



STRATHBOGIE SHIRE COUNCIL

Notice is hereby given that a Meeting of the Strathbogie Shire Council will be held virtually on Tuesday 15 February 2022, commencing at 6.00 p.m.

Chair:	Laura Binks (Mayor)	<i>(Mount Wombat Ward)</i>
Councillors:	David Andrews	<i>(Lake Nagambie Ward)</i>
	Reg Dickinson	<i>(Lake Nagambie Ward)</i>
	Sally Hayes-Burke	<i>(Seven Creeks Ward)</i>
	Kristy Hourigan	<i>(Seven Creeks Ward)</i>
	Paul Murray	<i>(Hughes Creek Ward)</i>
	Chris Raeburn	<i>(Honeysuckle Creek Ward)</i>
Municipal Monitor:	Janet Dore	
Officers:	Julie Salomon	Chief Executive Officer (CEO)
	David Roff	Director, Corporate Operations (DCO)
	Amanda Tingay	Director, Community and Planning (DCP)
	Dawn Bray	Director, People and Performance (DPP)
	Kristin Favaloro	Executive Manager, Communications and Engagement (EMCE)

Please note: This meeting will be conducted virtually by Strathbogie Shire Council and live streamed on our website at www.strathbogie.vic.gov.au. This ensures we are meeting the Victorian Government's current COVID-19 restrictions.

We encourage community members to watch the meeting online, given the restrictions currently in place, with all Councillors and Officers also participating in the meeting by virtual means.

Questions for the Ordinary Council Meeting can still be submitted, and will be read out by the Mayor during the Public Question Time component of the meeting and responded to in the usual way by Councillors and/or Officers. **Questions must be submitted by 12 noon on Tuesday 15 February 2022** by emailing info@strathbogie.vic.gov.au

1. Welcome
2. Acknowledgement of Traditional Land Owners

We acknowledge the Traditional Custodians of the places we live, work and play.

We recognise and respect the enduring relationship they have with their lands and waters, and we pay respects to the Elders past, present and emerging.

Today we are meeting on the lands of the Taungurung peoples of the Eastern Kulin nation, whose sovereignty here has never been ceded.
3. Apologies / Leave of Absence
4. Disclosure of Conflicts of Interest
5. Confirmation of Minutes of Previous Meetings

RECOMMENDATION

1. ***That the Minutes of the Council meeting held on Tuesday 14 December 2021 be confirmed.***
2. ***That the Minutes of the Extraordinary Council meeting held on Tuesday 1 February 2022 be confirmed.***

6. Petitions

Two Petitions have been received by Council in relation to stage one of the proposed streetscape plan for Main Street, Strathbogie. The petitions contain a total of 78 signatories.

The petitions read –

PROPOSED STRATHBOGIE STREETSCAPE PLAN - PETITION

We the undersigned hereby register our concerns regarding the proposed streetscape works to the Strathbogie Main Street area. We unanimously agree that the proposed Stage One - Median Strip Renewal, specifically the inclusion of gum trees is completely out of keeping with the current layout of the main street which consists of various European tree types. The current streetscape although on a smaller scale is akin to other high country towns including Bright, Myrtleford, Mansfield, Alexandra etc where the inclusion of gum trees in the town centre would be seen as a completely contradictory and unwelcome action for several safety, aesthetic and other reasons. Strathbogie already has wonderful walking trails and an abundance of native flora and fauna along the Spring and Seven Creeks immediately surrounding the town. Any streetscape works must be in keeping with the current attractive and historically significant streetscape. We request to be kept Informed of any progress or amendments to this proposal.
(Petition collected between 25th – 31st January, 2022)

6. Petitions (cont.)

RECOMMENDATION

- 1. That Council accept the petitions on the proposed Strathbogie Streetscape Plan.**
- 2. That the petitions be referred to a relevant officer for response.**

7. Reports of Mayor and Councillors and Delegates

8. Public Question Time

Public Question Time will be conducted as per Rule 31 of Strathbogie Shire Council's Governance Rules. A copy of the required form for completion and lodgment, and associated Procedural Guidelines, are attached for information.

As the questions are a permanent public record and to meet the requirements of the Privacy and Data Protection Act 2014, only the initials of the person asking the question will be used together with a Council reference number.

Response/s to Public Questions raised and responded to at the Ordinary Council meeting held on Tuesday 14 December 2021 were documented in the Minutes of the meeting.

9. Officer Reports

- 9.1 Strategic and Statutory
- 9.2 Community
- 9.3 Infrastructure
- 9.4 Corporate
- 9.5 Governance and Customer Service
- 9.6 Executive

10. Notices of Motion

11. Notices of Rescission

12. Urgent Business

13. Confidential Business

Julie Salomon
CHIEF EXECUTIVE OFFICER

11 February 2022

NEXT MEETING

The next monthly Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 15 March 2022, commencing at 6.00 p.m.

It is intended that this meeting be held in the Euroa Community Conference Centre, however, this will be dependent on any COVID-19 restrictions which may be in place.



Council Ref. / 2022

Public Question Time Form Ordinary Council Meeting

Strathbogrie Shire Council has allocated a time for the public to ask questions in the business of an Ordinary Meeting of the Council.

How to ask a question:

Questions submitted to Council must be:

- (a) in writing, state the name, address and telephone number of the person submitting the question and generally be on this form, approved by Council; and
- (b) submitted to Council in person or electronically.

The Chair may refrain from reading a question or having a question read if the person who submitted the question is not present in the gallery at the time when the question is due to be read. Please refer to the back of this form for procedural guidelines.

Question/s: (please print clearly with a maximum of 25 words)

1.....
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.....

2.....
.....
.....
.....
.....

Name:

Address:

Telephone Number:

Signature: (signature not required if submitted by email)

Date of Ordinary Council Meeting:

Privacy Declaration: Personal information is collected on this form to allow Council to undertake follow-up / response and to confirm identity for future reference where necessary. The questioner's initials only, together with a question reference number, will be included in Council's Minutes. Council Minutes are a public document which will be published on Council's Website and are available for public scrutiny at any time. Other personal details included on this form will not be included in the Minutes and will be kept for Council reference only, unless disclosure is required for law enforcement purposes or under any other statutory requirement

Public Question Time – as per Rule 31 of the Strathbogie Shire Council Governance Rules

31. QUESTION TIME

- 31.1 There must be a public question time at every Council meeting fixed under Rule 19 to enable members of the public to submit questions to Council.
- 31.2 Sub-Rule 31.1 does not apply during any:
 - 31.2.1 period when a meeting is closed to members of the public in accordance with section 66(2) of the Act; or
 - 31.2.2 election period.
- 31.3 Public question time will not exceed 30 minutes in duration.
- 31.4 Questions submitted to Council must meet all of the following:
 - (a) be in writing and state the name and address of the person submitting the question;
 - (b) be generally be in a form approved or permitted by Council; and
 - (c) be lodged either by delivery to Council's main office, or electronically at the prescribed email address prior to 12 noon on the day of the Council meeting.
- 31.5 No person may submit more than two questions at any one meeting.
- 31.6 If a person has submitted two questions to a meeting, the second question may:
 - 31.6.1 at the discretion of the Chair, be deferred until all other persons who have asked a question have had their questions asked and answered; or
 - 31.6.2 not be asked if the time allotted for public question time has expired and Council has not resolved to extend the time allocated for public questions.
- 31.7 If the person who has submitted the question is not present at the meeting the Chair, or a member of Council staff nominated by the Chair, will read out the question on the person's behalf if the person has elected not to participate in the meeting either by way of the live streaming software or by teleconference.
- 31.8 A question may be disallowed by the Chair if the Chair determines that it:
 - (a) relates to a matter outside the duties, functions and powers of Council;
 - (b) Is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - (c) deals with a subject matter already answered;
 - (d) is aimed at embarrassing a Councillor or a member of Council staff;
 - (e) relates to personnel matters;
 - (f) relates to the personal hardship of any resident or ratepayer;
 - (g) relates to industrial matters;
 - (h) relates to contractual matters;
 - (i) relates to proposed developments;
 - (j) relates to legal advice;
 - (k) relates to matters affecting the security of Council property; or
 - (l) relates to any other matter which Council considers would prejudice Council or any person.
- 31.9 Any question which has been disallowed by the Chair must be made available to any other Councillor upon request.
- 31.10 All questions and answers must be as brief as possible, and no discussion may be allowed other than by Councillors for the purposes of clarification.
- 31.11 Like questions may be grouped together and a single answer provided.
- 31.12 The Chair may nominate a Councillor or the Chief Executive Officer to respond to a question.
- 31.13 A Councillor or the Chief Executive Officer may require a question to be put on notice. If a question is put on notice, a written copy of the answer will be sent to the person who asked the question within five (5) working days and the answer included in the following Council meeting's agenda.
- 31.14 A Councillor or the Chief Executive Officer may advise Council that it is his or her opinion that the reply to a question should be given in a meeting closed to members of the public. The Councillor or Chief Executive Officer (as the case may be) must state briefly the reason why the reply should be so given and, unless Council resolves to the contrary, the reply to such question must be so given.

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	<p><i>APPENDICES DEEMED CONFIDENTIAL IN ACCORDANCE WITH SECTION 66(2)(A) AND PART 1, CLAUSE 3 OF THE LOCAL GOVERNMENT ACT 2020</i></p> <p>(a) <i>Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released</i></p>	
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9. OFFICER REPORTS

9.1 STRATEGIC AND STATUTORY PLANNING

9.1.1 Planning Permit Application No. P2020-162 - Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage ~ 22 Nolans Road, Ruffly VIC 3666

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is to use the current building for a museum for military memorabilia.
- The building has previously been utilised in the past for an engineering business and associated storage.
- A caretaker's house / accommodation area will be constructed on a first floor above the museum display area. Signage will be displayed, and car parking will be provided on site.
- The application was advertised, and four objections were received. Further detail is contained within the attached Report.
- The application has not been assessed within the 60-day statutory timeframe due to matters raised within the objections received.
- On balance the proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework and the relevant Zone and Overlay controls.
- It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

RECOMMENDATION

That Council

- 1. Resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation in the attached Delegate Report; and***
- 2. Note the Delegate Report and proposed conditions.***

Conditions:

Amended Plans

- 1. Prior to the commencement of the use and development, 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 form part of the permit. The plans must be drawn to scale with dimensions and be generally in accordance with the plans submitted with the application but modified to show –***

9.1.1 Planning Permit Application No. P2020-162 - Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage ~ 22 Nolans Road, Ruffy VIC 3666 (cont.)

- a) *Changes to the Proposed Business Identification Signage plan to show the sign on the front elevation of the building.*
- b) *Operating hours updated on the sign to reflect the permit conditions.*
- c) *Notation on plan indicating no outside storage and display of museum pieces or other machinery or vehicles.*

Endorsed Plans

- 2. *The use and development must be carried out and constructed in accordance with the endorsed plans and permit conditions and must not be altered without the prior written consent of the Responsible Authority.*
- 3. *Prior to the use commencing, all works shown on the endorsed landscape plan must be completed to the satisfaction of the Responsible Authority, unless otherwise agreed to in writing.*

Landscape Plan Required

- 4. *Prior to the use and development commencing, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and be 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 and be generally in accordance with the plans submitted for assessment. The plans must show –*
 - a) *The retention of the boundary fencing all around the site, and noted on a site plan, indicating height, style and colour.*
 - b) *An attractive extension (lattice or similar) to the fence height along the shared boundary with No. 26 Nolans Road to mitigate the view of the shed elevation from the garden setting of No. 26, noted on the plan.*
 - c) *Plantings along the shared boundary with No. 26 Nolans Road, that will quickly form a screen and are easily maintained effectively as a screen to further buffer the views between the two activities.*
 - d) *The vegetation along the front boundary is retained and not damaged in any way (on the road reserve and boundary line) noted on the plan, and is enhanced to create a further buffer of vegetation against the front fence, between the activity on site and the public road (this could be spaced plantings of a hardy native medium to large shrub).*

Maintenance of Vegetation

- 5. *The vegetation along the outer fence line at the front boundary is to be planted out and maintained by the owner of No.22 and any dead vegetation that the permit holder has planted is to be replaced, to the satisfaction of the Responsible Authority.*
- 6. *All vegetation along the boundaries is to be maintained, replacing any dead plants, to the satisfaction of the Responsible Authority.*

- 9.1.1 Planning Permit Application No. P2020-162 - Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage ~ 22 Nolans Road, Ruffy VIC 3666 (cont.)

General amenity provision

7. *The use and development must be managed so that the amenity of the site, area and locality, in the opinion of the Responsible Authority, is not detrimentally affected, through the:*
- a) *transport of materials, goods or commodities to or from the land;*
 - b) *appearance of any building, works or materials (which must be kept in good order);*
 - c) *the storage of materials (vehicles, parts, any other equipment and similar) outside the building (all product must be stored inside the building);*
 - d) *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil; and*
 - e) *presence of vermin.*

Neat and tidy site

8. *The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.*

Noise Control

9. *The activities on site must not cause unreasonable noise or aggravated noise that may unreasonably impact the local community, including being responsible for any contractors or tradespeople hired, in accordance with EPA 'Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues' Publication 1826.4 May 2021.*

Hours of operation

10. *The use may operate only between the hours as below, unless with the prior written consent of the Responsible Authority.*

- | | |
|--|----------------------|
| • <i>Wednesday to Saturday</i> | <i>9am till 5pm</i> |
| • <i>Sunday</i> | <i>10am till 3pm</i> |
| • <i>Public Holidays (where allowed)</i> | <i>10am till 3pm</i> |

Maximum Number of Patrons

11. *Not more than 30 persons may be present on the premises at any one time or as determined by any Building requirement, but no more than 30 persons.*

Deliveries

12. *All deliveries must be between the operating hours as stated, but not on the weekends or public holidays, and must occur only on site and not external to the site.*

- 9.1.1 Planning Permit Application No. P2020-162 - Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage ~ 22 Nolans Road, Ruffy VIC 3666 (cont.)

13. All loading and unloading must take place at all times within the curtilage of the subject site.

Plant/Equipment/Features on Roof

14. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) without the written consent of the Responsible Authority.

Lighting on Site Control

15. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

16. Flashing or intermittent light must not be displayed on the subject site.

Security Alarms Control

17. All security alarms or similar devices installed on the site must be of the silent type in accordance with any current standard published by Standards Australia International Limited.

Fencing

18. The fencing as shown on the endorsed plan must be erected (extension screening) and maintained (all fencing on all boundaries) to the satisfaction of the Responsible Authority.

Loading Unloading Areas

19. Areas set aside for loading and unloading on site must be kept clear at all times for the purpose of loading and unloading.

Engineering Conditions

Traffic Impact Assessment Report

20. Before any of the development starts or before the plan of subdivision is certified under the Subdivision Act 1988 the applicant shall provide a Traffic Impact Assessment Report in accordance with the requirements of the Infrastructure Design Manual to the satisfaction of Council.

Rural Vehicle Crossing Location

21. Prior to the commencement of works on site, any new, relocated, alteration or replacement of required vehicular entrances to the subject land from the road shall be constructed at a location and of a size and standard in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a Vehicle Crossing Permit. Reference should be made to Clause 12.9.2 "Rural Vehicle Crossings" of the Infrastructure Design Manual. Refer to standard drawing SD255 for small vehicles or SD265 for large vehicles.

9.1.1 Planning Permit Application No. P2020-162 - Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage ~ 22 Nolans Road, Ruffy VIC 3666 (cont.)

- 22. The vehicular crossing shall have satisfactory clearance to any power or Telecommunications pole, manhole cover or marker, or street tree and have a minimum of 50mm of gravel from the shoulder to the property boundary.**

Rural Drainage - Works

- 23. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.**
- 24. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies: -**
- **Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and**
 - **Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)**
- 25. Prior to the commencement of any works, the design parameters for any defined watercourse crossing(s), both structural and hydraulic design, shall be approved by the Responsible Authority (GBCMA – Works on Waterways Permit).**

Internal Access Roads

- 26. Prior to the commencement of the use all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority. Internal access, including the turn-around areas for emergency vehicles, must be all weather construction with a minimum trafficable width of 4m.**

Car Park Construction Requirements

- 27. Before construction works start associated with the provision of carparking, detailed layout plans demonstrating compliance with Aust Roads Publication 'Guide to Traffic Engineering Practice : Part 11 Parking' and to the satisfaction of the relevant authority must be submitted to and approved by the responsible authority. The plans must be drawn to scale with dimensions.**
- 28. 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 (to the satisfaction of the responsibility authority):**
- a) **surfaced with an all-weather seal coat or gravel of type or treated to prevent dust, to the satisfaction of the Responsible Authority;**

9.1.1 Planning Permit Application No. P2020-162 - Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage ~ 22 Nolans Road, Ruffy VIC 3666 (cont.)

- b) constructed and completed to the satisfaction of the Responsible Authority;*
 - c) drained in accordance with an approved drainage plan;*
 - d) marked to indicate each car space and all access lanes;*
 - e) measures taken to prevent damage to fences or landscaped areas of adjoining properties and to prevent direct vehicle access to an adjoining road other than by a vehicle crossing;*
 - f) provision of traffic control signage and or structures as required; and*
 - g) provision of signage directing drivers to the area(s) set aside for car parking. Such signs are to be located and maintained to the satisfaction of the Responsible Authority. This sign must not exceed 0.3 square metres.*
- 29. The areas must be constructed and drained to prevent diversion of flood or drainage waters and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.*
- 30. Car spaces, access lanes and driveways must be kept available for these purposes at all times.*

Drainage Discharge Plan

- 31. Before any of the development starts, a properly prepared drainage discharge plan with computations 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 must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual. The information and plan must include:*
- a) details of how the works on the land are to be drained and/or retarded;*
 - b) computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority;*
 - c) measures to enhance stormwater discharge quality from the site and protect downstream waterways Including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements;*
 - d) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council or (insert) lit/sec/ha;*

9.1.1 Planning Permit Application No. P2020-162 - Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage ~ 22 Nolans Road, Ruffy VIC 3666 (cont.)

- e) *documentation demonstrating approval from the relevant authority for the legal point of discharge;*
- f) *the provision of gross pollutant and/or litter traps installed at the drainage outfall of the development to ensure that no effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system; and*
- g) *maintenance schedules for treatment elements.*

32. Prior to the use commencing all works constructed or carried out must be in accordance with those plans. to the satisfaction of the Responsible Authority.

Council's Assets

33. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.

Environmental Health Conditions

Effluent Management

34. Prior to the use commencing, the property being used for occupancy and a place of business, located outside a reticulated sewerage district, must have installed a septic disposal system approved by Council's Environmental Health Officer.

Permit Expiry

Use and Development

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

- a) *The development is not started within two (2) years of the date of this Permit,*
- b) *The development is not completed within four (4) years of the date of this Permit.*
- c) *The use ceases for two or more years.*

The Responsible Authority may extend the periods referred to if a request is made in writing:

- *before the permit expires; or*
- *within six months afterwards if the use or development has not yet started; or*
- *within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.*

Signage

36. The sign must be removed within three months of the use ceasing.

9.1.1 Planning Permit Application No. P2020-162 - Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage ~ 22 Nolans Road, Ruffy VIC 3666 (cont.)

Planning Notes

- Prior to works commencing on public land or roads, the permit owner must obtain a permit from the relevant authority giving Consent to Work Within a Road Reserve.
- This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

End of Conditions

PURPOSE AND BACKGROUND

The proposal is to take the current building, which has been used in the past for an engineering business and associated storage and use it for a museum for military memorabilia. This will utilise the ground floor of the existing building.

A caretaker's house / accommodation area will be constructed on a first floor above the museum display area. A garage on the ground floor provides for the caretaker's car parking.

Signage will be displayed, that has been concluded meets the definition of Business Identification Signage and will be no more than 3 square metres in area, attached to the wall of the building and not illuminated either externally or internally.

Car parking will be able to be provided on site to meet the requirements, at maximum patronage, of 30 persons, providing nine or more car parking spaces, and the site can accommodate a tourist bus.

Landscaping will be required:

- along the shared boundary with 26 Nolans Road given it is a café at this time and some separation of the uses should be required to enable the two businesses to co-exist and not cause detriment to either through noise and any other disturbances; and
- along the front boundary to separate the use on site from the sites being used for rural residential living opposite the subject site.

9.1.1 Planning Permit Application No. P2020-162 - Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage ~ 22 Nolans Road, Ruffy VIC 3666 (cont.)



Subject site – 22 Nolans Road Ruffy

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Council is a Responsible Authority under the Planning and Environment Act 1987 (the Act). In this role, Council administers the Strathbogie Planning Scheme (Planning Scheme) and, among other things, determines planning permit applications made for the use and development of land within the municipality.

Under delegated authority of Council, Council Officers determine some matters.

Any application that receives one or more objection is heard before Council.

SUMMARY OF KEY ISSUES

- Is the use compatible with nearby uses and appropriate for this site?
- The proposal has received objections - can these be addressed.

The Delegate Report addresses the key issues.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

9.1.1 Planning Permit Application No. P2020-162 - Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage ~ 22 Nolans Road, Ruffy VIC 3666 (cont.)

Individual applications consider these requirements through assessment phase of each application as per the Planning and Environment Act 1987 and the provisions of the Strathbogrie Planning Scheme. The application was advertised to adjacent and nearby owners and occupiers.

A sign was placed on the land and letters sent out and the proposal was accessible on Council's website. The notice was carried out in accordance with the legislation. Four objections have been received and these have been considered and addressed. Engagement was undertaken with the objectors to talk about their concerns and how they might be addressed via conditions.

POLICY CONSIDERATIONS

Council Plans and Policies

There are no implications on the Council Plan or any Council Policies as a result of this decision.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be considered in strategic planning and decision making.

More information is provided in the Delegate Report attached.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

This application is being considered under Section 61 of the *Planning and Environment Act 1987*.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This application is being heard by Council due to the receipt of objections to the proposal. The report will be on the council website under the Agenda, objectors will be able to speak to their objection, be in the public gallery and go to VCAT should they wish to appeal any decision by Council.

9.1.1 Planning Permit Application No. P2020-162 - Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage ~ 22 Nolans Road, Ruffy VIC 3666 (cont.)

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

This proposal, when weighing up the argument against the relevant policy, is supported by the Planning Scheme and can potentially provide for positive input to the economy of the Shire.

Social

This proposal will provide potentially for a source of learning and information for both residents and visitors to the Shire and it is considered that this is a positive society focused attribute within the Shire.

Environmental

The application has been assessed against the relevant provisions of the *Planning and Environment Act 1987*. The proposed conditions include the requirement for further plantings which will be of benefit to the area.

Climate change

The Strathbogie Planning Scheme has incorporated broader considerations on Climate Change, with the assessment that the proposal will not have an impact on climate change within the municipality, as all works will be required to comply with relevant legislation. The existing building has the potential to be retro fitted for solar energy and the plantings required will address carbon emissions to some extent and provide cooling shade during hot weather.

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications with this proposal. The application is being assessed in accordance with relevant legislation, and all parties will be afforded all relevant rights of appeal at the Victorian Civil and Administrative Tribunal.

CONCLUSION

After due assessment of all the relevant factors, it is considered appropriate to issue a Notice of Decision to Grant a Permit, subject to conditions, in accordance with the Officer recommendation.

ATTACHMENTS

Attachment 1: Delegate Report
Attachment 2: Site Plans
Attachment 3: Signage Plans

ATTACHMENT 1:

Planning Report – Delegate

Application Details:

Application is for:	Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage
Applicant's/Owner's Name:	Planography Pty Ltd
Date Received:	21 December 2020
Statutory Days:	More than 60 days (objections)
Application Number:	P2020-162
Planner: Name, title & department	Gillian Williamson Principal Planner Planning and Investment Department
Land/Address:	22 Nolans Road, Ruffy VIC 3666 (Lot 2 PS313622)
Zoning:	Farming Zone
Overlays:	No Overlay
Is a CHMP required?	The subject site is not within an Area of Cultural Heritage Sensitivity and no Cultural Heritage Management Plan is required
Is it within an Open Potable Catchment Area?	No
Under what clause(s) is a permit required? (include description)	<p><u>Farming Zone</u></p> <p>Pursuant to Clause 35.07-1 a permit is required to use the land for a place of assembly under which Museum is nested. The building has been used for a manufacturing business fabricating sheds and is currently used as a storage shed.</p> <p>Pursuant to Clause 35.07-1 a permit is required to use the land for a Caretakers House which is nested under dwelling. There is currently no accommodation on site.</p> <p>Pursuant to Clause 35.07-4 a permit is required for buildings and works associated with a Section 2 Use. These are associated with the construction for the Caretakers House which will be part of the current building.</p>

	<p><u>Signage</u> Pursuant to Clause 52.05 a permit is required to construct a Sign. The sign describes simply 'Old Ruffy Garage - Museum' which could be construed either as a Business or a Promotional Sign. Given that Section 4 signs only allow for Business Identification Signage, it is considered that this sign is such given that the owner lives and works on site and maintains it as a business. The difference could be determined otherwise at VCAT.</p> <p><u>Car Parking</u> Pursuant to Clause 52.06 the requirement of 0.3 car parking spaces for every patron is required under place of assembly under which Museum is nested. The maximum number of patrons proposed is 30 at any one time and therefore the minimum number of 9 car parking spaces is required and these have been provided on site. Therefore no planning permit is triggered.</p> <p>The Caretakers House requires 1 car parking space (dwelling) which is provided within the building and no planning permit is triggered.</p> <p>A tourist bust would be able to be accommodated on site at this time within the car parking area identified.</p>
Restrictive covenants on the title?	No
Current use and development:	Shed
Adjacent to Road Zone Cat 1 or 2	No
Status of Road on Road Register	Local council road
Adjacent to Public Land	No
Current use and development:	Shed for storage Previously to 2019, the land was used as an Engineering factory that manufactured sheds.

