout garden redevelopment • Pearman Street, Creswick kerb and channel, road upgrade, pedestrian connections • Albert St, Trentham drainage upgrade • Albert St, Creswick Street furniture renewal • Various locations, street planter box installations
4.3.3 	Finalise the pilot project of the Artisan Agriculture Project to support producers more broadly.	The Artisan Agriculture pilot is completed and has resulted in strengthened relationships and contacts amongst the agricultural sector.

4.3.4	Develop and implement an Economic Development Strategy that ensures diverse offerings.	Budget bid to develop and implement an Economic Development Strategy was unsuccessful. A business survey was conducted to seek feedback from businesses and a survey implementation plan developed to support our local economy.
		
4.3.5	Develop and implement a Commercial Land Use Policy.	This will be recommended to make part of future strategic work in the coming years.
		
4.3.6	Develop and implement an HSC Shire Wide Agricultural and Rural Settlement Strategy.	As per previous comments - this document has been drafted and will be presented to Council for consideration in September 2024.
		
4.3.7	Support local and regional tourism campaigns and initiatives to support the local offer.	Council has formalised a partnership with Tourism Midwest, the inaugural Visitor Economy Partnership in Victoria to improve exposure, branding and product development in the West of the Shire. This augments Council's existing partnership with Daylesford Macedon Tourism which continues to showcase the region to travellers at a high level.
		
4.3.8	Implement the Events Strategy 2020-2025 building on existing brand pillars including Indulge (Food & Drink), Refresh (Escape & Rejuvenate), Learn (History & Culture) and Make (Art & Artisans).	Council supported 60 events in FY23 with significant social, community and economic benefits coming to the region. Three signature events (Spudfest, Chillout and Booktown) and two regional events (Motorfest and Cresfest) combined brought an estimated 60,000 additional visitors to the region.
		
4.3.9	Review procurement policy to ensure a focus on sustainable practices, a meaningful partnership with Dja Dja Wurrung and support local business.	The current policy has a focus on and provides incentives to support Djaara and other traditional owner organisations.
		



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



ANNUAL PLAN 2023/24 INITIATIVE

Circular Hepburn: Support and transition Hepburn to a circular economy by providing support to our businesses and community, and embedding sustainable practices into Council operations, based on the three pillars of the circular economy - rethinking waste, keeping materials in circulation and regenerating natural systems.

Launched the Circular Hepburn Toolkit for Business and Beyond at Sustainable Hepburn Day, kicked off a social media campaign associated with the Toolkit. Focus of Sustainable Hepburn Day was Circular Economy, with a fashion and textiles focus, highlighting good work and opportunities in the community. Aspire platform roll out continues. Circular Economy Roadmap soon to be released. Planning underway for increasing circularity of some waste streams at Council Transfer stations.



Item	Strategy	2022/23 Actions and Outcomes
4.4.1 	Review waste services to ensure alignment with the new State Government's Circular Economy program.	Food and garden organics service successfully rolled out to the Shires township April 2024 with commercial businesses to begin July 2024. Council officers to review a service for rural properties 25/26 financial year. Glass disposal and recycling services offered at the shires Transfer Stations and CDS machines with officers to review a glass service when Circular Economy draft standards are finalised.
4.4.2 	Develop and promote the circular economy to diversify our local economy and support our sustainability goals.	In 2023/24 the following circular economy actions have been delivered: design of a Circular Hepburn logo; publication of a circular economy toolkit and associated marketing campaign; circular economy fashion focused hub at the Sustainable Hepburn Day Out; co-producing FOGO roll out educational videos; creating a circular economy database of local businesses through the ASPIRE platform for materials exchange, and signups to the platform; draft Circular Economy Roadmap; Business Creswick Circular economy breakfast and circular economy updates through the Sustainable Hepburn e-newsletter.

5 A dynamic and responsive council







MEASURES OF SUCCESS

FOCUS AREA 5 - STRATEGIC INDICATOR	TARGET	2021-22	2022/23	2023/24	OUTCOME	COMMENTS
<p>Subscribers to Council's e-newsletter Hepburn Life</p> <p>5% annual increase in subscribers to Council's e-newsletter, Hepburn Life against baseline of 2,941 subscribers.</p>	5%	14.9%	22.4%	16.92%	✓	<p>Subscribers to Hepburn Life fluctuates with news subscribers joining and people unsubscribing. This is in line with industry average. We have 4,392 contacts and 3,980 subscribers on the list which includes staff.</p>
<p>Financial sustainability of the organisation</p> <p>Achieve a low or medium risk rating for VAGO (Victorian Auditor General's Office) financial sustainability indicators.</p>	All indicators low or medium	4 Low, 1 Medium, 1 High	3 Low, 2 Medium, 1 High	3 Low, 2 Medium, 1 High	✗	<p>The Underlying Surplus/Deficit is in the high category. This is predominately due to the financial assistance grants for 2024/2025 having been realigned for receipt in the year applicable, so no advanced payment was received in 2023/2024. Costs associated with prior year storm events have impacted that have not been reimbursed in 2023/2024. These short-term impacts will be closely monitored.</p>
<p>Customer Service Requests responded to according to Charter</p> <p>2% annual increase percentage of service requests responded to in accordance with customer service charter.</p>	2%	No updated data available	No updated data available	No updated data available	✗	<p>Development of the target is still in progress. A significant proportion of council enquiries are addressed by our first responders (Customer Service Officers) through phone and counter walk ups. For those enquiries that Customer Service Officers escalate to secondary responders (Specialist Council Officers), in 2023/2024 the average days to first response was 16.81, and the average days to close was 37.53.</p> <p>Not all enquiries are captured via our Customer Service Officers in our corporate system. Changes to capturing enquiries is required to develop the target. This will be worked on across 2024/2025.</p>

MEASURES OF SUCCESS						
FOCUS AREA 5 - STRATEGIC INDICATOR	TARGET	2021-22	2022/23	2023/24	OUTCOME	COMMENTS
<p>Community satisfaction with community consultation and engagement</p> <p>Increase result of community satisfaction with community consultation and engagement from 44 to 50 points, over the life of the plan, a 14% improvement.</p>	47	44	46	52		Upward trend over the past 3 years in satisfaction ratings.
<p>Workforce Plan Actions delivered</p> <p>Over the life of the plan, 100% of actions (36) from the 2021 adopted Workforce Plan are implemented to ensure gender equity, diversity, and inclusiveness in the workforce.</p>	36 Actions	8	26	31		Strong progress resulting in two thirds of actions underway or completed.

5.1 Harness community expertise

Item	Strategy	2023/24 Actions and Outcomes
<p>5.1.1</p>  <p>ON TRACK</p>	Conduct a Community Skills Session to capture community skills and interest for future engagements.	Harnessed community skills through various engagement activities. Continuing to build relationships with community and improve deliberative practices.
<p>5.1.2</p>  <p>COMPLETED</p>	Strengthen processes to create strong alignment with community-led engagement.	Designed and implemented Community Engagement framework including various tools and processes.
<p>5.1.3</p>  <p>ON TRACK</p>	Continue to value, support, and implement Community Reference Groups, where appropriate.	<p>Strong use, and increase in the number of advisory committee's and community based Project Advisory Groups.</p> <ul style="list-style-type: none"> Trentham PAG Sustainable Hepburn Strategy Daylesford Town Hall PAG
<p>5.1.4</p>  <p>ON TRACK</p>	Actively participate in community and government networks and regional alliances.	Hepburn Council officers participate in a wide range of community and government networks. Including Early Years Network, Hepburn Engaging Youth, Prevention of Violence Network, Community Service Support network. Council also participates in MOU's with Daylesford College, Young Mayors, Live4life and Central Highlands Rural Health.

5.2 Actively communicate, inform, and engage with our community about events and decision-making



ANNUAL PLAN 2023/24 INITIATIVE

Working Together - Delivering Better: Commence implementing the new Working Together - Delivering Better Service Strategy through the delivery of all Council staff training to enable Council to continue to improve the way we work and deliver excellent customer service.

Implementation of Council's Customer Experience training to support the Working Together - Delivering Better Service Strategy has been finalised. We are now moving toward sustaining the ongoing focus and capability of existing staff and engaging new staff. This will transfer to the Corporate Training program for implementation as part of the annual Learning & Development program.



ANNUAL PLAN 2023/24 INITIATIVE

Council Services Review: Prepare and undertake Service Summaries to provide insight to the cost, resources required, challenges and opportunities of each Council Service.

The development of Service Summaries is completed, however the implementation of reviewing these summaries continues. Our staff have completed a service summary template for each service, which offer a comprehensive overview of the service, including its costs, relevant legislative context, and key risks and opportunities. These summaries have been shared with Councillors during a workshop prior to Christmas 2023, and Councillors considered the data during the development of the 2024/25 Budget and updated 10-year Financial Plan. A service map, and simplified service profile was created and forms part of the Financial Vision project.



ANNUAL PLAN 2023/24 INITIATIVE

Risk Management Framework Implementation: Undertake a review of Council's risk management policies and practices and establishment of updated Risk Registers.

The Risk Management Policy was adopted by Council in November 2023. Council has also reviewed its risk appetite, reviewed its strategic and operational risks, and implemented software to manage its risk registers

Item	Strategy	2023/24 Actions and Outcomes
5.2.1 	Implement the Community Engagement Policy and procedures to improve community engagement practices and relationship building.	Completed Engagement Framework and toolbox to support community engagement projects. Continuing to add new processes as they are identified in line with commitment to continuous improvement.
5.2.2 	Communicate in a timely, clear, responsive, and accessible way about decisions and circumstances that impact our community.	We use various channels to communicate with our residents, ratepayers, businesses and stakeholders. Council has over 6,300 followers on Facebook, 3,100+ on LinkedIn and just under 4,000 subscribers to Hepburn Life. In addition to digital means of communicating, we publish a Council News page in all the community newsletters around our shire. Our corporate website generates around 90,000 views per quarter and Participate Hepburn is used our engagement platform. Council received positive trends in relation to Consultation and Engagement as part of the annual Community Satisfaction Survey.
5.2.3 	Implement the recommendations of Hepburn Shire Council Service Review-Customer Experience.	Work continues on achievement of the actions from Council's CX Strategy. Following recent changes to the team leadership and future location; changing priorities due to budget reductions (CX and the organisation); and success with a grant to implement open libraries, a review of the action plan is required to align to our current state.
5.2.4 	Create an online database of Community Groups and contacts from across the Shire accessible to relevant Council Departments.	Development of the database expected to launched in August 2024.
5.2.5 	Increase public participation in Council meetings by continuing to live stream meetings.	All Council meetings held in 2023-2024 were live streamed via Council's Facebook page. The recording remains available for people to view.

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



ANNUAL PLAN 2022/23 INITIATIVE

Review of Council Services and Programs: Providing options to Councillors for undertaking service reviews of programs, and services offered by Council.

Annual Plan 22-23 Initiative has been rolled over into new annual plan action AP24.29.



ANNUAL PLAN 2023/24 INITIATIVE

Review of 10-year Long Term Financial Plan: Conduct a review of Council's 2021-2031 Long Term Financial Plan to ensure that Council is investing in the assets and services that reflect the communities' values.

The 10-year financial plan continues to be progressed and a community engagement process will take place in July for a short period of time. Service priorities will be reviewed based on the engagement process. The intent is for the 10-year financial plan to be adopted by Council by 17 September 2024.



ANNUAL PLAN 2023/24 INITIATIVE

Cyber Security Enhancements for Council: Deliver a suite of ICT enhancements to provide greater security over Council's day-to-day operations.

All documents completed and pending review at Senior Leadership prior to implementation. Actions reviewed from penetration testing to be compiled and discussed with Governance and Risk.

Item	Strategy	2022/23 Actions and Outcomes
5.3.1 ON TRACK	Strengthen the Integrated Strategic Planning and Reporting Framework, including a programmed service review of all Council services.	<p>Extensive work has been delivered in 2023-2024 in support of cataloguing and profiling Council's Services, with a current project for engaging the community to review and prioritise Council services underway. This work will inform a strategic approach to service review ongoing and maintenance of service profiles.</p> <p>Review of Council's reporting methods has been undertaken, with improvements to our quarterly reporting being implemented.</p> <p>The framework for Integrated Strategic Planning at Hepburn has been outlined with a target to develop and deliver prior to 30/06/2025.</p>
5.3.2 ON TRACK	Develop and implement an Annual Plan to set the operational direction of Council year on year.	<p>Annual Plan for 2023-2024 was developed and delivered.</p> <p>In 2024-2025, as this is the final year of the Council Plan, there won't be a separate Annual Plan as focus will be on delivery and finalisation of all outstanding actions.</p>
5.3.3 COMPLETED	Enhance long-term financial planning and forecasting through the development and implementation of a Long-Term Financial Plan.	<p>The Financial Plan was adopted in October 2021. Community engagement on service priorities and appetite for options to address the financial sustainability of Council is underway in July with Councillor workshops scheduled for August, to develop a financial vision for the next 10 years.</p>
5.3.4 COMPLETED	Effectively advocate, scope projects, prepare applications and ensure delivery of major initiatives and projects.	<p>Improved projects development, using the Project Management Framework, has led to the progression of highly complex projects (Creswick Trails, Trentham Hub) and the delivery of a record amount of capital works expenditure.</p>

<p>5.3.5</p>  <p>COMPLETED</p>	<p>Development and implementation of an Information, Communications and Technology (ICT) Strategy to ensure staff have quality equipment and software to deliver high quality services to our community.</p>	<p>ICT Strategy has been completed, ratified and in place. Work now progressing on relevant transformation and project items.</p>
<p>5.3.6</p>  <p>COMPLETED</p>	<p>Ensure Council practices, processes and decision making is compliant with the Local Government Act 2020 provisions and other related legislation and regulations.</p>	<p>Throughout 2023-2024, Council meetings and decisions have been conducted in compliance with the Local Government Act 2020. Council's instruments of delegation and authorisation are reviewed twice a year to account for changes to legislation, as well as changing roles and responsibilities.</p>
<p>5.3.7</p>  <p>COMPLETED</p>	<p>Strengthen internal governance through ongoing Councillor and staff capacity building and skill development.</p>	<p>Councillors have been provided information and training regarding the Governance Rules, conflicts of interest, Councillor and staff interaction, rating and valuations, critical infrastructure and emergency management. All new staff receive induction in relations to privacy conflicts of interest, record keeping, decision making, and gifts. Refresher courses are offered throughout the year for existing staff.</p>
<p>5.3.8</p>  <p>COMPLETED</p>	<p>Embed Council's risk management framework and risk appetite into project management and decision making.</p>	<p>Risk Management procedures and templates have been developed for staff and training was held in May and June 2024 in embedding risk practice in their daily work.</p>
<p>5.3.9</p>  <p>ON TRACK</p>	<p>Ensure the procurement practices of staff are in line with set policies, procedures and guidelines that have a focus on transparency, accountability and probity.</p>	<p>Procurement policy in place. Focus will continue to be on re-establishing the procurement training program in the long term.</p>
<p>5.3.10</p>  <p>COMPLETED</p>	<p>Respond and adapt to requirements set out by the Victoria Electoral Commission in relation to representation reviews and general elections.</p>	<p>Council participated in and provided feedback to the Electoral Structure Review. Council received the decision that from the 2024 Local Government elections, Hepburn Shire will move to an un-warded structure.</p>

5.4 Improve staff resourcing, support, and capacity building



ANNUAL PLAN 2022/23 INITIATIVE

Employer Value Proposition: Develop Employer Value Proposition and tools to market HSC more effectively as an employer.

The HSC Employer Value Proposition is progressing to plan. A key focus includes the launch of the Delivering Better Together project, which encompasses office accommodation, process transformation, people development, communication, culture and engagement, systems and tools, and flexible working. The Staff Engagement Survey has also been revised to include expanded custom questions to gather detailed information on what employee's value at Hepburn Shire Council. This data will be further explored in workshops planned for August, with a draft EVP to be socialized in September.

Item	Strategy	2023/24 Actions and Outcomes
5.4.1 	Develop Workforce Plan to promote gender equity, diversity, inclusion, with an appropriate organisational structure to deliver the Council Plan.	Council's Workforce Plan and Gender Equality Action Plan outlines actions that will support and promote gender equity and inclusion at Council and continue to be implemented.
5.4.2 	Ensure appropriate training and development of staff to ensure continuous improvement and access to the required skills.	Council has made significant progress in staff training and development with the introduction of a new e-learning system which will offer diverse courses for capability uplift. This platform will improve learning accessibility and personalised learning. Additionally, Council has invested heavily in classroom workshops, technical development and leadership capability.
5.4.3 	Strengthen the organisational approach to project management and delivery.	A Project Management Framework was developed and in use. Capital work programming was strengthened, and improvements made to a suite of templates and forms. This also included improvements in processes and an increased delivery of annual capital works
5.4.4 	Ensure that 100% of staff are offered the opportunity to undertake Cultural Awareness training.	Council has continued our delivery of cultural awareness training with staff, in collaboration with first nations organisations and Djaara peoples. Embedding this into the training curriculum with multiple methods of delivery will be finalised in 2025-2026.

5.5 Strong asset management and renewal



ANNUAL PLAN 2023/24 INITIATIVE

Staff Accommodation and Community Facilities: Undertake scoping and planning of staff accommodation and Birch Ward facilities.

Medium Term staff accommodation plan and works now underway - Duke Street office works complete; have taken possession of 24 Vincent Street with the move from Town Hall scheduled for August.

Architects and PAG members appointed for Daylesford community Facilities project, with feasibility stage underway.

Item	Strategy	2023/24 Actions and Outcomes
5.5.1 	Continue to invest in asset maintenance, renewal, and upgrade programs.	Ongoing investments in key asset renewals and a continual cycle of asset data collection, assessment and valuations to improve decision making, including development of Asset Management Plans for the main asset classes.
5.5.2 	Review and modernise Council's Asset Management practices in alignment with the development of Council's Asset Plan.	Updating of GIS and asset class information ongoing, implementation of centralised software-based management still in progress for multi-year delivery.
5.5.3 	Deliver the annual Capital Works program.	A record amount of capital works expenditure has been delivered. Several large multi-year projects continue in delivery phase, including Creswick Trails Network and The Mechanics Trentham. This is a positive result given the very challenging constructions sector regarding pricing, availability COVID 19 impacts and inflation.




5.6 Be a leader in gender equality and equity and promote respect and safety in our community



ANNUAL PLAN 2023/24 INITIATIVE

Gender Equity: Continue to implement Council's Gender Equity Plan with a focus on embedding an inclusive culture that respects diversity by providing a safe workplace for Council Staff and ensuring that we have transparent, fair and gender diverse recruitment practices.

Council has made significant progress in implementing the Gender Equality Action Plan, including completing Gender Impact Assessment Training and compulsory reporting for the Gender Equality Act in February 2024. There were several key achievements highlighted by the Gender Equity reporting include a notable increase in women in full-time work (34% to 47%), women managers (43% to 50%), and women laborers (27% to 48%). Council have also achieved a positive gender gap to from -2% to -10% - this means that for every \$100 paid to a man, \$110 was paid to a woman.

Item	Strategy	2023/24 Actions and Outcomes
5.6.1 	Implement provisions of the Gender Equality Act 2020, including a Gender Equity Action Plan.	The Gender Equity Action Plan commenced in March 2022. A number of key actions have been completed including a review of Council's Recruitment, promotion and higher duties processes which have resulted in several changes to increase transparency and diversity. Council has adopted gender inclusive language when updating policies and procedures and has completed Gender Impact Assessment Training with key areas within the organisation.
5.6.2 	Provide strong Council leadership, both internally and in the community, to build understanding of safe, respectful, and equitable relationships through education and awareness raising.	Hepburn Shire Council has formed a strong relationship with Women's Health Grampians and actively participate with CoRE. This has led to discussions with WHG regarding a review of our Gender Impact Assessment toolkit. With a renewed focus on gender equality when implementing strategies and projects this has seen a significant uplift in Gender Impact Assessments completed with seven undertaken in FY23-24.
5.6.3 	Review and update the Act@Work Plan and continue to strengthen Gender Equity on Council.	Act @ Work program was in place in Council from 2019 to 2021. The program was absorbed into the Gender Equality Action Plan (GEAP) with an ongoing action to deliver GEAP on track.

Municipal Public Health and Wellbeing Plan (MPHWP) progress

2023-2024 marks the third year of Council's Municipal Public Health and Wellbeing Plan (2021-2025). The past twelve months have seen collaboration across Council departments and with key external stakeholders to deliver meaningful health and wellbeing outcomes for residents across the municipality. Key highlights from each of the four MPHWP priority areas are listed below.

Priority 1 – Tackling climate change and its impact on health

- Data gathered from climate and health focused questions in the Wellbeing Survey.
- Collaborated with Central Highlands Rural Health to deliver the Reusable Period Products in Hepburn Shire Primary Schools Program.
- Continued to increase community knowledge and awareness of public health risks of climate to public health through multiple communications channels.
- Training by Climate and Health Alliance was delivered to Council staff to increase understanding of the link between Public Health and Climate Change.
- Supported Resource Smart Schools Program in Hepburn Shire Schools.
- Provided Health and Wellbeing focused feedback for the Integrated Transport Strategy. Gender and Disaster Training delivered to Council staff and local emergency organisation staff/volunteers.