Application Checklist:

Application form <input checked="" type="checkbox"/>	Title enclosed <input checked="" type="checkbox"/>	Fee paid <input checked="" type="checkbox"/>
Site Plan <input checked="" type="checkbox"/>	Plans of Proposal <input checked="" type="checkbox"/>	Planning Report <input checked="" type="checkbox"/>
Supporting Information <input checked="" type="checkbox"/>	Effluent Disposal <input checked="" type="checkbox"/>	Other <input type="checkbox"/>

Disclosure of Conflicts of Interest in relation to advice provided in this report

After reading the definitions of a general or material conflict of interest as defined by the *Local Government Act 2020*, do you have a conflict of interest?

Yes ☐

(if YES, please complete a Conflict of Interest and Declaration Making Declaration form)

No ☒

Recommendation

That Council -

- having caused notice of Planning Application No. P2020-162 to be given under Section 52 of the *Planning and Environment Act 1987*; and
- having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a **Notice of Decision to Grant a Permit** under the provisions of Clause 35.07 and Clause 52.05 of the Strathbogie Planning Scheme in respect of the land known as (Lot 2 PS313622 V10046 F205 Parish of Ruffy), **22 Nolans Road, Ruffy VIC 3666**, for the **Use and Development for a Caretakers House; Change of Use of existing building to Museum (Military Memorabilia Display); and Signage**, in accordance with endorsed plans, subject to the following conditions:

Conditions:

Amended Plans

1. Prior to the commencement of the use and development, 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 form part of the permit. The plans must be drawn to scale with dimensions and be generally in accordance with the plans submitted with the application but modified to show –
 - a) Changes to the Proposed Business Identification Signage plan to show the sign on the front elevation of the building.
 - b) Operating hours updated on the sign to reflect the permit conditions.
 - c) Notation on plan indicating no outside storage and display of museum pieces or other machinery or vehicles.

Endorsed Plans

2. The use and development must be carried out and constructed in accordance with the endorsed plans and permit conditions and must not be altered without the prior written consent of the Responsible Authority.
3. Prior to the use commencing, all works shown on the endorsed landscape plan must be completed to the satisfaction of the Responsible Authority, unless otherwise agreed to in writing.

Landscape Plan Required

4. Prior to the use and development commencing, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and be 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 and be generally in accordance with the plans submitted for assessment. The plans must show –
 - a) The retention of the boundary fencing all around the site, and noted on a site plan, indicating height, style and colour and this is to include the construction

- of a mutually agreed fence style and location for the shared boundary (with No.26) along the south west boundary
- b) An attractive extension (lattice or similar) to the fence height along the shared boundary with No. 26 Nolans Road so as to mitigate the view of the shed elevation from the garden setting of No. 26.
- c) Plantings along the shared boundary with No. 26 Nolans Road, that will quickly form a screen and are easily maintained effectively as a screen to further buffer the views between the two activities.
- d) The vegetation along the front boundary is retained and not damaged in any way (on the road reserve and boundary line) noted on the plan, and is enhanced to create a further buffer of vegetation against the front fence, between the activity on site and the public road (this could be spaced plantings of a hardy native medium to large shrub).

Maintenance of Vegetation

- 5. The vegetation along the outer fence line at the front boundary is to be planted out and maintained by the owner of No.22 and any dead vegetation that the permit holder has planted is to be replaced, to the satisfaction of the Responsible Authority.
- 6. All vegetation along the boundaries is to be maintained, replacing any dead plants, to the satisfaction of the Responsible Authority.

General amenity provision

- 7. The use and development must be managed so that the amenity of the site, area and locality, in the opinion of the Responsible Authority, is not detrimentally affected, through the:
 - a) transport of materials, goods or commodities to or from the land;
 - b) appearance of any building, works or materials (which must be kept in good order);
 - c) the storage of materials (vehicles, parts, any other equipment and similar) outside the building (all product must be stored inside the building);
 - d) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
 - e) presence of vermin.

Neat and tidy site

- 8. The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.

Noise Control

- 9. The activities on site must not cause unreasonable noise or aggravated noise that may unreasonably impact the local community, including being responsible for any contractors or tradespeople hired, in accordance with EPA 'Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues' Publication 1826.4 May 2021.

Hours of operation

- 10. The use may operate only between the hours as below, unless with the prior written consent of the Responsible Authority.

Wednesday to Saturday	9am till 5pm
Sunday	10am till 3pm
Public Holidays	10am till 3pm

Maximum Number of Patrons

11. Not more than 30 persons may be present on the premises at any one time.

Deliveries

12. All deliveries must be between the operating hours as stated, but not on the weekends or public holidays, and must occur only on site and not external to the site.
13. All loading and unloading must take place at all times within the curtilage of the subject site.

Plant/Equipment/Features on Roof

14. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) without the written consent of the Responsible Authority.

Lighting on Site Control

15. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
16. Flashing or intermittent light must not be displayed on the subject site.

Security Alarms Control

17. All security alarms or similar devices installed on the site must be of the silent type in accordance with any current standard published by Standards Australia International Limited.

Fencing

18. The fencing as shown on the endorsed plan must be erected (extension screening) and maintained (all fencing on all boundaries) to the satisfaction of the Responsible Authority.

Loading Unloading Areas

19. Areas set aside for loading and unloading on site must be kept clear at all times for the purpose of loading and unloading.

Engineering Conditions

Traffic Impact Assessment Report

20. Before any of the development starts or before the plan of subdivision is certified under the Subdivision Act 1988 the applicant shall provide a Traffic Impact Assessment Report in accordance with the requirements of the Infrastructure Design Manual to the satisfaction of Council.

Rural Vehicle Crossing Location

21. Prior to the commencement of works on site, any new, relocated, alteration or replacement of required vehicular entrances to the subject land from the road shall be constructed at a location and of a size and standard in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a Vehicle Crossing Permit. Reference should be made to Clause 12.9.2 "Rural

Vehicle Crossings” of the Infrastructure Design Manual. Refer to standard drawing SD255 for small vehicles or SD265 for large vehicles.

22. The vehicular crossing shall have satisfactory clearance to any power or Telecommunications pole, manhole cover or marker, or street tree and have a minimum of 50mm of gravel from the shoulder to the property boundary.

Rural Drainage - Works

23. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.
24. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies: -
 - Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and
 - Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)
25. Prior to the commencement of any works, the design parameters for any defined watercourse crossing(s), both structural and hydraulic design, shall be approved by the Responsible Authority (GBCMA – Works on Waterways Permit).

Internal Access Roads

26. Prior to the commencement of the use all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority. Internal access, including the turn-around areas for emergency vehicles, must be all weather construction with a minimum trafficable width of 4m.

Car Park Construction Requirements

27. Before construction works start associated with the provision of carparking, detailed layout plans demonstrating compliance with Aust Roads Publication ‘Guide to Traffic Engineering Practice : Part 11 Parking’ and to the satisfaction of the relevant authority must be submitted to and approved by the responsible authority. The plans must be drawn to scale with dimensions.
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 (to the satisfaction of the responsibility authority):
 - a) surfaced with an all-weather seal coat or gravel of type or treated to prevent dust, to the satisfaction of the Responsible Authority;
 - b) constructed and completed to the satisfaction of the Responsible Authority;
 - c) drained in accordance with an approved drainage plan;
 - d) marked to indicate each car space and all access lanes;
 - e) measures taken to prevent damage to fences or landscaped areas of adjoining properties and to prevent direct vehicle access to an adjoining road other than by a vehicle crossing;
 - f) provision of traffic control signage and or structures as required; and

- g) provision of signage directing drivers to the area(s) set aside for car parking. Such signs are to be located and maintained to the satisfaction of the Responsible Authority. This sign must not exceed 0.3 square metres.
- h) The areas must be constructed and drained to prevent diversion of flood or drainage waters, and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.
- i) Car spaces, access lanes and driveways must be kept available for these purposes at all times.

Drainage Discharge Plan

28. Before any of the development starts, a properly prepared drainage discharge plan with computations 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 must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.

The information and plan must include:

- a) details of how the works on the land are to be drained **and/or** retarded;
 - b) computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority;
 - c) measures to enhance stormwater discharge quality from the site and protect downstream waterways Including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements;
 - d) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council or (insert) lit/sec/ha;
 - e) documentation demonstrating approval from the relevant authority for the legal point of discharge;
 - f) the provision of gross pollutant and/or litter traps installed at the drainage outfall of the development to ensure that no effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system; and
 - g) maintenance schedules for treatment elements.
29. Prior to the use commencing all works constructed or carried out must be in accordance with those plans. to the satisfaction of the Responsible Authority.

Council's Assets

30. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.

Environmental Health Conditions *Effluent Management*

31. Prior to the use commencing, the property being used for occupancy and a place of business, located outside a reticulated sewerage district, must have installed a septic disposal system approved by Council's Environmental Health Officer.

Permit Expiry

Use and Development

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

- a) The development is not started within two (2) years of the date of this Permit,
- b) The development is not completed within four (4) years of the date of this Permit.
- c) The use ceases for two or more years.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six months afterwards if the use or development has not yet started; or
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Signage

33. The sign must be removed within three months of the use ceasing.

Planning Notes

- Prior to works commencing on public land or roads, the permit owner must obtain a permit from the relevant authority giving Consent to Work Within a Road Reserve.
- This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.
- The availability of amenities for an occupancy of 30 people may require separate facilities however the Relevant Building Surveyor will determine and advise.

Proposal

The proposal is to take the current building, which has been used in the past for an engineering business and associated storage, and use it for a museum for military memorabilia. This will utilise the ground floor of the existing building.

A caretakers house / accommodation area will be constructed on a first floor above the museum display area. A garage on the ground floor provides for the caretakers car parking.

Signage will be displayed, that has been concluded meets the definition of Business Identification Signage, and will be no more than 3 square metres in area, attached to the wall of the building and not illuminated either externally or internally.

Car parking will be able to be provided on site to meet the requirements, at maximum patronage, of 30 persons, providing nine or more car parking spaces, and the site can accommodate a tourist bus.

Landscaping will be required –

- along the shared boundary with 26 Nolans Road given it is a café at this time and some separation of the uses should be required to enable the two businesses to co exist and not cause detriment to either through noise and any other disturbances; and
- along the front boundary to separate the use on site from the sites being used for rural residential living opposite.

Subject site & locality

Inspection date/s: Numerous	Officer: Gillian Williamson	Notes:
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The site has been visited on a number of occasions to assess the location (will the proposal fit in with the surrounding uses / built form impact on landscape), the accessibility (road conditions and connectivity to main network), landscaping requirements.

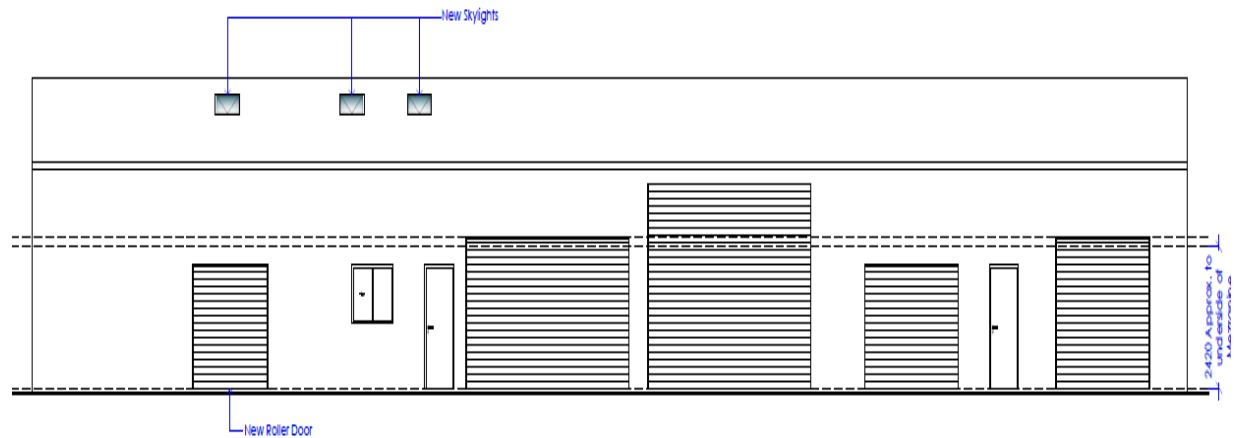








The site measures approximately 1900 square metres, contains existing buildings comprising a shed and carport. The shed measures approximately 550 square metres, with a height of approximately 5.4 metres. The buildings are currently a muted green colour, being corrugated metal. The proposed front elevation, facing the street, will look as below –



Front Elevation - South East

The main building is, and will continue to be, located 13 metres from the shared boundary with number 26, the cafe. The front boundary is on Nolans Road and the other two boundaries share with farming land. Across the road from the subject site is council owned land that has buildings on it and is noted as the Ruffy Telephone Exchange.

The township of Ruffy comprises a number of rural residential dwellings.

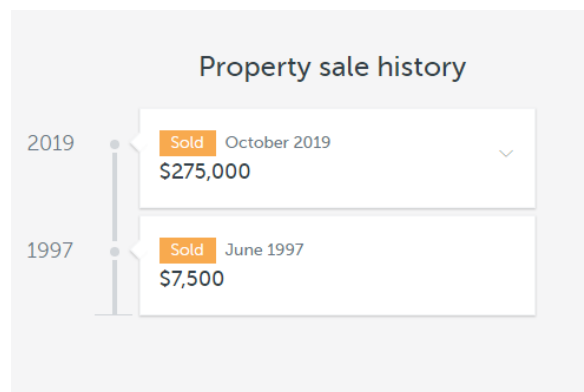
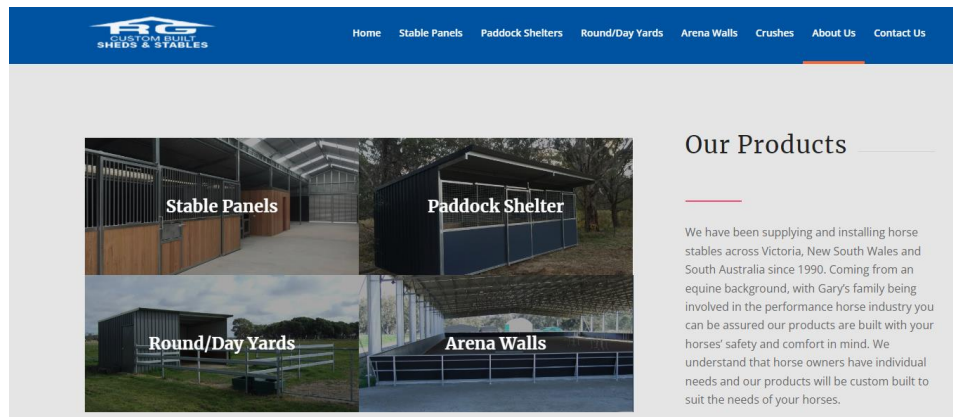


Permit/Site History

The following history applies to the site –

- Engineering business established on site (to construct sheds) noted on line from their advertisement as being established since 1990. It was sold in 2019 according

to on line records to the current owner as there is no indication of it being sold on again.



- In 1988 council records indicate that a new building was constructed and that the land was then being used for fuel storage and bowsers which is then indicated as having an addition.
- In 1997 a garage was constructed on site.
- Records indicate further additions to the shed right up to and including an addition under P2020-047.



Further Information

<p>Further Information Required:</p> <p>What was requested?</p> <ul style="list-style-type: none"> Detailed floor plans LCA Maximum number of patrons and staff Car parking to be shown Signage details Any changes to the external areas Liquor Licence to be included 	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>FI Requested: January 2021</p>	<p>FI Received: April 2021 which satisfactorily responded to the request for further information</p>

Advertising/Public Notification

The proposal was put on notification until 20 July 2021.

Four objections were received.

The applicant did not indicate that they wished to mediate and they were sent the redacted objections.

The Planning Team did meet with the objectors on site to go over their concerns and explain about conditions proposed that could address their concerns.

Is notification/advertisement required under section 52? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Exempt				
Please provide comment				
Advertised by:		<input checked="" type="checkbox"/> Council		<input checked="" type="checkbox"/> Applicant
Site plan selected:		<input checked="" type="checkbox"/> Plans		
		<input checked="" type="checkbox"/> List of notified		
Add Instructions on Spear		<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No
Letters: Yes	Signs: Yes	Paper: No	Sent: June 2021	Stat Dec Rec: July 2021

Objections received?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Number: 4
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The objections are discussed in detail below -

Objection details	Officer response
<p>The objectors (two) reside to the south of the subject site, within 50m of the front boundary. Their access from Nolans Road is opposite the access of the subject site. The dwelling is set back from the subject site boundary by approximately 40m with vegetation plantings along the road reserves and within their garden setting creating a buffer between the subject site and the dwelling of the objectors. Their objections relate to –</p> <ul style="list-style-type: none"> • Respect for the existing character which they inform as being unique rural ambience, quiet, peaceful, low key lifestyle. • Being confronted daily by the ‘implements of war’ and would like all memorabilia located within the shed. • Signage to have minimal visual impact. 	<p>The shed exists and no changes are proposed to the actual built form and height other than to put in a couple of skylights in the roof at the front elevation which will provide light to the proposed Caretaker House which is to be located within the building on the first floor and comprise of one bedroom, a bathroom, lounge and dining area. This space already exists within the current building and will be made into accommodation that has to meet the Building Regs. Therefore nothing is going to impact any further on the landscape and views due to the built form. With regards to amenity impacts, it is likely that there will be some change with the advent of visitors to the area and this will be conditioned on permit to occur on site only and not within the street environment. However, patrons may visit the café if it remains open and ongoing and patrons will not be confined to the subject site as that is not within the jurisdiction of the planning scheme. Change will occur but hopefully conditions on permit will limit detrimental impact as far as those matters highlighted by the objectors.</p> <p>With regards to the activities on site, landscaping will be required via conditions on permit, to effectively screen the car parking area and buffer between the cafe and museum effectively mitigating too much of the activity on the site. It will also be conditioned that the museum pieces be confined to the building, and this allows for a clear area for vehicles and pedestrians movements on site.</p>

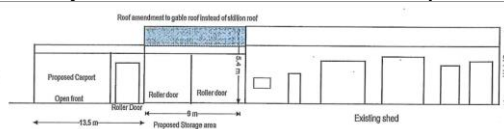
<ul style="list-style-type: none"> • Visual amenity due to proposed development and signage. • Hours of operation and impact on privacy and security. • Noise from car parking, museum repair and restoration projects, events and activities. • Lighting at night impacting on sleep. • Impact of vehicles and parking on health of the heritage oaks in the main street. • Overall impact of visual amenity on the township and home. <p>They would like –</p> <ul style="list-style-type: none"> • The parking to be strictly controlled and contained on site. • Fencing to be retained to contain noise and minimise visual impact of car parking with the fence being screened by local native plantings. • Signage to be on site and not on the fence. • A landscape plan to be implemented within six months to mitigate the impact of the sheds and car park on the amenity of the township. • Protection of the Memorial Oak trees in Nolans Road. • Lighting to be turned off at night. 	<p>The signage will be required to be placed on the shed front elevation.</p> <p>Noise limitations will be limited as per EPA requirements as conditions on permit which is standard practice.</p> <p>Lighting will be controlled by permit conditions which is standard practice.</p> <p>Patrons will be required to park on site at the museum and car parking on the street will be as per the road rules. There is no Heritage Overlay to identify the oaks on the main street. Unless there is signage advising of parking controls then it is not a matter that planning considers in this instance.</p> <p>The overall impact on the visual amenity of the town will remain largely unchanged although it may improve given that landscaping is required to the front boundary.</p>
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They cite that the grant of a permit based on the current proposal would impact adversely on the visual amenity and peaceful rural ambience of Ruffy township. They will be opposite a museum with concurrent stress, noise, vehicle activity, lighting and parking issues. They are also concerned about impact on the oak trees on Nolans Road which are already impacted by vehicle parking under them. They urge council to consider their concerns and invite council to meet on site to discuss in person.

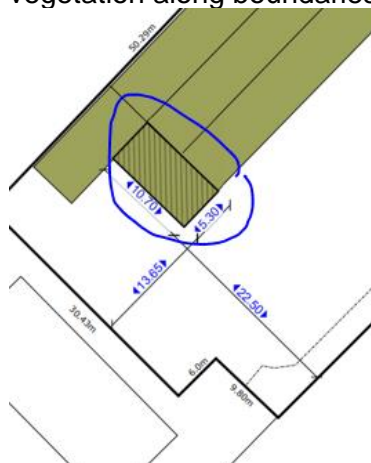
The objector shares a boundary with the subject site and operates a business from the site. There is a buffer of vegetation on both sides of the shared boundary. The objections relate to –

- Not having been notified in the past regarding the development on site.
- Recently experiencing the activities on site has increased a negative impact on the quiet enjoyment of the property.
- Over time the site has stored products against the shared boundary which are an eyesore – these include truck bodies being used to store other product in, rusted equipment, building materials, resembling a junkyard.
- Non compliance with previous planning permits which required screening along the front fence and southwest boundary, to screen view, noise and maintain the objectors amenity.

Planning permit P2016-063 for an addition to a shed, was notified to the owners of the property at that time. The orange areas are the additions at that time. No objections were received and permit issued.



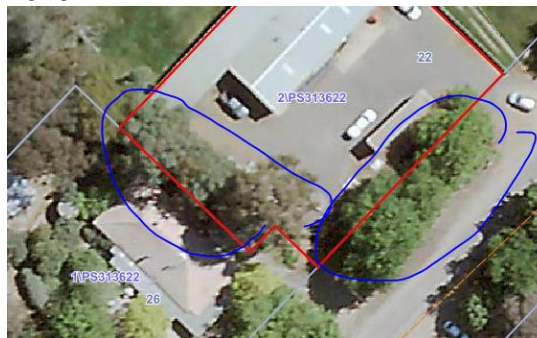
Planning Permit P2020-047 for an addition to the shed, was not advertised and the assessing officer at the time determined that there would be no material detriment given that the addition did not extend the shed to any degree that would impact on neighbouring properties given the fencing and vegetation along boundaries.



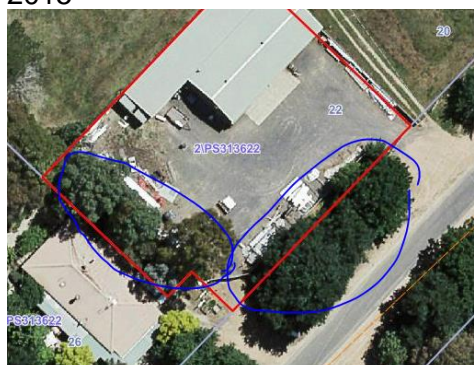
- Expectation that the site is well maintained and not cluttered with truck bodies. Current proposal for car parking along the front boundary where landscaping has previously been proposed. Car parking should be within the site and landscaping along the front boundary.
- The noise of engines being repaired or tested has been intrusive and disturbing. The permit should not allow noisy trucks or engines.
- Any buildings or temporary structures should be removed before a new permit is allowed to operate. A council inspection should occur.
- It should be a strict condition on permit that vehicles, farm machinery, equipment, engines, parts etc must not be sold, repaired, wrecked or stored on site. A museum is not a junkyard.
- The site should not be used for car trading.
- Wrecking is offensive and should not occur.
- Repairs to vehicles is a noisy occupation and is inconsistent with this proposal.
- Storage of vehicles and equipment should be confined to indoors.

P2016-063 did require that existing landscaping along the front and south western boundaries were to be retained and it appears from aerials that they have.

2019 -




2015 -



Permit conditions will require that the site is kept neat and tidy at all times. A site visit by Local Laws in December 2019 resulted in a conclusion that the site was being kept in a reasonable state and was not a hazard.

To the left is the shared boundary and the dwelling can be seen.



<ul style="list-style-type: none"> • The proposal should not allow outdoor displays or storage. • Strict conditions on permit should prohibit the use of the property for anything other than a museum. 	<p>To the rear again the shared boundary and dwelling can be seen</p>  <p>Further landscaping will be conditioned particularly along the shared boundary and frontage. Noise limitations will be limited as per EPA requirements as conditions on permit which is standard practice. And it is acknowledged that engine noises when being repaired and tested certainly are an intrusion to a quiet and rural residential area, further conditions can be put on permit that require no repairs or maintenance on site are to occur other than between certain hours which can be limited to mitigate the disturbance to the residents.</p>
<p>This objector does not live adjacent to or nearby to the subject site and was not directly notified and does not state how the objector would be affected by the grant of a permit. However the concerns raised are considered to be valid and have also been raised previously by other objectors. The objections relate to –</p> <ul style="list-style-type: none"> • Industrial pursuits are inconsistent with the adjacent store. • The site is visually messy and inappropriate to the streetscape. • The site coverage by built form. • Storage of vehicle parts, rusting farm machinery, tools, equipment, temporary structures, and are unsightly. 	<p>The site has previously been used for manufacturing sheds and only ceased when it was sold in 2019 as described previously. Since then the owner has used the site for storage and kept the site reasonably neat (checked by Local Laws), particularly when viewed at the previous aerials when the shed business was there (can be evidenced through the council GIS aerials).</p> <p>2007 –</p>  <p>2013-</p>

- Concerns due to the sign saying 'garage' that the site will be used for display and sale of cars or a junkyard.
- Restrictions for use, noise, working on vehicles, wrecking, sales, storage.
- All activities inside the shed and not permitted outside.
- Trading hours restricted.
- Concerns about where the caretaker will live.



2015 –



2017 –



2019 –



It appears that the site has been consistently improving its appearance and in 2021 Local Laws

	were asked to assess any hazards due to the storage on site and it was concluded there were none. Local Laws have commented that screening along the shared boundary to mitigate the view of a shed wall from the café should be considered.
--	--

The objections are considered to be rational, addressing the proposal and how the objectors will be affected in the majority. They also offer constructive suggestions on how the impacts could be reduced or eliminated. The objections have been seriously considered and conditions will be applied to ensure that the majority of the concerns are required to be met. It could very well be understood that regardless of who owned the site, the site was at one time, over a number of years evidenced to store a great deal of products on site and near to the shared boundary and it was likely noisy due to the manufacturing. Since the sale in 2019 and new ownership, it can be evidenced that the site has been tidied up and there is no longer manufacturing on site.

Consultation

The objectors met with the Planning Team to discuss their concerns.
The applicant did not indicate that they wished for mediation.

Referrals

REFERRALS					
Add instructions on SPEAR:				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Referrals Authority	Type of Referral	Referral Clause and Description	Additional Instructions	Date sent	Date received including Advice/Response/Condition

External Referrals/Notices required by the Planning Scheme:

HEALTH	Internal	Nil	What ww management is required for the proposal.	4/1/2022	No response
Building	Internal	Nil	Are there any concerns with the proposed building and use	4/1/2022	RBS will advise on amenities required.
EPA	Section 52	Nil	To see if they had concerns about previous contamination.	12/11/2021	No response and therefore it is considered that the EPA has no concerns.
Local Laws	Internal	Nil	Please make comment about any complaints, site visits.	12/11/2021	Suggest condition that requires screening along shared boundary particularly between the shed and the café and this has been put in as a condition.

Assessment

The zoning of the land and any relevant overlay provisions

Farming Zone

Pursuant to clause 35.07-1 a permit is required to use the land for a place of assembly under which Museum is nested.

Pursuant to Clause 35.07-1 a permit is required to use the land for a Caretakers House which is nested under dwelling.

Pursuant to Clause 35.07-4 a permit is required for buildings and works associated with a Section 2 use.

The building exists and currently there is no accommodation on site although there is a 'mezzanine' area that is proposed to be converted into the caretakers house/accommodation.

The existing building will house the military memorabilia for display on the ground floor, which also includes a storage area, amenity area for patrons and an office area associated with running the business.

The purpose of the Farming Zone is irrelevant in this instance given that this subject site and others adjacent and nearby are being used for other uses, than agriculture. This locality that forms the township of Ruffy is identified in the Rural Residential Strategy 2004 as a rural residential destination and has barely been developed since it was originally

surveyed in the early 1900s. The area is described as being used for sheep and cattle grazing, various boutique enterprises including vineyards, nurseries, trail riding, bed and breakfast and various others. The township has more recently seen weekend visitors taking advantage of the scenery.

Appropriate decision guidelines are considered to be –

- The capability of the land to accommodate the proposed use and development including the disposal of effluent.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

Officer Response

The building has been in existence from the 1980's and was used to manufacture sheds until it was sold in 2019, where since then it has been used for storage only.

Given that it has for many years been a manufacturing business with the accompanying amenity impacts, it is considered that the proposed museum for the display of military memorabilia, with permit condition controls, will be less detrimental to the surrounding uses, which include a café and residence, rural residences and a community hall.

The existing building has a toilet and septic system and this will be required to be upgraded.

The Planning Policy Framework (PPF) and The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS) and local planning policies

Clause 17.04-1S Facilitating Tourism sets the objective to encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination. This is to be achieved by encouraging a range of well designed and located facilities, creating innovative tourism experiences and promoting facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.

Clause 21.06-3 Tourism sets the objective to promote the shire as a tourism destination and this is to be achieved by encouraging tourism related development that supports towns as relevant to this proposal.

Relevant Particular Provisions

Signage

Pursuant to Clause 52.05 a permit is required to construct a Business Identification Sign in the Farming Zone.

The sign is considered to be a Business Identification Sign rather than a Promotion Sign given that a promotion sign would be prohibited whereas a BI Sign is not. This is based on the fact that the proposed sign simply states the business name being 'Old Ruffy Garage' and the business is a 'Museum'.

The purpose is to regulate the development of land for signs, ensuring that they are compatible with the amenity and visual appearance of an area and do not contribute to excessive visual clutter or disorder.

The expiry date for the permit is three months post the use ceasing.

Appropriate decision guidelines are considered to be –

- The character of the area
- Impacts on views and vistas

- The relationship to the streetscape, setting or landscape
- Relationship to the building

Officer Response

The signage is required to be installed on the front elevation of the shed and not as proposed outside the fence line on the road. The sign will therefore be visible but not prominent and therefore will not impact on the visual aspect of the streetscape by causing clutter.

The decision guidelines of Clause 65.01

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

Officer Response

The relevant policy has been considered throughout the planning scheme. It is considered that the proposal will result in orderly planning, supporting relevant policy and providing for a tourism facility that suits the locality.

Vegetation is required to be planted and maintained to ensure that the activities on site are separated from the surrounding uses of rural residential and café and create an aesthetic that complements the township of Ruffy.

The site has room for car parking and vehicle movements along with deliveries.

Stormwater and wastewater will be managed on site.

There will be a caretaker on site to ensure the security and maintenance, which is backed up by the requirements of permit conditions regarding general amenity and neatness of the site.

It is considered that proposal addresses the majority of the decision guidelines in a positive way.

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

Hume Regional Growth Plan 2014 – tourism is also an important industry and employer for the Hume Region.

Relevant incorporated, reference or adopted documents

There are no relevant incorporated, reference or adopted documents.

Relevant Planning Scheme amendments

There are no relevant planning scheme amendments.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Summary

The proposal is to use an existing shed for the display of military memorabilia and a caretaker will be living on site to ensure security and maintenance of the site and memorabilia. Landscaping and fencing extensions are required to ensure that the activities on site are separated from the surrounding uses, and to ensure that the amenity is retained as 'quiet' and the aesthetics complementary to the existing 'rural ambience'.

A modest and simple sign is to be placed on the front elevation of the building, measuring 3 square metres, which allows for visitors to locate the museum. This allows for signage that does not create visual clutter as it is contained within the site and on the building which is set back from the street and entrance to the site.

Car parking has been provided on site that meets the requirements of the policy and there is adequate room for vehicles to manoeuvre into and around the site, including deliveries which are required to be carried out on site only.

Objections received put forward a number of concerns discussed earlier in the report and which have been considered, and conditions have been placed on any permit to issue that will control the concerns raised.

The proposal does not support the purpose of the Farming Zone and likely never would have, having been surveyed into the Ruffy township in the early 1900s as a small lot along with many others along this street. The site had existing use rights for a manufacturing business up until 2019 when it was ceased and sold, whereby it has been used for storage since that time.

The proposal proposes a low key tourism facility that will be controlled by conditions on any permit issued to ensure that it complements the township by not disturbing the 'rural' and 'quiet' amenity, or the adjacent café and rural residents. It is potentially of economic benefit to the township without disrupting what makes the township attractive to visitors and residents, being the rural ambience.

After due consideration of the proposal against the planning scheme and with consideration of the objections, it is concluded that the proposal is weighted in favour of support.

Conclusion

After due assessment of all the relevant factors, it is considered appropriate to grant a planning permit, subject to conditions.

Decision:

Delegate Report	Yes	Council Report	Yes
Determination:	Choose an item.	Determination Date:	

Endorsed Plans:

Date:	Plan Numbers:

Declaration:

In making this decision as a delegated Officer, I declare that I have had regard to the decision-making requirements of the Strathbogie Shire Council's Governance Rules 2020 outlined by Rule 6 and have:

Made a fair, balanced, ethical and impartial decision - Sub Rule 6(c)(i)



Made a decision based on merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations- Sub Rule 6 (c)(ii)



Applied the principles of natural justice to my decision, ensuring any person whose rights will be directly affected by the decision has been entitled to communicate their views and have their interests considered - Sub Rule 6(d)

N/A

Identified the person or persons whose rights will be directly affected
Sub Rule 6(e)(i)



Given notice of the decision Council must make under Sub Rule 6(e)(i)

N/A

Ensured that such person(s) have had an opportunity to communicate their views and have their interests considered before I made the decision - Sub Rule 6(e)(i)

N/A

Included information about how I've met these Sub Rules in my delegate report-
Sub Rule 6(e)(iv)



Attachments

Plans for endorsement – no plans to endorse until conditions are met.

Assessing Officer: Gillian Williamson
Principal Planner Reviewing Officer: Braydon Aitken Manager

Signature: *G Williamson* Signature: B Aitken

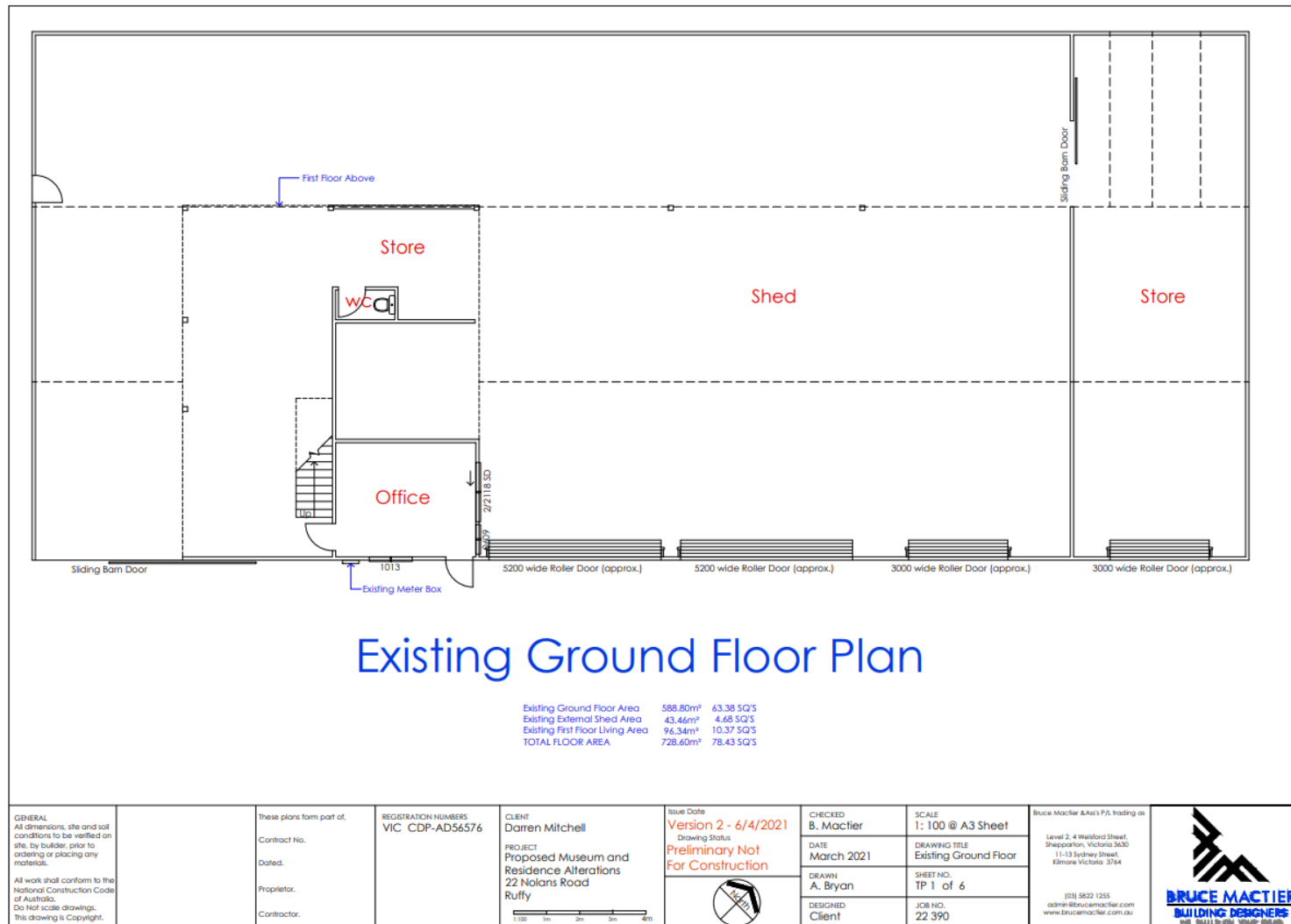
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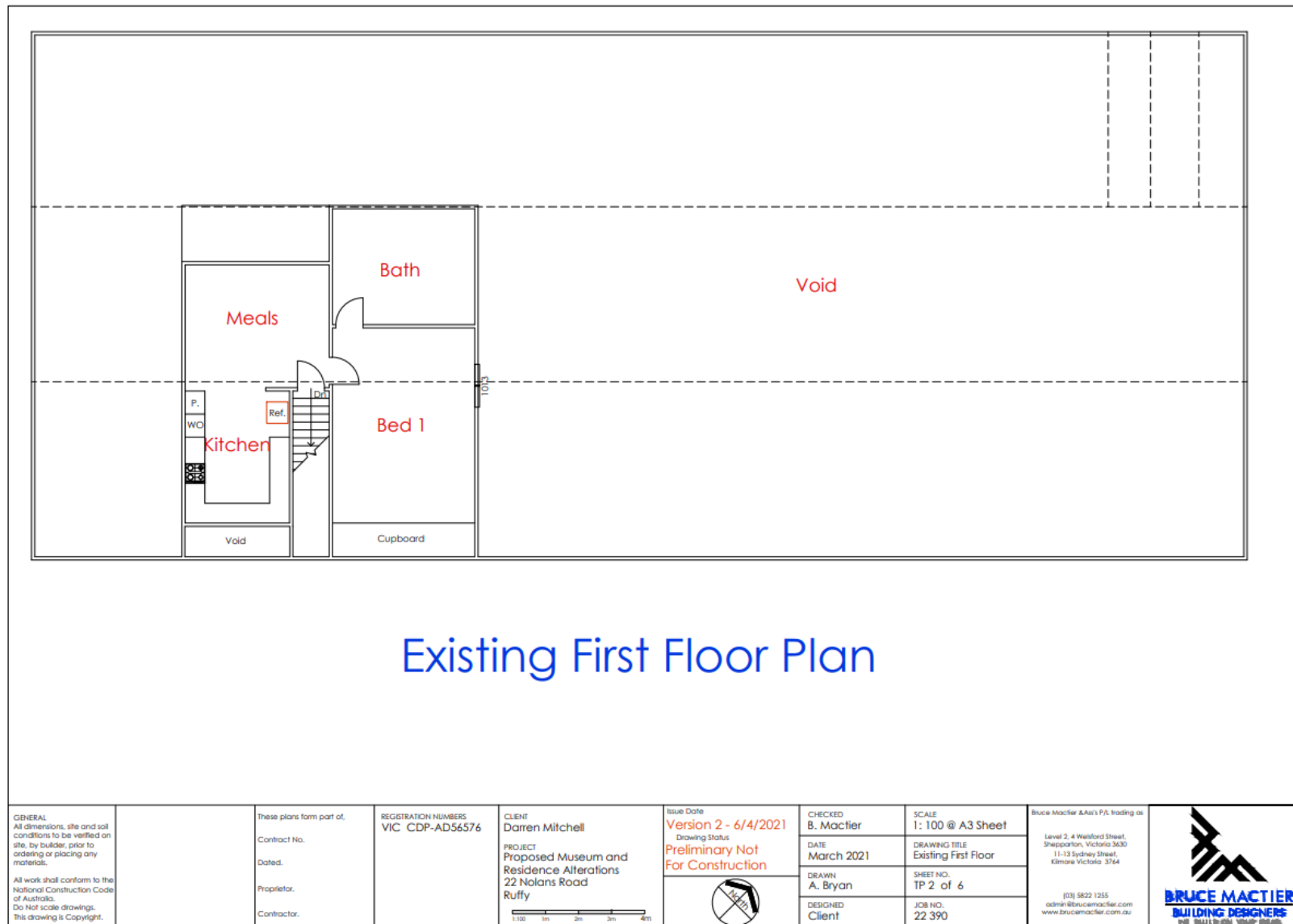
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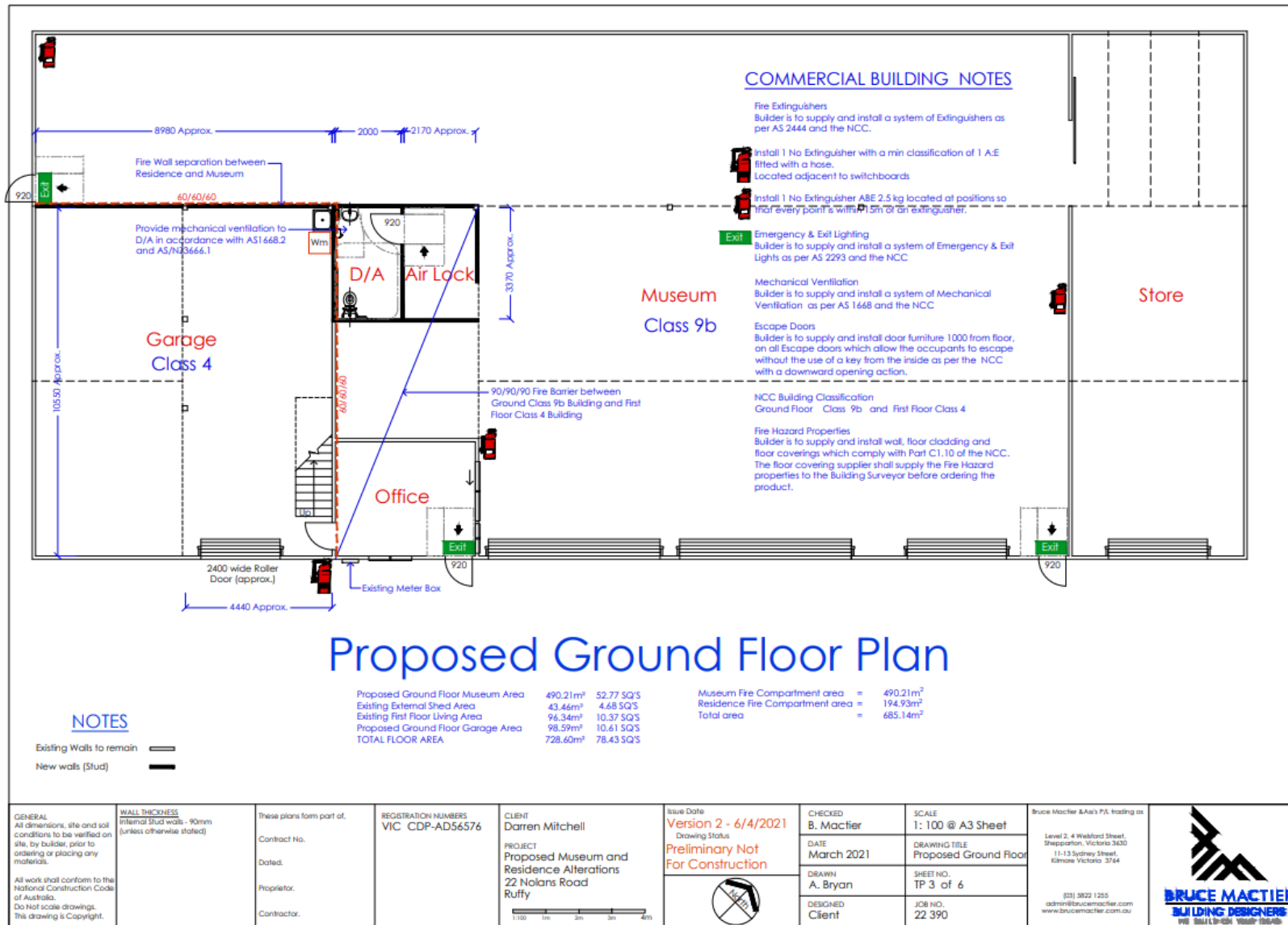
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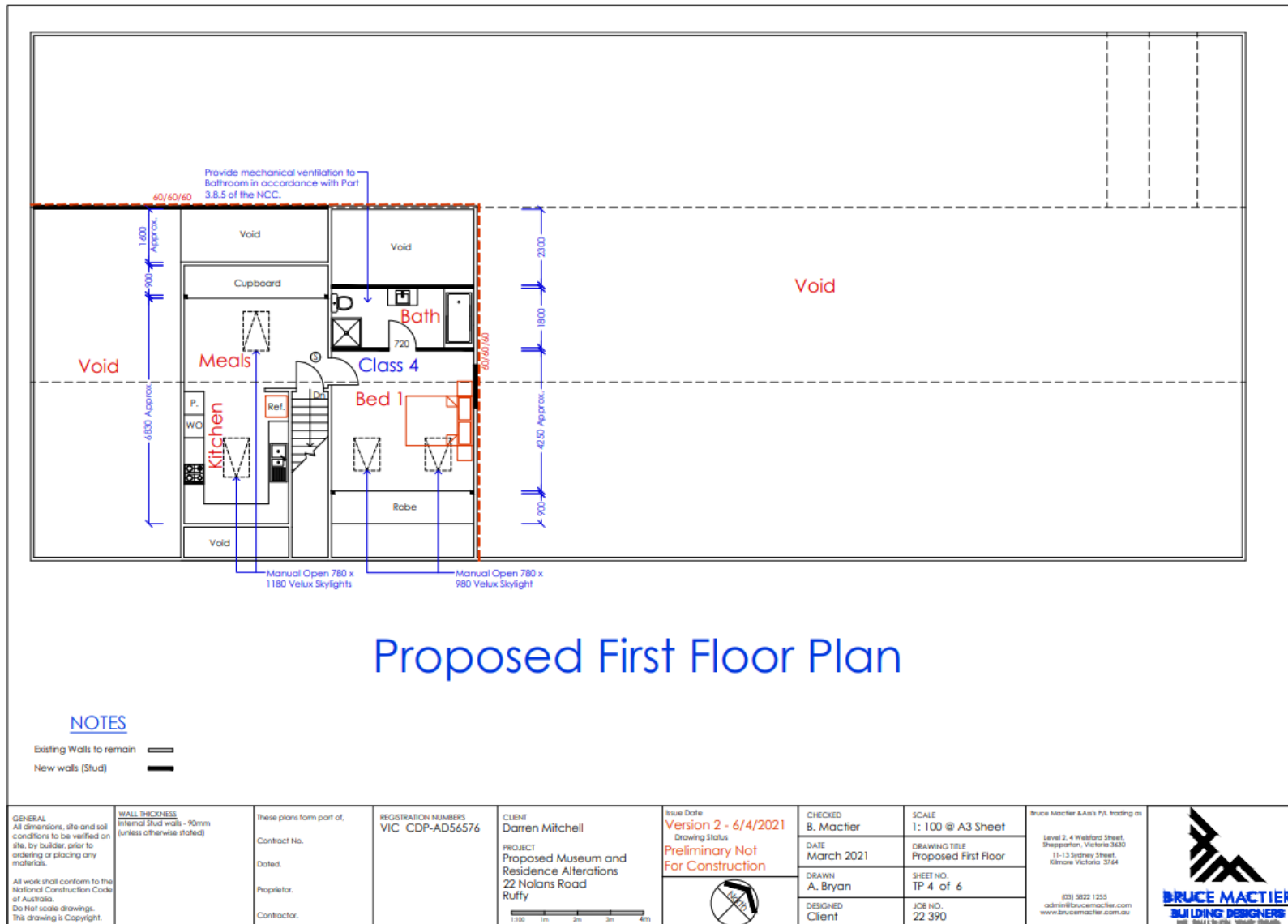
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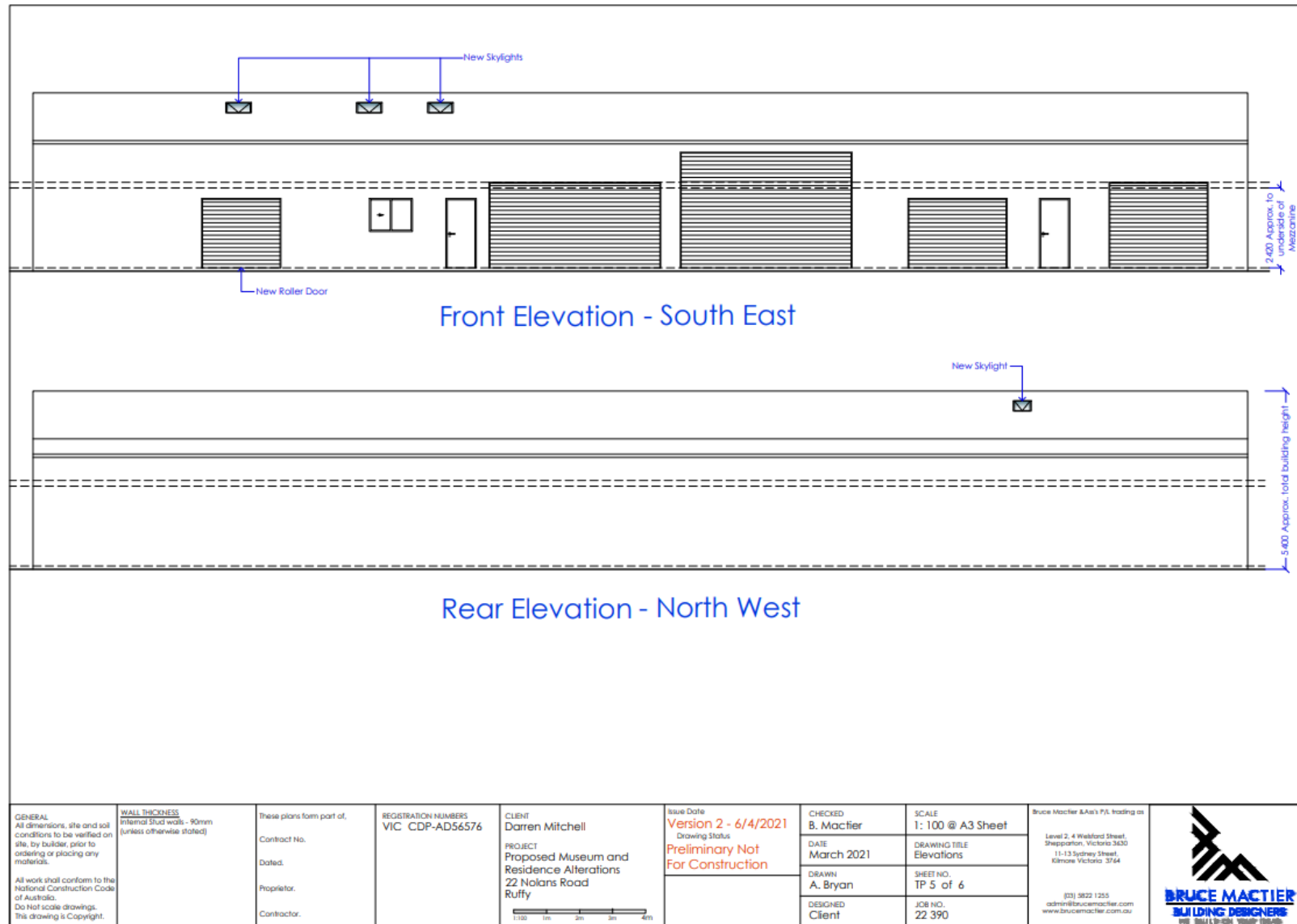
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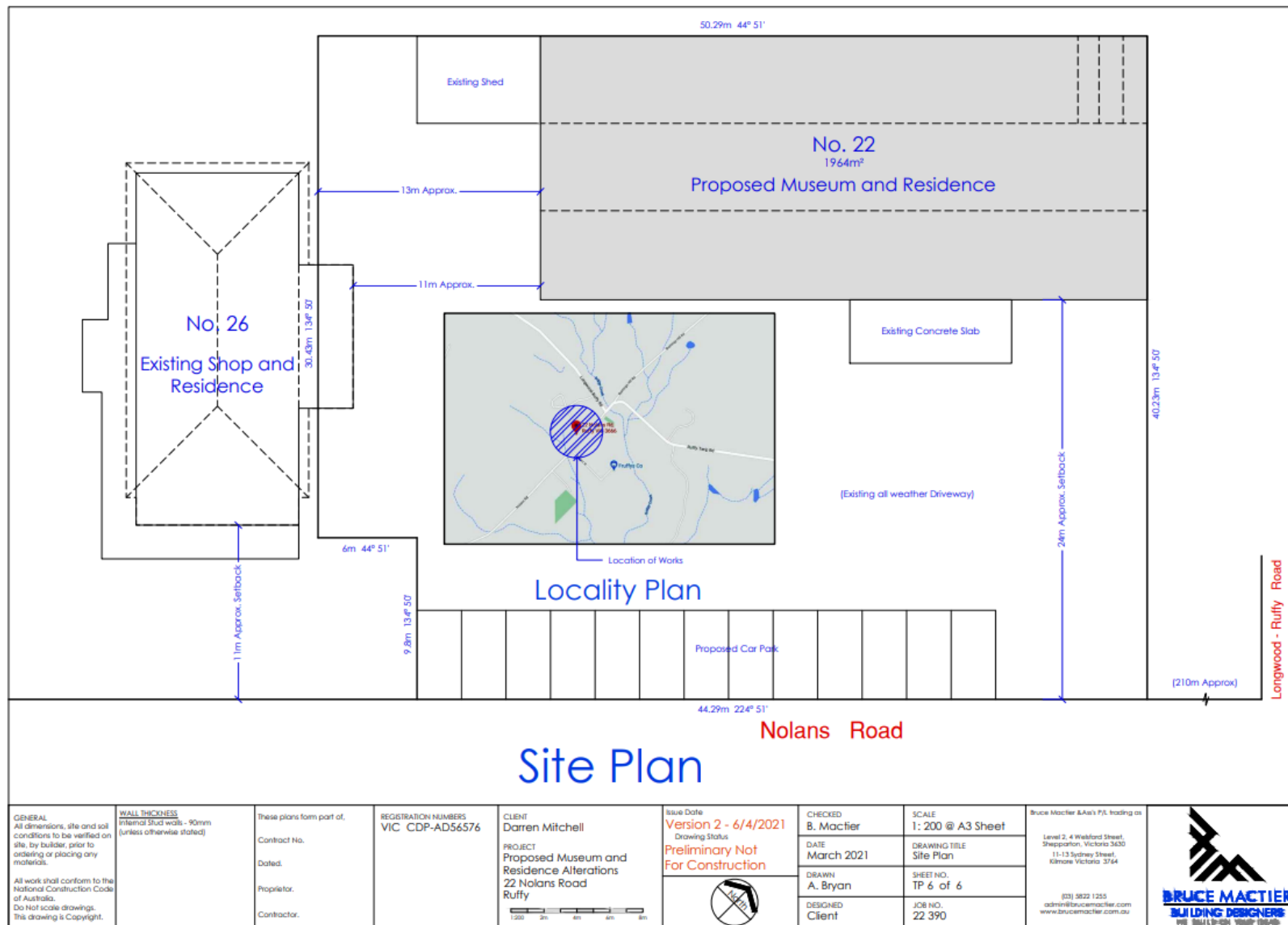