Priority 2 – Increasing healthy eating

- Mapped current drinking fountain and water bottle refill stations across the Shire.
- Introduced Healthy Choices options at the Shire's Outdoor Swimming Pools Kiosks, including the training of all Pool staff.
- Data gathered from healthy eating focused questions in the Wellbeing Survey.
- Cooking classes delivered through the School Holiday Programs.
- Healthy lunchbox resources delivered to Hepburn Shire Primary Schools.
- Reverse advent calendar food security box project.
- Free fruit for council staff and volunteers in VIC's.

- Local food relief resources webpage updated and promoted.
- Developed, printed and delivered Wellbeing Pocket Guides.

Priority 3 – Improving mental wellbeing

- Audit of mental wellbeing initiatives across the municipality.
- Support ongoing meetings of the Disability Advisory Committee, Reconciliation Advisory Committee, Gender Equity Advisory Committee and LGBTIQ+ Advisory Committee.
- MoU with Neighbourhood Houses.
- LIVE 4 LIFE partnership with Daylesford College that focuses on improving youth mental health throughout the Shire.
- Supported events and campaigns that encourage and promote physical activity including Wednesday Walks, Active 2 School and Active Footpaths project, Junior Lifeguard program.
- Supported the Walk to School and Active in schools programs.
- Mental health supports during emergency response situations.
- Free community mental health first aid sessions.
- Annual events for Men's and Women's Health Week.

Priority 4 – Prevention of violence in all forms

- One participant in 'Women in Leadership Course' sponsored by Council.
- Act@Play pilot with one sporting club.
- Fair Access Policy adopted.
- Council supported four local CoRE organisations and delivered training to their staff, volunteers and board members.
- Photographer engaged to increase the Council's portfolio of inclusive images.
- Training opportunities from Women's Health Grampians (WHG) were offered to all staff.
- Puberty education resources increased at all four library sites.
- Encouraged all local health service organisations to register at 1800 My Options.
- Promoted 1800 My Options and the 'Ask Issy' online service platform.

Local government performance reporting framework indicators

Service performance indicators

The following statement provides the results of the prescribed service performance indicators and measures including explanation of results in the comments.

Aquatic Facilities

Service / indicator / measure	Results				Comments
	2021	2022	2023	2024	
Service standard					
Health inspections of aquatic facilities <i>[Number of authorised officer inspections of Council aquatic facilities / Number of Council aquatic facilities]</i>	0.00	0.00	1.00	1.00	Satisfactory inspections of all Aquatics Facilities were undertaken during the 2023/2024 pool season in line with the Public Health and Wellbeing Act 2008.
Utilisation					
Utilisation of aquatic facilities <i>[Number of visits to aquatic facilities / Municipal population]</i>	1.20	1.64	1.47	1.10	Minimal participation data collected throughout the season, has resulted in lower than anticipated visitation figures for the 2023/2024 Aquatics Season.
Service cost					
Cost of aquatic facilities <i>[Direct cost of aquatic facilities less income received / Number of visits to aquatic facilities]</i>	\$19.84	\$12.95	\$18.91	\$36.71	Due to minimal participation data collected throughout the season, this has resulted in a significant increase to service cost.

Animal Management

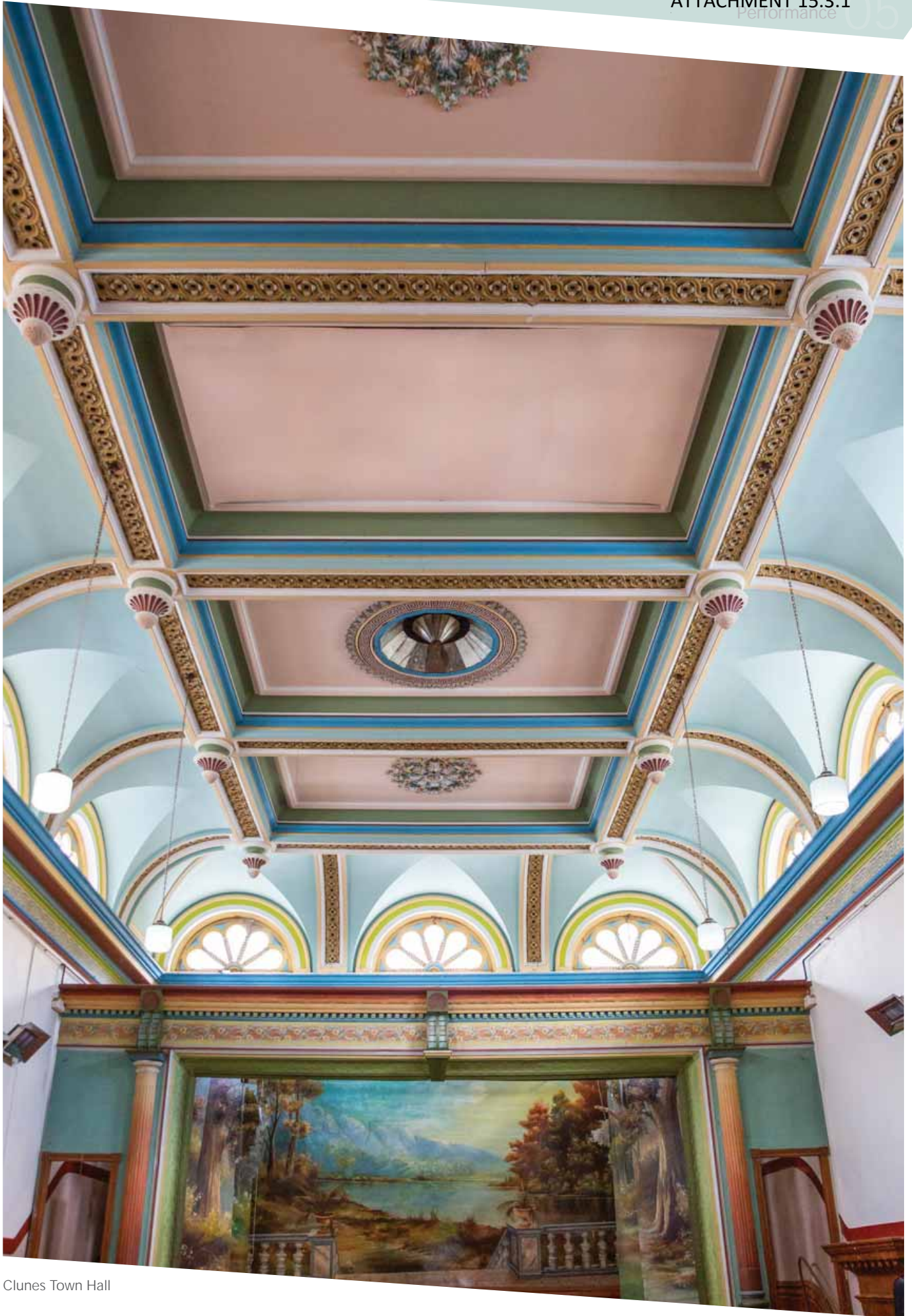
Service / indicator / measure	Results				Comments
	2021	2022	2023	2024	
Timeliness					
Time taken to action animal management requests	4.14	4.48	4.54	4.14	Improvement in response time due to increase in FTE, allowing Council to more effectively service community requests and complaints.
[Number of days between receipt and first response action for all animal management requests / Number of animal management requests]					
Service standard					
Animals reclaimed	11.63%	13.75%	45.10%	26.00%	There has been an increase in total number of dogs (45) and cats (55 - excluding those euthanized) that have been collected.
[Number of animals reclaimed / Number of animals collected] x100					
					The total number of animals reclaimed has decreased as more cats were impounded in FY 22-23 than dogs. Cats are less likely to be reclaimed and represent a higher number, on average, of animals collected.
Animals rehomed	95.35%	27.50%	21.57%	28.38%	There has been a 38% increase in registered animals being rehomed over FY 22-23. Changes to how pounds, rescues and businesses house and manage animals supported this increase in rehoming.
[Number of animals rehomed / Number of animals collected] x100					
Service cost					
Cost of animal management service per population	\$10.91	\$9.72	\$12.25	\$14.77	Cost increases due to additional FTE for increased service delivery and availability.
[Direct cost of the animal management service / Population]					
Health and safety					
Animal management prosecutions	0.00%	0.00%	100.00%	0.00%	Council initiates a prosecution based on legal advice and the particular merits of a case.
[Number of successful animal management prosecutions / Number of animal management prosecutions] x 100					

Food Safety

Service / indicator / measure	Results				Comments
	2021	2022	2023	2024	
Timeliness					
Time taken to action food complaints <i>[Number of days between receipt and first response action for all food complaints / Number of food complaints]</i>	5.00	1.00	1.00	1.00	Food complaints are responded to within 24 hours.
Service standard					
Food safety assessments <i>[Number of registered class 1 food premises and class 2 food premises that receive an annual food safety assessment in accordance with the Food Act 1984 / Number of registered class 1 food premises and class 2 food premises that require an annual food safety assessment in accordance with the Food Act 1984] x100</i>	25.67%	48.44%	75.53%	100.00%	Achieved 100% completion in FY23-24 for food safety assessments. Additional resourcing and engagement with businesses supported increase in premises receiving an annual food safety assessment and requiring an annual food safety assessment.
Food safety samples <i>[Number of food samples obtained / Required number of food samples] × 100</i>	New	New	New	100.00%	Achieved all required food samples.
Service cost					
Cost of food safety service <i>[Direct cost of the food safety service / Number of food premises registered or notified in accordance with the Food Act 1984]</i>	\$585.21	\$841.56	\$835.57	\$850.18	Marginal increase in direct cost of the food safety service due to increased resourcing, with responsibilities shared across multiple officers.
Health and safety					
Critical and major non-compliance outcome notifications <i>[Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100</i>	50.00%	100.00%	100.00%	100.00%	All critical and non-major compliant functions have been followed up.

Governance

Service / indicator / measure	Results				Comments
	2021	2022	2023	2024	
Transparency					
Council decisions made at meetings closed to the public	4.68%	9.29%	13.99%	9.42%	Council continues to prioritise decisions being conducted in an open Council Meeting wherever possible.
[Number of Council resolutions made at meetings of Council, or at meetings of a delegated committee consisting only of Councillors, closed to the public / Number of Council resolutions made at meetings of Council or at meetings of a delegated committee consisting only of Councillors] x100					
Consultation and engagement					
Satisfaction with community consultation and engagement	44.00	44.00	46.00	52.00	Community Satisfaction ratings showing an upward trend over the past three years.
[Community satisfaction rating out of 100 with how Council has performed on community consultation and engagement]					
Attendance					
Councillor attendance at council meetings	99.25%	97.32%	98.10%	99.05%	Council had one apology for Council Meetings for the 2023/2024 year, which was due to illness.
[The sum of the number of Councillors who attended each Council meeting / (Number of Council meetings) × (Number of Councillors elected at the last Council general election)] x100					
Service cost					
Cost of elected representation	\$37,259.57	\$37,944.57	\$38,540.57	\$41,954.43	Results remain within range and reflect the increase in allowances paid to Councillors.
[Direct cost of the governance service / Number of Councillors elected at the last Council general election]					
Satisfaction					
Satisfaction with council decisions	44.00	41.00	42.00	46.00	The Community Satisfaction Survey has identified a trend of improvement in results over the last 4 years.
[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]					



Clunes Town Hall

Libraries

Service / indicator / measure	Results				Comments
	2021	2022	2023	2024	
Resource currency					
Recently purchased library collection <i>[Number of library collection items purchased in the last 5 years / Number of library collection items] x100</i>	69.34%	66.17%	75.36%	46.89%	Collections numbers are within target.
Service cost					
Cost of library service per population <i>[Direct cost of the library service / Population]</i>	\$39.36	\$37.21	\$42.86	\$36.97	Cost of the service has decreased this financial year with a focus on cost reduction. Programs have continued and been well attended throughout the year.
Utilisation					
Loans per head of population <i>[Number of library collection item loans / Population]</i>	New	New	New	2.73	This is within target, with room to continue to grow the loans rate. The reintroduction of the intra-library loan service between Libraries Victoria's library network broadened the collection options available to patrons.
Participation					
Library membership <i>[Number of registered library members / Population] x100</i>	New	New	New	28.42%	The percentage of library membership is within target, with room to improve. We anticipate an increase in patrons with the opening of The Mechanics Trentham along with the introduction of Open Libraries next financial year.
Library visits per head of population <i>[Number of library visits / Population]</i>	New	New	New	3.65	Just over three and a half visits to a library per year, which is our new baseline. This is the first year of reporting this measurement.

Maternal and Child Health (MCH)

Service / indicator / measure	Results				Comments
	2021	2022	2023	2024	
Service standard					
Infant enrolments in the MCH service <i>[Number of infants enrolled in the MCH service (from birth notifications received) / Number of birth notifications received] x100</i>	101.50%	104.63%	102.36%	102.65%	The percentage of infants enrolled in the MCH service continues to exceed the number of birth notifications received. This may be due to families of infants moving into the Shire.
Service cost					
Cost of the MCH service <i>[Cost of the MCH service / Hours worked by MCH nurses]</i>	\$86.79	\$98.54	\$138.10	\$140.84	During this year Council received additional one-off funding of 99K, therefore additional services were able to be offered to families.
Participation					
Participation in the MCH service <i>[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100</i>	76.96%	86.01%	85.37%	81.60%	The percentage of infants enrolled in the MCH service who attend MCH service has remained fairly constant. Families who have moved during the year are now required to be reflected in the data therefore a slight drop in percentage can be seen from previous years due to families having sessions at other MCH services.
Participation in the MCH service by Aboriginal children <i>[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100</i>	75.76%	80.95%	88.89%	73.33%	The percentage of Aboriginal infants enrolled in the MCH service who also attend MCH service has remained fairly constant over the previous four years.
Satisfaction					
Participation in 4-week Key Age and Stage visit <i>[Number of 4-week key age and stage visits / Number of birth notifications received] x100</i>	94.74%	99.07%	95.28%	98.23%	The percentage of infants enrolled in the MCH service who participated in 4-week Key Age and Stage visit has remained fairly constant over the three-year period.

Roads

Service / indicator / measure	Results				Comments
	2021	2022	2023	2024	
Satisfaction of use					
Sealed local road requests <i>[Number of sealed local road requests / Kilometres of sealed local roads] x100</i>	46.96	50.26	43.08	32.06	A slight reduction of overall requests, which is pleasing. Due to targeted capital programs focused on sealed road defects.
Condition					
Sealed local roads maintained to condition standards <i>[Number of kilometres of sealed local roads below the renewal intervention level set by Council / Kilometres of sealed local roads] x100</i>	96.91%	97.73%	98.19%	98.36%	Updated data from a new road condition audit shows Council has continued to maintain road assets to a targeted condition.
Service cost					
Cost of sealed local road reconstruction <i>[Direct cost of sealed local road reconstruction / Square metres of sealed local roads reconstructed]</i>	\$56.20	\$49.88	\$49.40	\$66.46	Council had a limited amount of reconstruction projects in the year 2023/2024, but has equally experienced raising construction costs, particularly in relation to construction.
Cost of sealed local road resealing <i>[Direct cost of sealed local road resealing / Square metres of sealed local roads resealed]</i>	\$7.59	\$8.67	\$10.77	\$11.42	Council continues to include a level of asphalt surfacing in its reseat costs. In the FY23/24 the higher asphalt costs were slightly offset by large rural reseat projects at lower unit rates.
Satisfaction					
Satisfaction with sealed local roads <i>[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]</i>	47.00	39.00	33.00	29.00	The performance rating this year for sealed local roads is at its lowest rating in 10 years. This is consistent with increase in water and flood damaged roads across the Shire. Reduction in satisfaction has occurred statewide.

Statutory Planning

Service / indicator / measure	Results				Comments
	2021	2022	2023	2024	
Timeliness					
Time taken to decide planning applications <i>[The median number of days between receipt of a planning application and a decision on the application]</i>	69.00	107.00	145.00	180.00	Overall an increase in timeliness, however this is as a result of a large amount of older permits being resolved in the last 12 months and significant staff turnover. Our quarterly data is showing improved timeframes and this should be reflected next year.
Service standard					
Planning applications decided within required time frames <i>[(Number of regular planning application decisions made within 60 days) + (Number of VicSmart planning application decisions made within 10 days) / Number of planning application decisions made] x100</i>	64.47%	19.70%	33.79%	17.86%	Process improvements in Quarter 4 mean we are now reporting accurately, however the first 3 quarters of the year are unreliable, therefore the figure is skewed. This data shows more permits are being issued in Q4 compared to Q4 last year so an upward trend.

Statutory Planning (cont.)

Service / indicator / measure	Results				Comments
	2021	2022	2023	2024	
Service cost					
Cost of statutory planning service <i>[Direct cost of the statutory planning service / Number of planning applications received]</i>	\$2,012.01	\$2,458.49	\$3,473.95	\$3,507.77	The 2024 financial year service cost remains consistent with the previous year. An overall reduction in the cost of service is expected as further efficiency initiatives are implemented.
Decision making					
Council planning decisions upheld at VCAT <i>[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100</i>	80.00%	50.00%	40.00%	80.00%	This is a pleasing result, with the majority of Council decisions upheld at VCAT. Most applications contested at VCAT have been centred around technical matters such as bushfire risk considerations and rural planning.

Waste Management

Service / indicator / measure	Results				Comments
	2021	2022	2023	2024	
Service standard					
Kerbside collection bins missed <i>[Number of kerbside garbage and recycling collection bins missed / Number of scheduled kerbside garbage and recycling collection bin lifts] x10,000</i>	3.59	5.89	12.76	15.04	Increase resulting from changes to kerbside collection frequency following the rollout of FOGO bins.
Service cost					
Cost of kerbside garbage bin collection service <i>[Direct cost of the kerbside garbage bin collection service / Number of kerbside garbage collection bins]</i>	\$119.33	\$149.49	\$163.63	\$149.04	Costs have reduced since April 2024 following the introduction of FOGO kerbside collections and the resulting reduction of general waste collections from weekly to fortnightly.
Cost of kerbside recyclables collection service <i>[Direct cost of the kerbside recyclables bin collection service / Number of kerbside recyclables collection bins]</i>	\$85.15	\$77.88	\$82.38	\$90.89	Considerable increase to the cost of recycling processing.
Waste diversion					
Kerbside collection waste diverted from landfill <i>[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100</i>	48.46%	40.22%	34.23%	37.72%	FOGO was introduced in April 2024, along with a change of garbage frequency from weekly to fortnightly. This has assisted with the diversion of waste from landfill. Inaccurate data was provided for 20/21 & 21/22 due to reporting in cubic metres not tonnages, showing an inflated result.

Governance 06



The role of local government

Hepburn Shire Council is constituted under the Local Government Act 2020, which guides governance processes to support the municipality and the local community. The key focus of the principles-based Act is to enhance local democracy, accountability, and service delivery for all inhabitants of Victoria.

Council fulfils multiple roles, including:

- Consideration of the varied needs of the community when making decisions.
- Providing leadership via the establishment of strategic objectives, along with monitoring and reporting on their progress.
- Ensuring responsible and accountable management of resources.
- Advocating for the community's interests at local, state and federal level.
- Promoting community unity and motivating active civic participation.

A commitment to efficient and sustainable democratic and corporate governance is core to Council operations, aiming to cater to the needs of the community effectively. There are ample avenues for the community to play a role in Council's decisions, including community consultation, through Council's Participate Hepburn website, or through public participation in each regular Council Meeting.

Council decisions are made through Council meetings and by officers acting under delegation. Council staff exercise these delegations in line with Council policies and legislative requirements.

Council meetings

Council conducts scheduled meetings on the third Tuesday of each month, and unscheduled meetings as required. These meetings are open to the public.

Council meetings are livestreamed to Council's Facebook page, to maintain transparency and accessibility of these meetings to the public. The recordings and minutes are available on Council's website after the meeting.

All meetings are governed by Council's Governance Rules to allow for accountable and transparent conduct of Council meetings. The Governance Rules also provide the opportunity for community members to submit questions to the Council during scheduled Council meetings, or ask to address Council, and have the option to submit petitions to Council for consideration.

Council held 15 meetings in 2023/24, including three unscheduled meetings and one statutory meeting.

Meetings:

- 18 July 2023 – Ordinary Meeting of Council
- 15 August 2023 – Ordinary Meeting of Council
- 19 September 2023 – Ordinary Meeting of Council
- 17 October 2023 – Ordinary Meeting of Council
- 14 November 2023 – Statutory Meeting to elect the mayor and deputy mayor
- 21 November 2023 – Ordinary Meeting of Council
- 19 December 2023 – Ordinary Meeting of Council
- 20 February 2024 – Ordinary Meeting of Council
- 19 March 2024 – Ordinary Meeting of Council
- 16 April 2024 – Ordinary Meeting of Council
- 30 April 2024 – Special Meeting of Council
- 21 May 2024 – Ordinary Meeting of Council
- 28 May 2024 – Special Meeting of Council
- 18 June 2024 – Ordinary Meeting of Council
- 25 June 2024 – Special Meeting of Council

In addition to Council meetings, Councillors are briefed on relevant issues during Confidential Councillor Briefing sessions throughout the month.

Conflict of interest declarations

Councillors and members of Council staff are required under the Local Government Act 2020 to comply with the conflict of interest provisions as set out in the legislation.

During 2023/24, Councillors declared a total of 21 conflicts of interest. These declarations were made at both Councillor briefings and Council Meetings.

The following table provides a summary of Councillor attendance at Council Meetings in 2023/24:

Councillor	Conflicts of interest declared
Cr Jen Bray	4
Cr Tim Drylie	5
Cr Tessa Halliday	3
Cr Don Henderson	5
Cr Lesley Hewitt	1
Cr Brian Hood	0
Cr Juliet Simpson	3

Community asset committees

Community Asset Committees are committees established by Council under section 65 of the Local Government Act 2020 to manage community assets within the Shire. They each have an instrument of Delegation, and members are appointed by the CEO.

On 25 August 2020 Council resolved to establish the following Community Asset Committees:



Special Committee	Purpose
Creswick Museum Community Asset Committee	To administer, manage and control the historic Creswick Museum building and collection of artworks and artefacts.
Dean Recreation Reserve and Tennis Courts Community Asset Committee	To manage, control, operate and maintain the Dean Recreation Reserve and Tennis Courts.
Drummond Hall Community Asset Committee	To manage, control, operate and maintain the Drummond Hall premises.
Glenlyon Recreation Reserve Community Asset Committee	To administer, maintain and control the Glenlyon Recreation Reserve.
Lee Medlyn Home of Bottles Community Asset Committee	To administer, manage and control the property of the Clunes Historic Medlyn Complex, the Lee Medlyn Bottle collection, the Eberhard Factory and other collectables and displays contained in the facility.
Lyonville Hall Community Asset Committee	To manage, control, operate and maintain the Lyonville Hall.

Under the Local Government Act 2020, the CEO is required to submit a report to Council each year on the activities and performance of Community Asset Committees.

Councillor code of conduct

The Local Government Act 2020 requires Council to develop a Councillor Code of Conduct and details that Council must review and adopt the Councillor Code of Conduct within four (4) months after a general election. Council adopted a Councillor Code of Conduct in 2021.

The Hepburn Shire Council Councillor Code of Conduct:

- Sets standards of conduct expected of Councillors in order to ensure that good governance and increase public confidence in the administration of Council and integrity of local government is achieved and prohibits discrimination, harassment (including sexual harassment) and vilification.
- Endeavours to foster good working relationships between Councillors to enable Councillors to work constructively together in the best interests of the local community.
- Details governing principles to guide the Councillors in their duties and functions and details the roles and responsibilities of Councillors. The Code additionally provides a dispute resolution process.
- Details breaches of the Councillor Code of Conduct and includes obligations regarding child safety and gender equality, diversity and inclusiveness.

Councillor allowances

The duties of a councillor demand time, energy and commitment with many reducing their time in paid employment to meet the demands of the role. The Victorian Independent Remuneration Tribunal sets the allowances paid to Councillors, Mayors and Deputy Mayors. Councils are divided into three categories based on the income and population of the municipality. Hepburn Shire Council is currently recognised as a category 1 council.

The superannuation guarantee increased to 11% as of 1 July 2023.

From 1 July 2023 until 17 December 2023, the allowances paid to Councillors were:

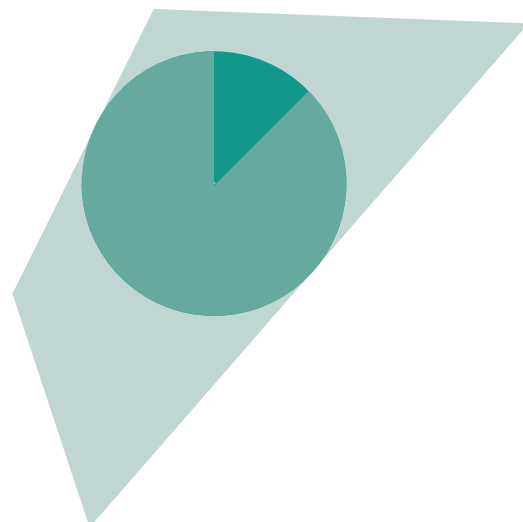
- Mayors - \$79,492
- Deputy Mayors - \$39,325
- Councillors - \$25,650.

From 18 December 2023 to 30 June 2024, the allowances paid to Councillors were:

- Mayors - \$81,641
- Deputy Mayors - \$40,819
- Councillors - \$26,368.

The following table contains a summary of the allowances paid to each Councillor during the year:

Councillors	Councillor Allowance
Cr Don Henderson	\$26,013
Cr Lesley Hewitt	\$31,809
Cr Brian Hood	\$80,578
Cr Tessa Halliday	\$26,024
Cr Jen Bray	\$26,024
Cr Tim Drylie	\$26,024
Cr Juliet Simpson	\$34,488
TOTAL	\$250,960



Councillor expenses

In accordance with sections 39-43 of the Local Government Act 2020, Council adopted the Council Expenses and Resources Policy on 25 August 2021. The policy provides guidance for the payment of reimbursements of expenses and the provision of resources, facilities and other support to the Mayor and Councillors to enable them to discharge their duties.

It is a requirement of Council to adopt and maintain this policy in relation to the reimbursement of expenses for Councillors.

The details of the expenses for Councillors for 2023/24 are set out in the following table.

Councillor	Training and development	Travel	Expenses to support the performance of the role	Total expenditure by Councillor
Councillor Expenses & Resources Guidelines Reference	2.1	2.2 & 2.3	2.4, 2.5, 2.6 & 2.7	
Cr Don Henderson	\$290	\$218	\$900	\$1,408
Cr Lesley Hewitt	\$1,553	\$218	\$900	\$2,671
Cr Brian Hood	\$1,795	\$13,355*	\$900	\$16,050
Cr Tessa Halliday	\$-	\$10,490	\$5,676	\$16,166
Cr Jen Bray	\$-	\$-	\$900	\$900
Cr Tim Drylie	\$2,017	\$ 709	\$900	\$3,626
Cr Juliet Simpson	\$1,000	\$-	\$900	\$1,900
Total expenditure by cost category	\$6,655	\$24,990	\$11,076	\$42,721

Note: *Travel – cost is inclusive of Mayoral vehicle or vehicle allowance allocation

Governance and management

Governance and Management Items	Assessment
Community Engagement Policy	Council's Community Engagement Policy was adopted in February 2021 at a Special Meeting of Council (and is due for review in June 2025).
Community engagement guidelines	Current guidelines commenced on 23 February 2021
Financial Plan	Plan adopted on 26 October 2021 and review commenced in June 2024.
Asset Plan	Plan adopted on 29 June 2021
Revenue and Rating Plan	Plan adopted on 29 June 2021
Annual budget	Budget adopted on 25 June 2024
Risk Policy	Policy adopted on 21 November 2023
Fraud Policy	Council adopted its Fraud Prevention Policy in 2021.
Municipal Emergency	Plan adopted on 16 September 2018. Council is on track in meetings its obligations under Section 20 of the Emergency Management Act with a planned formal review of the plan to occur in 2025.
Management Plan	Plan adopted on 16 September 2018. Council is on track in meetings its obligations under Section 20 of the Emergency Management Act with a planned formal review of the plan to occur in 2025.
Procurement Policy	Adopted 19 September 2023.
Business Continuity Plan	A full review of the Business Continuity Plan is required and is expected to begin in 2025.
Disaster Recovery Plan	Current plan adopted on 25 May 2017.
Risk management framework	Council adopted its Risk Management Framework on 21 December 2021. Approximately half of the planned audits have been completed, and Council is well positioned to complete the current Audit Program by 2024. It will be reviewed in 2025.
Audit and Risk Committee	The Audit and Risk Committee met five times during 2023/24, and reports were prepared in line with the Audit and Risk Committee workplan to ensure appropriate oversight across Council's financial, risk management and audit activities.
Performance reporting framework	The current performance reporting framework commenced on 1 July 2022.

Governance and Management Items	Assessment
Council Plan report	Reports tracking progress against the Council Plan were presented to Council quarterly.
Quarterly budget reports	Budget reports are prepared quarterly.
Risk reporting	Council reviewed its risk registers during the year and established a refreshed reporting framework for risk commencing in 2024/2025.
Performance reporting	Reports were presented to Council quarterly.
Annual report	Council's Annual Report 2022/23 was endorsed on 17 October 2023.
Councillor Code of Conduct	Adopted and signed by all Councillors on 23 February 2021.
Delegations	Instruments of Delegation and Authorisation are updated at least every six months, and as needed to account for organisational requirements.
Meeting procedures	Meeting procedures were updated on 25 August 2022.

Protected disclosure procedures

In accordance with section 69 of the Protected Disclosure Act 2012 a council must include in their annual report information about how to access the procedures established by the council under Part 9 of that Act. It is also required to provide certain information about the number and types of public interest disclosures complaints investigated during the financial year.

The Protected Disclosure Act 2012 aims to ensure openness and accountability in government by encouraging people to disclose improper conduct within the public sector and provide protection for people who make disclosures. Procedures on how to make a disclosure are publicly available Council's website at www.hepburn.vic.gov.au/public-interest. During 2023/24 no disclosures were notified to council officers appointed to receive disclosures, or to the Independent Broad-based Anti-corruption Commission (IBAC).

Food act ministerial directions

In accordance with section 7E of the Food Act 1984, Council is required to publish a summary of any Ministerial Directions received during the financial year in its annual report. No such Ministerial Directions were received by Council during the 2023/24 financial year.

Road management act ministerial directions

In accordance with section 22 of the Road Management Act 2004, a council must publish a copy or summary of any Ministerial direction in its annual report. No such Ministerial Directions were received by Council during the financial year.

Infrastructure and development contributions

In accordance with section 46GM and 46QD of the Planning and Environment Act 1987, a council that is a collecting or development agency must prepare and give a report to the Minister for Planning on infrastructure and development contributions including levies and works in kind. The report must be published in a council's annual report. For the 2022/23 year there were no infrastructure and development contributions collected.

Audit and risk management

Council established the Audit and Risk Committee (ARC) pursuant to section 53 of the Local Government Act 2020 on 25 August 2020. The Audit and Risk Committee, whilst not a delegate committee of Council, acts as an advisory committee to Council (in that it doesn't have any decision-making powers of Council) and assists Council with oversight in the areas of risk, governance, financial management and compliance.

In 2023, two long standing members of the Committee, Ms Carol Pagnon and Mr Robert Taylor, reached the end of their terms. Council thanks them for their commitment and service during their time on the Committee.

Council welcomed three new members to the committee in November 2023.

Independent members for 2023/24 were:

- Ms Carol Pagnon (Chair June – December 2023, departed December 2023)
- Mr Robert Taylor (Departed December 2023)
- Mr Jason Young
- Mr Shane Marr (Chair March – June 2024, appointed November 2023)
- Ms Philippa Murphy (Appointed November 2023)
- Mr Kelvin Tori (Appointed November 2023)

Councillor Members were:

- Cr Brian Hood (November 2020 – June 2024)
- Cr Juliet Simpson (November 2022 – June 2024)

At these meetings the committee considers the following agenda items:

- Review of key risks and controls
- Summary of quarterly finance reports
- Summary of quarterly management reports
- Mid-year budget review
- Annual budget review
- Review of councillor expenses
- Internal audit reports

- External audit reports and management letters
- Review of compliance obligations
- Progress on internal and external audit recommendations
- Policy and procedure review.

Council's internal audit function provides independent and objective assurance that the appropriate processes and controls are in place. A risk based three-year Internal Audit Plan is revised annually to ensure the audit resources remain focused on the appropriate areas.

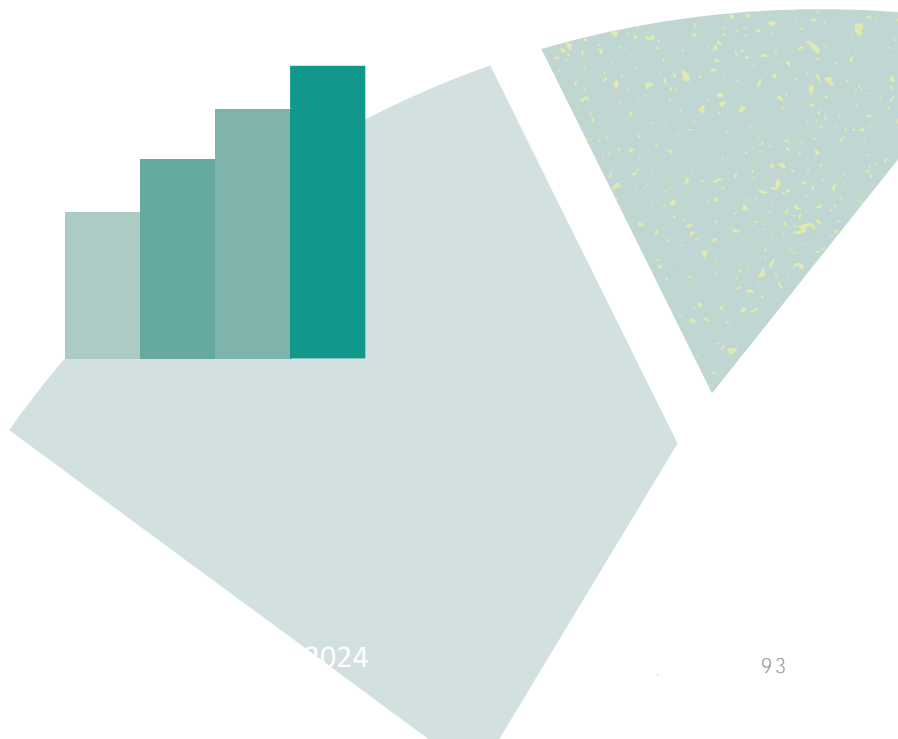
The audit plan considers Council's risk framework, the Council Plan, the impact of any change on operations, systems or the business environment, prior audit coverage and outcomes and management input. The plan is reviewed and approved by the Audit and Risk Committee annually.

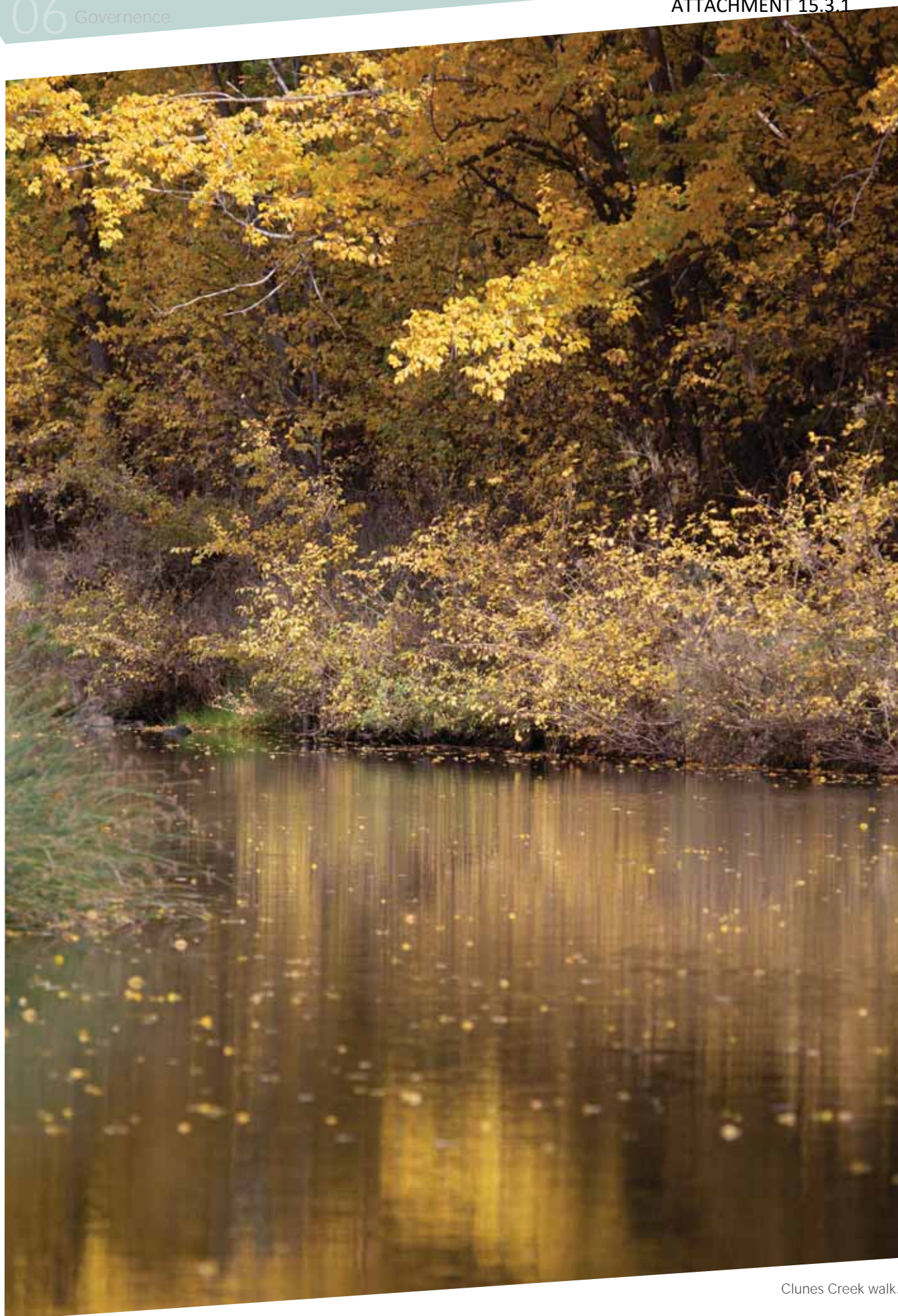
The Internal Auditor attends each Audit and Risk Committee meeting to report on the status of the Audit Plan, provide an update on the implementation of audit recommendations, and present findings of completed audits. All audit issues identified are risk rated and tracked in Council's performance management system.

Internal Audits conducted in 2023/24 were:

- Payroll Key Controls
- Psychosocial Risks
- Review of the implementation of recommendations from past audits

Council adopted its Risk Management Framework in December 2021. In November 2023, Council adopted its Risk Management Policy and in 2024 completed a review of its risk registers.





Clunes Creek walk.

Procurement management reporting

In accordance with the Local Government Act 2020, Council adopted the Procurement Policy on 19 September 2023.

For the financial year 1 July 2023 to 30 June 2024, Council entered into contracts for \$300,000 inclusive of GST or more for the purchase of goods or services or works.

The following table provides a list of these contracts where a public process was undertaken in compliance with the Procurement Policy for the financial year commencing on 1 July 2023:

During the period 01 July 2023 – 30 June 2024 Council entered into no contracts without first undertaking a competitive public process consisting of either a public tender or expression of interest.

Contract Title	Contract Value (Inclusive of GST)
Sealed Road Patching Autumn 2023	\$550,000.00
Transfer Station Bulk Bins	Schedule of Rates
Dry Hire Supplier Panel	Schedule of Rates
Quarry Materials, Gravel & Recycles Construction Materials	Schedule of Rates
Reconstruction Smeaton Road, Campbelltown	\$363,749.10
Central Springs Reserve - Stage 1	\$878,158.60
Building Services Supplier Panel	Schedule of Rates
Kerbside and Public Bin Collection, and Landfill Waste Disposal	\$498,163.46

Financial Report 07



Financial Report

Council, like most local governments, is experiencing a challenging fiscal environment with increasing costs for the delivery of capital projects and operating services, combined with extraordinary costs associated with unprecedented natural disasters and weather events, works on the two major storm events and the rising costs in the economy.

Although rate capping has been implemented for several years, the impact on rate revenue for small rural councils is still significant. Council is in a delicate financial position which must continue to be managed over the coming years in order to achieve long term sustainability.

Overview

- A deficit of \$9.9 million (2022/2023 \$2.6 million deficit) against an original budget of \$5.1 million deficit. The increased deficit is predominately due to timing of State and Federal Government funding, including the Financial Assistance Grants of approximately \$6 million (received in July 2024).
- A net asset revaluation increment (non-cash) of \$114.9 million (2022/2023 \$23.9 million), as Council has undertaken a full, and detailed revaluation of its land, building and road assets.
- Revenue of \$39.2 million (2022/2023 \$54.0 million) with 66% coming from rates and waste charges (2022/2023 46%).
- Operating expenditure of \$49 million (2022/2023; \$56.6 million), with 37% attributable to employee costs (2022/2023; 33%) and 35% attributable to materials and services (2022/2023; 41%).
- \$484.7 million in capital assets (at written down value), providing community facilities, roads, bridges and other infrastructure (2022/2023; \$364.4 million).

- Cash and other financial assets of \$7.8 million (2022/2023; \$18.5 million), which after excluding external restrictions and internal allocations, provides revised cash and cash equivalents of \$(4.838)m (2022/2023; \$1.409m) and is being closely monitored.
- The total balance of loan borrowings at the end of the 2023/2024 financial year was \$9.4 million (2022/2023; \$3.9 million).

Cash

Council's cash, cash equivalents and other financial assets decreased \$10.7 million to \$7.8 million at 30 June 2024 (2022/2023; \$18.5 million). Council's cash and cash equivalents are subject to external restrictions and internal allocations that limit the amounts available for discretionary use.

At 30 June 2024 Council's working capital ratio, which represents Council's current assets as a percentage of current liabilities, was 141.04% (238% at 30 June 2023).

Income

Total income for the financial year was \$39.2 million (2022/2023; \$54.0 million).

This included \$3.7 million of capital grants (2022/2023; \$9.6 million).

Expenses

Council incurred total expenditure of \$49.0 million in the financial year (2022/2023; \$56.6 million). As a service-based entity, Council's main costs are employee costs. Employee costs for the financial year were \$18.0 million or 37% of total expenses (2022/2023; \$18.7 million or 33%). Materials and services for the financial year were \$17.4 million or 35% of total expenses (2022/2023; \$23.2 million or 41%).