ATTACHMENT 3:

Proposed Business Identification Signage

Address: 22 Nolans Road, Ruffy

Dimensions: 1.0m x 3.0m

Colour: Black & White



Proposed Location of sign (height from ground 1.5m)



9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is for the development of the land for a bottle shop with the associated use as a licensed premises for packaged liquor to be consumed off site only. The use of the land for the bottle shop is as of right in the Commercial Zone. The site is located on the corner of Tarcombe Street and Hunter Street and is currently vacant.
- The bottle shop will be open until 9pm under this current application. Access will be from Hunter Street. Car parking will be provided on site although the intent is 'drive through'. Signage will be limited to the commercial zone requirements which are identified in the conditions. Landscaping will provide a buffer between the residential use and commercial use at the shared interface which is one dwelling, at the northern boundary.
- The application was advertised and seven objections have been received. A meeting was held on site with the objectors to allow them to discuss their concerns. More details are included in the Delegate Report attached.
- The application has not been assessed within the sixty day statutory timeframe given the objections.
- The proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework, the Zone and Overlay.
- It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

RECOMMENDATION

That Council

- 1. Resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's Recommendation in the attached Delegate Report; and***
- 2. Note the Delegate Report and proposed conditions.***

Conditions:

Endorsed Plans

- 1. The development and liquor licence must be carried out in accordance with the endorsed plans and permit conditions and must not be altered without the prior written consent of the Responsible Authority.***

General Amenity

- 2. During construction the development must be managed so that the amenity of the area or locality, in the opinion of the Responsible Authority, is not detrimentally affected, through the:***
 - a) transport of materials, goods or commodities to or from the land;***
 - b) appearance of any building, works or materials;***

9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666 (cont.)

- c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and*
- d) presence of vermin; and*
- e) any other matter as reasonable.*

Neat and Tidy Site

- 3. The subject land must be kept neat and tidy at all times, and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.*

Waste Management

- 4. All waste material must be stored out of site of the public domain and must be regularly removed from the site. No waste should be allowed to be spilled or dust or odour created on or around the site, to the satisfaction of the Responsible Authority.*

Noise Control

- 5. The activities on site must not cause unreasonable noise or aggravated noise that may unreasonably impact the local community including being responsible for any contractors or tradespeople hired, in accordance with EPA 'Noise limit assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues' Publication 1826.4 May 2021.*

Lighting

- 6. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land, to the satisfaction of the Responsible Authority.*
- 7. No flashing or intermittent light is to be displayed on the subject land without the prior written consent of the Responsible Authority.*

Security Alarms

- 8. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.*

Landscaping Maintained

- 9. The landscaping on site as shown on the endorsed plans must be maintained, replacing any dead or diseased plant, by the permit holder/land holder so that the screen is maintained between the commercial activity and the residential use, to the satisfaction of the Responsible Authority.*

Access and Egress

- 10. Access and egress from the property for all vehicles must take place in a forward direction at all times.*

9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666 (cont.)

Loading and Unloading

- 11. All loading and unloading must be at all times undertaken within the curtilage of the subject land.**

Signage

- 12. The total display area of all signs for the premises must not exceed 8 square metres. This does not include a sign with a display area not exceeding 1.5 square metres that is below a verandah or if not verandah, that is less than 3.7 metres above pavement level, otherwise consent must be gained from the Responsible Authority.**
- 13. No signs are to be internally illuminated or flashing without prior written consent from the Responsible Authority.**

Operating Hours

- 14. The operating hours are, unless agreed otherwise with the Responsible Authority, –**

Monday to Saturday	9am till 9pm
Sunday	10am till 9pm
ANZAC Day	12 noon to 9pm
Good Friday and Christmas Day	No Trading

Delivery Times

- 15. Deliveries must not be before 8am or after 5pm as far as practicable and must not unreasonably impact on the residential areas adjacent.**

Concealment of Pipes etc

- 16. All pipes, fixtures, fittings and vents servicing any building on site, other than stormwater downpipes, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.**

Plant, Equipment or Features on the Roof

- 17. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level so as not to impact the residential area, to the satisfaction of the Responsible Authority.**

Plant Noise and Proximity to Residences

- 18. No plant is to be placed so that it can be heard from the nearby dwellings and all plant that creates a noise should be encased or internal in buildings, so that any noise is muffled, as far as practicable and reasonably.**

9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666 (cont.)

Engineering Conditions

Section 173 agreement

19. Prior to the use commencing a legally binding agreement under Section 173 of the Planning and Environment Act 1987 shall be entered into between the landowner and the Responsible Authority, concerning liability, maintenance and possession of parts of the development that extend into air space or sub-soil of land vested in the care and maintenance of Council. The content of which is to be agreed between the Council and permit holder/developer prior to the Agreement being written up. All costs are to be covered by the permit holder/owner/developer.

Asset Protection

20. Before the development starts, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. This includes 50 metres on both sides of the property or to the property boundary of the next active building site, whichever is the closest. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.

- a) prior to commencement of building works, the owner/developer is to complete Prior Damage to Asset Report.**
- b) where a person intends undertaking "works" as defined in the Road Management Act 2004, and that person is required to obtain written consent from the "coordinating road authority" by the Road Management Act 2004, that person must:**
 - i. give two business days' notice of the actual commencement date and time for the purpose of an inspection by an Authorised Officer, in the manner prescribed by the Council, and**
 - ii. make full payment prior to the commencement of the works of any fee prescribed by the Council for commencement and post-commencement inspection(s) of the site or works required by an Authorised Officer.**

Engineering Plans

21. Prior to works commencing, engineering plans must be submitted for the approval of Strathbogie Shire Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale of 1: 250 in A1 with dimensions and one (1) hardcopy must be provided. The plans must be generally in accordance with the plans submitted with the application modified to show: -

- a) all bearings, distances, levels, contours, street names, lot numbers, lot sizes, reserves and easements;**

9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666 (cont.)

- b) existing utility services including pit and cables;*
- c) road Reserve, carriageway and verge widths;*
- d) dimensioned common/shared access and parking bays;*
- e) drainage design; and*
- f) other information relevant to the land such as dams, wells, filled land, creeks and natural water courses etc.*

Carpark Layout Plan

- 22. The carpark layout plan to be in accordance with the report provided by EB Traffic Solution dated 19 October 2021 and Australian Standards AS 2800 series.*

Engineering Plans for External Works at road reserve

- 23. Prior to works commencing, the permit holder/owner/developer is required to provide engineering plans for the external works on the road reserve on the site frontage at Tarcombe and Hunter Streets for Strathbogrie Shire Council for approval. The plans are to be provided by a certified civil engineer.*

Vehicular Crossings

- 24. Existing vehicular crossings to be reconstructed to suit commercial vehicles. Refer to Clause 12.9.1 "Urban Vehicle Crossings" of the Infrastructure Design Manual and Standard Drawing SD250.*

Drainage Plans

- 25. The applicant is to provide drainage discharge plans for the road reserve showing contours and overland flow path, connection to discharge point.*

Footpath design requirements

- 26. The applicant shall provide engineering documents for footpath in accordance with the following requirements:*
 - a) The footpath layout is to be generally in accordance with the concept drawing provided by/to Strathbogrie Shire Council dated 8 November 2021.*
 - b) Engineering plans are to be provided showing footpath design in accordance with Australian Standards AS 1428.1. The footpath is to be designed for accessibility.*
 - c) The width of the footpath shall be 1.5 metre*
 - d) The cross-fall of the footpath is to have a maximum grading of 1 in 40. The direction of cross-fall shall be towards the existing road.*
 - e) Footpath alignments should be offset by no more than 300mm from the property boundary.*
 - f) The transition length from footpath to meet the driveway shall occur every 3 bays where one bay is equivalent to 1.2 metres.*
 - g) The location of the footpath shall be outside the tree protection zone (TPZ) subject to Council's approval and IDM requirements in clause 24.4.4.1.*

9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666 (cont.)

- h) The applicant is to provide cross sections from site boundary to existing kerb and channel every chainage of 5 metres. The cross-sections are to include any existing utility service cables with invert levels and the proposed veranda and ramp, and existing trees.***
- i) Construction specifications for footpath are to be in accordance with IDM guidelines version 5.3***

Verandah and Ramp at Tarcombe street

- 27. Prior to works commencing, the applicant is required to provide a certificate by a certified structural engineer for structural design of verandah including the footings. The footings are to ensure that they do not undermine adjacent road infrastructure, utility services and existing trees.***
- 28. For verandahs projecting beyond the street alignment the construction must comply with the following:***
 - a) location and dimension of verandah are to be in generally accordance with the plan Bruce Mactier, drawing reference: 22 525 – Floor Plan issued 12/10/2021;***
 - b) verandahs shall have sufficient clearance from adjacent council tree shrubs;***
 - c) verandah height may be at the same height as the adjoining legal verandahs, but must not be lower than 2.7 metres above the surface of the footpath;***
 - d) verandahs at a minimum height of 2.7 metres above the surface of the footpath must not have any signage or lighting installed underneath;***
 - e) the under croft/ceiling of all verandahs must be lined with an approved smooth lining with no sharp edges;***
 - f) all ongoing maintenance costs must be payable by the owner;***
 - g) all canopies/verandahs must be drained to legal points of discharge; and***
 - h) a 450mm setback or splay is required for the sides of the verandah if abutting a laneway.***
- 29. All handrails to stairs or ramps projecting beyond the street alignment must comply with the following:***
 - a) handrails may be permitted to project 100mm maximum at a height between 865mm to 1 metre from the surface of the footpath;***
 - b) handrails must be rounded with no sharp edges; and***
 - c) handrails must comply with the requirements of Australian Standard (AS) 1428.1. 'Design for Access and Mobility, Part 1: General Requirements for Access – New Building Work.'***

9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666 (cont.)

Drainage Discharge Plan

30. Prior to works commencing, a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Strathbogrie Shire Council. When approved, the plans will be endorsed and will then form part of the permit. The information submitted must show the details listed in the council's Infrastructure Design Manual (IDM) and be designed in accordance with the requirements of that manual.

The information and plans must include:

- a) details of how the works on the land are to be drained and/or retarded;***
- b) computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority;***
- c) location of the overland flow paths within the development;***
- d) calculations and documentations to show that the development has no overland flow entering into the neighbouring properties for storm events for 1 in 100 Year ARI or 1% AEP;***
- e) underground pipe drains conveying stormwater to the legal point of discharge;***
- f) measures to enhance stormwater discharge quality from the site and protect downstream waterways including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements;***
- g) documentation demonstrating approval from the relevant authority for the legal point of discharge;***
- h) the details of the incorporation of water sensitive urban design in accordance with clause 20.3.1 of the Infrastructure Design Manual; and***
- i) maintenance schedules for treatment elements.***

31. Before the use begins and/or the building(s) is/are occupied, all works constructed or carried out must be in accordance with those plans. to the satisfaction of the Responsible Authority

Construction Management Plan

32. Prior to the commencement of works, including demolition and excavation, a Construction Management Plan must be submitted to and endorsed by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the construction management plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must provide details of the following:

- a) hours for construction activity in accordance with any other condition of this Permit;***
- b) measures to control noise, dust, water and sediment laden runoff;***
- c) measures to inform adjacent residents of work schedules, etc;***

9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666 (cont.)

- d) measures relating to removal of hazardous or dangerous material from the site, where applicable;*
- e) a plan showing the location of parking areas for construction and sub- contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors / tradespersons upon completion of such areas, without delay;*
- f) a Traffic Management Plan showing truck routes to and from the site;*
- g) swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;*
- h) a plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;*
- i) measures to ensure that sub-contractors / tradespersons operating on the site are aware of the contents of the Construction Management Plan;*
- j) contact details of key construction site staff;*
- k) a site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves; and*
- l) Any other relevant matters.*

Site Environment Management Plan

- 33. Prior to the commencement of works, a Site Environment Management Plan (SEMP), must be submitted to and approved by the responsible authority and, where relevant, other authorities. When approved, the plan will be endorsed and form part of this planning permit.*

During Construction

- 34. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies: -*
- a) Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and*
 - b) Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)*
- 35. In the event of mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, appropriate measures must be implemented to minimise the problem to the satisfaction of the Responsible Authority.*

9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666 (cont.)

- 36. The permit holder shall ensure that dust suppression is undertaken in the form of constant water spraying or other natural based proprietary dust suppressant to ensure that dust caused by vehicles moving along the access road and/or within the site does not cause a nuisance to surrounding properties to the satisfaction of the Responsible Authority. The development shall not have an adverse impact on existing or future air quality.**
- 37. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority.**
- 38. The earthworks and lot filling must be as per the guidelines specified in Council's Infrastructure Design Manual, to the satisfaction of the Responsible Authority.**
- 39. The approved SEMP must be implemented to the satisfaction of the Responsible Authority.**
- 40. The site shall at all times be kept in a neat and tidy condition to the satisfaction of the Responsible Authority. Any litter shall be immediately removed from the site and surrounding area at the direction of the Responsible Authority.**

Goulburn Broken Catchment Management Authority

- 41. The finished floor level of the proposed bottle shop must be constructed at least 300 millimetres above the 100-year ARI flood level of 175.1 metres AHD, or higher level deemed necessary by the Responsible Authority.**

Development Expiry

- 42. This permit will expire if one of the following circumstances applies:**
 - a) The development is not started within two (2) years of the date of this Permit,**
 - b) The development is not completed within four (4) years of the date of this Permit.**

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or**
- within six months afterwards if the use or development has not yet started; or**
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.**

Signage Expiry

- 43. Three months following the ceasing of the land for the use as a Bottle Shop, all signage must be removed to the satisfaction of the Responsible Authority.**

9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666 (cont.)

Planning Notes

- ***This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.***
- ***This Permit does not authorise the creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.***
- ***Prior to works commencing on public land or roads, the applicant must obtain a permit from the relevant authority giving Consent to Work Within a Road Reserve.***
- ***This proposal has not been assessed against Clauses 54, 55 or 56 of the Strathbogie Planning Scheme.***

End of Conditions

PURPOSE AND BACKGROUND

The proposal is to construct a bottle shop on the corner of Tarcombe Street and Hunter Street in Euroa.

The access will be from Hunter Street and this will be a two way vehicle access. Arrows will direct traffic into and around the site.

Car parking spaces are provided on site for customers not wishing to drive through, and staff.

The proposed hours of operation for the licence and shop will accord with the requirements of the liquor licence but be limited to 9pm as proposed by the applicant –

Monday to Saturday	9am till 9pm
Sunday	10am till 9pm
ANZAC Day	12 noon to 9pm
Good Friday and Christmas Day	No Trading

The liquor licence applied for is proposed to be a Packaged Licence which does not allow for consumption on site. A red line plan is required to show where the liquor licence can operate.

Landscaping will be provided to buffer the use between the residential use to the north and the bottle shop.

The site plan illustrates the proposed development at 20-22 Tarcombe Street. The building layout includes a main structure with a 'Store' (10.0m x 10.0m), 'D/A WC' (2.0m x 2.0m), 'Cool Rm' (2.0m x 2.0m), 'Liquor Sales' (10.0m x 10.0m), 'Office' (10.0m x 10.0m), and 'Drive Thru Sales' (10.0m x 10.0m). A 'Verandah' (10.0m x 10.0m) is located at the front. A 'Blue Parking area' (10.0m x 10.0m) is situated to the right of the building. A 'Ramp' (10.0m x 10.0m) is located at the front left. A 'Printed yellow Concrete Path' (10.0m x 10.0m) runs along the side of the building. A 'Council Approved Recycled Material' area (10.0m x 10.0m) is located to the right of the path. A 'Note: For Turning circles, See Traffic Engineer's Plan' is present. A 'Note: plantings to be restricted to 900 High' is also included. The plan shows a 'Brick Building 2.4 x 6.1' and a '8th Space'. The site is bounded by '20-22 m 305 deg 17 237' and '20-22 m 305 deg 17 237'. The 'Footpath' is located at the bottom. The 'Extent of Red line area' is indicated on the right. The plan also shows 'Photovoltaic Panels on roof above' and 'Locations Approximate only. Exact location to be determined by relevant contractors on site'.

9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666 (cont.)

This plan includes the extent of the red line for the liquor license as required by Victorian Gambling and Casino Control Commission.

issues, options and discussion

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Council is a Responsible Authority under the Planning and Environment Act 1987 (the Act). In this role, Council administers the Strathbogie Planning Scheme (Planning Scheme) and, among other things, determines planning permit applications made for the use and development of land within the municipality.

Under delegated authority of Council, Council Officers determine some matters.

Any application that receives one or more objection is heard before Council.

SUMMARY OF KEY ISSUES

- The proposal is for the construction of a bottle shop and associated use of a liquor licence. The use for the bottle shop is as of right.
- The proposal was referred to the local police and Council's local laws to assess if the amenity might be a concern due to the liquor licence and bottle shop activity. The local police did not respond and Local Laws have no concerns at this time.
- Objections have been received and a meeting was held near the site with the objectors to discuss their concerns which primarily related to lack of footpath in light of the increased traffic and safety concerns, due to the bottle shop. A condition of the planning permit requires a footpath.
- Cumulative impact has been assessed and there will be no liquor licencing cluster created.
- Car parking and traffic movements have been assessed and it is concluded there will be no adverse impact on the operation of the bottle shop or on the adjacent road network.
- The land is identified as being exposed to flooding and has been referred to the relevant floodplain manager who has not objected and has provided conditions for any permit that issues, regarding finished floor levels.
- Landscaping and conditions to ensure separation between the commercial use and the residential use.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

Individual applications consider these requirements through assessment phase of each application as per the Planning and Environment Act 1987 and the provisions of the Strathbogie Planning Scheme. The application was advertised to adjacent and nearby owners and occupiers.

9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666 (cont.)

A sign was placed on the land and letters sent out and the proposal was accessible on Council's website. The notice was carried out in accordance with the legislation. Seven objections have been received.

Council met with the objectors near the site to discuss their concerns. Further details are documented in the Delegate Report attached.

POLICY CONSIDERATIONS

Council Plans and Policies

There are no implications on the Council Plan or any Council Policies as a result of this decision.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

More information is provided in the Delegate Report attached.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

This proposal is being considered under Section 61 of the Planning and Environment Act 1987.

Conflict of Interest Declaration

All officers and contractors involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This application is being heard by Council due to the receipt of objections to the proposal. Hearing the application in the public meeting will allow all parties the opportunity to be heard by the council prior to a decision being made.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district including mitigation and planning for climate change risks, is to be promoted.

9.1.2 Planning Permit Application No. P2021-122 - Development of Land for a Bottle Shop and Liquor License ~ 25 Tarcombe Street, Euroa VIC 3666 (cont.)

Economic

This proposal is supported by the planning scheme and state policy to allow for projected population growth to be accommodated in appropriate locations throughout the region. The economic implications are positive for the region and locality.

Social

The proposal will provide for an as of right use in a commercial zoned location and provide further goods and services to residents and visitors.

Environmental

The application has been assessed against the relevant provisions of the *Planning and Environment Act 1987*. Landscaping will enhance the site and allow for a separation between commercial use and residential use.

Climate change

The Strathbogie Planning Scheme has incorporated broader considerations on Climate Change, with the assessment that the proposal will not have an impact on climate change within the municipality, as all works will be required to comply with relevant legislation. The flood risk has been assessed by the relevant floodplain manager. There is potential for the development to incorporate Environmental Sustainable Design, such as colours to reflect the sun rather than absorb, solar panels, tank water to maintain the landscaping.

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications with this proposal. The application is being assessed in accordance with relevant legislation, and all parties will be afforded all relevant rights of appeal at the Victorian Civil and Administrative Tribunal.