Capital works

Of the \$16.8 million capital expenditure (\$14.6 million 2022/2023), 25% was spent on renewal of assets (2022/2023, 38%) and 53% was spent on new assets (2022/2023, 42%). Renewal of assets as opposed to building new assets or upgrading assets is an important focus of Council as it works towards reducing the infrastructure renewal gap.

Council's capital assets provide community facilities, roads, bridges and other infrastructure that are important to the everyday functioning of our community. The written down value of these assets continues to increase over time.

Unrestricted cash position

Council has a very delicate cash position. The majority of cash reserves held at 30 June 2024 have been allocated to fund carry-forward projects, reserves and refundable deposits and are therefore considered to be restricted funds. Council's unrestricted cash balance as at 30 June 2024 was \$4.838m in deficit (\$2.64m in deficit in 2023). The deficit has been caused by a range of factors over this and past financial years including timing of grants and a high level of capital works. The unrestricted cash position is budgeted to return to a minor surplus in 2024/25 and is being carefully managed over coming years.

Liabilities

Council's liabilities comprise of loans, amounts owed to suppliers and amounts owed to employees for leave entitlements. The total balance of loan borrowings at the end of the 2023/2024 financial year was \$9.4 million (2022/23 was \$3.9 million).

Financial Vision

Council is committed to transparency and accountability when delivering on our financial strategy and the delivery of our services. In the 2024/25 budget, Council has committed to making \$1.5 million in operating savings and is now committing to working with community and Councillors to ensure our long-term financial viability.

In 2025/26, Council needs to find an additional \$4 million in long-term savings or additional revenue to develop a financially responsible plan that delivers on our shared Community Vision.

A responsible Financial Vision was adopted by Council on 10 September 2024, and should be read in conjunction with this Annual Report and the audited Financial and Performance Statements.

Audited Financial and Performance Statements

The detailed and audited financial and performance statements are an appendix to this Annual Report, and are also included on Council's website.

Storm Recovery

Council has been impacted by three significant storm events during the financial years 2020/21 to 2023/24. To date nearly \$15 million of repair works have been incurred by Council. The majority of these works are reimbursed by State and Federal Government. As at 30 June 2024 the total cost to Council is expected to be \$3.30 million - this relates to repair works undertaken to key community infrastructure including roads and parks that are not reimbursed. Council has taken the decision to include these works to respond to community needs to recovery post the events.



Djuwang Baring Smoking Ceremony fire pit.



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15.4 REVISION OF INSTRUMENTS OF DELEGATION FROM COUNCIL TO THE CEO (S5) AND COUNCIL TO COUNCIL STAFF (S6) AND ELECTION PERIOD ARRANGEMENTS EXECUTIVE MANAGER PERFORMANCE AND TRANSFORMATION

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

ATTACHMENTS

1. S5 Instrument of Delegation Council to CEO July 2024 - ongoing revision [15.4.1 - 4 pages]
2. S5 Instrument of Delegation Council to CEO July 2024 Proposed Temporary Delegation [15.4.2 - 4 pages]
3. S6 - Instrument of Delegation - Council to Council Staff - ongoing revision [15.4.3 - 116 pages]
4. S6 - Instrument of Delegation - Council to Council Staff - Proposed Temporary Delegation [15.4.4 - 8 pages]
5. S18 - Instrument of Sub Delegation to Council Staff under the Environment Protection Act [15.4.5 - 5 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *In the exercise of the power conferred by s 11(1)(b) of the Local Government Act 2020 (the Act), resolves that:*
 - a. *There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument;*
 - b. *The instrument comes into force immediately upon this resolution being made and is to be signed by the Chief Executive Officer and the Mayor;*
 - c. *On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked; and,*
 - d. *The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*
2. *In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolves that:*

- a. *There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;*
 - b. *The instrument comes into force immediately upon resolution of Council and is to be signed by the Council's Chief Executive Officer and the Mayor;*
 - c. *On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and,*
 - d. *The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*
3. *Acknowledges that due to the upcoming Council election period, the timing of the appointment and induction of Councillors, the consequent absence of Ordinary Council Meetings in October and November and the need for officers to continue conducting Council business in an efficient and timely manner temporary amendments to delegations are required.*
4. *Resolves that from 17 September 2024 to 31 January 2025 the Chief Executive Officer is authorised to enter into a contract or incur expenditure up to the value of \$750,000, including GST, within approved budget, noting transactions above the current delegation of \$330,000 are to be co-authorised by two other members of the Executive Team;*
5. *Resolves that from 17 September 2024 to 31 January 2025 the Executive Manager Development and Community Safety, pursuant to section 61(1) of the Planning and Environment Act 1987, is authorized to determine all permit applications, including those that ordinarily would be presented to Council for decision, either to decide to issue a notice of decision to grant a planning permit (with conditions) or to refuse to grant a planning permit.*
6. *Notes that the Chief Executive Officer and Executive Manager Development and Community Safety may, at their discretion during this period, refer decisions to a future Council Meeting, notwithstanding their temporarily increased delegated authority, if they consider it appropriate; and*

7. *Notes that the register of Planning Permit applications will be promoted in the 'Announcement' section on the website to increase community transparency.*
8. *Requests that the Chief Executive Officer prepare a report for the February 2025 Council Meeting outlining all decisions made under these temporary delegations.*
9. *In the exercise of the power conferred by s 437(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, resolves that:*
 - a. *There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.*
 - b. *The instrument comes into force immediately the common seal of Council is affixed to the instrument.*
 - c. *The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

EXECUTIVE SUMMARY

Instruments of Delegation represent the formal delegation of powers by Council under the *Local Government Act 2020* (the Act) and enable the business of Council to be carried out efficiently and in line with Council approved policies.

The revised instruments reflect staffing changes in the organisation, along with legislative changes and amendments suggested by Maddocks as part of their continual review processes.

BACKGROUND

Instruments of Delegation represent the formal delegation of powers by Council. Section 11(1)(b) of the *Local Government Act 2020* (the Act) provides for a Council to delegate powers, duties and functions to its CEO under the Act or any other Act, other than certain specified powers.

Delegations enable the business of Council to be carried out effectively, in line with Council approved policies and are assigned to positions within Council, rather than to staff individually. When executing powers under delegation, staff are also limited and bound by Council policies and procedures.

Section 11 of the Act specifies a number of powers, duties and functions that must be specified through Instruments of Delegation, along with a number of exclusions to what can be delegated to the CEO.

Council subscribes to the Maddocks Authorisations and Delegations Service, which provides advice regarding legislative amendments and template instruments which are then tailored to organisational requirements. Maddocks have informed Council about the legislative changes that affect the powers, duties and functions of Council.

The following table provides an overview of Council's Instruments of Delegation, what powers are delegated, and what approval is required:

Delegation from Council

Require resolution of Council

Schedule 5 – Delegation from Council to the CEO under the *Local Government Act 2020*

Includes delegations required and excluded under the Local Government Act 2020

Schedule 6 – Delegation from Council to Council Staff under various Acts

Powers are delegated direct to officers under the following Acts:

- *Cemeteries and Crematoria Act 2003*
- *Domestic Animals Act 1994*
- *Environment Protection Act 1970*
- *Food Act 1984*
- *Heritage Act 2017*
- *Local Government Act 1989*
- *Local Government Act 2020*
- *Planning and Environment Act 1987*
- *Residential Tenancies Act 1997*
- *Road Management Act 2004*
- *Cemeteries and Crematoria Regulations 2015*
- *Planning and Environment Regulations 2015*
- *Planning and Environment (Fees) Regulations 2016*
- *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024*
- *Road Management (General) Regulations 2016*
- *Road Management (Works and Infrastructure) Regulations 2015*

Schedule 18 - Instrument of Delegation Environment Protection Authority powers from Council to members of Council staff

Allows authorised officer to exercise powers held by the Environment Protection Authority under the Environment Protection Act 2017, specifically relating to:

- *onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and*

- *noise from the construction, demolition or removal of residential premises.*

Delegation from the CEO

To be determined by the CEO

Schedule 7 – Sub-delegation from the CEO to Council Staff under various Acts

Powers, as delegated to the CEO by Council or under various Acts, are sub-delegated to Council Staff under various Acts and through administrative powers.

Schedule 13 – delegation directly from the CEO to Council Staff under various Acts

Schedule 14 – delegation from the CEO to Council Staff related to VicSmart applications

Schedule 15 – authorisation from the CEO to Council Staff related to Freedom of Information Processing

Schedule 16 – delegation from the CEO to Council Staff related to bushfire reconstruction

Schedule 17 – authorisation from the CEO to Council Staff related to the *Oaths and Affirmation Act 2018*

KEY ISSUES

Proposed temporary arrangements during the Election Period

In order for effective operation of the organisation to continue during the Election Period and through the induction of the new Council Term, officers are proposing two temporary delegations be put in place from 17 September 2024 to 31 January 2025.

The first is in relation to the S5 Delegation from Council to the CEO. Officers propose that the CEO's financial delegation be extended to \$750,000 (Including GST) for the dates noted above, with the following restrictions and requirements:

- expenditure can only be approved with existing approved budget
- transactions above the current delegation of \$330,000 are to be co-authorised by two other members of the Executive Team;
- the Chief Executive Officer would prepare a report for the February 2025 Council Meeting outlining all decisions made under these temporary delegations.

The second temporary delegation proposed is under section 61(1) of the *Planning and Environment Act 1987*, with would empower the Executive Manager Development and Community Safety to determine all permit applications, including those that ordinarily would be presented to Council for decision, either to decide to

grant a permit, to decide a grant a permit with conditions or to refuse a permit application. The Executive Manager would present a report to the February 2025 Council Meeting outlining all decisions made under the temporary delegations.

Should Council elect not to extend the planning delegations, this could create significant backlog to be resolved when Council Meetings resume. Council also risks applications being referred to VCAT for failure to determine while applications are waiting for a Council Meeting to be heard.

Instrument of Delegation to Chief Executive Officer (S5) – to be adopted by Council

Other than arrangements proposed for the Election Period, there are no legislative changes advised by Maddocks for this instrument. The Instrument is based upon the Maddocks template, and continues the delegations approved in September 2023.

Instrument of Delegation to Members of Staff (S6) – to be adopted by Council

The revised Instrument of Delegation to Members of Council staff is based upon the previous Instrument considered by Council in September 2023. This revision has also been updated to include recent position changes across the organisation.

The Instrument has been revised incorporating recent legislative changes and to provide further clarity on officer powers.

Amendments to the delegated powers, duties and functions in the revised Instrument of Delegation to Members of Council Staff are largely administrative in nature and will not result in any significant changes to current practices.

The revised instrument, including tracked changes is attached. In summary, the legislative changes to the revised Instrument of Delegation are:

The following changes have been made to the S6:

- Minor amendments to the *Food Act 1984* regarding registration processes for food premises.
- Minor amendments to the *Road Management Act 2004* and the *Residential Tenancies (Caravan parks and movable dwellings registration and standards) Regulations 2024*, repealing some provisions.

Instrument of Sub-Delegation to Council Staff under the Environment Protection Act 2017 (s18)

There are no legislative changes to the authorisation under the *Environment Protection Act 2017*. The instrument has been updated in line with staff appointments.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

A dynamic and responsive Council

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

Amendments to the delegated powers, duties, and functions in the revised Instrument of Delegation to Members of Council Staff are administrative in nature and will not result in any significant changes to current practices.

It is noted that the instruments provide that a power, duty, or function may only be exercised in accordance with adopted policies.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The revised Instruments of Delegation have been prepared based on current advice provided by Council's solicitor Maddocks.

Consultation has occurred with Managers, Coordinators, and relevant staff during the preparation of the revised Instruments of Delegation to ensure that appropriate staff delegates have been nominated.

RISK AND GOVERNANCE IMPLICATIONS

Reviewing Council's delegations ensures Council continues to comply with its obligations under various Acts and Regulations and enables the business of Council to be carried out efficiently.

If the Council did not delegate duties, powers, and functions to members of Council staff and enable the CEO to do the same, Council would not be able to manage the volume of work and decisions that are effectively carried out by officers every day.

Appropriate conferring of powers to positions within Council also enables decisions that are made on a day-to-day basis to be compliant and reduce the opportunity to be challenged from an authorising environment perspective.

ENVIRONMENTAL SUSTAINABILITY

There are no sustainability implications associated with this report.

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report.

S5 Instrument of Delegation to Chief Executive Officer

Hepburn Shire Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020* (**the Act**) and all other powers enabling it, the Hepburn Shire Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on XX
2. the delegation
 - 2.1 comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.

Signed by the Chief Executive Officer of Council
in the presence of:

)
)

.....
Witness:

Date:

Signed by the Mayor in the presence of:

)
)

.....
Witness:

Date:

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

1. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 1.1 entering into a contract or making an expenditure exceeding the value of \$330,000, including GST, with approved budget
 - 1.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 1.3 electing a Mayor or Deputy Mayor
 - 1.4 granting a reasonable request for leave under s35 of the Act;
 - 1.5 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 1.6 approving or amending the Council Plan;
 - 1.7 adopting or amending any policy that Council is required to adopt under the Act;
 - 1.8 adopting or amending the Governance Rules
 - 1.9 appointing the chair or the members to a delegated committee;
 - 1.10 making, amending or revoking a local law;
 - 1.11 approving the budget or revised budget;
 - 1.12 approving the borrowing of money;
 - 1.13 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - 4.1 policy; or
 - 4.2 strategy
adopted by Council
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

S5 Instrument of Delegation to Chief Executive Officer

Hepburn Shire Council

Instrument of Delegation

to

The Chief Executive Officer

Proposed Temporary Delegation

Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020* (**the Act**) and all other powers enabling it, the Hepburn Shire Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on XX
2. the delegation
 - 2.1 comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force from noon 17 December 2024 until 31 January 2025.

Signed by the Chief Executive Officer of Council
in the presence of:

)
)

.....
Witness:

Date:

Signed by the Mayor in the presence of:

)
)

.....
Witness:

Date:

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

1. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 1.1 entering into a contract or making an expenditure exceeding the value of \$750,000, including GST, with approved budget, noting that transactions between \$330,000 including GST are to be co-authorised by two other members of the Executive Team;
 - 1.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 1.3 electing a Mayor or Deputy Mayor
 - 1.4 granting a reasonable request for leave under s35 of the Act;
 - 1.5 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 1.6 approving or amending the Council Plan;
 - 1.7 adopting or amending any policy that Council is required to adopt under the Act;
 - 1.8 adopting or amending the Governance Rules
 - 1.9 appointing the chair or the members to a delegated committee;
 - 1.10 making, amending or revoking a local law;
 - 1.11 approving the budget or revised budget;
 - 1.12 approving the borrowing of money;
 - 1.13 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - 4.1 policy; or
 - 4.2 strategy
adopted by Council
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

S6 Instrument of Delegation – Members of Staff

Hepburn Shire Council

Instrument of Delegation

to

Members of Council Staff

XX September 2024

Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

Not Delegated means not delegated below Chief Executive Officer

CEO means Chief Executive Officer

DCAC means Director Community and Corporate

DIAD means Director Infrastructure and Delivery

EMDCS means Executive Manager Development and Community Safety

EMPT means Executive Manager Performance and Transformation

All D means All Directors and Executive Managers

All M means All Managers

All C means Coordinators

All S means All Supervisors with reports

All means All Staff

ACC means Accountant

AFPO means Assistant Fire Prevention Officer

AMS means Asset Management Specialist

ASBS means Assistant Building Surveyor

ASBCS means Administration Support Building and Community Safety

BAS means Building Administration Support

BUIN means Building Inspector

CCS means Coordinator Community Safety

CCX means Coordinator Customer Experience and Libraries

CED means Coordinator Economic Development

CEH means Coordinator Environmental Health

CENG	means Coordinator Engineering
CF	means Coordinator Facilities
CFR	means Coordinator Financial Revenues
CFS	means Coordinator Financial Services
CFUS	means Coordinator Financial Sustainability
CGE	means Coordinator Governance
CHC	means Coordinator Healthy Communities
CHSW	means Coordinator Health Safety and Wellbeing
CIMO	means Senior Information Management Officer
CMPP	means Coordinator Major Projects and Policy
COMOF	means Communications Officer
CPAC	means Coordinator People and Culture
CPAR	means Coordinator Parks and Open Spaces
CPLAN	means Coordinator Statutory Planning
CPPO	means Corporate Planning and Performance Officer
CRAS	means Coordinator Sport and Active Recreation
CRR	means Coordinator Resource Recovery
CSY	means Community Safety Officer
CSUS	means Coordinator Sustainability and Climate Resilience
CTAI	means Coordinator Transformation and Improvement
CXO	means Customer Experience Officer
CXTL	means Customer Experience Team Leader
CWK	means Coordinator Works
DSEO	means Development Services Enforcement Officer
EHO	means Environment Health Officer
EHTO	means Environment Health Technical Officer
ENGO	means Engineering Officer
GAD	means Governance Advisor
GSP	means Grants Specialist

IFO	means Information Management Officer
MBS	means Municipal Building Surveyor
MCAE	means Manager Community and Economy
MCCX	means Manager Communications and Customers
MCS	means Manager Community Safety
MEMO	means Municipal Emergency Management Officer
MFCE	means Manager Facilities and Circular Economy
MFPO	means Municipal Fire Prevention Officer
MFS	means Manager Financial Services
MGR	means Manager Governance and Risk
MICT	means Manager ICT
MOPD	means Manager Operations and Delivery
MPB	means Manager Planning and Building
MPC	means Manager People and Culture
MRM	means Municipal Recovery Manager
MSTRP	means Manager Strategic Planning
PAS	means Planning Administration Support
PRS	means Procurement Officer
PSP	means Principal Strategic Planner
RFO	means Revenue and Finance Officer
SAP	means Statutory Planner
SARO	means Sport and Active Recreation Officer
SARPO	means Sport and Active Recreation Project Officer
SRO	means Senior Rates Officer
SRP	means Strategic Planner

3. declares that:

3.1 this Instrument of Delegation is authorised by resolutions of Council passed on XX and

- 3.2 the delegation:
- 3.2.1 comes into force immediately when the Chief Executive Officer executes the Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
- 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; ~~or~~
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council; ~~1~~
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 3.3.4 if the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

Signed by:

.....
Mayor Cr Brian Hood

.....
Chief Executive Officer Bradley Thomas

SCHEDULE

INDEX

CEMETERIES AND CREMATORIA ACT 2003	1
DOMESTIC ANIMALS ACT 1994	16
FOOD ACT 1984	17
HERITAGE ACT 2017	26
LOCAL GOVERNMENT ACT 1989	27
PLANNING AND ENVIRONMENT ACT 1987	28
RESIDENTIAL TENANCIES ACT 1997	77
ROAD MANAGEMENT ACT 2004	78
CEMETERIES AND CREMATORIA REGULATIONS 2015	90
PLANNING AND ENVIRONMENT REGULATIONS 2015	95
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016	96
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020	97
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	101
ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015	103

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	All D	
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	All D	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) – (c) in exercising its functions	All D	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) – (n)	Not applicable	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) – (e) in exercising its functions	Not applicable	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	All D	
s 14	Power to manage multiple public cemeteries as if they are one cemetery	All D	
s 15(4)	Duty to keep records of delegations	All D, MGR	
s 17(1)	Power to employ any persons necessary	Not delegated	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	All D, MGR	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(3)	Power to determine the terms and conditions of employment or engagement	All D, MPC	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	All D, MGR	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	Not applicable	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	Not applicable	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	Not applicable	Where Council is a Class A cemetery trust
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	Not applicable	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	Not applicable	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under s 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	Not applicable	Where Council is a Class A cemetery trust
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the <i>Financial Management Act 1994</i>	Not applicable	Where Council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	Not applicable	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	Not applicable	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	Not applicable	Where Council is a Class A cemetery trust
s 18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	Not applicable	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	Not applicable	Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	Not applicable	Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	Not applicable	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	Not applicable	Where Council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	Not applicable	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	Not applicable	Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	Not applicable	Where Council is a Class A cemetery trust
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	Not applicable	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year	Not applicable	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	All D, MGR	
s 20(1)	Duty to set aside areas for the interment of human remains	All D	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	All D	
s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)	All D	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	All D	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	Not delegated	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	Not delegated	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	All D, MGR	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Not applicable	Provided the street was constructed pursuant to the <i>Local Government Act 2020</i>
s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	All D, MGR	
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	All D, MGR	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	All D, MGR	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	All D, MGR	
s 60(2)	Power to charge fees for providing information	All D, MGR	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	All D	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64B(d)	Power to permit interments at a reopened cemetery	All D	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Not delegated	The application must include the requirements listed in s 66(2)(a)–(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	All D	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	All D	
s 70(2)	Duty to make plans of existing place of interment available to the public	All D	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	All D	
s 71(2)	Power to dispose of any memorial or other structure removed	All D	
s 72(2)	Duty to comply with request received under s 72	All D	
s 73(1)	Power to grant a right of interment	All D, MGR	
s 73(2)	Power to impose conditions on the right of interment	All D, MGR	
s 74(3)	Duty to offer a perpetual right of interment	All D	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	All D, MGR	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	All D	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	Not delegated	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	All D, MGR	
s 80(2)	Function of recording transfer of right of interment	All D, MGR	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	All D, MGR	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	All D, MGR	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	All D, MGR	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	All D, MGR	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	All D, MGR	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	All D, MGR	
s 84I(4)	Power to exercise the rights of a holder of a right of interment	All D, MGR	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	All D, MGR	
s 84I(6)(a)	Power to remove any memorial on the place of interment	All D, MGR	
s 84I(6)(b)	Power to grant right of interment under s 73	All D, MGR	
s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	All D, MGR	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	All D, MGR	Does not apply where right of interment relates to remains of a deceased veteran.

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; Remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location	Not delegated	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	Not delegated	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	Not delegated	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	Not delegated	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	Not delegated	
s 86(4)	Power to take action under s 86(4) relating to removing and re-intering cremated human remains	Not delegated	
s 86(5)	Duty to provide notification before taking action under s 86(4)	All D	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	All D	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	All D	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	All D	
s 91(1)	Power to cancel a right of interment in accordance with s 91	All D	
s 91(3)	Duty to publish notice of intention to cancel right of interment	All D	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	All D	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	All D, MGR	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	All D	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	All D	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 100(1)	Power to require a person to remove memorials or places of interment	All D, MGR	
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	All D	
s 100(3)	Power to recover costs of taking action under s 100(2)	All D	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	All D	
s 102(1)	Power to approve or refuse an application under s 101, if satisfied of the matters in (b) and (c)	Not delegated	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	Not delegated	
s 103(1)	Power to require a person to remove a building for ceremonies	Not delegated	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	All D	
s 103(3)	Power to recover costs of taking action under s 103(2)	All D	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	All D, MGR	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 106(2)	Power to require the holder of the right of interment to provide for an examination	All D, MGR	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	All D, MGR	
s 106(4)	Power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	All D, MGR	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	All D, MGR	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	All D, MGR	
s 108	Power to recover costs and expenses	All D, MGR	
s 109(1)(a)	Power to open, examine and repair a place of interment	All D, MGR	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	All D, MGR	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	All D, MGR	Where the holder of right of interment or responsible person cannot be found

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder with consent of the Secretary	All D, MGR	
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary	All D, MGR	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	All D, MGR	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	All D, MGR	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	All D, MGR	
s 112	Power to sell and supply memorials	Not delegated	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	All D, MGR	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	All D, MGR	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	All D, MGR	
s 119	Power to set terms and conditions for interment authorisations	All D, MGR	
s 131	Function of receiving an application for cremation authorisation	Not applicable	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	Not applicable	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	All D, MGR	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	Not delegated	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	Not delegated	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	All D, MGR	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	All D, MGR	

CEMETERIES AND CREMATORIA ACT 2003 The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 151	Function of receiving applications to inter or cremate body parts	All D, MGR	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	All D, MGR	
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not delegated	
sch 1 cl 8(8)	Power to regulate own proceedings	Not delegated	Subject to cl 8
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not applicable	Where Council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings	Not applicable	Where Council is a Class A cemetery trust Subject to cl 8

DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog	EMDCS , MSTRP , MPB , MCS , GHCS , <u>CCS</u> CEO,	Council may delegate this power to a Council authorised officer

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CEO, EMD EMDCS , MCS , CHCSCEH , EHO	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CEO, EMD EMDCS , MCS , CHCS , CEH , EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEO, EMD EMDCS , MCS , CHCSCEH , EHO	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, (ia) displayed at any point of sale , (ib) be published on the food business's Internet site and (ii) inform the public by notice in a published newspaper, on the Internet site or otherwise	CEO, EMD EMDCS , MCS , CHCSCEH , EHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	CEO, EMD CS , MCS , CHCSCEH , EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	CEO, EMD CS , MCS , CHCSCEH , EHO	If s 19(1) applies

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEO, EMD CS , MCS , CHCSCEH , EHO	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEO, EMD CS , MCS , CHCSCEH , EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution Only in relation to temporary food premises or mobile food premises
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEO, EMD CS , MCS , CHCSCEH , EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEO, EMD CS , MCS , CHCSCEH , EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	CEO, EMD CS , MCS , CEHHCS , EHO, EHTO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19FA(1)	Power to direct a proprietor of a food premises to revise the food safety program for the premises or comply with any requirements specified in the food safety program	CEO, EMDCS, MCS, CEH, EHO	Where Council is the registration authority Only in relation to temporary food premises or mobile food premises Subject to s 19FA(2), which requires a time limit for compliance to be specified
s 19FA(3)(a)	Power to refuse to approve an application for registration or renewal of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CEO, EMDCS, MCS, CEH, EHO	Where Council is the registration authority Only in relation to temporary food premises or mobile food premises Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 19FA(3)(b)	Power to revoke a registration granted in respect of premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CEO, EMDCS, MCS, CEH, EHO	Where Council is the registration authority Only in relation to temporary food premises or mobile food premises
s 19FA(3)(c)	Power to suspend the registration of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CEO, EMDCS, MCS, CEH, EHO	Where Council is the registration authority Only in relation to temporary food premises or mobile food premises
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CEO, EMDCS, MCS, CHCSCEH, EHO, EHTO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	CEO, EMD CS , MCS , CHCSCEH , EHO	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEO, EMD CS , MCS , CHCSCEH , EHO	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
---	Power to register or renew the registration of a food premises	CEO, EMD CS , MCS , CHCSCEH , EHO	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	CEO, EMD CS , MCS , CHCSCEH , EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 36B	Duty to pay the charge for use of online portal	CEO, EMD CS , MCS , CHCSCEH , EHO	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	CEO, EMD CS , MCS , CHCSCEH , EHO, EHTO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEO, EMD CS , MCS , CHCSCEH , EHO	Where Council is the registration authority; not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	CEO, EMD CS , MCS , CHCSCEH , EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEO, EMD CS , MCS , GHCS CESH , EHO	Where Council is the registration authority
s 38G	Power to require the proprietor of the food premises to comply with any requirement of the Act	CEO, EMD CeS , MCS , CHCS, EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	CEO, EMD CS , MCS , GHCS CEH , EHO	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	CEO, EMD CS , MCS , GHCS CEH , EHO	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	CEO, EMD CS , MCS , GHCS CEH , EHO	Where Council is the registration authority
s 39A	Power to register or renew the registration of a food premises despite minor defects	CEO, EMD CS , MCS , GHCS CEH , EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	CEO, EMD CS , MCS , GHCS CEH , EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	CEO, EMD CS , MCS , GHCSCEH , EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEO, EMD CS , MCS , GHCSCEH , EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEO, EMD CS , MCS , GHCSCEH , EHO	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	CEO, EMD CS , MCS , GHCSCEH , EHO	
s 40F	Power to cancel registration of food premises	CEO, EMD CS , MCS , GHCSCEH , EHO	Where Council is the registration authority
s 43	Duty to maintain records of registration	CEO, EMD CS , MCS , GHCSCEH , EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, or renewing registration of a component of a food business	CEO, EMD CS , MCS , GHCSCEH , EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CEO, EMD CS , MCS , CHCSCEH , EHO	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s58A(2))
s 45AC	Power to bring proceedings	CEO, EMD CS , MCS , CHCSCEH , EHO	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEO, EMD CS , MCS , CHCSCEH , EHO	Where Council is the registration authority

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO, EMD CS , MSTRP, MPB	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO ¹	

¹ The only member of staff who can be a delegate in Column 3 is the CEO.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 4I(2)	Duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP , SRP, PSP, SAP	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8A(5)	Function of receiving notice of the Minister's decision	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 12B(1)	Duty to review planning scheme	CEO, EMD CS , MSTRP, MPB, SRP, PSP	
s 12B(2)	Duty to review planning scheme at direction of Minister	CEO, EMD CS , MSTRP, MPB. SRP, PSP	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	CEO, EMD CS , MSTRP, MPB. SRP, PSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 17(1)	Duty of giving copy amendment to the planning scheme	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP, PAOPAS	
s 17(2)	Duty of giving copy s 173 agreement	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP, PAOPAS	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP, PAOPAS	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP, PAOPAS	Until the proposed amendment is approved or lapsed

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	CEO, EMD CS , MSTRP, MPB, SRP, PSP, CPLAN, SSP	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CEO, EMD CS , MSTRP, MPB, SRP, PSP, CPLAN, SSP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP SRP, PSP,	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP, PAOPAS	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP, PAOPAS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 22(1)	Duty to consider all submissions received before the date specified in the notice	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP, PAS Q	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 26(2)	Duty to keep report of panel available for inspection in accordance with public availability requirements	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP, PAOPAS	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	CEO, EMD CS , MSTRP, MPB, SRP, PSP	
s 28(1)	Duty to notify the Minister if abandoning an amendment	CEO, EMD CS , MSTRP, MPB, SRP, PSP	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 30(4)(a)	Duty to say if amendment has lapsed	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP,	
s 30(4)(b)	Duty to provide information in writing upon request	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 32(2)	Duty to give more notice if required	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP SRP, PSP,	
s 33(1)	Duty to give more notice of changes to an amendment	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP SRP, PSP,	
s 36(2)	Duty to give notice of approval of amendment	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP SRP, PSP,	
s 38(5)	Duty to give notice of revocation of an amendment	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP SRP, PSP,	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP SRP, PSP,	
s 40(1)	Function of lodging copy of approved amendment	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
S 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 42(2)	Duty to make copy of planning scheme available in accordance with public availability requirements	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity		Where Council is a responsible public entity and is a planning authority Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	Not delegated	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	Not delegated	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	Not delegated	Where Council is a responsible public entity

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	Not delegated	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	Not delegated	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	Not delegated	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	Not delegated	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	Not delegated	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	Not delegated	
s 46GP	Function of receiving a notice under s 46GO	Not delegated	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	Not delegated	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	Not delegated	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	Not delegated	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	Not delegated	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	Not delegated	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Not delegated	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	Not delegated	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	Not delegated	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	Not delegated	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	Not delegated	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	Not delegated	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Not delegated	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Not delegated	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	Not delegated	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	Not delegated	Where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Not delegated	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	Not delegated	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	Not delegated	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	Not delegated	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	Not delegated	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	Not delegated	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	Not delegated	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	Not delegated	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	Not delegated	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZA(1)	Duty to keep proper and separate accounts and records	Not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	Not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	Not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	Not delegated	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	Not delegated	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	Not delegated	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	Not delegated	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	Not delegated	Where Council is the development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(3)	Function of receiving proceeds of sale	Not delegated	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	Not delegated	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Not delegated	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	Not delegated	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46Q(1)	Duty to keep proper accounts of levies paid	CEO, DCAC, EMD CS , MFS, MSTRP, MPB	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	CEO, EMD CS , EMD CS , MFS, MSTRP, MPB	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO, All D, MFS, MSTRP, MPB	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	CEO, All D, MFS, MSTRP, MPB	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CEO, EMD CS , MSTRP, MPB	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	CEO, All D, MFS, MSTRP, MPB	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	CEO, All D, MSTRP, MPB	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46QD	Duty to prepare report and give a report to the Minister	CEO	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	Not delegated	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	CEO, All D, MSTRP, MPB	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	CEO, All D, MSTRP, MPB	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	CEO, All D, MSTRP, MPB	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CEO, EMDCS, MSTRP, MPB, CPLAN, SSPPSP, SAP, SUO, PAOPAS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 49(2)	Duty to make register available for inspection in accordance with public availability requirements	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SAP, SUO , PAOPAS	
s 50(4)	Duty to amend application	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 50(5)	Power to refuse to amend application	CEO, EMD CS , MSTRP, MPB, CPLAN, SP PSP	
s 50(6)	Duty to make note of amendment to application in register	CEO, EMD CS , MSTRP, MPB, CPLAN, SP PSP, SAP, SUO , PAOPAS	
s 50A(1)	Power to make amendment to application	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50A(4)	Duty to note amendment to application in register	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>PS</u> SP, SAP, <u>PAOPAS</u>	
s 51	Duty to make copy of application available for inspection in accordance with public availability requirements	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>SSPPSP</u> , SAP, <u>SUO</u> ,	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>SSPPSP</u> , SAP, <u>PAOPAS</u>	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>SSPPSP</u> , SAP, <u>PAOPAS</u>	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>SSPPSP</u> , SAP, <u>PAOPAS</u>	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP , SAP, PAOPAS	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP , SAP, PAOPAS	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP , SAP, PAOPAS	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP , SAP, PAOPAS	
s 52(3)	Power to give any further notice of an application where appropriate	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP , SAP, PAOPAS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP , SAP, PAOPAS	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CEO	
s 54(1)	Power to require the applicant to provide more information	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP , SAP, PAOPAS	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP , SAP, PAOPAS	
s 54(1B)	Duty to specify the lapse date for an application	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP , SAP, PAOPAS	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP , SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>SSPPSP</u> , SAP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>SSPPSP</u> , SAP, <u>PAOPAS</u>	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>SSPPSP</u> , SAP	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>SSPPSP</u> , SAP, <u>PAOPAS</u>	
s 57(5)	Duty to make a copy of all objections in accordance with public availability requirements	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>SSPPSP</u> , SAP, <u>PAOPAS</u>	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP , SAP	
s 57A(5)	Power to refuse to amend application	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP	
s 57A(6)	Duty to note amendments to application in register	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP , SAP, PAOPAS	
s 57B(1)	Duty to determine whether and to whom notice should be given	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP , SAP, PAOPAS	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP , SAP, PAOPAS	
s 57C(1)	Duty to give copy of amended application to referral authority	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP , SAP, PAOPAS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 58	Duty to consider every application for a permit	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>SSPPSP</u> , SAP, <u>PAOPAS</u>	
s 58A	Power to request advice from the Planning Application Committee	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>PSSP</u>	
s 60	Duty to consider certain matters	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>PSSP</u> , SAP, <u>PAOPAS</u>	
s 60(1A)	Duty to consider certain matters	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>PSSP</u> , SAP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>PSSP</u> , SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CEO, EMD CS , MSTRP, MPB, CPLAN, PS SP, SAP, PAOPAS	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i> or a conservation management plan under the <i>Flora and Fauna Guarantee Act</i></p> <p>More than 5 objections must be referred to Council</p> <p>Development applications in excess of \$2m must be referred to Council</p> <p>Refusals must be referred to Council unless a Council officer determines that insufficient information has been provided with the application or the application is prohibited under the Hepburn Planning Scheme</p>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CEO, EMD CS , MSTRP, MPB, CPLAN, PS SP, SAP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CEO, EMD CS , MSTRP, MPB, CPLAN, PS SP, SAP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not delegated	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CEO, EMD CS , MSTRP, MPB, CPLAN, PS SP, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP	
s 62(2)	Power to include other conditions	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CEO	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	CEO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP, SAP	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	CEO, EMD ^{CS} , MSTRP, MPB	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	CEO, EMD ^{CS} , MSTRP, MPB	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP, SAP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP, SAP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(3)	Duty not to issue a permit until after the specified period	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP, SAP	This provision applies also to a decision to grant an amendment to a permit – see s 75

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64(5)	Duty to give each objector a copy of an exempt decision	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP	This provision applies also to a decision to grant an amendment to a permit – see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CEO, EMD CS , MSTRP, MPB, CPLAN, PS SP, SAP, PAOPAS	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	CEO, EMD CS , MSTRP, MPB, CPLAN, PS SP, SAP, PAOPAS	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	CEO, EMD CS , MSTRP, MPB, CPLAN, PS SP, SAP, PASO	
s 69(1A)	Function of receiving application for extension of time to complete development	CEO, EMD CS , MSTRP, MPB, CPLAN, PS SP, SAP, PAOPAS	
s 69(2)	Power to extend time	CEO, EMD CS , MSTRP, MPB, CPLAN, PS SP, SAP, PAOPAS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 70	Duty to make copy permit available in accordance with public availability requirements	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP , SAP, SUO , PAOPAS	
s 71(1)	Power to correct certain mistakes	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP , SAP	
s 71(2)	Duty to note corrections in register	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP , SAP, PAOPAS	
s 73	Power to decide to grant amendment subject to conditions	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP , SAP	<p>More than 5 objections must be referred to Council</p> <p>Development applications in excess of \$2m must be referred to Council</p> <p>Refusals must be referred to Council unless a Council officer determines that insufficient information has been provided with the application or the application is prohibited under the Hepburn Planning Scheme</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 74	Duty to issue amended permit to applicant if no objectors	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP, SAP	Development applications in excess of \$2m must be referred to Council Refusals must be referred to Council unless a Council officer determines that insufficient information has been provided with the application or the application is prohibited under the Hepburn Planning Scheme
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP, SAP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP, SAP, PAOPAS	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP, SAP, PAOPAS	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP, SAP, PAOPAS	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP, PA OPAS	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP, SUO , PA OPAS	
s 83	Function of being respondent to an appeal	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP, SUO	
s 83B	Duty to give or publish notice of application for review	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CEO, EMD CS , MSTRP, MPB	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	CEO, EMD CS , MSTRP, MPB	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>P</u> SSP, SAP, <u>S</u> UO, <u>PAOPAS</u>	
s 84AB	Power to agree to confining a review by the Tribunal	CEO, EMD <u>CS</u> , MSTRP, MPB,	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>P</u> SSP, SAP, <u>S</u> UO, <u>PAOPAS</u>	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>P</u> SSP	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>P</u> SSP, SAP, DSEO	
s 91(2)	Duty to comply with the directions of VCAT	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>P</u> SSP, SAP, DSEO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP, DSEO	
s 93(2)	Duty to give notice of VCAT order to stop development	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, SAP, DSEO	
s 95(3)	Function of referring certain applications to the Minister	CEO, EMD CS , MSTRP, MPB, CPLAN, P SSP, DSEO	
s 95(4)	Duty to comply with an order or direction	CEO, EMD CS , MSTRP, MPB	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SAP, SRP, PSP	
s 96F	Duty to consider the panel's report under s 96E	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SAP, SRP, PSP	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SAP, SRP, PSP	
s 96H(3)	Power to give notice in compliance with Minister's direction	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SAP, SRP, PSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96J	Duty to issue permit as directed by the Minister	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SAP, SRP, PSP	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SAP, SRP, PSP	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SAP, SRP, PSP, SUO	
s 97C	Power to request Minister to decide the application	CEO, EMD CS , MSTRP, MPB	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP, PAOPAS	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP, PAOPAS	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	CEO, EMD CS , MSTRP, MPB	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CEO, EMD CS , MSTRP, MPB	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^{SSP} , SRP, PSP, SAP	
s 97Q(4)	Duty to comply with directions of VCAT	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^{SSP} , SRP, PSP, SAP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^{SSP} , SRP, PSP, SAP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CEO, EMD ^{CS} , MSTRP, MPB	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CEO, EMD ^{CS} , MSTRP, MPB	
s 101	Function of receiving claim for expenses in conjunction with claim	CEO, EMD ^{CS} , MSTRP, MPB	
s 103	Power to reject a claim for compensation in certain circumstances	CEO, EMD ^{CS} , MSTRP, MPB	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 107(1)	Function of receiving claim for compensation	CEO, EMD CS , MSTRP, MPB, CPLAN, SSP , SRP, PSP, SAP, SUO	
s 107(3)	Power to agree to extend time for making claim	CEO, EMD CS , MSTRP, MPB	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	CEO, EMD CS , MSTRP, MPB	
s 114(1)	Power to apply to the VCAT for an enforcement order	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP , DSEO	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP , DSEO SAP	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CEO, EMD CS , MSTRP, MPB, CPLAN, SSPPSP , DSEO	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CEO, EMD CS , MSTRP, MPB	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CEO, EMDCS, MSTRP, MPB	Except Crown Land
s 129	Function of recovering penalties	CEO, EMDCS, MSTRP, MPB	
s 130(5)	Power to allow person served with an infringement notice further time	CEO, EMDCS, MSTRP, MPB, CPLAN, SSPPSP, DSEO	
s 149A(1)	Power to refer a matter to the VCAT for determination	CEO, EMDCS, MSTRP, MPB, CPLAN, SSPPSP, DSEO, SAP	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	CEO, EMDCS, MSTRP, MPB, CPLAN, SSPPSP, DSEO	
<u>S 149B</u>	<u>Power to apply to the Tribunal for a declaration</u>	<u>CEO, EMDCS, MSTRP, MPB, CPLAN, PSP, DSEO</u>	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	CEO, EMDCS, MSTRP, MPB	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	EMDCS, MSTRP, MPB, CPLAN, PSSP, SAP	
s 171(2)(g)	Power to grant and reserve easements	CEO, EMDCS, MSTRP, MPB, MOPDS, CPLAN, PSSP	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Not delegated	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	Not delegated	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	Not delegated	Where Council is the development agency specified in an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 173(1)	Power to enter into agreement covering matters set out in s 174	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP	Where Council is the relevant responsible authority
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	EMD CS , MSTRP, MPB, CPLAN, PSSP	Where Council is the relevant responsible authority
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP	Where Council is the relevant responsible authority
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP	
s 178A(1)	Function of receiving application to amend or end an agreement	CEO, EMD CS , MSTRP, MPB, CPLAN, PSSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 178A(5)	Power to propose to amend or end an agreement	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	After considering objections, submissions and matters in s 178B