CONCLUSION

After due assessment of all the relevant factors, it is considered appropriate to issue a Notice of Decision to Grant a Permit, subject to conditions, in accordance with the Officer recommendation.

ATTACHMENTS

Attachment 1: Delegate Report

Attachment 2: Plans

ATTACHMENT 1:

Planning Report – Delegate

Application Details:

Application is for:	Development of Land for a Bottle Shop; and Liquor License
Applicant's/Owner's Name:	Bruce Mactier
Date Received:	05 July 2021
Statutory Days:	More than 60 days Council Meeting 15 February 2022
Application Number:	P2021-122
Planner: Name, title & department	Gillian Williamson Principal Planner Planning and Investment Department
Land/Address:	L1 TP12099 V10414 F656 Parish of Euroa 25 Tarcombe Street, Euroa VIC 3666
Zoning:	Commercial 1 Zone
Overlays:	Land Subject to Inundation Overlay
Is a CHMP required?	No there is no Area of Cultural Heritage Sensitivity
Is it within an Open Potable Catchment Area?	No
Under what clause(s) is a permit required? (include description)	<p><u>Commercial 1 Zone</u> Pursuant to Clause 34.01-4 a permit is required to construct a building and carry out works. Bottle Shop is nested under Shop and is a Section 1 Use.</p> <p><u>Land Subject to Inundation Overlay</u> Pursuant to Clause 44.04-2 a permit is required to construct a building and carry out works. A proposal must be referred to the GBCMA.</p> <p><u>Road Zone Category 1</u> Clause 52.29 - The access is not directly onto the RDZ1 however there will be an increase in the number of vehicles turning from Tarcombe into and from Hunter so it was referred to VicRoads DoT as a Section 52.</p> <p><u>Signage</u> A standard condition requiring signage as per Clause 52.05-11 for Business Identification Signage will be applied to any permit to issue.</p> <p><u>Car Parking</u> Pursuant to Clause 52.06 this clause applies to a new use and before a new use commences the number of car</p>

	<p>parking spaces under Clause 52.06-5 must be provided on the land. The requirements is 4 spaces to each 100 square metres of leasable floor area. The total leasable floor area for this proposal is 212 square metres and that equates to the requirement of 8 spaces provided on site. This has been achieved and therefore there is no permit trigger.</p> <p><u>Liquor Licence</u> Pursuant to Clause 52.27 a permit is requires to use the land to sell liquor if a licence is required under the Liquor Control Reform Act 1998.</p>
Restrictive covenants on the title?	Nil
Current use and development:	Vacant
Adjacent to Road Zone Cat 1 or 2	Yes but access is from local council road
Status of Road on Road Register	Access is local council
Adjacent to Public Land	No
Current use and development:	Vacant

Application Checklist:

Application form <input checked="" type="checkbox"/>	Title enclosed <input checked="" type="checkbox"/>	Fee paid <input checked="" type="checkbox"/>
Site Plan <input checked="" type="checkbox"/>	Plans of Proposal <input type="checkbox"/>	Planning Report <input type="checkbox"/>
Supporting Information <input checked="" type="checkbox"/>	Effluent Disposal <input type="checkbox"/>	Other <input type="checkbox"/>

Disclosure of Conflicts of Interest in relation to advice provided in this report

After reading the definitions of a general or material conflict of interest as defined by the *Local Government Act 2020*, do you have a conflict of interest?

Yes ☐

(if YES, please complete a Conflict of Interest and Declaration Making Declaration form)

No ☒

Recommendation

That Council

- having caused notice of Planning Application No. P2021-122 to be given under Section 52 of the *Planning and Environment Act 1987*: and
- having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a **Notice of Decision to Grant a Permit** under the provisions of Clauses 34.01, 44.04 and 52.27 of the Strathbogrie Planning Scheme in respect of the land known as (L1 TP12099 V10414 F656 Parish of Euroa), **25 Tarcombe Street, Euroa VIC 3666**, for the **Development of Land for a Bottle Shop; and Liquor License**, in accordance with endorsed plans, subject to the following conditions:

Conditions:

Endorsed Plans

1. The development and liquor licence must be carried out in accordance with the endorsed plans and permit conditions and must not be altered without the prior written consent of the Responsible Authority.

General Amenity

2. During construction the development must be managed so that the amenity of the area or locality, in the opinion of the Responsible Authority, is not detrimentally affected, through the:
 - f) transport of materials, goods or commodities to or from the land;
 - g) appearance of any building, works or materials;
 - h) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
 - i) presence of vermin; and
 - j) any other matter as reasonable.

Neat and Tidy Site

3. The subject land must be kept neat and tidy at all times, and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.

Waste Management

4. All waste material must be stored out of site of the public domain and must be regularly removed from the site. No waste should be allowed to be spilled or dust or odour created on or around the site, to the satisfaction of the Responsible Authority.

Noise Control

5. The activities on site must not cause unreasonable noise or aggravated noise that may unreasonably impact the local community including being responsible for any contractors or tradespeople hired, in accordance with EPA 'Noise limit assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues' Publication 1826.4 May 2021.

Lighting

6. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land, to the satisfaction of the Responsible Authority.
7. No flashing or intermittent light is to be displayed on the subject land without the prior written consent of the Responsible Authority.

Security Alarms

8. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.

Landscaping Maintained

9. The landscaping on site as shown on the endorsed plans must be maintained, replacing any dead or diseased plant, by the permit holder/land holder so that the

screen is maintained between the commercial activity and the residential use, to the satisfaction of the Responsible Authority.

Access and Egress

10. Access and egress from the property for all vehicles must take place in a forward direction at all times.

Loading and Unloading

11. All loading and unloading must be at all times undertaken within the curtilage of the subject land.

Signage

12. The total display area of all signs for the premises must not exceed 8 square metres. This does not include a sign with a display area not exceeding 1.5 square metres that is below a verandah or if not verandah, that is less than 3.7 metres above pavement level, otherwise consent must be gained from the Responsible Authority.
13. No signs are to be internally illuminated or flashing without prior written consent from the Responsible Authority.

Operating Hours

14. The operating hours are, unless agreed otherwise with the Responsible Authority,
—

Monday to Saturday	9am till 9pm
Sunday	10am till 9pm
ANZAC Day	12 noon to 9pm
Good Friday and Christmas Day	No Trading

Delivery Times

15. Deliveries must not be before 8am or after 5pm as far as practicable and must not unreasonably impact on the residential areas adjacent.

Concealment of Pipes etc

16. All pipes, fixtures, fittings and vents servicing any building on site, other than stormwater downpipes, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Plant, Equipment or Features on the Roof

17. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level so as not to impact the residential area, to the satisfaction of the Responsible Authority.

Plant Noise and Proximity to Residences

18. No plant is to be placed so that it can be heard from the nearby dwellings and all plant that creates a noise should be encased or internal in buildings, so that any noise is muffled, as far as practicable and reasonably.

Engineering Conditions

Section 173 agreement

19. Prior to the use commencing a legally binding agreement under Section 173 of the Planning and Environment Act 1987 shall be entered into between the landowner and the Responsible Authority concerning liability, maintenance and possession of parts of the development that extend into air space or sub-soil of land vested in the

care and maintenance of Council. The content of which is to be agreed between the Council and permit holder/developer prior to the Agreement being written up. All costs are to be covered by the permit holder/owner/developer.

Asset Protection

20. Before the development starts, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. This includes 50 metres on both sides of the property or to the property boundary of the next active building site, whichever is the closest. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.
- c) prior to commencement of building works, the owner/developer is to complete *Prior Damage to Asset Report*.
 - d) where a person intends undertaking “works” as defined in the Road Management Act 2004, and that person is required to obtain written consent from the “coordinating road authority” by the Road Management Act 2004, that person must:
 - iii. give two business days notice of the actual commencement date and time for the purpose of an inspection by an Authorised Officer, in the manner prescribed by the Council, and
 - iv. make full payment prior to the commencement of the works of any fee prescribed by the Council for commencement and post-commencement inspection(s) of the site or works required by an Authorised Officer.

Engineering Plans

21. Prior to works commencing, engineering plans must be submitted for the approval of Strathbogrie Shire Council. When approved, the plans will be endorsed and will then form part of the permit. **The plans must be drawn to scale of 1: 250 in A1 with dimensions and one (1) hardcopy must be provided.** The plans must be generally in accordance with *the plans submitted with the application* modified to show: -
- g) all bearings, distances, levels, contours, street names, lot numbers, lot sizes, reserves and easements;
 - h) existing utility services including pit and cables;
 - i) road Reserve, carriageway and verge widths;
 - j) dimensioned common/shared access and parking bays;
 - k) drainage design; and
 - l) other information relevant to the land such as dams, wells, filled land, creeks and natural water courses etc.

Carpark Layout Plan

22. The carpark layout plan to be in accordance with the report provided by EB Traffic Solution dated 19 October 2021 and Australian Standards AS 2800 series.

Engineering Plans for External Works at road reserve

23. Prior to works commencing, the permit holder/owner/developer is required to provide engineering plans for the external works on the road reserve on the site frontage at Tarcombe and Hunter Streets for Strathbogie Shire Council for approval. The plans are to be provided by a certified civil engineer.

Vehicular Crossings

24. Existing vehicular crossings to be reconstructed to suit commercial vehicles. Refer to Clause 12.9.1 "Urban Vehicle Crossings" of the Infrastructure Design Manual and Standard Drawing SD250.

Drainage Plans

25. The applicant is to provide drainage discharge plans for the road reserve showing contours and overland flow path, connection to discharge point.

Footpath design requirements

26. The applicant shall provide engineering documents for footpath in accordance with the following requirements:
- j) The footpath layout is to be generally in accordance with the concept drawing provided by/to Strathbogie Shire Council dated 8 November 2021.
 - k) Engineering plans are to be provided showing footpath design in accordance with Australian Standards AS 1428.1. The footpath is to be designed for accessibility.
 - l) The width of the footpath shall be 1.5 metre
 - m) The cross-fall of the footpath is to have a maximum grading of 1 in 40. The direction of cross-fall shall be towards the existing road.
 - n) Footpath alignments should be offset by no more than 300mm from the property boundary.
 - o) The transition length from footpath to meet the driveway shall occur every 3 bays where one bay is equivalent to 1.2 metres.
 - p) The location of the footpath shall be outside the tree protection zone (TPZ) subject to Council's approval and IDM requirements in clause 24.4.4.1
 - q) The applicant is to provide cross sections from site boundary to existing kerb and channel every chainage of 5 metres. The cross-sections are to include any existing utility service cables with invert levels and the proposed veranda and ramp, and existing trees.
 - r) Construction specifications for footpath are to be in accordance with IDM guidelines version 5.3

Verandah and Ramp at Tarcombe street

27. Prior to works commencing, the applicant is required to provide a certificate by a certified structural engineer for structural design of verandah including the footings. The footings are to ensure that they do not undermine adjacent road infrastructure, utility services and existing trees.

28. For verandahs projecting beyond the street alignment the construction must comply with the following:

- i) location and dimension of verandah are to be in generally accordance with the plan Bruce Mactier, drawing reference: 22 525 – *Floor Plan* issued 12/10/2021;
- j) verandahs shall have sufficient clearance from adjacent council tree shrubs;
- k) verandah height may be at the same height as the adjoining legal verandahs, but must not be lower than 2.7 metres above the surface of the footpath;

- l) verandahs at a minimum height of 2.7 metres above the surface of the footpath must not have any signage or lighting installed underneath;
 - m) the undercroft/ceiling of all verandahs must be lined with an approved smooth lining with no sharp edges;
 - n) all ongoing maintenance costs must be payable by the owner;
 - o) all canopies/verandahs must be drained to legal points of discharge; and
 - p) a 450mm setback or splay is required for the sides of the verandah if abutting a laneway.
29. All handrails to stairs or ramps projecting beyond the street alignment must comply with the following:
- d) handrails may be permitted to project 100mm maximum at a height between 865mm to 1 metre from the surface of the footpath;
 - e) handrails must be rounded with no sharp edges; and
 - f) handrails must comply with the requirements of Australian Standard (AS) 1428.1. 'Design for Access and Mobility, Part 1: General Requirements for Access – New Building Work.'

Drainage Discharge Plan

30. Prior to works commencing, a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Strathbogie Shire Council. When approved, the plans will be endorsed and will then form part of the permit. ***The information submitted must show the details listed in the council's Infrastructure Design Manual (IDM) and be designed in accordance with the requirements of that manual.*** The information and plans must include:
- j) details of how the works on the land are to be drained ***and/or*** retarded;
 - k) computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority;
 - l) location of the overland flow paths within the development;
 - m) calculations and documentations to show that the development has no overland flow entering into the neighbouring properties for storm events for 1 in 100 Year ARI or 1% AEP;
 - n) underground pipe drains conveying stormwater to the legal point of discharge;
 - o) measures to enhance stormwater discharge quality from the site and protect downstream waterways including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements;
 - p) documentation demonstrating approval from the relevant authority for the legal point of discharge;
 - q) the details of the incorporation of water sensitive urban design in accordance with clause 20.3.1 of the Infrastructure Design Manual; and
 - r) maintenance schedules for treatment elements.
31. Before the use begins and/or the building(s) is/are occupied, all works constructed or carried out must be in accordance with those plans. to the satisfaction of the Responsible Authority

Construction Management Plan

32. Prior to the commencement of works, including demolition and excavation, a Construction Management Plan must be submitted to and endorsed by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the construction management plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must provide details of the following:
- m) hours for construction activity in accordance with any other condition of this Permit;
 - n) measures to control noise, dust, water and sediment laden runoff;
 - o) measures to inform adjacent residents of work schedules, etc;
 - p) measures relating to removal of hazardous or dangerous material from the site, where applicable;
 - q) a plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors / tradespersons upon completion of such areas, without delay;
 - r) a Traffic Management Plan showing truck routes to and from the site;
 - s) swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;
 - t) a plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
 - u) measures to ensure that sub-contractors / tradespersons operating on the site are aware of the contents of the Construction Management Plan;
 - v) contact details of key construction site staff;
 - w) a site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves; and
 - x) Any other relevant matters.

Site Environment Management Plan

33. Prior to the commencement of works, a Site Environment Management Plan (SEMP), must be submitted to and approved by the responsible authority and, where relevant, other authorities. When approved, the plan will be endorsed and form part of this planning permit.

During Construction

34. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies: -
- c) Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and
 - d) Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)

35. In the event of mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, appropriate measures must be implemented to minimise the problem to the satisfaction of the Responsible Authority.
36. The permit holder shall ensure that dust suppression is undertaken in the form of constant water spraying or other natural based proprietary dust suppressant to ensure that dust caused by vehicles moving along the access road and/or within the site does not cause a nuisance to surrounding properties to the satisfaction of the Responsible Authority. The development shall not have an adverse impact on existing or future air quality.
37. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority.
38. The earthworks and lot filling must be as per the guidelines specified in Council's Infrastructure Design Manual, to the satisfaction of the Responsible Authority.
39. The approved SEMP must be implemented to the satisfaction of the Responsible Authority.
40. The site shall at all times be kept in a neat and tidy condition to the satisfaction of the Responsible Authority. Any litter shall be immediately removed from the site and surrounding area at the direction of the Responsible Authority.

Goulburn Broken Catchment Management Authority

41. The finished floor level of the proposed bottle shop must be constructed at least 300 millimetres above the 100-year ARI flood level of 175.1 metres AHD, or higher level deemed necessary by the Responsible Authority.

Development Expiry

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

- c) The development is not started within two (2) years of the date of this Permit,
- d) The development is not completed within four (4) years of the date of this Permit.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six months afterwards if the use or development has not yet started; or
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Signage Expiry

43. Three months following the ceasing of the land for the use as a Bottle Shop, all signage must be removed to the satisfaction of the Responsible Authority.

Planning Notes

- This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

- This Permit does not authorise the creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.
- Prior to works commencing on public land or roads, the applicant must obtain a permit from the relevant authority giving Consent to Work Within a Road Reserve.
- This proposal has not been assessed against Clauses 54, 55 or 56 of the Strathbogie Planning Scheme.

Proposal

The proposal is to construct a bottle shop on the corner of Tarcombe Street and Hunter Street in Euroa.

The access will be from Hunter Street and this will be a two way vehicle access. Arrows will direct traffic into and around the site.

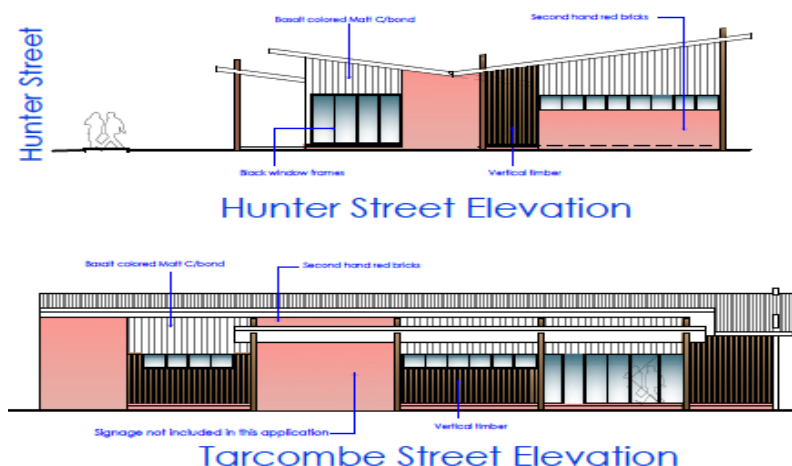
Car parking spaces are provided on site for customers not wishing to drive through, and staff.

The proposed hours of operation for the licence and shop will accord with the requirements of the liquor licence but be limited to 9pm as proposed by the applicant –

Monday to Saturday	9am till 9pm
Sunday	10am till 9pm
ANZAC Day	12 noon to 9pm
Good Friday and Christmas Day	No Trading

The liquor licence applied for is proposed to be a Packaged Licence which does not allow for consumption on site. A red line plan is required to show where the liquor licence can operate.

Landscaping will be provided to buffer the use between the residential use to the north and the bottle shop.





Inspection date/s: numerous including 16/12 and 23/12 for onsite meetings	Officer: Gill Williamson Principal Planner	Comments: Site well located according to zone and safe access
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The subject site is currently vacant and zoned for a commercial use. The use of this site for a bottle shop is a Section 1 use and so is appropriately zoned and located with access being provided from Hunter Street. This will minimise risk off a busy road being Tarcombe Street into the side road, Hunter Street. Hunter Street is capable of holding the anticipated traffic and does not require upgrading of the intersection. Adjacent to the north, south and east is also commercial zoned land and businesses include a gym, a Hotel, a commercial depot and a Service Station. Directly to the west and diagonally opposite is residential use and weighting must be given considering this proposal with regards to amenity.

Further Information Required:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
What was requested?		
Car parking spaces, turning movements.		
Rubbish storage		
Bike parking		
Plans to encompass ESD principles where practicable		
Signage		
Landscaping		

Traffic Management information Liquor Licence information – need to include in application	
FI Requested: August 2021	FI Received: In full November 2021 and satisfactory to be able to progress

Advertising/Public Notification

Is notification/advertisement required under section 52? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Exempt Please provide comment				
Advertised by:		<input checked="" type="checkbox"/> Council		<input checked="" type="checkbox"/> Applicant
Site plan selected:		<input checked="" type="checkbox"/> Plans		
		<input checked="" type="checkbox"/> Advertising list		
Add Instructions on Spear		<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No
Letters: Yes	Signs: Yes	Paper: No	Sent: yes	Stat Dec Rec: 6/12/2021

Objections received?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Number:7
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Seven objections have been received by Council and the points of objection are listed below and addressed –

All the objections are from residents in Hunter Street on which the development is occurring.

Objection	Officer Response
<p>Objection 1 This family has a person who is wheelchair bound and they relate their concerns to that -</p> <ul style="list-style-type: none"> Lack of footpaths along the street and with increased traffic from the bottle shop will be higher risk for pedestrians along Hunter Street Plantings at the entrance could hinder views Gradient of nature strip Two way traffic at the crossover entrance exit creates confusion and making it more difficult for drivers to be aware of pedestrians and wheelchair safety Why is the access not in Tarcombe Street Request for a footpath along the length of Hunter Street and then up Templeton Street so diverted 	<p>There is a lack of footpath on either side of this urban residential street and although there are wide, grassed verges, these do not provide for safe pedestrian movements regarding physical disabilities such as wheelchairs, walking frames and prams and is weather affected. It is quite usual for Engineering to require footpaths when certain developments are being assessed by planning. For this particular application it is obvious that the residents have identified the need for a footpath as the very essential infrastructure to ensure that the development allows for their safety first and foremost.</p> <p>This was raised with Engineering who noted it and suggested there was scope to construct a footpath at some time in the future to address this lack. It would have to be initiated by Engineering to Council to become a project.</p> <p>This is commercially zoned land and it was always potentially going to be developed for a commercial use, bringing with it the usual activities associated – vehicles, people, noise, light etc.</p>

<p>away from the development hazard</p>	<p>Potentially there will be an increase in traffic movements around the bottle shop locality and the road rules for both vehicle users and pedestrians apply. That said, Council has taken on board the need for a footpath and that will be considered by Engineering.</p> <p>The applicants chose to have the access from Hunter Street and the road there is still within the Commercial 1 Zone. This is considered a better outcome than having turning traffic into a premises from busy Tarcombe Street.</p>
<p>Objection 2</p> <p>From the wheelchair bound person whose concerns relate directly to the proposed development –</p> <ul style="list-style-type: none"> • Currently struggle when there are no footpaths on streets and often have to go into the roads • Given there will be increased traffic it is a greater risk for me in the wheelchair moving by the bottle shop and a footpath would be safer. 	<p>Having no footpath and having to move into the road for a wheelchair bound person is absolutely not ideal regards safety. The Engineers have taken this on board as above. The Engineering Manager came out on site.</p>
<p>Objection 3</p> <ul style="list-style-type: none"> • Operation hours • Lilly Pilly's proposed along fence line • Need for footpaths • Car lights • Noise 	<p>The operating hours are cited within the conditions and the bottle shop closes at 9pm. This aligns with the liquor licensing hours.</p> <p>Lilly Pillys are considered a hardy screening plant and articles relate that they are not poisonous to dogs.</p> <p>There is a need for a footpath and that has been ascertained. How that is managed will up to the Engineers and Council.</p> <p>There will be car lights and noise and this is an expectation in a commercial development which has patrons travelling in cars and parking on site. The screening at the shared boundary should assist in mitigating the lights and noise. It is considered that there is a reasonable distance between the main activity being the bottle shop, on site and the nearest dwelling, to minimise disturbance from the commercial activity.</p>
<p>Objection 4</p>	<p>As above</p>

<ul style="list-style-type: none"> Increased traffic and contribute to an existing unsafe situation without a footpath 	
<p>Objection 5</p> <ul style="list-style-type: none"> Increase of traffic to Hunter Street a higher risk to residents and need for a footpath 	As above
<p>Objection 6</p> <ul style="list-style-type: none"> Increase in traffic with no footpath and residents are already having to walk in the road at times due to weather, etc which affects those in wheelchairs, with walkers, and those with prams – safety concerns – need for a footpath Lighting is poor in street and should be improved – safety concerns Operating times Will it also be a café/produce store Has a Traffic Report been carried out – very busy area due to service station opposite 	<p>The need for a footpath has been established and will be progressed into the future through Engineering and Assets.</p> <p>The lighting is an issue outside this planning consideration but it is highly likely that should it be raised with Council it would be seriously considered for safety reasons given that Hunter Street is an urban street.</p> <p>The operating times have been put into a condition on permit and the premises closes at 9pm.</p> <p>The applicants have not applied for a café or produce store – they have applied to construct a building for a bottle shop.</p> <p>A Traffic Report has been submitted and has concluded based on the projected number of movements that there will be no adverse impact on the operation itself or on the adjacent road network.</p>
<p>Objection 7</p> <ul style="list-style-type: none"> Acknowledge use not being assessed Question why the need for an additional licensed premises – negative impacts for the community as it increases the number of licensed premises, the location will have a detrimental impact on Hunter and Tarcombe Street junction, will impact on the residential amenity A Cumulative Impact Assessment was submitted with the objection and informed that the cumulative 	<p>Planning Practice Note 61 was referred to by the Assessing Officer and this considers cumulative impact.</p> <p>It is acknowledged that alcohol consumption in Australia is a problem (Australian Institute of Health and Welfare) and that any proposal for further outlets reasonably may cause concern.</p> <p>The proposal can be considered and the use proposed is a Section 1 use meaning it does not require a planning permit as the use is appropriate for the zone and location.</p> <p>It is considered that this is a modest proposal rather it is not a large bottle shop and it is not an entertainment venue. Patrons will be visiting for one purpose only, to purchase the packaged liquor and move on as the alcohol cannot be consumed on site.</p>

<p>impact would be detrimental to the area.</p>	<p>The Practice Note guidelines can assist a council to identify and address the extent to which a proposal for a new licensed premises is likely to contribute to a cumulative impact within an area. The guidelines should be used for all applications for a new premises that will be open after 11pm and is in an area where there is a cluster.</p> <p>This premises will close at 9pm.</p> <p>In determining a cluster- if there are 3 or more including the proposed licences, within 100m of each other it could be considered a cluster or 15 or more within 500m of the proposed.</p> <p>There are no other liquor licences within 100 metres of the proposed bottle shop that Council is aware of. The nearest are the Seven Hotel and the Temple Restaurant which are both outside the 100m. When moving out to a radius of 500m there are not 15 premises as known to Council that have liquor licenses.</p> <p>It is considered that there is not a saturation point that has been reached by allowing this bottle shop. It is a different entity to the closest other licences which are restaurant and Hotel and open at different times and late into the night.</p> <p>The local police and Council's Local Laws were referred the proposal and neither have provided any objection.</p>
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The objections are rational and relate to providing for safe access along Hunter Street due to the potential increase in traffic movements at this area due to the development proposal. One objection also asking for cumulative impact consideration is valid. There is a constructive suggestion regarding the need for a footpath.

Consultation

Consultation was undertaken with the objectors outside the subject site on 23/12 where the concerns were discussed. No objections have been withdrawn.

Council also met with the owners on site to discuss the objections and footpath/crossover and was attended by Engineering, Planning Manager and Principal Planner.

Referrals

External Referrals/Notices required by the Planning Scheme/Internal Referrals

REFERRALS					
Add instructions on SPEAR:				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Referrals Authority	Type of Referral	Referral Clause and Description	Additional Instructions	Date sent	Date received Response
GBCMA	Section 55 Recommending	Clause 66.03		12/11/2021	6/12/2021 conditional consent
VICROADS	Section 52	Adjacent to but new access in local road	Any comments due to increased traffic from to RDZ1	12/11/2021	No response
Local Police	Section 52		Any concerns regarding cumulative impact / amenity	12/11/2021	No response
ENGINEER	Internal		Drainage, access, car parking, crossover	12/11/2021	Conditions given
Local Laws	Internal		Any concerns regarding cumulative impact / amenity	12/11/2021	No concerns

Assessment

The zoning of the land and any relevant overlay provisions

Commercial 1 Zone

The purpose of this zone is to create vibrant use commercial centres for retail, office, business, entertainment and community uses, with residential uses at complementary densities to the role and scale of the commercial area.

Pursuant to Clause 34.01-4 a permit is required to construct a building and carry out works.

The use is a Section 1 use and does not trigger a permit however the requirements of the zone are that a use must not detrimentally affect the amenity of the neighbourhood including through the –

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

A proposal under this zone can be exempted from notice requirements and review rights if it is not within 30 metres of a residential zone. This subject site is directly abutting General Residential Zone and residential development on Hunter Street and was therefore required to be advertised.

Appropriate decision guidelines are considered to be –

- *The interface with adjoining zones, especially the relationship with residential areas.*
- *The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.*
- *The provision of car parking.*
- *The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.*
- *The storage of rubbish and materials for recycling.*
- *Defining the responsibility for the maintenance of buildings, landscaping and paved areas.*
- *Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*
- *The availability of and connection to services.*
- *The design of buildings to provide for solar access.*

Officer Response

The proposal for a bottle shop with drive through is within an appropriate zone for the use and supports the purpose to provide for a business use. The subject site does interface directly with a residential zone on one shared boundary to the north, and to separate and buffer the uses, vegetation will be planted along the shared boundary. The building and main activity will be located towards the front of the site nearer Tarcombe Street, approximately 20 metres from the shared boundary and approximately 24 metres from any habitable room windows of the dwelling. It is considered that this is an appropriate zone for the proposal and that the distance between the main commercial activity on the subject

site will be located and screened sufficiently to enable the interface between residential and commercial to be separated.

The access to the bottle shop will be from Hunter Street and still within the commercial zone. Adjacent on three sides to the subject site is commercial zoned land with uses including a gym, a service station and a Hotel. There is car parking, as well as bike parking, available on the subject site and even if there is overflow car parking it is highly likely to be directly outside the subject site or outside the service station which is directly on the opposite side of Hunter Street to the subject site. It is considered that any impact from the increased vehicles attending the locality can be kept away from the main residential area along Hunter Street.

The built form proposed is modern, single storey and articulated both in roof lines and elevations. The colours proposed are muted and the materials non reflective. There is no room on site to establish landscaping along the front which interfaces directly with the road reserve and proposes a verandah and this is common practice for shop development. There will still be a grassy reserve, trees and a footpath along this part of Tarcombe Street.

The maintenance of the site as a whole can be managed via conditions on permit that require it to be kept neat and tidy, maintaining the vegetation screen and to provide for waste management on site as appropriate.

Given the building is not in any close proximity to any other building, it is considered that there will no overlooking or overshadowing and no impact on surrounding solar panels.

There are reticulated services in this part of town and the construction as a modern commercial enterprise in a commercial area will connect to them as available and appropriate.

The building is orientated on the subject site so that it will receive sunlight for the majority of the day.

Land Subject to Inundation Overlay

The purpose of this overlay is to ensure that development maintains the free passage and temporary storage of flood waters, minimises flood damage, responds to flood hazard and local drainage conditions, and will not cause a significant rise in flood level or velocity. Overall it is to minimise the potential flood risk to life and property whilst ensuring the continued protection of water quality.

Pursuant to Clause 44.04-2 a permit is required to construct a building and carry out works.

The proposal under this overlay is exempted from notice requirements and review rights.

Appropriate decision guidelines are considered to be –

- *Any comments from the floodplain management authority.*

Officer Response

This proposal has been assessed by the Goulburn Broken Catchment Management Authority and they have required finished flood levels to respond to the flood hazard in this area.

The Planning Policy Framework (PPF) and The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS) and local planning policies

Clause 11 Settlement provides for the anticipation and response to the needs of existing and future communities by providing zoned and serviced land for a range of uses that

support communities and highlights the need to prevent amenity problems created by siting incompatible uses close together.

The objective at Clause 11.01-1S is to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Clause 13.03-1S Floodplain Management directs planning to assist the protection of life and property from flood hazard and the natural capacity of rivers, streams and floodways.

Clause 15.01-1S Urban Design sets the objective to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. This requires development to respond to its context in terms of character, the surrounding landscape and climate.

Clause 15.02 Sustainable Development directs planning to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Clause 17 Economic Development directs planning to provide for a strong and innovative economy to contribute to the well being of the state.

This is to be achieved by encouraging development that meets the community's needs for retail, entertainment, office and other commercial services.

Clause 21.03-2 Euroa identifies Euroa as the largest village in the Shire and it is expected to grow. It will therefore need to continue to provide for the needs of its residents and visitors, whilst coping with and capitalising on opportunities presented by the growth and development.

Clause 21.06-5 Commercial and Retail sets an objective to support retail and commercial / industrial development within the Shire. This is supported by encouraging a variety of new businesses in the Shire and encouraging retail development within town centres.

Relevant Particular Provisions

Signage

Pursuant to Clause 52.05, signs in the C1Z fall within Category 1 which allows for minimum limitations. A Business Identification Sign must meet the conditions stipulated otherwise it requires a planning permit.

The purpose of this clause is to regulate signs and associated structures, ensure signs are compatible with the amenity and visual appearance of the areas, ensure that they do not contribute to excessive clutter or visual disorder and to ensure that they do not cause loss of amenity or adversely affect the natural or built environment, or the safety, appearance and efficiency of a road.

An expiry condition has been put on any permit to issue so that when the use of the site ceases the signage is required to be removed.

Officer Response

No signage details have been given and therefore a condition has been provided for any permit issued that aligns with the requirements at Clause 52.05-11. Any further signage will require consent from council via a planning application. Currently there is no permit trigger.

The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.

Car Parking

Pursuant to Clause 52.06 applies to a new use and the number of car parking spaces required under this clause must be provided on the land.

The proposal has provided the required number of car parking spaces on site and therefore there is no permit trigger.

The purpose is to ensure that an appropriate number of car parking spaces is provided regarding the demand likely to be generated, the activities on the land and the nature of the locality. Car parking should not affect the amenity of the locality.

Officer Response

A Traffic Assessment Report was submitted which details carparking spaces required, swept path movements through the site for both cars and commercial vehicles along with egress in a forward motion. It also analyses the impact of likely traffic upon adjacent road networks. The proposal layout responds positively to allowing vehicles to move safely in, around and out of the site and it has been concluded based on the projected number of movements that there will be no adverse impact on the operation itself or on the adjacent road network.

Liquor Licence

The purpose of this clause is to ensure that licensed premises are situated in appropriate locations and that the impact on the amenity of the surrounding area is considered.

Pursuant to Clause 52.27 a permit is required to use the land to sell or consume liquor if a license is required under the Liquor Control Reform Act 1998.

The applicants will apply for a Packaged Liquor License which allows them to sell packaged alcohol to be consumed away from the premises.

The applicants have requested a limited operating time for the bottle shop until 9pm and this is reflected in the permit condition for operating hours, which also reflects the constraints of the liquor license operating hours.

Appropriate decision guidelines are considered to be –

- *The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.*
- *The impact of the hours of operation on the amenity of the surrounding area.*
- *The impact of the number of patrons on the amenity of the surrounding area.*
- *The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.*

Officer Response

The local police and Council's Local Laws Team were asked for their input regarding amenity issues that may arise and be of concern and there were no concerns raised.

The operating hours are clearly stated on the permit conditions, and these reflect the request till 9pm and what the liquor licensing operating hours will be.

The impact of the number of vehicles and patronage has been assessed in the Traffic Assessment Report which determined that there will be no adverse impact on the operation

itself or on the adjacent road network and other conditions on permit are there to further protect the amenity for the residential area.

Under the liquor license the licensee has a range of responsibilities under the Liquor Licensing Code of Conduct for Packaged Liquor Licensees whereby the licensee must promote the objects of The Liquor Control Reform Act 1998.

Planning Practice Note 61 *Licensed Premises: Assessing Cumulative Impact*, refers to both positive and negative impacts that can result from clustering licensed premises. The guidelines in the practice note are used if a premises will be open after 11pm. This premises is limited to 9pm currently. They also apply to a cluster which is determined by 3 or more licensed premises within a radius of 100m from the subject site or 15 or more within 500m. The subject site is not within 100m of 3 licensed premises or within 500m of 15 or more.

Road Zone Category 1

Pursuant to Clause 52.29 a permit is required to alter or create a new access in a Road Zone Category 1. As the access is not from Tarcombe Street but from Hunter Street, no permit is triggered under this clause.

Officer Response

The site is adjacent to a Road Zone Category 1, namely Tarcombe Street, which is the responsibility of Department of Transport / VicRoads/Regional Roads Victoria. It is a busy street and is a main connector road to and from the Hume. Although access is from Hunter Street, it is considered that DoT has a right to be informed to see if they have any concerns about the increased turning movements to and from Tarcombe Street. They did not respond and it is considered they have no concerns.

The decision guidelines of Clause 65.01

The proposal is supported by the purpose and appropriate decision guidelines of the zone and relevant policy throughout the planning scheme and is considered to be orderly planning of the area.

The cumulative impact guidelines have been referred to and it is considered that there will be no cumulative impact from this new licensed premises.

Car parking, loading and unloading and impact on vehicles movements around the area due to the new commercial entity have been considered and will have no adverse impacts on the locality.

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

Hume Regional Growth Plan 2014 – the availability of industrial and commercial development opportunities in key locations for urban growth and change will play an important role in providing employment and supporting the development of a more diverse economy.

Relevant incorporated, reference or adopted documents

Euroa Township Strategy 2020 – The Vision includes ‘a township with a strong local economy, including the primacy of commercial activity focused within the town centre, and supporting commercial activities on commercially zoned land along Euroa Main Road’.

Relevant Planning Scheme amendments

Planning Scheme Amendment C052 revises the flood mapping and does not change the controls for flooding over this site.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Summary of Key Issues and Assessment

- Proximity to residential uses
- Flooding hazard
- Cumulative impact of licensed premises

Officer Response:

The Officer Response after each clause in the report go into detail.

The proposal has been assessed against the planning scheme and found to be weighted in favour of support, taking into consideration the objections whereby conditions can manage the concerns to a large extent.

Setbacks of the main activity building and landscaping allow for a separation between the nearest residential use and the bottle shop. Conditions on any permit issued also control a number of amenity matters.

The floodplain manager has not objected and finished floor levels are provided for the buildings on site.

The cumulative impact has been assessed and it is concluded that there will be no impact from the newly introduced licensed premises to this locality.

Conclusion

After due assessment of all the relevant factors, it is considered appropriate to grant a planning permit, subject to conditions.

Decision:

Delegate Report	Yes provided	Council Report	Yes provided
Determination:	Notice of Decision	Determination Date: Council Meeting 15/2/2022	

Endorsed Plans:

Date:	Plan Numbers:

Declaration:

In making this decision as a delegated Officer, I declare that I have had regard to the decision-making requirements of the Strathbogie Shire Council's Governance Rules 2020 outlined by Rule 6 and have:

Made a fair, balanced, ethical and impartial decision - Sub Rule 6(c)(i)

☒

Made a decision based on merits, free from favouritism or self-interest
and without regard to irrelevant or unauthorised considerations- Sub Rule 6 (c)(ii)

☒

Applied the principles of natural justice to my decision, ensuring any person whose
rights will be directly affected by the decision has been entitled to communicate their
views and have their interests considered - Sub Rule 6(d)

N/A

Identified the person or persons whose rights will be directly affected

Sub Rule 6(e)(i)

☒

Given notice of the decision Council must make under Sub Rule 6(e)(i)

N/A

Ensured that such person(s) have had an opportunity to communicate their views and
have their interests considered before I made the decision - Sub Rule 6(e)(i)

N/A

Included information about how I've met these Sub Rules in my delegate report-
Sub Rule 6(e)(iv)

☒

Attachments

Plans for endorsement – Document ID 762332 and 762333

Assessing Officer:	Gillian Williamson Principal Planner	Reviewing Officer:	Dan Moloney Strategic Planner
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Signature:	<i>G Williamson</i>	Signature:	D Moloney
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Date:	7/01/2022	Date:	11/01/2022
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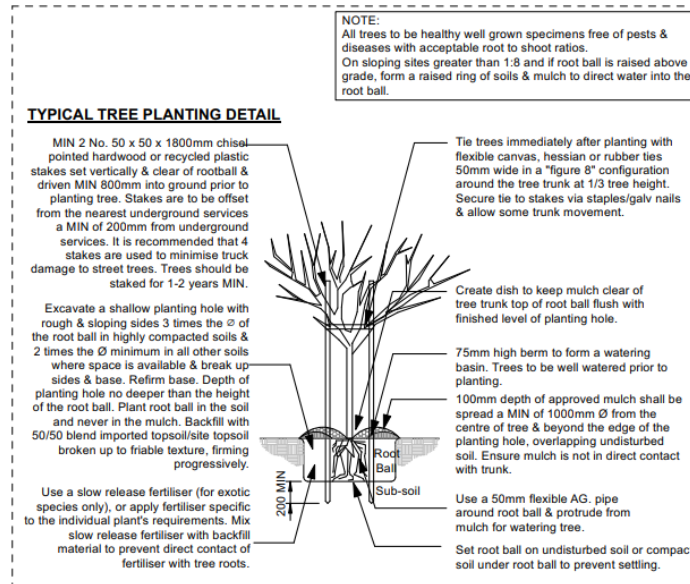
Copy of permit to:

GBCMA

Local Laws

Date sent:..... Initials:.....

[illegible]



TREE PROTECTION NOTES:

Tree Protection measures shall include the following and be in accordance with AS 4970 'Protection of Trees on Development Sites'

1. All trees to be retained shall be identified by the Builder at the commencement of works. The appointed trees shall be fenced off with sturdy fencing constructed to a minimum height of 1.5M using chain mesh strung between star pickets. The aim is to create an 'exclusion zone' beneath these trees. This fence will deter the entry of heavy equipment, vehicles, workers and/or the public into the Tree Protection Zone. At least two laminated, A3 size signs are to be attached to the tree protection fencing and are to clearly state "TREE PROTECTION ZONE, ENTRY RESTRICTIONS APPLY, DO NOT REMOVE FENCE FOR ANY REASON, CONTACT BUILDER IF ENTRY IS REQUIRED" and is to have the Builder's (or appointed site foreman) contact details. This fence is to be established prior to any heavy machinery entering the site.
2. Any vegetation located within Tree Protection Zones is to be removed by hand so that no heavy machinery enters into same. Any trees to be removed that have canopies interlocking with trees to be retained are to be removed by a qualified arborist who will ensure that interlocking branches are removed first and other protection measures are undertaken.
3. No fuel, oil dumps or chemicals shall be allowed in or stored on the Tree Protection Zone. The servicing and refuelling of equipment and vehicles must be carried out away from the root zones.
4. No storage of materials, equipment or temporary buildings will take place over the root zone of any trees.
5. No fixtures of any sort shall be attached to any tree for any reason.

LANDSCAPING GENERAL NOTES:

1. Contractor to verify location of all underground services prior to commencement of work (including excavating & driving tree stakes).
 2. The use of recycled water is encouraged where appropriate.
 3. Follow up weed control is recommended after development.
 4. It is the proprietor's responsibility to ensure all relevant authorities are notified and requirements are met.
 5. Provision for drainage in landscape and paved areas and with subsurface drainage to stormwater legal point of discharge.
 6. The Builder is to remove all trees on the site except otherwise noted on the Landscaping Plan.
 7. Nature strips and existing street trees which are not within 2meters of proposed crossover need to be barricaded out using portable cyclone fencing until the duration of development. Pruning of nature strips and street trees is prohibited which are not within the 2meters of proposed vehicular crossover.
- Builder to re-instate the lawn on nature strip before completion of works.



Landscape Plan

HAMILL, Bernard 25 Tarcombe Street, Euroa VIC 3666

Scale: 1:200 @ A3 Concept No.R01 Date: 13082021 P: SJ C: JC

Checked by JC - B.Ag Sc. MAIH Registered Horticulturist - No.57

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JCLD Pty Ltd T/A
Justine Carlile LANDSCAPEdesign

4/136 Keys Road, Cheltenham, 3192 e: justine@carlile.net.au
p: 03 9555 9944 w: www.justinecarlile.com.au

PERMITS:

These concepts are not to be considered for the purpose of Building Permits. Building Permits required are the sole responsibility of the building contractors and or owner.

NOTICE TO ALL:

1. These designs are conceptual only and should not be considered as structural or engineered drawings. Additional engineering and structural details may be required for some design elements, and the registered building contractor is responsible for obtaining any such details. All measurements must be verified on site. All works must be constructed to relevant Local Council and Building Code of Victoria and Federal requirements. Sole responsibility and liability is placed on those persons performing the construction.
2. Plant quantities on the planting scheme and in the Plant Schedule are only a guide. The landscape contractor is responsible for verifying exact plant quantities.
3. It is the responsibility of the contractor to ensure that the soil has been assessed, and remedied if required prior to planting.
4. It is the responsibility of the registered landscape contractors to determine any specific drainage requirements on the property.
5. Pool safety requirements must be adhered to by the registered building contractor as part of all works undertaken. Boundary fences, gates, and all new and existing structures must be carefully considered to ensure pool safety requirements are satisfied.
6. The registered building contractors and their sub trades are responsible for holding appropriate builders registration as well as complying with all legal and statutory requirements including Worksafe as well as holding any insurances.
7. The concept designs are solely for the purpose of displaying aesthetic elements of the landscape and are not intended to provide construction specifications.

9.1.3 Planning Permit Application No. P2021-175 - Two Lot Subdivision ~ 16 Jones Street, Avenel VIC 3664

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is for a two lot subdivision at 16 Jones Street in Avenel. The lot currently measures approximately 2024 square metres in area and contains an existing dwelling. Each lot created will measure approximately 1012 square metres in area. The existing dwelling is proposed to be removed. No development has been proposed. No native vegetation removal has been proposed and the planning scheme exempts the need for a planning permit for this, due to the site size.
- The application was advertised and two objections have been received. The developer has agreed with fencing as requested. The Assessing Officer has liaised with the other objector about native vegetation, any built form proposed into the future, and neighbourhood character. Further details are within the Delegate Report as attached.
- The application has not been assessed within the sixty day statutory timeframe to give consideration to the matters raised from objectors.
- The proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework, the Zone, Overlay.
- It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

RECOMMENDATION

That Council

- 1. Resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's Recommendation in the attached Delegate Report; and***
- 2. Note the Delegate Report and proposed conditions.***

Conditions:

Layout not altered:

- 1. The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.**

Telecommunications:

- 2. The owner of the land must enter into an agreement with:
 - a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and****

9.1.3 Planning Permit Application No. P2021-175 - Two Lot Subdivision ~ 16 Jones Street, Avenel VIC 3664 (cont.)

- b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 3. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
 - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Mandatory Conditions:

- 4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- 5. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- 6. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

Public Open Space Contribution

Before the statement of compliance is issued under the Subdivision Act 1988, the owner must pay to the responsible authority a sum equivalent to five per cent of the site value of all the land in the subdivision.

The owners must advise Council, in writing, to undertake the property valuation and must pay the Council's reasonable costs and expenses to provide such a valuation for payment in lieu of the public open space contribution.

Fencing

Prior to Statement of Compliance being issued, the shared boundary with Number 11 Smythe Street must have Colourbond fence erected as agreed with the owner. The developer must incur all costs for this installation.

9.1.3 Planning Permit Application No. P2021-175 - Two Lot Subdivision ~ 16 Jones Street, Avenel VIC 3664 (cont.)

General Amenity During Works for the Subdivision

During the construction works for the subdivision the site and area must be managed so that the amenity of the area or locality, in the opinion of the Responsible Authority, is not detrimentally affected, through the:

- a. transport of materials, goods or commodities to or from the land;
- b. appearance of any building, works or materials;
- c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
- d. presence of vermin.

Engineering:

Stormwater

7. Prior to the issue of Statement of Compliance the owner must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority. The Agreement requires:
 - a) The on-site detention for stormwater for future dwellings will each be designed by a qualified drainage engineer and must be approved by the Council prior to construction. A copy of each of the approved plans will be held by Council for future reference.
 - b) The stormwater system must incorporate principles of Water Sensitive Urban design and be designed so that the rate of storm water runoff from the development must not be more than the rate of runoff from the site prior to the development, all to the satisfaction of the Responsible Authority.
 - c) The drainage system must be designed in accordance with the requirements of Clause 19 of the IDM "On-site Detention Systems". The on-site storage size for the development must be in accordance with Table 13. The allowable discharge rate to Council drains shall be the lesser of; a) that which is outlined in Table 13 and b) the remaining capacity of the existing pipe (clause 19.3.1 of the IDM).
 - d) A default allowable discharge rate of 25 l/s/ha may be used in lieu of calculations to determine the remaining capacity of the existing drainage network. www.designmanual.com.au
 - e) Each on-site detention stormwater system must be constructed either prior to, or currently with, the construction of any dwelling on the specified lots. Each on-site detention stormwater system on the specified lots must be completed prior to connection to Council's drainage system and be constructed in accordance with the approved design plans.
 - f) The owner will maintain, and not modify without prior Council written approval, each on-site detention system and will allow each on-site stormwater detention system to be inspected by a duly appointed officer of the Council at mutually agreed times.
- The Owner will pay for all the costs associated with the construction and maintenance of each on-site detention system.

9.1.3 Planning Permit Application No. P2021-175 - Two Lot Subdivision ~ 16 Jones Street, Avenel VIC 3664 (cont.)

Asset Protection

8. Prior to any works commencing on site the applicant / owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. This includes 50 metres on both sides of the property. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. Any damage to the Responsible Authority's assets (i.e. sealed roads, kerb& channel, trees, nature strip etc), and boundary fences, must be repaired at the cost of the applicant all to the satisfaction of Responsible Authority.

Urban Vehicle Crossing Location

9. Prior to the issue of statement of compliance for the subdivision the applicant/ owner or developer must obtain a vehicle crossing permit from the responsible authority for each lot and construct the vehicle crossing in accordance with the requirements. The crossing/s must be constructed in accordance with the following requirements:
10. Standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed.
11. The vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree.
12. Any new, relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. Final location of vehicle crossing must be approved by Responsible Authority via vehicle crossing permit. Refer to Clause 12.9.1 "Urban Vehicle Crossings" of the Infrastructure Design Manual. Where there is no existing kerb and channel in the street refer to standard drawing SD255.

Urban Drainage – Works

13. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/ Goulburn Murray Water. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system or Lake Nagambie.

Permit Expiry:

14. This permit will expire if one of the following circumstances applies:
 - a) the plan of subdivision is not certified within two years of the date of this permit;
 - b) the subdivision is not completed within five years of the date of certification under the Subdivision Act 1988.