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CEO, EMDCS, MSTRP, MPB, CPLAN, PSSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 179(2)	Duty to make a copy of each agreement in accordance with public availability requirements	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 181	Duty to apply to the Registrar of Titles to record the agreement	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 182	Power to enforce an agreement	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>PSSP</u>	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>PSSP</u>	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	CEO	
s 184G(2)	Duty to comply with a direction of the Tribunal	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>PSSP</u>	
s 184G(3)	Duty to give notice as directed by the Tribunal	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>PSSP</u>	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>PSSP</u>	
s 198(1)	Function to receive application for planning certificate	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>PSSP</u> , SAP, <u>PAOPAS</u>	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 199(1)	Duty to give planning certificate to applicant	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP, SAP, ^{PA} OPAS	
s 201(1)	Function of receiving application for declaration of underlying zoning	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP, SAP	
s 201(3)	Duty to make declaration	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
-	Power to give written authorisation in accordance with a provision of a planning scheme	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CEO, EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEO, EMD CS , MCS , CHCSCCS , CEH , EHO	
s 522(1)	Power to give a compliance notice to a person	CEO, EMD CS , MCS , CHCS , CCS , CEH , EHO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO, EMD CS , MCS , CHCSCCS , CEH	
s 525(4)	Duty to issue identity card to authorised officers	EMD CS , MCS , CHCSCCS , CEH	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	EMD CS , MCS , CHCSCCS , CEH , EHO	
s 526A(3)	Function of receiving report of inspection	EMD CS , MCS , CHCSCCS , CEH	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	EMD CS , MCS , CHCSCCS , CEH	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CEO, All D, MGR, MOP <u>DS</u>	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	CEO, All D,	
s 11(9)(b)	Duty to advise Registrar	CEO, All D, MOP <u>DS</u>	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CEO, All D, <u>MOPSMOPD</u>	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CEO, All D, <u>MOPSMOPD</u>	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	CEO, All D, MOPS	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	CEO, All D, MOPS	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	CEO, All D, MOPS	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	CEO, All D, MOPS	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	CEO, All D, MOPS	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	CEO, All D, <u>MOPSMOPD</u>	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	CEO, All D, <u>MOPSMOPD</u>	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	CEO, All D	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CEO, All D	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CEO, All D	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO, All D	
s 15(2)	Duty to include details of arrangement in public roads register	CEO, DIAD, <u>MOPSMOPD</u>	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 16(7)	Power to enter into an arrangement under s 15	CEO, All D	
s 16(8)	Duty to enter details of determination in public roads register	CEO, DIAD, MOPSMOPD	
s 17(2)	Duty to register public road in public roads register	CEO, DIAD, MOPSMOPD	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CEO, DIAD, MOPSMOPD	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	CEO, DIAD, MOPSMOPD	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	CEO, EMDCS, MOPSMOPD	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	CEO, DIAD, MOPSMOPD	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CEO, DIAD	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CEO, DIAD, MOPSMOPD , CENG, AMS	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	CEO, DIAD, MOPSMOPD , CENG, AMS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(4)	Duty to specify details of discontinuance in public roads register	CEO, DIAD, MOPSMOPD , CENG, AMS	
s 19(5)	Duty to ensure public roads register is available for public inspection	CEO, DIAD, MOPSMOPD , CENG, AMS	
s 21	Function of replying to request for information or advice	CEO, DIAD, MOPSMOPD	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CEO, DIAD, MOPSMOPD	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	CEO, All D, MOPSMOPD	
s 22(5)	Duty to give effect to a direction under s 22	CEO, All D, MOPSMOPD	
s 40(1)	Duty to inspect, maintain and repair a public road.	CEO, All D, MOPSMOPD	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CEO, All D, MOPSMOPD	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CEO, All D, MOPSMOPD	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 42(1)	Power to declare a public road as a controlled access road	CEO, All D, MOPDS	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CEO, All D	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	CEO, All D, MOPSMOPD	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	CEO, All D	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	CEO, All D, MOPSMOPD	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	CEO, All D, MOPSMOPD	
s 49	Power to develop and publish a road management plan	CEO, All D, MOPSMOPD	
s 51	Power to determine standards by incorporating the standards in a road management plan	CEO, All D, MOPSMOPD	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, All D, MOPSMOPD	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(2)	Duty to give notice of proposal to make a road management plan	CEO, All D, MOPSMOPD	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CEO, DIAD	
s 54(6)	Power to amend road management plan	CEO, All D, MOPSMOPD	
s 54(7)	Duty to incorporate the amendments into the road management plan	CEO, All D, MOPSMOPD	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CEO, All D, MOPSMOPD	
s 63(1)	Power to consent to conduct of works on road	CEO, All D, MOPSMOPD	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CEO, All D, MOPSMOPD	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	CEO, All D	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	CEO, All D	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	CEO, DIAD, MOPSMOPD	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 67(3)	Power to request information	CEO, DIAD, EMDCS , MOPSMOPD , MCS , CHCSCCS	Where Council is the coordinating road authority
s 68(2)	Power to request information	CEO, DIAD, EMDCS , MOPSMOPD , MCS , CHCSCCS	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO, All D	
s 72	Duty to issue an identity card to each authorised officer	CEO, All D	
s 85	Function of receiving report from authorised officer	CEO, DIAD, EMDCS , MCS , CHCSCCS , MOPSMOPD	
s 86	Duty to keep register re s 85 matters	CEO, DIAD, EMDCS , MCS , CHCS , CCS MOPSMOPD	
s 87(1)	Function of receiving complaints	CEO, DIAD, EMDCS , MOPSMOPD , MCS , CHCSCCS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 87(2)	Duty to investigate complaint and provide report	CEO, DIAD, EMDCS , MOPSMOPD , MCS_CHGSCCS	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO, DIAD, EMDCS , MOPSMOPD , MCS_CHGSCCS	
s 112(2)	Power to recover damages in court	CEO, DIAD, EMDCS , MOPSMOPD , MCS_CHGSCCS	
s 116	Power to cause or carry out inspection	CEO, DIAD, EMDCS , MOPSMOPD , MCS_CHGSCCS	
s 119(2)	Function of consulting with the Head, Transport for Victoria	CEO, DIAD, MOPSMOPD	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	CEO, DIAD, MOPSMOPD	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	CEO, DIAD, MOPSMOPD	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 121(1)	Power to enter into an agreement in respect of works	CEO, DIAD, MOPSMOPD	
s 122(1)	Power to charge and recover fees	CEO DIAD, MOPSMOPD	
s 123(1)	Power to charge for any service	CEO DIAD, MOPSMOPD	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CEO All D	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	CEO, All D	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	CEO, All D	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	CEO, DIAD, MOPSMOPD	
sch 2 cl 5	Duty to publish notice of declaration	CEO, All D	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	CEO, DIAD, MOPSMOPD , CWK, CENG	Where Council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CEO, DIAD, MOPSMOPD , CWK, CENG	Where Council is the infrastructure manager or works manager
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	CEO, DIAD, MOPSMOPD , CWK, CENG	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	CEO, DIAD, MOPSMOPD , CWK, CENG	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CEO, DIAD, MOPSMOPD , CWK, CENG	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	CEO, DIAD, MOPSMOPD	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CEO, DIAD, MOPSMOPD , CWK, CENG	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CEO, DIAD, MOPSMOPD , CWK, CENG	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	CEO, DIAD, MOPSMOPD	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	CEO, DIAD, MOPSMOPD , CWK, CENG	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CEO, DIAD, MOPSMOPD	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	CEO, DIAD, MOPSMOPD	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	CEO, DIAD, MOPSMOPD , CWK, CENG	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CEO, DIAD, MOPSMOPD , CWK, CENG	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	CEO, DIAD, MOPSMOPD , CWK, CENG	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CEO, DIAD, MOPSMOPD , CKW, CENG	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	CEO, DIAD, MOPSMOPD , CKW, CENG	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	CEO, DIAD, MOPSMOPD , CKW, CENG	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	CEO, DIAD, MOPSMOPD ,	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CEO, DIAD, MOPSMOPD , CENG, ENGO	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CEO, All D, MOPD	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	CEO, DIAD, MOPSMOPD	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	CEO, DIAD, MOPSMOPD , CENG, ENGO	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	CEO, DIAD, <u>MOPSMOPD</u> , CENG <u>ENGO</u>	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	CEO, DIAD, <u>MOPSMOPD</u> , CENG <u>ENGO</u>	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with cls 3(2) and 4	CEO, DIAD, MOP <u>DS</u> , CENG <u>ENGO</u>	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

CEMETERIES AND CREMATORIA REGULATIONS 2015

These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 24	Duty to ensure that cemetery complies with depth of burial requirements	CEO, All D, MGR	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	CEO, DIAD, MOPSMOPD	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	CEO, All D, MGR	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	Not applicable	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Not applicable	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	Not applicable	
r 30(2)	Power to release cremated human remains to certain persons	Not applicable	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Not applicable	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Not applicable	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Not applicable	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Not applicable	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	Not applicable	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	Not applicable	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	Not applicable	
r 34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	Not applicable	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	CEO All D, MGR	
r 40	Power to approve a person to play sport within a public cemetery	CEO, All D	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 41(1)	Power to approve fishing and bathing within a public cemetery	Not applicable	
r 42(1)	Power to approve hunting within a public cemetery	CEO, All D	
r 43	power to approve camping within a public cemetery	CEO, All D	
r 45(1)	Power to approve the removal of plants within a public cemetery	CEO, DIAD, MOPSMOPD , CPAR	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	CEO, All D	
r 47(3)	Power to approve the use of fire in a public cemetery	CEO, All D	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	CEO, All D	
Note: sch 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	CEO All D, MGR	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	CEO, All D, MGR,	See note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015 These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 7(1)	power to give directions regarding the dressing of places of interment and memorials	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	CEO, All D, MGR	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	CEO, All D, MGR	See note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015			
These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	CEO, All D, MGR	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	CEO, All D, MGR	See note above regarding model rules

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CEO EMD CS , MSTRP, MPB, CPLAN, PSSP	Where Council is not the planning authority and the amendment affects land within its municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	CEO EMD CS , MSTRP, MPB, CPLAN, PSSP , SAP, SUO	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) in accordance with the public availability requirements	CEO EMD CS , MSTRP, MPB, CPLAN, PSSP , SAP, SUO , PAOPAS	Where Council is the responsible authority
r 25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	CEO EMD CS , MSTRP, MPB, CPLAN, PSSP , SAP, SUO , PAOPAS	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	CEO EMD CS , MSTRP, MPB, CPLAN, PSSP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	Not delegated	
r20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Not delegated	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	CEO EMD ^{CS} , MSTRP, MPB, CPLAN, ^P SSP	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	CEO, EMD CS , MCS , CHCS CCS , CEH , EHO	
r 10	Function of receiving application for registration	CEO, EMD CS , MCS , CHCS CCS , CEH , EHO	
r 11	Function of receiving application for renewal of registration	CEO, EMD CS , MCS , CHCS CCS , CEH , EHO	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEO, EMD CS , MCS , CHCS CCS , CEH , EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, EMD CS , MCS , CHCS CCS , CEH , EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEO, EMD CS , MCS , CHCS , CCS , CEH , EHO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, EMD <u>CS</u> , <u>MCS</u> , <u>CHCS</u> , <u>CCS</u> , <u>CEH</u> EHO	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	CEO EMD <u>CS</u> , <u>MCS</u> , <u>CHCS</u> , <u>CCS</u> , <u>CEH</u> EHO	
r 12(4) & (5)	Duty to issue certificate of registration	CEO, EMD <u>CS</u> , <u>MCS</u> , <u>CHCS</u> , <u>CCS</u> , <u>CEH</u> EHO	
r 14(1)	Function of receiving notice of transfer of ownership	CEO, EMD <u>CS</u> , <u>MCS</u> , <u>CCS</u> , <u>CEH</u> , <u>SHCS</u> , EHO	
r 14(3)	Power to determine where notice of transfer is displayed	CEO, EMD <u>CS</u> , <u>MCS</u> , <u>CHCS</u> <u>CCS</u> , <u>CEH</u> , EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	CEO, EMD <u>CS</u> , <u>MCS</u> , <u>CHCS</u> , <u>CCS</u> , <u>CEH</u> , EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	CEO, EMD <u>CS</u> , <u>MCS</u> ,	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		GHCS , CCS , CEH , EHO	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	CEO, EMD CS , MCS , GHCS , CCS , CEH , EHO	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEO, EMD CS , MCS , GHCS , CCS , CEH , EHO	
r 17	Duty to keep register of caravan parks	CEO, EMD CS , MCS , GHCS , CCS , CEH , EHO	
r 18(4) 21(1)	Power to determine where the emergency contact person's details are displayed Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CEO, EMD CS , MCS , GHCS , CCS , CEH , EHO	
r 18(6) 21(2)	Power to determine where certain information is displayed Duty to consult with relevant emergency services agencies	CEO, EMD CS , MCS , GHCS , CCS , CEH , EHO	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner Power to determine places	CEO, EMD CS , MCS ,	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	in which caravan park owner must display a copy of emergency procedures	GHCS, CCS, CEH , EHO	
r 22(2)	Duty to consult with relevant emergency services agencies	CEO, EMD, GHCS , EHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEO, EMD, GHCS , EHO	
r 234	Power to determine places in which caravan park owner must display copy of public emergency warnings	CEO, EMD, MCS, GHCS, CCS, CEH , EHO	
r 245(23)	Duty-Power to consult with relevant floodplain management authority	CEO, EMD, MCS, GHCS, CCS, CEH , EHO	
r 26	Duty to have regard to any report of the relevant fire authority	CEO, EMD, GHCS , EHO	
r 28(b)(i)	Power to approve system for the collection, removal and disposal-discharge of sewage and waste water from a movable dwelling	CEO, EMD, MCS, GHCS, CCS, CEH , EHO	
r 3840	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CEO, EMD, MCS, GHCS, CCS, CEH , EHO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 38 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CEO, EMD CS , MCS , CHCS , CCS , CEH , EHO	
r 39(3) 41(4)	Function of receiving installation certificate	CEO, EMD CS , MCS , CHCS , CCS , CEH , EHO	
r 4 5(3) 3	Power to <u>determine places in which caravan park owner must display name and telephone number of an emergency contact person approve use of a non-habitable structure as a dwelling or part of a dwelling</u>	CEO, EMD CS , MCS , CHCS , CCS , CEH , EHO	
Sch 3 cl 4(3) r 45(5)	Power to <u>determine places in which caravan park owner must display the certificate of registration or certificate of renewal of registration, the plan of the caravan park and a copy of the caravan park rules</u> approve the removal of wheels and axles from unregistrable movable dwelling	CEO, EMD CS , MCS , CHCS CCS , CEH , EHO	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	CEO, DIAD, MOP <u>DS</u>	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CEO, DIAD, <u>MOPSMOPD</u>	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	CEO, DIAD, <u>MOPSMOPD</u>	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	CEO, DIAD, <u>MOPSMOPD</u>	
r 13(1)	Duty to publish notice of amendments to road management plan	CEO, DIAD, <u>MOPSMOPD</u>	Where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	CEO, DIAD, <u>MOPSMOPD</u>	
r 16(3)	Power to issue permit	CEO, DIAD, <u>MOPSMOPD</u> , CENG, ENGO	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CEO, DIAD, <u>MOPSMOPD</u> , CENG, ENGO	Where Council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 23(2)	Power to make submission to Tribunal	CEO, DIAD, EMD CS , MOPSMOPD , MCS , CHCSCCS	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	CEO, DIAD	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CEO, DIAD, EMD CS , MOPSMOPD , MCS , CWK, CHCSCCS , CSY. CENG, ENGO	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	CEO, DIAD, EMD CS , MCS , CHCSCCS , CWK , CENG , ENGO	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CEO, DIAD, EMD CS , MCS , CHCSCCS	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	CEO, All D	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	CEO, All D, <u>MOPD, CENG</u>	Where Council is the coordinating road authority

S6 Instrument of Delegation – Members of Staff

Hepburn Shire Council

Instrument of Delegation

to

Members of Council Staff

XX September 2024

Proposed Temporary Delegation

Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

Not Delegated means not delegated below Chief Executive Officer

CEO means Chief Executive Officer

DCAC means Director Community and Corporate

DIAD means Director Infrastructure and Delivery

EMDCS means Executive Manager Development and Community Safety

EMPT means Executive Manager Performance and Transformation

All D means All Directors and Executive Managers

All M means All Managers

All C means Coordinators

All S means All Supervisors with reports

All means All Staff

ACC means Accountant

AFPO means Assistant Fire Prevention Officer

AMS means Asset Management Specialist

ASBS means Assistant Building Surveyor

ASBCS means Administration Support Building and Community Safety

BAS means Building Administration Support

BUIN means Building Inspector

CCS means Coordinator Community Safety

CCX means Coordinator Customer Experience and Libraries

CED means Coordinator Economic Development

CEH means Coordinator Environmental Health

CENG	means Coordinator Engineering
CF	means Coordinator Facilities
CFR	means Coordinator Financial Revenues
CFS	means Coordinator Financial Services
CFUS	means Coordinator Financial Sustainability
CGE	means Coordinator Governance
CHC	means Coordinator Healthy Communities
CHSW	means Coordinator Health Safety and Wellbeing
CIMO	means Senior Information Management Officer
CMPP	means Coordinator Major Projects and Policy
COMOF	means Communications Officer
CPAC	means Coordinator People and Culture
CPAR	means Coordinator Parks and Open Spaces
CPLAN	means Coordinator Statutory Planning
CPPO	means Corporate Planning and Performance Officer
CRAS	means Coordinator Sport and Active Recreation
CRR	means Coordinator Resource Recovery
CSY	means Community Safety Officer
CSUS	means Coordinator Sustainability and Climate Resilience
CTAI	means Coordinator Transformation and Improvement
CXO	means Customer Experience Officer
CXTL	means Customer Experience Team Leader
CWK	means Coordinator Works
DSEO	means Development Services Enforcement Officer
EHO	means Environment Health Officer
EHTO	means Environment Health Technical Officer
ENGO	means Engineering Officer
GAD	means Governance Advisor
GSP	means Grants Specialist

IFO	means Information Management Officer
MBS	means Municipal Building Surveyor
MCAE	means Manager Community and Economy
MCCX	means Manager Communications and Customers
MCS	means Manager Community Safety
MEMO	means Municipal Emergency Management Officer
MFCE	means Manager Facilities and Circular Economy
MFPO	means Municipal Fire Prevention Officer
MFS	means Manager Financial Services
MGR	means Manager Governance and Risk
MICT	means Manager ICT
MOPD	means Manager Operations and Delivery
MPB	means Manager Planning and Building
MPC	means Manager People and Culture
MRM	means Municipal Recovery Manager
MSTRP	means Manager Strategic Planning
PAS	means Planning Administration Support
PRS	means Procurement Officer
PSP	means Principal Strategic Planner
RFO	means Revenue and Finance Officer
SAP	means Statutory Planner
SARO	means Sport and Active Recreation Officer
SARPO	means Sport and Active Recreation Project Officer
SRO	means Senior Rates Officer
SRP	means Strategic Planner

3. declares that:

3.1 this Instrument of Delegation is authorised by resolutions of Council passed on XX and

- 3.2 the delegation:
- 3.2.1 comes into force ~~immediately from noon 17 September 2024 and~~ when the Chief Executive Officer executes the Instrument of Delegation;
 - 3.2.2 remains in force until ~~varied or revoked~~ 31 January 2025;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
- 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; ~~or~~
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council;
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 3.3.4 if the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

Signed by:

.....
Mayor Cr Brian Hood

.....
Chief Executive Officer Bradley Thomas

SCHEDULE

INDEX

CEMETERIES AND CREMATORIA ACT 2003	1
DOMESTIC ANIMALS ACT 1994	16
FOOD ACT 1984	17
HERITAGE ACT 2017	26
LOCAL GOVERNMENT ACT 1989	27
PLANNING AND ENVIRONMENT ACT 1987	28
RESIDENTIAL TENANCIES ACT 1997	77
ROAD MANAGEMENT ACT 2004	78
CEMETERIES AND CREMATORIA REGULATIONS 2015	90
PLANNING AND ENVIRONMENT REGULATIONS 2015	95
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016	96
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020	97
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	101
ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015	103

.... All other sections as per Attachment 3 of this report....

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CEO, EMD <u>CS</u> , MSTRP, MPB, CPLAN, <u>PSSP</u> , SAP, <u>PAQPAS</u>	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i> or a conservation management plan under the <i>Flora and Fauna Guarantee Act</i></p> <p>More than 5 objections must be referred to Council</p> <p>Development applications in excess of \$2m must be referred to Council</p> <p>Refusals must be referred to Council unless a Council officer determines that insufficient information has been provided with the application or the application is prohibited under the Hepburn Planning Scheme</p>

***S18 Instrument of Sub-Delegation
under the Environment Protection Act 2017***

Hepburn Shire Council

Instrument of Sub-Delegation

to

Members of Council staff

XX September 2024

Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('**Act**') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described in column 3 of the Schedule;
2. record that references in the Schedule are as follows

EMDCS Executive Manager Development and Community Safety

MCS Manager Community Safety

CEH means Coordinator ~~Health and Community Safety~~Environmental Health

CCS means Coordinator Community Safety

EHO means Environmental Health Officer

CSY means Community Safety Officer

TLCS means Team Leader Community Safety

3. this Instrument of Sub-Delegation is authorised by a **resolution of Council** passed on XX pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
4. the delegation:
 - 4.1 comes into force immediately when the Chief Executive Officer executes the Instrument of Sub-Delegation;
 - 4.2 remains in force until varied or revoked;
 - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
 - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
5. this Instrument of Sub-Delegation is subject to the following limitations:
 - 5.1 the powers, duties and functions described in column and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:
 - 5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
 - 5.1.2 noise from the construction, demolition or removal of residential premises;
6. the delegate must not determine the issue, take the action or do the act or thing:

- 6.1.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
- 6.1.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council;
- 6.1.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
- 6.1.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

Signed by:

.....