9.1.3 Planning Permit Application No. P2021-175 - Two Lot Subdivision ~ 16 Jones Street, Avenel VIC 3664 (cont.)

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority to extend the periods referred to, if a request is made in writing:

- **before the permit expires; or**
- **within six months afterwards if the use or development has not yet started; or**
- **within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.**

Planning Notes:

- **Addressing/road naming needs to be applied for at council prior to certification.**

End of Conditions

PURPOSE AND BACKGROUND

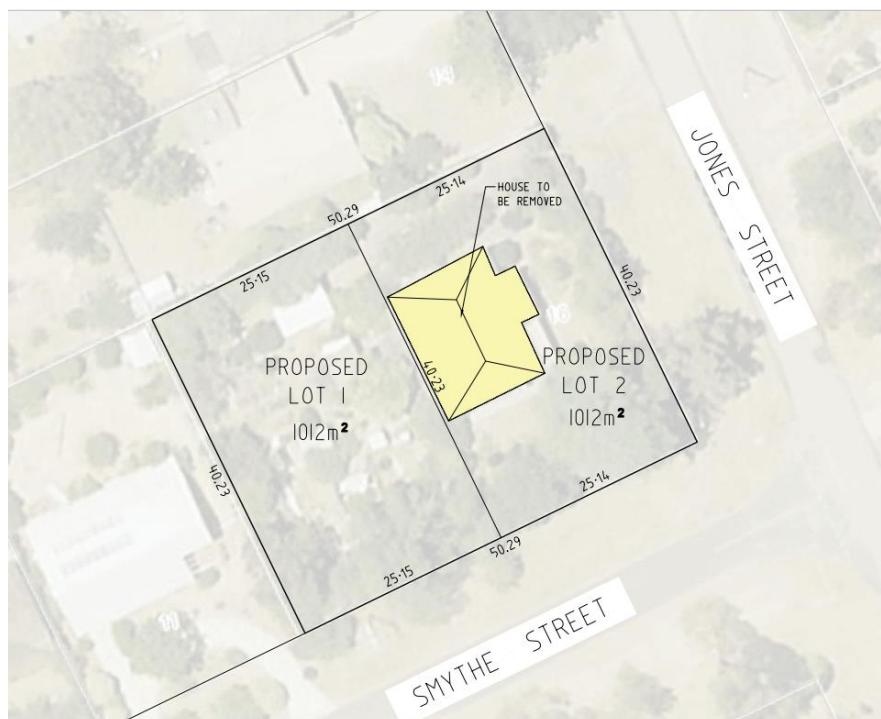
The application seeks to subdivide the land into two lots. The existing dwelling on proposed Lot 2 will be demolished, creating a vacant site. Lot 1, which includes outbuildings, will also be vacant. Both lots will have a site area of 1,012sqm each. The site is located in a Township Zone and there are no overlays on the land.

No development plans are proposed for either of the lots. This means that the sites will be treated as a vacant lot with any future use and development subject to necessary approvals in accordance with the planning scheme.

Separate access is proposed for each lot, with access into Lot 2 being retained in the north-eastern corner of the site. New access will most likely be required for lot 1, but there are opportunities for this to be provided along Smythe Street, subject to vegetation removal (most likely).

Native vegetation on site at this current time, at 0.2ha, does not trigger the need for a planning if required to be removed.

9.1.3 Planning Permit Application No. P2021-175 - Two Lot Subdivision ~ 16 Jones Street, Avenel VIC 3664 (cont.)



Site Plan of proposed subdivision – 16 Jones Street, Avenel

Issues, options and discussion

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Council is a Responsible Authority under the Planning and Environment Act 1987 (the Act). In this role, Council administers the Strathbogie Planning Scheme (Planning Scheme) and, among other things, determines planning permit applications made for the use and development of land within the municipality.

Under delegated authority of Council, Council Officers determine some matters.

Any application that receives objections is heard before Council.

SUMMARY OF KEY ISSUES

- The proposed lot sizes in relation to the neighbourhood character for the area
- Appropriate vehicle access to the proposed lots
- The access to infrastructures (i.e. wastewater, stormwater etc.)
- Impact on vegetation

The responses to these key issues are within the Delegate Report.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

9.1.3 Planning Permit Application No. P2021-175 - Two Lot Subdivision ~ 16 Jones Street, Avenel VIC 3664 (cont.)

Individual applications consider these requirements through assessment phase of each application as per the Planning and Environment Act 1987 and the provisions of the Strathbogrie Planning Scheme. The application was advertised to adjacent and nearby owners and occupiers.

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- Placing a sign on the site
- Sending letters to adjoining land owners
- In addition, advertising was also placed on Council's website.

Council officers are satisfied that the notification has been carried out correctly. Consultation was carried out with the objectors and the application and further information of this consultation can be found within the attached Delegate Report.

POLICY CONSIDERATIONS

Council Plans and Policies

There are no implications on the Council Plan or any Council Policies as a result of this decision.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

The State policies are considered in the Delegate Report attached.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

This proposal is being considered under Section 61 of the Planning and Environment Act 1987.

Conflict of Interest Declaration

All officers and contractors involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This application is being heard by Council due to the receipt of objections to the proposal. The report will be publicly available on Council's website. Hearing the application in a public Council Meeting will allow all parties the opportunity to be heard by the Council prior to a decision being made.

9.1.3 Planning Permit Application No. P2021-175 - Two Lot Subdivision ~ 16 Jones Street, Avenel VIC 3664 (cont.)

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district including mitigation and planning for climate change risks, is to be promoted.

Economic

This proposal is supported by the planning scheme and state policy to allow for projected population growth to be accommodated in appropriate locations throughout the region. The economic implications are positive for the region and locality.

Social

The proposal will provide for subdivision in an appropriately zoned location and provide further choice for housing and affordability with good access to a range of services for everyday needs.

Environmental

The application has been assessed against the relevant provisions of the *Planning and Environment Act 1987* and native vegetation removal is exempted from the requirements of a planning permit in this instance.

Climate change

The Strathbogie Planning Scheme has incorporated broader considerations on Climate Change and potential development could result in an outcome that utilises Environmentally Sustainable Design elements and enhances the site with vegetation.

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications with this proposal. The application is being assessed in accordance with relevant legislation, and all parties will be afforded all relevant rights of appeal at the Victorian Civil and Administrative Tribunal.

CONCLUSION

After due assessment of all the relevant factors, it is considered appropriate to issue a Notice of Decision to Grant a Permit, subject to conditions, in accordance with the Officer recommendation.

ATTACHMENTS

Attachment 1: Delegate Report	Doc ID 760968
Attachment 2: Clause 56 Assessment	Doc ID 763210
Attachment 3: Plans	Doc ID 752241

ATTACHMENT 1:

Planning Report – Delegate

Application Details:

Application is for:	Two Lot Subdivision
Applicant's/Owner's Name:	Andrew Mott
Date Received:	20 October 2021
Statutory Days:	More than 60 days Council meeting due to objections – 15 February 2021
Application Number:	P2021-175
Planner: Name, title & department	Mecone / DELWP Hub for Gillian Williamson Principal Planner Planning and Investment Department
Land/Address:	CA 12 SEC 1 Parish of Avenel 16 Jones Street, Avenel VIC 3664
Zoning:	Township Zone
Overlays:	No Overlay
Is a CHMP required?	No there is no Area of Cultural Heritage Sensitive and there is existing development so obvious ground disturbance
Is it within an Open Potable Catchment Area?	No
Under what clause(s) is a permit required? (include description)	Pursuant to Clause 32.05-5 a permit is required to subdivide land. The application must be assessed against Clause 56.
Restrictive covenants on the title?	No
Current use and development:	Residential/accommodation
Adjacent to Road Zone Cat 1 or 2	No
Status of Road on Road Register	Local council road
Adjacent to Public Land	No
Current use and development:	Residential

Application Checklist:

Application form <input checked="" type="checkbox"/>	Title enclosed <input checked="" type="checkbox"/>	Fee paid <input checked="" type="checkbox"/>
Site Plan <input checked="" type="checkbox"/>	Plans of Proposal <input checked="" type="checkbox"/>	Planning Report <input type="checkbox"/>
Supporting Information <input checked="" type="checkbox"/>	Effluent Disposal <input type="checkbox"/>	Other <input type="checkbox"/>

Disclosure of Conflicts of Interest in relation to advice provided in this report

After reading the definitions of a general or material conflict of interest as defined by the *Local Government Act 2020*, do you have a conflict of interest?

Yes ☐

(if YES, please complete a Conflict of Interest and Declaration Making Declaration form)

No ☒

Recommendation

That Council

- having caused notice of Planning Application No. P2021-175 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme; and
- having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a **Notice of Decision to Grant a Permit** under the provisions of **Clause 32.05** of the Strathbogrie Planning Scheme in respect of the land known as CA 12 SEC 1 Parish of Avenel, 16 Jones Street, Avenel VIC 3664, for the **Two Lot Subdivision**, in accordance with endorsed plans, subject to the following conditions:

Conditions:

Layout not altered:

1. The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Telecommunications:

2. The owner of the land must enter into an agreement with:
 - c) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - d) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
3. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
 - b) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant

can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Mandatory Conditions:

4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
5. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
6. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

Public Open Space Contribution

Before the statement of compliance is issued under the Subdivision Act 1988, the owner must pay to the responsible authority a sum equivalent to five per cent of the site value of all the land in the subdivision.

The owners must advise Council, in writing, to undertake the property valuation and must pay the Council's reasonable costs and expenses to provide such a valuation for payment in lieu of the public open space contribution.

Fencing

Prior to Statement of Compliance being issued, the shared boundary with Number 11 Smythe Street must have Colourbond fence erected as agreed with the owner. The developer must incur all costs for this installation.

General Amenity During Works for the Subdivision

During the construction works for the subdivision the site and area must be managed so that the amenity of the area or locality, in the opinion of the Responsible Authority, is not detrimentally affected, through the:

- b. transport of materials, goods or commodities to or from the land;
- c. appearance of any building, works or materials;
- d. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
- e. presence of vermin.

Engineering:

Stormwater

7. Prior to the issue of Statement of Compliance the owner must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning

and Environment Act 1987 to the satisfaction of the Responsible Authority. The Agreement requires:

- g) The on-site detention for stormwater for future dwellings will each be designed by a qualified drainage engineer and must be approved by the Council prior to construction. A copy of each of the approved plans will be held by Council for future reference.
- h) The stormwater system must incorporate principles of Water Sensitive Urban design and be designed so that the rate of storm water runoff from the development must not be more than the rate of runoff from the site prior to the development, all to the satisfaction of the Responsible Authority.
- i) The drainage system must be designed in accordance with the requirements of Clause 19 of the IDM "On-site Detention Systems". The on-site storage size for the development must be in accordance with Table 13. The allowable discharge rate to Council drains shall be the lesser of; a) that which is outlined in Table 13 and b) the remaining capacity of the existing pipe (clause 19.3.1 of the IDM).
- j) A default allowable discharge rate of 25 l/s/ha may be used in lieu of calculations to determine the remaining capacity of the existing drainage network. www.designmanual.com.au
- k) Each on-site detention stormwater system must be constructed either prior to, or currently with, the construction of any dwelling on the specified lots. Each on-site detention stormwater system on the specified lots must be completed prior to connection to Council's drainage system and be constructed in accordance with the approved design plans.
- l) The owner will maintain, and not modify without prior Council written approval, each on-site detention system and will allow each on-site stormwater detention system to be inspected by a duly appointed officer of the Council at mutually agreed times.

The Owner will pay for all the costs associated with the construction and maintenance of each on-site detention system.

Asset Protection

- 8. Prior to any works commencing on site the applicant / owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. This includes 50 metres on both sides of the property. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. Any damage to the Responsible Authority's assets (i.e. sealed roads, kerb& channel, trees, nature strip etc), and boundary fences, must be repaired at the cost of the applicant all to the satisfaction of Responsible Authority.

Urban Vehicle Crossing Location

- 9. Prior to the issue of statement of compliance for the subdivision the applicant/ owner or developer must obtain a vehicle crossing permit from the responsible authority for each lot and construct the vehicle crossing in accordance with the requirements. The crossing/s must be constructed in accordance with the following requirements:

10. Standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed.
11. The vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree.
12. Any new, relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. Final location of vehicle crossing must be approved by Responsible Authority via vehicle crossing permit. Refer to Clause 12.9.1 "Urban Vehicle Crossings" of the Infrastructure Design Manual. Where there is no existing kerb and channel in the street refer to standard drawing SD255.

Urban Drainage – Works

13. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/ Goulburn Murray Water. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system or Lake Nagambie.

Permit Expiry:

14. This permit will expire if one of the following circumstances applies:
 - c) the plan of subdivision is not certified within two years of the date of this permit;
 - d) the subdivision is not completed within five years of the date of certification under the Subdivision Act 1988.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority to extend the periods referred to, if a request is made in writing:

- before the permit expires; or
- within six months afterwards if the use or development has not yet started; or
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Planning Notes:

- Addressing/road naming needs to be applied for at council prior to certification.

Proposal

The application seeks to subdivide the land into two lots. The existing dwelling on proposed Lot 2 will be demolished, creating a vacant site. Lot 1, which includes outbuildings, will also be vacant. Both lots will have a site area of 1,012sqm each.

No development plans are proposed for either of the lots. This means that the sites will be treated as a vacant lot with any future use and development subject to necessary approvals in accordance with the scheme.

Separate access is proposed for each lot, with access into Lot 2 being retained in the north-eastern corner of the site. New access will most likely be required for lot 1, but there are opportunities for this to be provided along Smythe Street, subject to vegetation removal. (most likely).

Native vegetation on site at this current time, at 0.2ha, does not trigger the need for a planning if required to be removed.

Subject site & locality

Inspection date/s: November 2021	Officer: Gill Williamson Principal Planner	Notes: Appropriate zone and location
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The subject site is an existing residential corner site comprising a total area of 2,024sqm. The site is located on the corner of Jones Street and Smythe Street. The site is rectangular in shape and contains an existing single storey dwelling with outbuildings. Access is currently via a gravel driveway off Jones Street. The site is generally flat. The site is well vegetated with planted native trees and exotic trees and shrubs.

The surrounding land is generally a mix of single storey dwellings on varied lot sizes ranging from 950sqm – 2,100sqm. The site is in proximity to Avenel Primary School and Avenel Recreation Reserve, approximately 300m northwest of the site.

The subject site is located in the Inter war/Post War Mix Precinct as identified in the 'Avenel Neighbourhood Character Study'. The streets of this precinct are wide with grassy large nature strips and open frontages. The many established trees along the verges create an avenue feel to the area that is visibly evident along Jones Street. Built form is predominantly single storey and contains a range of architectural styles, generally from the interwar and post-war eras with low or non-existent front fencing. Gardens are well established and enhanced by planted native and exotic trees planted along street verges that add to the character of the area. The 'Avenel 2030 Strategy' describes Avenel as having an open and spacious character which should be protected to retain the rural town character.

Permit/Site History

A search of Council's planning electronic records results in the following planning permits being issued for the site:

Further Information

Further Information Required:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
What was requested?		
FI Requested:	FI Received:	

Advertising/Public Notification

Is notification/advertisement required under section 52? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Exempt		
Please provide comment		
Advertised by:	<input checked="" type="checkbox"/> Council	<input checked="" type="checkbox"/> Applicant

Site plan selected:		<input checked="" type="checkbox"/> Documents for advertising		
		<input checked="" type="checkbox"/> Advertising list		
Add Instructions on Spear		<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No
Letters:Yes	Signs: Yes	Paper:	Sent: yes	Stat Dec Rec: yes

Objections received?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Number: three
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Consideration of the Objections –

Objection	Officer Response
<u>Objection 1</u> The objectors conclude their concerns are related to – <ul style="list-style-type: none"> • Clearing of established native vegetation • Need to retain open frontages and vegetation for neighbourhood character • The building standards are poor • Disturbance during development 	Under the current planning scheme the site already has an exemption from the requirement for a planning permit to remove native vegetation, being less than 0.4ha or 4000 square metres in area. This is state government legislation. This is why the removal, if any is proposed at a later date, say to put up a new dwelling, is not included as it does not have to be. Planning will not get to see any development proposed on this lot given there will be no permit trigger. This is zoned Township with no overlay and its purpose is for residential development and the neighbourhood character is not able to be controlled any further than this subdivision. Planning will not get to consider poor building standards. Any development will be required to meet the Building Regulations. A general amenity condition will go onto any permit issued to control amenity disturbances during the subdivision construction.
<u>Objection 2</u> <ul style="list-style-type: none"> • Would like a Colourbond fence at shared boundary. 	A condition on permit requiring this can be applied as the developer has agreed.

Consultation

The Assessing Officer did pass on the objections to the applicant and the developer has agreed to install a Colourbond fence at the shared boundary with No. 11 Smythe Street. The Assessing Officer did correspond with the objectors regarding native vegetation and future built form on the site and explained the planning scheme and the land controls with regards to their concerns.

Referrals

External Referrals/Notices required by the Planning Scheme:

REFERRALS					
Add instructions on SPEAR:				<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Referrals Authority	Type of Referral	Referral Clause and Description	Additional Instructions	Date sent	Date received including Advice/Response/Condition
ENGINEER	Internal			8/11/2021	No response – standard conditions from a similar proposal in Avenel applied

Assessment

The zoning of the land and any relevant overlay provisions

Clause 32.05 – Township Zone

The purpose of the Township Zone is to:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for residential development and a range of commercial, industrial and other uses in small towns.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

A permit is required to subdivide land. An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- *Must meet all of the objectives included in the clauses specified in the following table.*
- *Should meet all of the standards included in the clauses specified in the following table.*

For a two-lot subdivision, the proposal should meet Clauses 56.03-5, 56.04-2 to 56.04-5, 56.06-8 to 56.09-2.

Schedule 1 of the zone does not vary any of these standards.

Response

The applicant seeks to undertake a two-lot subdivision, resulting in the creation of an additional lot. The existing dwelling and outbuildings on the will be demolished, resulting in two vacant lots. The proposed subdivision will contribute to the housing stock of the area and will meet the increased housing demand of the surrounding area whilst maintain the lot sizes consistent with the existing and future character of the area.

The layout and design of the subdivision is considered to be appropriate and creates lots of a size and shape that are capable of accommodating future dwellings that will meet current standards and contribute to the character of the area. It is considered that the subdivision supports the intent of the Township Zone, as each proposed lot is anticipated to contain one residential dwelling.

Given both lots will have a site area of 1,012sqm, there will be sufficient space to accommodate the 10 metres by 15 metres shape factor required by Clause 56.04-2 and therefore there is no need to impose building envelopes. The proposed subdivision is considered to be consistent with the neighbourhood character and amenity values that are establishing in the locality. This is because the proposed lots are similar in lot size to development occurring in the surrounding locality (lot sizes ranging between 950sqm – 2,100sqm), particularly along Jones Street, Smythe Street and Anderson Street. The proposal will contribute to this development pattern.

Additionally, it is expected that a new building on both lots can be designed to comply with the relevant building regulations. This ensures that there will not be an adverse amenity effects arising from additional development. The proposed lot sizes continue to ensure open spacious qualities are maintained, with ample space for landscaping, vegetation and outdoor recreation. The internal boundaries are positioned to ensure sufficient setbacks and solar access will be maintained for any future dwellings / buildings.

The overall density of development is consistent with what is anticipated within the Township Zone and this location, which preserves the neighbourhood character and amenity of the area. The new lots are appropriately taking into consideration the existing environment and characteristics of the site. Any adverse effects on the neighbourhood character and amenity will be similar to the existing environment. The proposed subdivision will therefore create a suitable outcome.

Lot Access

The proposed sites are of an appropriate size and layout to provide for access, manoeuvring and parking. The existing vehicle crossing for serving Lot 2 will be retained in this application. The new vehicle crossing and accessway serving Lot 1 is expected to be compliant with Clause 56.06-8. Conditions on permit will be included to ensure the vehicle crossings are designed to the satisfaction of the Responsible Authority.

Infrastructure

An existing water main is located within the road reserve. However, conditions on permit will be included requiring reticulated water to be supplied to each lot to the satisfaction of Goulburn Valley Water.

Reticulated sewer will also be proposed to service each individual lot. Condition on permit is included requiring reticulated sewer to be supplied to each lot to the satisfaction of Goulburn Valley Water.

In relation to stormwater management, condition on permit is proposed requiring Stormwater Drainage Plan to be submitted prior to any permit issued by Strathbogie Shire.

Conditions on permit are proposed for other utilities including electricity, telecommunications and gas to be provided to each lot to the satisfaction of Responsible Authority.

The proposal is generally in accordance with Clause 56 objectives and is assessed against the Clause 56 table included in the appendix.

The Planning Policy Framework (PPF) and The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS) and local planning policies

- Clause 11 Settlement
- Clause 15 Built Environment and Heritage
- Clause 16 Housing
- Clause 18 Transport
- Clause 19 Infrastructure

Clause 11 seeks to ensure sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses development. The proposed subdivision will be consistent with Clause 11 given that the additional lot could either provide residential or non-residential development.

Both lots will be in keeping the existing neighbourhood character given the varied lot sizes of various properties within the locality, that continue to provide a sense of spaciousness and identity. The proposed subdivision is considered to recognise, support, and protect the neighbourhood character, consistent with Clause 15.01-5S. The lot sizes are generously sized and can accommodate a building with sufficient open space and landscaping opportunities, consistent with Clause 16.01-1S.

The proposed subdivision will be consistent with Clause 19 given that the subject site is in an established neighbourhood with existing infrastructures that have sufficient capacity to support the additional lot. Nonetheless, where existing infrastructures do not exist, conditions on permit will be proposed to ensure relevant infrastructures and utilities will be provided to each lot to the satisfaction of the Responsible Authority.

- Clause 21.01 Municipal Profile
- Clause 21.02 Sustainable Settlement
- Clause 21.03 Local Area Plans
- Clause 21.04 Sustainable Environment
- Clause 21.07 Sustainable Infrastructure

The proposed subdivision will be in general accordance with the local planning policies listed above. Clause 21.03-1 seeks *to promote and support the sustainable growth of Avenel*. The proposed subdivision will assist in promoting this growth by creating an

additional lot. The proposed subdivision is able to improve housing choice and diversity and the proposed density is appropriate when considering context and neighbourhood character.

The Avenel Structure Plan (Fig 1) under Clause 21.03 outlines residential infill areas, priority residential development area, high priority area and low-density residential area etc. The site is not in any of the nominated areas, which means that a two-lot subdivision is appropriate for this area. Furthermore, the Avenel 2030 strategy identifies lots which are vacant or only partially developed and are greater than 1000sqm as being sites that have potential for infill development and to accommodate expected growth. The site is greater than 2000sqm and on a corner and therefore appropriate for subdivision.

The proposed subdivision will be serviced appropriately and can be adequately accommodated within the capacity of the existing and proposed networks.

Relevant Particular Provisions

Clause 53.01 – Public Open Space Contribution and Subdivision

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

Given that both lot sizes have a site area of 1,012sqm, there is potential for both lots to be further subdivided. It is therefore considered that a contribution should be paid before the issuance of the Statement of Compliance, which will be included as a condition on permit.

Clause 56 – Subdivision

The proposal complies with the objectives under Clause 56. Please refer to Document ID 763210 for assessment and response.

The decision guidelines of Clause 65

The proposal has been assessed against the decision guidelines of Clause 65 of the Strathbogie Planning Scheme. The proposed subdivision will provide future development opportunities, creating a diversity of housing choice in the area.

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

Hume Regional Growth Plan 2015 – identifies regional growth.

Relevant incorporated, reference or adopted documents

Avenel 2030 Strategy (Final Report March 2008)

Avenel 2030 Strategy is a strategic document, which provides a long term strategic framework and directions for future land use and development of the town. This framework has formed the objectives, strategies and policies specific to Avenue under Clause 21.03 (Local Area Plans). The proposed subdivision will be in general accordance with the overall vision, aspirations and objectives of the Avenel 2030 Strategy document.

Avenel Neighbourhood Character Study (Final Report October 2009)

This report analyses the overall built form and lot sizes that forms the neighbourhood character of Avenel. Noting the lot size pattern in Avenel is slowly changing, accommodating larger subdivision over time. However, the proposed subdivision does not represent a large subdivision with many lots as it only involves a maximum of two lots. This therefore respects the neighbourhood character of the area in relation to the lot sizes and layouts within Avenel.

Relevant Planning Scheme amendments

There are no relevant planning scheme amendments.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Summary of Key Issues and Assessment

- The proposed lot sizes in relation to the neighbourhood character for the area
- Appropriate vehicle access to the proposed lots
- The access to infrastructures (i.e. wastewater, stormwater etc.)
- Impact on vegetation

Officer Response:

- The proposed lots will be of a size and orientation that is adequate and sufficient to accommodate appropriate future use and development that will be consistent with the character of the area.
- The vacant lots will ensure sufficient space is provided to accommodate a building envelope of 10 metres by 15 metres required for future development. The proposed lot sizes will continue to maintain open spacious qualities and opportunities for vegetation, preserving the neighbourhood character of the Township Zone and Avenel.
- The proposal is considered to create suitable subdivision pattern for the zone and adjacent properties (despite smaller lot sizes than existing). This is because the proposal will be in keeping with the smaller lot sizes existing in the surrounding area.
- Access into Lot 2 will be retained in this application, utilising the existing gravel driveway situated to the north-eastern corner of the site. New accessway / crossing will be proposed for Lot 1 at a later date. Nevertheless, both sites have sufficient space for on-site manoeuvring to be undertaken within the site, where vehicles can exit the site in a forward manner. This ensures vehicular-pedestrian conflicts will be minimised. Both sites will be able to provide suitable access that will not impact the surrounding transport network.
- The proposed lots will be appropriately serviced and can be adequately accommodated within the capacity of the existing and proposed networks.
- None of the existing vegetation on site is remnant native vegetation and there is no protection of the existing planted vegetation in the form of an overlay or some other restriction on title. However, given the scale of the proposed lots it is expected that any future developer will look to maintain the established vegetation where possible to retain the character of the area.

Conclusion

After due assessment of all the relevant factors, it is considered appropriate to grant a planning permit, subject to conditions.