Chief Executive Officer

Date:

SCHEDULE

ENVIRONMENT PROTECTION ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 271	Power to issue improvement notice	EMD CS , CEH, CCS , EHO, TLCS , CSY	
s 272	Power to issue prohibition notice	EMD CS , CEH, CCS , EHO, TLCS , CSY	
s 279	Power to amend a notice	EMD CS , CEH, CCS , EHO, TLCS , CSY	
s 358	Functions of the Environment Protection Authority	EMD CS , CEH, CCS , EHO, TLCS , CSY	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	EMD CS , CEH, CCS , EHO, TLCS , CSY	
s 359(2)	Power to give advice to persons with duties or obligations	EMD CS , CEH, CCS , EHO, TLCS , CSY	

15.5 INSTRUMENTS OF APPOINTMENT TO AUTHORISED OFFICERS UNDER THE PLANNING AND ENVIRONMENT ACT 1987 & ENVIRONMENT PROTECTION ACT 2017 EXECUTIVE MANAGER PERFORMANCE AND TRANSFORMATION

In providing this advice to Council as the Coordinator Governance, I Dannielle Kraak have no interests to disclose in this report.

ATTACHMENTS

1. S11A Instrument of Appointment and Authorisation - Planning and Environment Act [15.5.1 - 1 page]
2. S11B Instrument of Appointment and Authorisation under the Environment Protection Act [15.5.2 - 1 page]

OFFICER'S RECOMMENDATION

That Council:

1. *In the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, resolves that:*
 - a. *The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.*
 - b. *The instrument comes into force immediately it is signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.*
 - c. *In the exercise of the power conferred by s 242(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, resolves that:*
 - d. *The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.*
 - e. *The instrument comes into force immediately it is signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.*

EXECUTIVE SUMMARY

The appointment of authorised officers enables appropriate staff within the organisation to administer and enforce various Acts, Regulations or Council local laws in accordance with the powers granted to them under legislation or a local law.

Instruments of Appointment and Authorisation are prepared based on advice from the Maddocks Authorisations and Delegations Service, which Council subscribes to.

This instrument is being updated to reflect staffing changes.

BACKGROUND

Instruments of Appointment and Authorisation empower relevant staff to exercise the powers granted to authorised officers by legislation, regulations or a local law.

The Instruments of Appointment and Authorisation prepared for Council's consideration are based on advice from the Maddocks Authorisations and Delegations Service.

Whilst the appointment and authorisation of authorised officers under other relevant legislation is executed by the Chief Executive Officer under delegation, Maddocks recommend that officers enforcing the *Planning and Environment Act 1987* and the *Environment Protection Act 2017* be authorised by Council resolution.

Maddocks recommends that Council to execute the appointment and authorisation of authorised under the *Planning and Environment Act 1987* and the *Environment Protection Act 2017* because these Acts place limitations on what powers can be sub-delegated, so by delegating direct from Council, the risk of decisions being challenged on the basis that the delegation was not appropriate is mitigated.

The instruments have been prepared following consultation with the internal departments of Council and have been recently updated to reflect staffing changes. Powers are delegated to individuals, not positions.

The Instruments of Appointment to Authorised Officers that do not relate to the *Planning and Environment Act 1989* and the *Environment Protection Act 2017* will be executed by the Chief Executive Officer as per legislation.

KEY ISSUES

Planning and Environment Act 1987

There are no legislative changes to the authorisation under the *Planning and Environment Act 1987*. The instrument has been updated in line with staff appointments.

Environment Protection Act 2017

There are no legislative changes to the authorisation under the *Environment Protection Act 2017*. The instrument has been updated in line with staff appointments.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

A dynamic and responsive Council

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

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council subscribes to the Maddocks Authorisations and Delegations Service, and relevant advice has been considered in the preparation of this report.

For transparency purposes, Council is required to prepare a register of Instruments of Appointment to Authorised Officers and Delegations on Council's website.

RISK AND GOVERNANCE IMPLICATIONS

Instruments of authorisations allow the business of Council to continue and operate effectively.

ENVIRONMENTAL SUSTAINABILITY

There are no sustainability implications associated with this report.

GENDER IMPACT ASSESSMENT

There are no gender equity implications associated with this report.

S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Hepburn Shire Council

Instrument of Appointment and Authorisation (*Planning and Environment Act 1987* only)

In this Instrument 'officer' means –

Ron Torres – Executive Manager Development and Community Safety
Amy Boyd–Manager Planning and Building
Bronwyn Southee – Manager Strategic Planning
Matt Rogers – Principal Strategic Planner
Braden Crutchfield – Strategic Planner
Alexandra Jefferies – Coordinator Statutory Planner
Lucy Kanellos – Statutory Planner
Andrew Littlejohn - Administration Officer - Strategic Planning
Natalie Faulkhead - Administration Support Statutory Planning
Adam Browett – Planning Compliance Officer
Andrew Page – Senior Statutory Planner
Andrienne Kellock – Senior Statutory Planner

By this instrument of appointment and authorisation Hepburn Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Hepburn Shire Council on XX September 2024

This Instrument is made by the Chief Executive Officer of Hepburn Shire Council in the exercise of his authority to act on Council's behalf, which includes the authority conferred by resolution of Council made on XX September 2024

Hepburn Shire Council

Date:

*S11B Instrument of Appointment and Authorisation
(Environment Protection Act 2017)*

Hepburn Shire Council

Instrument of Appointment and Authorisation

(Environment Protection Act 2017 only)

In this instrument "**officer**" means -

Ron Torres
Adam Wright
Mark Jennings
Maddison Attard
Richard Scouse
Gina Grewal
Michael Shelley
Linda Welch

By this instrument of appointment and authorisation, Hepburn Shire Council -

under s 242(2) of the *Environment Protection Act 2017* ('**Act**') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021 - appoints the officers to be authorised officers for the purposes of exercising the powers and functions set out in the Instrument of Direction of the Environment Protection Authority under the Act dated 4 June 2021.

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Hepburn Shire Council on XX September 2024

This Instrument is made by the Chief Executive Officer of Hepburn Shire Council in the exercise of his authority to act on Council's behalf, which includes the authority conferred by resolution of Council made on XX September 2024

Hepburn Shire Council

Date: XX September 2024

15.6 RECORDS OF COUNCILLOR ATTENDANCE EXECUTIVE MANAGER PERFORMANCE AND TRANSFORMATION

In providing this advice to Council as the Coordinator Governance, I Dannielle Kraak have no interests to disclose in this report.

ATTACHMENTS

1. Record of Councillor Attendance - Mineral Springs Reserve Advisory Committee Meeting - 12 February 2024 [**15.6.1** - 6 pages]
2. Record of Councilor Attendance - Gender Equity Advisory Committee - 6 March 2024 [**15.6.2** - 5 pages]
3. Record of Councillor Attendance - Councillor Briefing - 4 June 2024 [**15.6.3** - 4 pages]
4. Record of Councillor Attendance - Councillor Briefing - 11 June 2024 [**15.6.4** - 4 pages]
5. Record of Councillor Attendance - Pre-Council Meeting Briefing - 18 June 2024 [**15.6.5** - 1 page]
6. Record of Councillor Attendance - Councillor Briefing - 25 June 2024 [**15.6.6** - 4 pages]
7. Record of Councillor Attendance - Councillor Briefing - 2 July 2024 [**15.6.7** - 4 pages]
8. Record of Councillor Attendance - Councillor Briefing - 9 July 2024 [**15.6.8** - 4 pages]
9. Record of Councillor Attendance - Pre-Council Meeting Briefing - 16 July 2024 [**15.6.9** - 1 page]
10. Record of Councillor Attendance - Councillor Briefing - 23 July 2024 [**15.6.10** - 4 pages]
11. Record of Councillor Attendance - Councillor Briefing - 6 August 2024 [**15.6.11** - 5 pages]
12. Record of Councillor Attendance - Councillor Briefing - 13 August 2024 [**15.6.12** - 5 pages]
13. Record of Councillor Attendance - Mineral Springs Reserve Advisory Committee - 19 August 2024 [**15.6.13** - 3 pages]
14. Record of Councillor Attendance - Pre- Council Meeting Briefing - 20 August 2024 [**15.6.14** - 1 page]
15. Record of Councillor Attendance - Councillor Briefing - 27 August 2024 [**15.6.15** - 4 pages]
16. Record of Councillor Attendance - Councillor Briefing - 3 September 2024 [**15.6.16** - 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
30 November 2024	Sustainable Hepburn Advisory Committee	Council Chamber
12 February 2024	Mineral Springs Reserve Advisory Committee	Council Chamber
6 March 2024	Gender Equality Advisory Committee	Raglan Street Council Offices
4 June 2024	Councillor Briefing	Council Chamber
11 June 2024	Councillor Briefing	Council Chamber
18 June 2024	Pre-Council Meeting Briefing	Daylesford Town Hall
25 June 2024	Councillor Briefing	Council Chamber
2 July 2024	Councillor Briefing	Council Chamber
9 July 2024	Councillor Briefing	Council Chamber
16 July 2024	Pre-Council Meeting Briefing	Daylesford Town Hall

23 July 2024	Councillor Briefing	Council Chamber
6 August 2024	Councillor Briefing	Council Chamber
13 August 2024	Councillor Briefing	Council Chamber
19 August 2024	Mineral Springs Reserve Advisory Committee	Duke Street Council Offices
20 August 2024	Pre-Council Meeting Briefing	Council Chamber
27 August 2024	Councillor Briefing	Council Chamber
3 September 2024	Councillor Briefing	Council Chamber

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 IMPLICATIONS

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 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	Mineral Springs Reserve Advisory Committee	DATE	Monday, February 12, 2024
LOCATION	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other:	TIME	
COUNCILLORS PRESENT	<input checked="" 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 type="checkbox"/> Cr Brian Hood		
OFFICERS PRESENT	<input type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input type="checkbox"/> Director Community and Corporate – Karina Lamb <input type="checkbox"/> Executive Manager Performance and Transformation – Brooke Holmes <input type="checkbox"/> Executive Manager Development and Community Safety – Ron Torres Others (Position Title and Name): Simon Fishlock – Coordinator Parks and Open Spaces Bridgette O’Brien – Visitor Economy Project Officer Melanie Quinn – Administration Support Officer Works		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: Doc/24/24957

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

- ☐ CEO – Bradley Thomas
☐ Director Infrastructure and Delivery – Bruce Lucas
☐ Director Community and Corporate – Karina Lamb
☐ Executive Manager Performance and Transformation – Brooke Holmes
☐ Executive Manager Development and Community Safety – Ron Torres

Other: Melanie Quinn

▶ RECORD OF COUNCILLOR ATTENDANCE

Signed:

► MINUTES
 MINERAL SPRINGS RESERVES ADVISORY COMMITTEE

MINUTES AND ACTION ITEMS - MINERAL SPRINGS RESERVES ADVISORY COMMITTEE

Monday 12 Feb 2024 – Daylesford Council Chambers – 10.00am – 11.00am

Attendees: Cr Jen Bray, Simon Fishlock, Bridgette O’Brien, Bill Guest, Nathan Lundmark,
 Bruce Lucas, Melanie Quinn.

Apologies: Paulette Pleasance, Lisa Rodier.

Guests: Brigitte O’Brien, Visitor Economy Project Officer

	Agenda Item	Action	Officer
1	Welcome & Apologies	Welcome and Acknowledgement to Country.	Cr Jen Bray
2	Adoption of Minutes	<div> Motion: That the minutes from December 2023 HMSR meeting are annotated and presented @ the April 2024 HMSR meeting for adoption. Moved: Jen Bray Second: Bill Guest Carried </div>	Cr Jen Bray
3	Mineral Springs Victoria Website	<p>Grant received by Council through DECCA to create awareness to the public.</p> <ul style="list-style-type: none"> An Interactive map - hover over location, explain owners, disability access, type of mineral in the water, brochure to be produced and map located in the VIC. <p>Discussion-</p> <p>Will it include photos of the Springs?</p> <p>Recent signage in the springs a collaboration with the Museum for which the museum was not compensated for their time – possible remuneration?</p> <p>Blue Signs - primarily @ the Hepburn Mineral Springs reserve. New and existing signs to be kept.</p>	<p>Brigitte O’Brien</p> <p>Nathan</p> <p>Cr Bray</p>

► MINUTES
 MINERAL SPRINGS RESERVES ADVISORY COMMITTEE

		<p>Historical value- Springs which are no longer operating. Can they be included?</p> <p>The website will be managed by DECCA, but HSC will have access.</p>	<p>Nathan</p> <p>Brigitte O'Brien</p>
4	Meeting frequency	<p>Meeting frequency moving forward to bring it in line with Mineral Springs Committee Terms of Reference. 4-month cycle.</p> <ul style="list-style-type: none"> • HMSR Committee in agreement with meetings every 2 months. • Mondays @ 10am with 1 x yearly site visit @ HMSR. • On Committee expiry in 2024, term of reference to be re visited. 	Simon Fishlock
5	Priority Projects - Soldiers Bridge	<ul style="list-style-type: none"> • Tour @ Mineral Springs with Bill December 2023 - Soldiers Bridge - identified some minor bridge repairs- as well as pier works with an estimated cost \$30,000 - \$50,000. Engineers scoping works and have engaged contractors. Estimated design April/May 2024. • Budgeting of minor bridge works through maintenance and repairs funding for this financial with larger pier works budgeted through Bridge renewal program for 2024/2025. 	Simon
	Pavilion	<p>Restoration of the Pavilion café flooring- Costs estimated Mid-March 2024.</p> <p>How will this be funded? Cost analysis to be provided.</p> <p>Matching tiles through Heritage Vic?</p> <p><u>Action –</u></p> <p><u>Tori to gain a better understanding of costs with heritage Vic to be engaged. Funding opportunity?</u></p>	
	H.M.S.R Ramp/Stairs renewal	<ul style="list-style-type: none"> • \$60,000 – concrete stairs thought to be a better option. 	
	West Bank	<ul style="list-style-type: none"> • \$8000 for a concept plan West Bank. 	

▶ MINUTES
 MINERAL SPRINGS RESERVES ADVISORY COMMITTEE

		<ul style="list-style-type: none"> 3-year progress – building design, committee consultation and works. <p>June 2024 - \$961,000 forecast remaining Mineral Springs funds.</p>	Bruce
8.		<div style="border: 1px solid black; padding: 10px;"> <p>Motion: The MSRA Committee support the following projects to be put forward in the 2024/25 budget process for consideration:</p> <ol style="list-style-type: none"> Soldiers Bridge- Pier works pose a safety concern. Pavilion flooring. Hepburn Mineral Springs reserve ramp/stairs (top car park/ playground) – design/construction works. West bank – concept plan <p>Moved: Jen Bray Second: Bill Guest</p> <p>Carried</p> </div> <p>Note: Caretakers Cottage – minor electrical and leasing arrangements still to be finalized.</p> <p><u>Action:</u> <u>Simon to discuss with Tori (facilities) as they will be funding the works.</u></p>	
	General Business	<p>FOLD- concept plan- noted that the line referring to the toilet closure near the beach @ Lake Daylesford.</p> <p><u>Action:</u></p>	Cr Bray

► MINUTES
 MINERAL SPRINGS RESERVES ADVISORY COMMITTEE

		<p><u>Simon to remove the line item which refers to the toilet closure @ Lake Daylesford.</u></p> <p>Hepburn Pool – maintenance of the pool and surrounding area. The Shire maintains a small area with DECCA the responsible landowners for the majority.</p> <p><u>Action:</u></p> <p><u>Parks and Open Spaces to undertake minor works to clean and tidy up the area.</u></p> <p><u>*Note - no work is conducted on the pool.</u></p>	Nathan
<p>Attachments Sent with Minutes</p> <ul style="list-style-type: none"> • Revised minutes from December 2023 HMSR meeting • Proposal for Mineral Springs Victoria website. • Terms of reference – meeting frequency 			
<p>Next Meeting – 8 April 2024 @ 10.00am Council Chambers Town Hall Daylesford</p>			

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Gender Equality Advisory Committee	DATE	Wednesday, March 06, 2024
LOCATION	<input type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input checked="" type="checkbox"/> Other: PAG:	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 checked="" type="checkbox"/> Cr Lesley Hewitt <input type="checkbox"/> Cr Brian Hood		
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 Performance and Transformation – Brooke Holmes <input type="checkbox"/> Executive Manager Development and Community Safety – Ron Torres Others (Position Title and Name): Coordinator Healthy Communities, Kate Procter		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/20351

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.
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

- ☐ CEO – Bradley Thomas
☐ Director Infrastructure and Delivery – Bruce Lucas

▶ RECORD OF COUNCILLOR ATTENDANCE

- ☐ Director Community and Corporate – Karina Lamb
- ☐ Executive Manager Performance and Transformation – Brooke Holmes
- ☐ Executive Manager Development and Community Safety – Ron Torres

Other:

Click or tap here to enter text.

Signed:

► MEETING AGENDA

Gender Equity Advisory Committee

Date: 03/06/2024 @ 10.30AM

Location: 94 Vincent Street, Daylesford

Attendees: Cr. Lesley Hewitt (Chair)
 Tamara Patterson
 Sue Dyson
 Lynda Poke
 Devon Taylor
 Bronwyn Southee
 Matt Rogers
 Alison Blacket
 Apologies: Kate Procter
 Kendall Sinclair
 Mika Pediaditis

AGENDA

Item	Owner	Time
1. Welcome & Acknowledgement	Chair	10.30am
2. Apologies & Housekeeping	Chair	10.35am
3. Township Structure Plans	Planning	10.40am
4. Rural Hepburn	Planning	11am
5. General Business	All	11.20am
6. Next meeting and close of meeting	Chair	11.30am

Item 3 – Township Structure Plans

The township structure plans serve to protect and enhance the existing township character and guide appropriate growth and development by providing a planning framework for private land use.

Detailed information [here](#).

GEAC members please consider feedback across all five plans.

► MEETING AGENDA

Item 4 – Rural Hepburn

Rural Hepburn: Agricultural Land and Rural Settlement Strategy will provide a comprehensive planning and action framework to manage the use and development of private rural land (land outside our main towns). It will set a vision and direction that safeguards our rural land in the face of identified change drivers and challenges.

Our shared challenge is to develop a land use and management strategy that supports and conserves agricultural industries, rural tourism, valued landscapes, biodiversity and sustainable and safe small rural settlements.

Detailed information [here](#).

► MEETING AGENDA

ACTION ITEMS

	Owner	Description	Due Date
1.			
2.			
3.			
4.			
5.			

Next Meeting:

-

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, June 04, 2024
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 – 11:15am
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 – Natalie Martin		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/27698

OR

List matters considered:

As per agenda.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY

- ☐ CEO – Bradley Thomas
☐ Director Infrastructure and Delivery – Bruce Lucas
☐ Director Community and Corporate – Karina Lamb

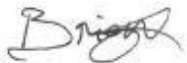
▶ RECORD OF COUNCILLOR ATTENDANCE

- ☐ Executive Manager People and Transformation – Brooke Holmes
- ☐ Executive Manager Development – Ron Torres

Other:

Governance Administration Officer – Brigitte Longmore

Signed:



Tuesday 4 June 2024
Daylesford Town Hall, 76 Vincent Street Daylesford
9:00am – 11:15am

Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.

The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).

BRADLEY THOMAS

CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Discussion	Councillor and CEO- Only Time	Chief Executive Officer	4
1.2	9:30am	Discussion	Committees Update	Director Community and Corporate	5
1.3	9:45am	Presentation	General Valuation Data 2024 Presentation	Manager Financial Services Appointed Valuer - VRC Property	15
1.4	10:45am	Presentation/Discussion	Hepburn Working Better	Executive Manager People and Transformation	16
2	11:15am		Close of Meeting		17

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, June 11, 2024
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 – 12:30pm
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 type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Manager Strategic Planning – Bronwyn Southee Alison Blacket – Project Manager, Strategic Planning Coordinator Economic Development and Visitor Economy – Bridgette O'Brien		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/29475

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.
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>

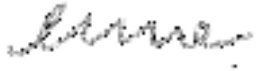
RECORD COMPLETED BY

▶ RECORD OF COUNCILLOR ATTENDANCE

Other:

Governance Advisor – Catherine Nurse

Signed:



Tuesday 11 June 2024
Daylesford Town Hall, 76 Vincent Street Daylesford
10:15am – 11:30am

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:		Karina Lamb – Director Community and Corporate

No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:15am	Presentation/Discussion	Draft Integrated Transport Strategy and Proposed Timeline	Executive Manager Development, Manager, Strategic Planning	4
1.2	11:15am	Read Only Report	Visitor Servicing Strategy	Manager Community and Economy Coordinator Economic Development and Visitor Economy Consultant, VE Tourism Consultancy	70
2	11:30am	Close of Meeting			

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Pre-Council Meeting Briefing	DATE	Tuesday, June 18, 2024
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 Planning and Building – Amy Boyd Manager Governance and Risk – Rebecca Smith		

MATTERS CONSIDERED

As per the Council Meeting agenda.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Jen Bray	13.1 Application for leave	Not discussed	Click or tap here to enter text.

NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY

Manager Governance and Risk – Rebecca Smith

Signed:



▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, June 25, 2024
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 – 12:30pm
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 Planning and Building – Amy Boyd Statutory Planner – Chris Hu Coordinator Major Projects and Policy – Nicola McGowan Coordinator Statutory Planning – Mish Watt Communications Officer – Maria Abate		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/32038

OR

List matters considered:

Click or tap here to enter text.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Juliet Simpson	Item 1.3 – PLN23/0261, 35 Paddock Street, Clunes – Multi-lot, staged subdivision	Approx. 10:30am	11:45am
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 OF COUNCILLOR ATTENDANCE

<Record late arrivals or early departures>

RECORD COMPLETED BY

- ☐ CEO – Bradley Thomas
- ☐ Director Infrastructure and Delivery – Bruce Lucas
- ☐ Director Community and Corporate – Karina Lamb
- ☐ Executive Manager People and Transformation – Brooke Holmes
- ☐ Executive Manager Development – Ron Torres

Other:

Governance Administration Officer – Brigitte Longmore

Signed:



Tuesday 25 June 2024
Daylesford Town Hall, 76 Vincent Street Daylesford
9:00am – 11:45am

Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.

The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).

BRADLEY THOMAS

CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Discussion	Councillor and CEO- Only Time	Chief Executive Officer	4
1.2	9:30am	Presentation/Discussion	PLN23/0134 - 5 Frazer Street Daylesford - Development of the land for a dwelling	Manager, Planning and Building Executive Manager, Development	5
1.3	10:15am	Planning Report	PLN23/0261 - 35 Paddock Street, Clunes - Multi-lot, staged subdivision	Coordinator Major Projects and Policy Manager Planning and Building	47
1.4	11:15am	Presentation/Discussion	2024 Community Satisfaction Survey	CEO	75
2			Close of Meeting		190

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, July 02, 2024
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 – 11:15am
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 type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input type="checkbox"/> Executive Manager Development – Ron Torres <input checked="" type="checkbox"/> Acting Executive Manager People and Transformation – Anna Bennallack Others (Position Title and Name): Manager Governance and Risk – Rebecca Smith Project Manager, Creswick Trails – Alison Breach Inclusion Officer – Brett Dunlop Coordinator Healthy Communities – Kate Procter Acting Manager Community and Economy – Kathie Schnur		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/33393

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:

Brooke Holmes, Ron Torres and Cr Bray in apologies.

▶ RECORD OF COUNCILLOR ATTENDANCE

RECORD COMPLETED BY

- ☐ CEO – Bradley Thomas
- ☐ Director Infrastructure and Delivery – Bruce Lucas
- ☐ Director Community and Corporate – Karina Lamb
- ☐ Executive Manager People and Transformation – Brooke Holmes
- ☐ Executive Manager Development – Ron Torres

Other:

Governance Administration Officer – Brigitte Longmore

Signed:



Tuesday 2 July 2024
Daylesford Town Hall, 76 Vincent Street Daylesford
9:00am – 11:15am

Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.

The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).

BRADLEY THOMAS

CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		Councillor Juliet Simpson, Holcombe Ward

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Discussion	Councillor and CEO-Only Time	Chief Executive Officer	4
1.2	9:30am	Discussion	Committees Update	Executive Manager People and Transformation	5
1.3	9:45am	Presentation/Discussion	Review of Governance Policies: Privacy, Public Interest Disclosures and Councillor Resources and Expenses	Manager Governance and Risk	24
1.4	10:00am	Presentation/Discussion	Djuwang Baring (Creswick Trails) – Project Update	Project Manager Manager Projects	115
1.5	10:45am	Presentation/Discussion	Rainbow Action Plan	Inclusion Officer Coordinator Healthy Communities A/Manager Community and Economy	123
2	11:15am	Close of Meeting			165

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, July 09, 2024
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	10:53am – 2:15pm
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 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 Reconciliation Officer – Carolyn Sanders Manager People and Culture – Anna Bennallack Manager Strategic Planning – Bronwyn Southee Principal Strategic Planner – Matt Rogers Manager Planning and Building – Amy Boyd		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/34575

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:

Cr Juliet Simpson is an apology for this Briefing.

▶ RECORD OF COUNCILLOR ATTENDANCE

Cr Lesley Hewitt joined the Briefing at 11:01am.

Cr Jen Bray joined the Briefing at 11:14am.

Cr Tessa Halliday left the Briefing at 11.51am.

RECORD COMPLETED BY

Governance Advisor – Catherine Nurse

Signed:



Tuesday 9 July 2024
Daylesford Town Hall, 76 Vincent Street Daylesford
10:45am – 1:45pm

Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.

The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).

BRADLEY THOMAS

CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Karina Lamb – Director Community and Corporate Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Bradley Thomas – Chief Executive Officer
APOLOGIES:		Councillor Juliet Simpson, Holcombe Ward

No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:45am	Presentation/Discussion	Election Period arrangements and requirements for Councillor Candidates	Manager Governance and Risk	4
1.2	11:15am	Presentation/Discussion	Innovate Reconciliation Action Plan	Executive Manager People and Transformation Reconciliation Officer	32
1.3	11:45am	Presentation/Discussion	Structure Plan Information Session and Update	Manager Strategic Planning Principal Strategic Planner	76
2	1:45pm		Close of Meeting		80

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Pre-Council Meeting Briefing	DATE	Tuesday, July 16, 2024
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 type="checkbox"/> Cr Juliet Simpson		
OFFICERS PRESENT	<input checked="" type="checkbox"/> Acting CEO – Karina Lamb <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <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 the Council Meeting agenda.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Tessa Halliday	PLN24/0015 - 504 MCKENZIES ROAD CLUNES	3:25pm	3:31pm

NOTES:

Nil.

RECORD COMPLETED BY

Manager Governance and Risk – Rebecca Smith

Signed:



▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, July 23, 2024
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	9am – 4:38pm
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		
OFFICERS PRESENT	<input type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Acting CEO – Karina Lamb <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Manager Planning and Building – Amy Boyd Acting Coordinator Statutory Planning – Alexandra Jefferies Manager Strategic Planning – Bronwyn Southee Principal Strategic Planner – Matt Rogers		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/37453

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Don Henderson	1.2 PLN23/0025 Retrospective application to operate a contractor's depot at 423 Clunes Road Creswick	10:05am	10:36am

NOTES:

CEO – Bradley Thomas was an apology for the Briefing.

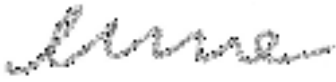
Cr Tessa Halliday was an apology for the Briefing.

▶ RECORD OF COUNCILLOR ATTENDANCE

RECORD COMPLETED BY

Governance Advisor – Catherine Nurse

Signed:



Tuesday 23 July 2024
Daylesford Town Hall, 76 Vincent Street Daylesford
9:00am – 4:00pm

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
1.1	9:00am	Discussion	Councillor and CEO- Only Time	Acting Chief Executive Officer	5
1.2	9:30am	Planning Report	PLN23/0025 - Retrospective approval to operate a Contractor's Depot at 423 Clunes Road Creswick	Manager Planning and Building	6
1.3	10:15am	Planning Report	PLN24/0048 - 123 Sharpes Lane Glenlyon, Use of land for sawmill and development of dwelling	Acting Planning Coordinator	73
	11:15am		Break		
1.4	11:30am	Planning Report	PLN23/0138 - 2 King Street, Daylesford - 3 dwellings and 3 lot subdivision	Manager Planning and Building Executive Manager Development	186
1.5	12pm	Planning Report	PLN22/0410 – 240 McDonalds Road, Clunes – Three lot subdivision	Manager Planning and Building	263
1.6	12:30pm	Tour	Tour of facilities at 24 Vincent Street Daylesford	Project Manager	410
	1:15pm		Lunch		
1.7	2pm	Read Only Report Presentation/Discussion	Structure Plan Information Session and Update	Manager, Strategic Planning Executive Manager, Development	411
2	4pm		Close of Meeting		412

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, August 06, 2024
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 – 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		
OFFICERS PRESENT	<input type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Acting CEO – Karina Lamb <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development – Ron Torres Others (Position Title and Name): Acting Manager Governance and Risk – Dannielle Kraak Acting Manager Operations – Tim Powell Acting Coordinator Engineering – Paul O’Leary Manager Community and Economy – Kendall Sinclair Coordinator Sport and Recreation – Kathie Schnur Coordinator Environmental Health, Acting Coordinator Health and Community Safety – Mark Jennings Manager Strategic Planning – Bronwyn Southee Principal Strategic Planner – Matt Rogers Click or tap here to enter text.		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/40088

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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.

NOTES:

Brooke Holmes attended the meeting virtually.

RECORD COMPLETED BY

Governance Administration Officer – Brigitte Longmore

▶ RECORD OF COUNCILLOR ATTENDANCE

Signed:

Bright

Tuesday 6 August 2024
Daylesford Town Hall, 76 Vincent Street Daylesford
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
	Officers	Karina Lamb – Acting Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Ron Torres – Executive Manager Development and Community Safety Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Karina Lamb – Acting Chief Executive Officer
APOLOGIES:		Bradley Thomas – Chief Executive Officer

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Discussion	Councillor and CEO-Only Time	Acting Chief Executive Officer	6
1.2	9:30am	Report	Recommendations from the Audit and Risk Committee meeting held on 24 June 2024	Acting Manager Governance and Risk Chair - Audit and Risk Committee	7
1.3	9:45am	Discussion	Committees Update	Executive Manager People and Transformation	42
	10:00am	Break			
1.4	10:15am	Presentation/Discussion	Safe Local Roads and Streets Program - Project Options	Acting Manager Operations Acting Coordinator Engineering	51
1.5	10:30am	Presentation/Discussion	Indoor Aquatics Provision Feasibility Study and Business Case	Manager Community and Economy Coordinator Sport and Recreation Senior Manager - Advisory and Consulting, Solucio FMG Engineering	65
1.6	11:00am	Presentation/Discussion	Onsite Wastewater Management Plan	Manager Community Safety Acting Coordinator Health and Community Safety	158

1.7	11:30am	Discussion	Read-Only Reports	Chief Executive Officer	248
1.8		Read Only Report	Corporate Performance Report - Q4 - 2023/2024	Executive Manager People and Transformation	249
1.9		Read Only Report	Annual Plan Progress Report Q4 - 2023/2024	Executive Manager People and Transformation	271
	12:00pm	Lunch			
1.10	12:30pm	Presentation/Discussion	Structure Plan Information Session and Update	Manager, Strategic Planning Executive Manager, Development	307
2	4:30pm	Close of Meeting			308

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, August 13, 2024
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	10:12am – 2:26pm
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		
OFFICERS PRESENT	<input type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Acting CEO – Karina Lamb <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <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 Community and Economy – Kendall Sinclair Coordinator Sport and Recreation – Kathie Schnur Manager Facilities and Circular Economy – Sean Ludeke Coordinator Sustainability and Climate Resilience – Manny Pasqualini Manager Strategic Planning – Bronwyn Southee Principal Strategic Planner – Matt Rogers Click or tap here to enter text.		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/41257

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.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

NOTES:

Cr Tessa Halliday was an apology for the Briefing.

RECORD COMPLETED BY

Governance Advisor – Catherine Nurse

Signed:

▶ RECORD OF COUNCILLOR ATTENDANCE

Anna

CONFIDENTIAL AGENDA
COUNCILLOR BRIEFING
TUESDAY 13 AUGUST 2024

Tuesday 13 August 2024
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.

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
	Officers	Karina Lamb – Acting Chief Executive Officer Bruce Lucas – Director Infrastructure and Delivery Ron Torres – Executive Manager Development Brooke Holmes – Executive Manager People and Transformation
CHAIR:		Councillor Brian Hood - Mayor Karina Lamb – Acting Chief Executive Officer
APOLOGIES:		Bradley Thomas – Chief Executive Officer

No	Time	Type	Agenda Item	Presenter	Page No
1.1	10:15am	Presentation/Discussion	Indoor Aquatics Provision Feasibility Study and Business Case	Manager Community and Economy Coordinator Sport and Recreation Solucio The OCD	5
1.2	10:45am	Presentation/Discussion	Climate Risk Management Policy	Coordinator Sustainability and Climate Resilience Manager Facilities and Circular Economy Head of Better Cities and Regions, Director of Sustainability, HipVHype Associate, Better Cities and Regions, HipVHype	7
1.3	11:15am	Presentation/Discussion	Celebration of FOGO Rollout	Manager Waste and Circular Economy	28
	12:00pm		Lunch		
1.4	12:30pm	Presentation/Discussion	Structure Plans / Rural Strategy - Final check-in before Council Meeting	Manager, Strategic Planning Executive Manager, Development	47

1.5	1:00pm	Presentation/Discussion	Integrated Transport Strategy	Executive Manager Manager, Strategic Planning	48
1.6	1:30pm	Discussion	Read-Only Reports	Acting Chief Executive Officer	125
1.7		Presentation/Discussion	Daylesford Community Facilities Project Update	Project Manager Manager Major Projects	126
2.	2:00pm	Close of Meeting			128

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Mineral Springs Reserve Advisory Committee	DATE	Monday, August 19, 2024
LOCATION	<input type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input checked="" type="checkbox"/> Other: Duke Street Meeting Room	TIME	
COUNCILLORS PRESENT	<input checked="" 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 type="checkbox"/> Cr Brian Hood		
OFFICERS PRESENT	<input type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input type="checkbox"/> Director Community and Corporate – Karina Lamb <input type="checkbox"/> Executive Manager Performance and Transformation – Brooke Holmes <input type="checkbox"/> Executive Manager Development and Community Safety – Ron Torres Others (Position Title and Name): Simon Fishlock – Coordinator Parks and Open Spaces Paulette Pleasance – EA Director Infrastructure and Delivery		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: Doc/24/42410

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:

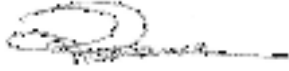
<Record late arrivals or early departures>

RECORD COMPLETED BY

- ☐ CEO – Bradley Thomas
☐ Director Infrastructure and Delivery – Bruce Lucas
☐ Director Community and Corporate – Karina Lamb
☐ Executive Manager Performance and Transformation – Brooke Holmes
☐ Executive Manager Development and Community Safety – Ron Torres

Other: Paulette Pleasance

▶ RECORD OF COUNCILLOR ATTENDANCE



Signed:

AGENDA

MINERAL SPRINGS RESERVE ADVISORY COMMITTEE

Monday 19 August 2024 – Duke Street Meeting Room – 10.00am – 11.30am

Attendees: Cr Jen Bray, Bruce Lucas, Simon Fishlock, Bill Guest, Lisa Rodier, Nathan Lundmark, Paulette Pleasance

Apologies:

No	Time	Agenda Item	Presenter
1	10.00am	<p>Welcome and Apologies</p> <p>ACKNOWLEDGEMENT OF TRADITIONAL OWNERS</p> <p>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.</p> <p>We also acknowledge the neighbouring Traditional Owners, the Wurundjeri to our Southeast 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.</p>	Cr Jen Bray
2	10.10am	Priority Projects List	All
3	10.45am	Current MSRAC 3 Year Term	Bruce
4	11.05am	Other Business	All
	11.30am	Meeting Close	
Documents circulated with agenda: <ul style="list-style-type: none"> Maintenance Update – July / August 			
Next meeting – Monday 2 December 2024 – 10.00am – 11.30am			

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Pre-Council Meeting Briefing	DATE	Tuesday, August 20, 2024
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		
OFFICERS PRESENT	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input checked="" type="checkbox"/> Executive Manager People and Transformation – Brooke Holmes Others (Position Title and Name): Manager Governance and Risk – Rebecca Smith Manager Planning and Building – Amy Boyd		

MATTERS CONSIDERED

As per the Council Meeting Agenda for 20 August 2024

CONFLICT OF INTEREST DISCLOSURES

No Councillor declared a conflict.

NOTES:

Nil.

RECORD COMPLETED BY

Manager Governance and Risk – Rebecca Smith

Signed:



▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, August 27, 2024
LOCATION	<input type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other: Click or tap here to enter text.:	TIME	9:00am – 4:30pm
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 type="checkbox"/> Cr Brian Hood		
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 Performance and Transformation – Brooke Holmes <input type="checkbox"/> Executive Manager Development and Community Safety – Ron Torres Others (Position Title and Name): Manager Planning and Building – Amy Boyd Manager Financial Services – Natalie Martin Manager Strategic Planning – Bronwyn Southee		

MATTERS CONSIDERED

☐ Agenda attached – CM Reference: DOC/24/43610

OR

List matters considered:

As per agenda.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

NOTES:

<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 Performance and Transformation – Brooke Holmes
- ☐ Executive Manager Development and Community Safety – Ron Torres

Other:

Governance Administration Officer – Brigitte Longmore

Signed:



CONFIDENTIAL AGENDA
COUNCILLOR BRIEFING
TUESDAY 27 AUGUST 2024

Tuesday 27 August 2024

Council Chamber - 24 Vincent Street, 24 Vincent Street Daylesford

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

Officers

Bradley Thomas – Chief Executive Officer
Bruce Lucas – Director Infrastructure and Delivery
Karina Lamb – Director Community and Corporate
Ron Torres – Executive Manager Development and Community Safety
Brooke Holmes – Executive Manager Performance and Transformation

CHAIR:

Councillor Brian Hood - Mayor
Bradley Thomas – Chief Executive Officer

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Discussion	Councillor and CEO- Only Time	Chief Executive Officer	5
1.2	9:30am	Planning Report	PLN23/0061 – Three lot subdivision – 6 Golf Links Road, Hepburn	Manager Planning and Building Coordinator Statutory Planning	6
1.3	10:15am	Planning Report	PLN23/0119 – 135 Napier Street Creswick	Manager Planning and Building	203
1.4	11:00am	Presentation/Discussion	Financial Vision - Long Term Financial Plan	Director Community and Corporate Engagement Specialist Manager Financial Services	273
	12:00pm	Lunch			
1.5	12:30pm	Presentation/Discussion	Structure Plans / Rural Strategy	Manager, Strategic Planning Executive Manager, Development and Community Safety	274
	2:45pm	Break			
	3:00pm	Session resumes			
2	4:30pm	Close of Meeting			274

▶ RECORD OF COUNCILLOR ATTENDANCE

MEETING	Councillor Briefing	DATE	Tuesday, September 03, 2024
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 – 12:00pm
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		
OFFICERS PRESENT	<input checked="" type="checkbox"/> CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Delivery – Bruce Lucas <input type="checkbox"/> Director Community and Corporate – Karina Lamb <input checked="" type="checkbox"/> Executive Manager Performance and Transformation – Brooke Holmes <input checked="" type="checkbox"/> Executive Manager Development and Community Safety – Ron Torres Others (Position Title and Name): Manager Governance and Risk – Rebecca Smith Coordinator Governance – Dannielle Kraak Communications Officer – Maria Abate Corporate Planning and Performance Officer – Erin Vanzetta Project Manager – Elizabeth Atkin Manager Operations and Delivery – Ben Grounds Coordinator Engineering – Tim Powell		

MATTERS CONSIDERED

☒ Agenda attached – CM Reference: DOC/24/44853

OR

List matters considered:

As per agenda.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Choose an item.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

NOTES:

Karina Lamb in apologies.

▶ RECORD OF COUNCILLOR ATTENDANCE

Briefing was followed by Pre-Special Meeting Briefing at 12:45pm

RECORD COMPLETED BY

- ☐ CEO – Bradley Thomas
- ☐ Director Infrastructure and Delivery – Bruce Lucas
- ☐ Director Community and Corporate – Karina Lamb
- ☐ Executive Manager Performance and Transformation – Brooke Holmes
- ☐ Executive Manager Development and Community Safety – Ron Torres

Other:

Governance Administration Officer – Brigitte Longmore

Signed:



Tuesday 3 September 2024

Council Chamber - 24 Vincent Street, 24 Vincent Street Daylesford

9:00am – 1:15pm

Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.

The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).

BRADLEY THOMAS

CHIEF EXECUTIVE OFFICER

INVITED: Councillors

Councillor Jen Bray, Birch Ward
Councillor Tim Drylie, Creswick Ward
Councillor Tessa Halliday, Cameron Ward
Councillor Don Henderson, Creswick Ward
Councillor Lesley Hewitt, Birch Ward
Councillor Brian Hood, Coliban Ward

Officers

Bradley Thomas – Chief Executive Officer
Bruce Lucas – Director Infrastructure and Delivery
Karina Lamb – Director Community and Corporate
Ron Torres – Executive Manager Development and Community Safety
Brooke Holmes – Executive Manager Performance and Transformation

CHAIR:

Councillor Brian Hood - Mayor
Bradley Thomas – Chief Executive Officer

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:00am	Discussion	Councillor and CEO- Only Time	Chief Executive Officer	5
1.2	9:30am	Discussion	Committees Update	Executive Manager Performance and Transformation	6
1.3	9:45am	Presentation/Discussion	Revision of Instruments of Delegation from Council to the CEO (S5) and Council to Council Staff (S6) and Election Period Arrangements	Manager Governance and Risk Coordinator Governance	37
1.4	10:15am	Presentation/Discussion	Annual Report 2023/2024	Communications Officer Corporate Planning and Performance Officer	184
1.5	10:45am	Presentation/Discussion	Glenlyon Recreation Reserve Community Pavilion – Design Update	Project Manager Manager Operations and Delivery	185
1.6	11:15am	Presentation/Discussion	Creswick Flood Mitigation Study	Coordinator Engineering	222
	12:00pm		Lunch		
1.7	12:45pm	Presentation/Discussion	Pre-Briefing for Special Meeting of Council	Chief Executive Officer	233
2	1:15pm		Close of Meeting		233

16 CONFIDENTIAL ITEMS

16.1 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 Confidential Planning Matter

- *Because it is legal privileged information, being information to which legal professional privilege or client legal privilege applies;*
- *The ground applies because the agenda concerns an ongoing legal matter that would, if prematurely released, diminish the strength of Council's position in that matter.*

17 CLOSE OF MEETING