Decision:

Delegate Report Yes		Council Report Yes for 15 February 2022	
Determination:	Choose an item.	Determination Date:	

Endorsed Plans:

Date:	Plan Numbers:

Declaration:

In making this decision as a delegated Officer, I declare that I have had regard to the decision-making requirements of the Strathbogie Shire Council's Governance Rules 2020 outlined by Rule 6 and have:

Made a fair, balanced, ethical and impartial decision - Sub Rule 6(c)(i)



Made a decision based on merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations- Sub Rule 6 (c)(ii)



Applied the principles of natural justice to my decision, ensuring any person whose rights will be directly affected by the decision has been entitled to communicate their views and have their interests considered - Sub Rule 6(d)

N/A

Identified the person or persons whose rights will be directly affected
Sub Rule 6(e)(i)



Given notice of the decision Council must make under Sub Rule G(e)(i)

N/A

Ensured that such person(s) have had an opportunity to communicate their views and have their interests considered before I made the decision - Sub Rule 6(e)(i)

N/A


Included information about how I've met these Sub Rules in my delegate report-
Sub Rule 6(e)(iv)



Attachments

Plans for endorsement – to be issued with permit

Assessing Officer: Gill Williamson Principal Planner Reviewing Officer: Trish Hall



Signature: *G Williamson* Signature:

Date: 17 January 2022 Date: 17 January 2022

Copy of permit to:

Nil

Date sent:..... Initials:.....

ATTACHMENT 2:

ASSESSMENT AGAINST CLAUSE 56 – RESIDENTIAL SUBDIVISION

2 LOT SUBDIVISION

APPLICATION NUMBER	P2021-175
DEVELOPMENT ADDRESS	16 Jones Street, Avenel
PROPOSAL	To subdivide the site into two lots and demolish the existing dwelling.

Clause 56.01 – Site and Context Description and Design Response		
Objective	Applicant Comment	Council Comment
<p>The site and context description may use a site plan, photographs or other techniques and must accurately describe:</p> <ul style="list-style-type: none"> In relation to the site: <ul style="list-style-type: none"> Site shape, size, dimension and orientation. Levels and contours of the site. Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops. The siting and use of existing buildings and structures. Street frontage features such as poles, street trees and kerb crossovers Access points Location of drainage and other utilities Easements Any identified natural or cultural features of the site. Significant views to and from the site Noise and odour sources or other external influences Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill Any other notable features or characteristics of the site. Adjacent uses. Any other factor affecting the capacity to develop the site including whether the site is affected by inundation. <p>56.01-01</p>	-	<p>The proposal seeks approval for a two-lot subdivision that has appropriately considered the local context, site opportunities and constraints, which will not cause detrimental impacts on the neighbourhood character of the area.</p> <p>This has been further discussed in the report. In summary, the proposal will meet Clause 56.01-01.</p>
<p>Design response</p> <ul style="list-style-type: none"> The design response must explain how the proposed design: <ul style="list-style-type: none"> Derives from and responds to the site and context description Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay. Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme. Meets the relevant objectives of Clause 56 <p>56.01-02</p>		<p>The proposal will be in accordance with the Avenel Structure Plan, where the lots are designed to be in general accordance with the relevant standards of Township Zone and adopted state policies / strategies document.</p> <p>The proposal complies with Clause 56.01-02.</p>

Clause 56.04 – Lot Design		
Objective	Applicant Comment	Council Comment
<p>Lot area and building envelopes objective</p> <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>56.04-02 Standard C8</p>	<p>The proposed allotments are provided with appropriate area and dimensions to cater for future dwellings which can achieve solar access, private open space, vehicle access, parking and stormwater management.</p> <p>The proposed subdivision will create two lots with an area of 1012m² respectfully. The subject site is unconstrained by remnant native vegetation noting that there is already an established planted garden in place and in particular along the southern side of the property where the existing plantings will provide an effective privacy screen to future landowners.</p> <p>Both lots will be more than capable of containing a building envelope of 10 metres x 15 metres.</p> <p>Any future dwelling will be required to address ResCode requirements and will be able to comfortably address all necessary siting and design considerations as part of the building permit process.</p>	<p>Applicant's assessment to be adopted.</p> <p>The proposed lots are of sizes and shapes, which can easily accommodate future development that will meet the zone standards. This standard is therefore met.</p>
<p>Solar orientation of lots objective</p> <ul style="list-style-type: none"> To provide good solar orientation of lots and solar access for future dwellings. <p>56.04-03 Standard C9</p>	<p>The proposed lots have an ideal solar orientation. The proposed lots have more than a sufficient area to ensure that a future dwelling on each lot can be appropriately designed to maximise solar access.</p>	<p>Due to the corner location and proposed lot layouts, any future buildings or dwellings, will receive adequate northern solar access.</p>
<p>Common areas objectives</p> <ul style="list-style-type: none"> To identify common areas and the purpose for which the area is commonly held. 	<p>N/A</p>	<p>N/A</p> <p>No common areas proposed.</p>

<ul style="list-style-type: none"> 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>56.04-05 Standard C11</p>		
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Clause 56.06 – Access and Mobility Management		
Objective	Applicant Comment	Council Comment
<p>Lot access objective</p> <ul style="list-style-type: none"> To provide for safe vehicle access between roads and lots. <p>56.06-08 Standard C21</p>	<p>Suitable access can be provided to both lots consistent with the standard and the Responsible Authority Requirements. The subject site has an existing crossover that can be formalised if required to provide access to proposed lot 2 from Jones Street. There is more than suitable area and lot frontage for a separate access to be provided to proposed lot 1 off Smythe Street to the satisfaction of the Responsible Authority.</p>	<p>Existing access will be retained in this application to serve Lot 2. New vehicle crossing / access will be proposed for Lot 1. Conditions on permit will be included to ensure the accessways / crossings are designed to the satisfaction of the Responsible Authority.</p> <p>Both lots have size and layout that can easily accommodate on-site maneuvering area to ensure vehicles could exit the site in a forward manner. This ensures safe vehicle access between roads and lots.</p>

Clause 56.07 – Integrated Water Management		
Objective	Applicant Comment	Council Comment
<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>56.07-01 Standard C22</p>	<p>Reticulated water will be supplied to each lot to the satisfaction of Goulburn Valley Water.</p> <p>An existing water main is located within the road reserve.</p> <p>Mandatory conditions will be attached to any issue of a planning permit and all requirements related to reticulated water provision will be addressed to the satisfaction of Goulburn Valley Water.</p>	<p>The proposed lots will be connected to existing infrastructure connections and conditions on permit will further address this.</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>56.07-02 Standard C23</p>	N/A	<p>N/A</p> <p>No reused and recycled water system to be installed for this subdivision.</p>
<p>Wastewater management objective</p> <ul style="list-style-type: none"> To provide a waste water system that is adequate for the maintenance of 	<p>Reticulated sewer will be supplied to each of the lots to the satisfaction of Goulburn Valley Water.</p>	<p>Conditions on permit will be proposed to ensure reticulated sewer will be supplied</p>

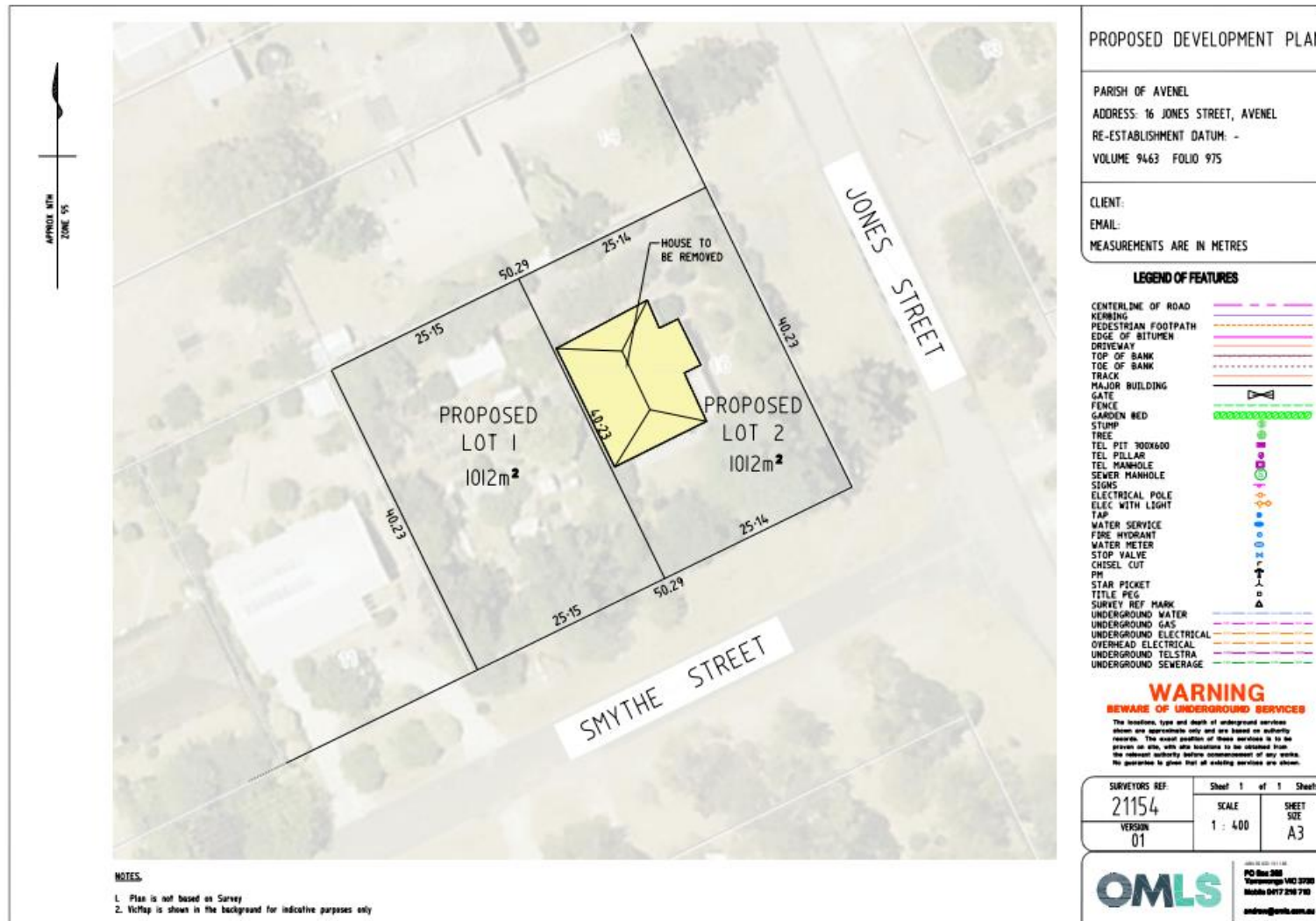
public health and the management of effluent in an environmentally friendly manner. 56.07-03 Standard C24		to individual lots to the satisfaction of Goulburn Valley Water.
Urban run-off management objectives <ul style="list-style-type: none"> To minimize damage to properties and inconvenience to residents from urban run-off. To ensure that the street operates adequate during major storm events and provides for public safety. To minimize increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off. 56.07-04 Standard C25	Stormwater will be collected and contained to the satisfaction of the Responsible Authority. It is expected that a Stormwater Drainage Plan will be required as a condition of any permit issued by Council.	Conditions on permit will be proposed to ensure reticulated stormwater will be supplied to individual lots to the satisfaction of the Responsible Authority and to provide a Stormwater Drainage Plan.

Clause 56.08 – Site Management		
Objective	Applicant Comment	Council Comment
Site management objectives <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. 56.08-01 Standard C26	Best practice measures will be undertaken to ensure that construction activities do not degrade the environment and minimise impact to adjoining properties and the surrounding area. The subdivision does not require kerb and channel, footpaths or the like. The site will be appropriately managed throughout the construction of the lots for connection to services and crossover. This will be managed by way of conditions on any permit issued.	No works will be carried out as part of this application as it solely involves subdivision.

Clause 56.09 – Utilities		
Objective	Applicant Comment	Council Comment
Shared trenching objectives <ul style="list-style-type: none"> To maximize the opportunities for shared trenching. To minimize constraints on landscaping within street reserves. 56.09-01 Standard C27	Shared trenching for reticulated services will be undertaken where possible in accordance with the standards of the relevant supply agency. The need for shared trenching can be stipulated within permit conditions if necessary.	Condition on permit will be included to propose shared trenching where available.
Electricity, telecommunications and gas objectives <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 support generation and use of electricity from renewable sources. 56.09-02 Standard C28	Electricity supply is to be provided according to the standards and specifications of the relevant supply authority. Gas is not readily available to the site. NBN connection is to be provided according to the standards and specifications of the relevant supply authority.	The proposed lots will connect to the existing public water connections and other utilities will be connected in time. These will be managed through conditions on permit.

		In relation to reducing greenhouse gas emissions, the proposal solely involves subdivision. This will not be applicable in this application.
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ATTACHMENT 3:



9.1.4 Planning Permit Application No. P2021-091 - Use and Development of land for a dwelling ~ 7 Hill Close, Ruffy VIC 3666

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is for the use and development of land for a dwelling at Crown Allotment 3 Section H ~ 7 Hill Close, Ruffy VIC 3666.
- The application was advertised, and two (2) objections were received. Further detail is contained within this Delegate Report attached.
- The application has not been assessed within the 60-day statutory timeframe due to Covid restrictions and time taken in working with objectors and referral authorities to try and resolve their concerns.
- The proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework, and the Farming Zone.

RECOMMENDATION

That Council:

1. ***Resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation in the attached Delegate's report; and***
2. ***Note the Delegate's Report, including the following conditions: -***

Amended Plans:

1. ***Prior to the commencement of any buildings or works a plan or plans must be submitted to and approved by, the Responsible Authority. When approved these plans shall be endorsed and form part of this permit. The plans must show –***
 - a) ***Fully dimensioned floor plans and elevations for the dwelling.***
 - b) ***Amended Site Plan to meet Goulburn Murray Requirements as per below:***

The wastewater disposal area must be located at least: 60m from any waterways and dams (including dams on waterways), 40m from any drainage lines and 20m from any bores. This must be shown on the endorsed plan forming part of any planning permit issued.

The dwelling must not be constructed within 30m of the waterway or on any drainage lines. This must be shown on the endorsed plan forming part of any planning permit issued.

Endorsed Plans:

2. ***The use and development must be sited and constructed in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.***

9.1.4 Planning Permit Application No. P2021-091 - Use and Development of land for a dwelling ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

Environmental Health Conditions:

Septic Tanks Code of Practice

3. *All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016) and the Responsible Authority.*
4. *All wastewater shall be disposed of within the curtilage of the land and sufficient area shall be kept available for the purpose of wastewater disposal to the satisfaction of the Responsible Authority.*
5. *No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse or drain to the satisfaction of the Responsible Authority.*

Approval of wastewater disposal

6. *Prior to installation/alterations works commencing on the septic tank system, a Permit to Install/Alter must be obtained from Council.*

Area of wastewater disposal

7. *No buildings or works shall occur over any part of the approved waste disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891.4 (2016).*

Engineering Conditions:

Road Design plan

8. *The final design parameters for the roadways must be based on Council's Infrastructure Design Manual (IDM) as modified from time to time, all to the satisfaction of the Responsible Authority. All works shall conform to plans and specifications prepared by a qualified engineer at Owner's expense and approved by the Responsible authority. A list of specific details and requirements are as follows: -*
 - (a) *A pavement design must be submitted for the entire road network by a suitably qualified engineer in accordance with clause 12.4 and Standard Drawing 610 of the IDM.*
 - (b) *The Vehicle crossings to the individual lots from the road must be constructed at a location and of a size and standard satisfactory to the Responsible Authority.*

Road Upgrading

9. *Before the use begins and/or the building(s) is/are occupied, the developer is to upgrade the unnamed road reserve accessed from Hobart Street to the satisfaction of Strathbogrie Shire Council.*

Specific details are as follows:

- (a) *Four metre width of gravel road and vehicular crossings;*
- (b) *underground conduits for water, gas, electricity and telephone;*
- (c) *appropriate intersection and traffic measures;*
- (d) *appropriate street lighting and signage;*

9.1.4 Planning Permit Application No. P2021-091 - Use and Development of land for a dwelling ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

Road reserve and road widths must be in accordance with the requirements of the Infrastructure Design Manual.

Rural Vehicle Crossing Location

- 10. Prior to the commencement of works on site, any new, relocated, alteration or replacement of required vehicular entrances to the subject land from the road shall be constructed at a location and of a size and standard in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a Vehicle Crossing Permit. Reference should be made to Clause 12.9.2 "Rural Vehicle Crossings" of the Infrastructure Design Manual. Refer to standard drawing SD255 for small vehicles or SD265 for large vehicles.***
- 11. The vehicular crossing shall have satisfactory clearance to any power or Telecommunications pole, manhole cover or marker, or street tree and have a minimum of 50mm of gravel from the shoulder to the property boundary.***

Internal Access Roads

- 12. Prior to the commencement of the use/issue of the Certificate of Occupancy/issue of the Certificate of Final Inspection all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority. Internal access, including the turn-around areas for emergency vehicles, must be all weather construction with a minimum trafficable width of 4m.***

Drainage Discharge Plan

- 13. Before any of the development starts or before the plan of subdivision is certified under the Subdivision Act 1988, a properly prepared drainage discharge plan with computations 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 a minimum of three copies (or as specified) must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.***

The information and plan must include:

- a) details of how the works on the land are to be drained and/or retarded.***
- b) computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority***
- c) independent drainage for each lot (for subdivisions only)***
- d) underground pipe drains conveying stormwater to the legal point of discharge for each allotment***
- e) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council.***
- f) documentation demonstrating approval from the relevant authority for the legal point of discharge.***

9.1.4 Planning Permit Application No. P2021-091 - Use and Development of land for a dwelling ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

- g) the details of the incorporation of water sensitive urban design designed in accordance either "Urban Stormwater Best Practice Environmental Management Guidelines" 1999.*
- h) maintenance schedules for treatment elements.*

Before the use begins and/or the building(s) is/are occupied or issue of a Statement of Compliance all works constructed or carried out must be in accordance with those plans. to the satisfaction of the Responsible Authority Rural Drainage - Works

14. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.

15. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies:

- Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 1998); and*
- Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)*

Prior to the commencement of any works, the design parameters for any defined watercourse crossing(s), both structural and hydraulic design, shall be approved by the Responsible Authority (GBCMA – Works on Waterways Permit).

Council's Assets

16. Before the development starts or subdivision works commences, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.

DELWP Conditions:

Access and Encroachment

17. No access is permitted to the subject land via the Crown land.

18. Adjoining Crown land must not be used for truck turning areas, entry points, parking areas or temporary stack sites during the construction of buildings or works.

9.1.4 Planning Permit Application No. P2021-091 - Use and Development of land for a dwelling ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

19. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into or watercourses on Crown land. Overland flows must be maintained at the same rate post development as on the undeveloped land.

20. No native vegetation is to be removed.

Goulburn Broken Catchment Management Authority:

21. The finished floor level of the proposed dwelling must be constructed at least 300 mm above the highest existing ground level underneath the building footprint, or higher level deemed necessary by the responsible authority.

Goulburn Murray Water:

22. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

23. The wastewater disposal area must be located at least: 60m from any waterways and dams (including dams on waterways), 40m from any drainage lines and 20m from any bores. This must be shown on the endorsed plan forming part of any planning permit issued.

24. The dwelling must not be constructed within 30m of the waterway or on any drainage lines. This must be shown on the endorsed plan forming part of any planning permit issued.

25. All wastewater from the dwelling must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.

26. All wastewater must be applied to land via pressure-compensating sub-surface irrigation installed along the contour.

27. The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy (based on a minimum 4 bedrooms), including an appropriately sized disposal area based on a full water balance specific to the proposal and subject land in accordance with the requirements of the current EPA Code of Practice – Onsite Wastewater Management.

28. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.

9.1.4 Planning Permit Application No. P2021-091 - Use and Development of land for a dwelling ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

General Conditions:

- 29. The external cladding of the proposed buildings, including the roof, must be constructed of materials in good order and condition, be non-reflective and be of muted colours to enhance the aesthetic amenity of the area.**
- 30. The amenity of the area must not be detrimentally affected by the use, through the:**
- (a) Appearance of any building, works or materials;**
 - (b) Transport of materials, goods or commodities to or from the land;**
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;**
 - (d) Presence of vermin, and;**
 - (e) Others as appropriate.**

Dwelling Conditions:

- 31. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.**
- 32. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.**

Permit Expiry:

- 33. This permit will expire if one of the following circumstances applies:**
- (a) The use and development has not started within two years of the date of this Permit.**
 - (b) The development is not completed within four years of the date of this Permit.**
 - (c) The use ceases for a period of two years or more.**

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or**
- within six months afterwards if the use or development has not yet started; or**
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.**

Planning Notes:

- This Permit does not authorise the commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.**
- This Permit does not authorise the creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.**

9.1.4 Planning Permit Application No. P2021-091 - Use and Development of land for a dwelling ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

- ***This Permit does not authorise the removal of any native vegetation including for access. Before any such works may commence, the Applicant must apply for and obtain appropriate Planning approval.***

Environmental Health Notes:

- ***The system must be at least 300 metres from potable water supply.***
- ***The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply) for primary sewage and 30 metres for secondary sewage, on the subject or neighbouring properties.***
- ***The property has been identified as a Medium Risk Area (Minor Catchment Area).***
- ***A Medium Risk Template - Land Capability Assessment has been provided by Porta Environmental Pty Ltd and prepared in December 2020.***

DELWP Notes:

- ***The adjoining Crown land is not to be used for access, storage of materials or rubbish. Any private use of Crown land requires consent and/or licensing from the Department of Environment, Land, Water and Planning.***

Goulburn Broken Catchment Management Authority Notes:

- ***Please note that the 100-year ARI flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 100-year ARI flood, may occur in the future.***

Goulburn Murray Water Notes:

- ***The subject property is located within an area of Cultural Heritage Sensitivity. Should the activity associated with proposed development require a Cultural Heritage Management Plan (CHMP), planning permits, licences and work authorities cannot be issued unless a CHMP has been approved for the activity.***

End of conditions

PURPOSE AND BACKGROUND

The landowner is applying to use and develop the land for a dwelling on a small lot in the Farming Zone. The land is identified as Area 19 in the 2004 Strathbogrie Shire Rural Residential Strategy and has an area of 1.28 hectares this does not meet the required 40-hectare area for an as of right use in the Farming Zone.

The proposal is for the construction of a single storey 4-bedroom home with a floor area of 200 square metres. A length of 19.44 metres by 11.25 metres.

9.1.4 Planning Permit Application No. P2021-091 - Use and Development of land for a dwelling ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

The proposed dwelling contains:

- Four bedrooms – including main bedroom with ensuite and WIR
- Media room
- Open kitchen, meals and family area
- Study
- Alfresco Area
- Double Garage

Subject Site:



ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Council is a Responsible Authority under the Planning and Environment Act 1987 (the Act). In this role, Council administers the Strathbogie Planning Scheme (Planning Scheme) and, among other things, determines planning permit applications made for the use and development of the land in the municipality.

Under delegated authority of Council, Council officers determine some matters. Any application that receives one or more objection is heard before Council.

SUMMARY OF KEY ISSUES

- The land is in the Farming Zone and is less than the 40-hectare requirement for an as of right use for a dwelling.
- The land is identified in the 2004 Strathbogie Shire Rural Residential Strategy (Area 19).
- The area is used for rural residential purposes.
- The objectors have indicated their objections stand and they do not wish to undertake mediation.
- Access is proposed via the unformed road reserves.

9.1.4 Planning Permit Application No. P2021-091 - Use and Development of land for a dwelling ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

Officer Response:

It is considered appropriate to allow approval for the proposed dwelling. This is in keeping with the character of the area which is used for rural residential purposes and therefore can be considered under the Strathbogie Rural Residential Strategy.

It is recommended that conditions be included on any planning permit issued to ensure that:

- All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and be disposed of within the curtilage of the land. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse.
- All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.
- Crossovers, external and internal access will be constructed to the satisfaction of Council and provide emergency access.
- The proposed dwelling has an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.
- The amenity of the area is not detrimentally affected by the use, through the:
 - (f) Appearance of any building, works or materials;
 - (g) Transport of materials, goods or commodities to or from the land;
 - (h) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
 - (i) Presence of vermin, and;
 - (j) Others as appropriate.
- No native vegetation is to be removed.

The objectors have indicated their objections stand. It is considered the above Conditions will address their concerns regarding drainage and effluent dispersal from the proposed site onto adjoining lots and amenity and environmental concerns. The addition of one proposed dwelling on this lot is considered appropriate and in keeping with the 2004 Strathbogie Shire Rural Residential Strategy.

In summary, the proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework and the Farming Zone.

9.1.4 Planning Permit Application No. P2021-091 - Use and Development of land for a dwelling ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

Individual applications consider these requirements through assessment phase of each application as per the Planning and Environment Act 1987 and the provisions of the Strathbogie Planning Scheme. The application was advertised to the neighbouring lots.

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by

- Sending letters to adjoining landowners (as shown on the plan below)
- Placing (a) sign on site.

Council officers are satisfied that the notification has been carried out correctly. In addition, officers undertook a site visit.

Consultation was carried out with the objectors and the application and further information of this consultation can be found within the attached Delegate Report.

POLICY CONSIDERATIONS

Council Plans and Policies

There are no implications on the Council Plan or any Council Policies as a result of this decision (Please refer further to the Delegate report attached).

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The state policies are considered in the attached Delegate report.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

This application is being considered under Section 61 of the *Planning and Environment Act 1987*.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

9.1.4 Planning Permit Application No. P2021-091 - Use and Development of land for a dwelling ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

This application is being heard by Council as the proposal has two (2) objections to the proposed use and development of land for a dwelling. Hearing the application in a public Council Meeting will allow all parties the opportunity to be heard by the Council prior to a decision being made.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

The impact on agricultural productivity is considered minimal given the small size of the lot and surrounding residential development, the use of the land for agriculture would become incompatible with surrounding land uses and it is considered the development and use of the land for a dwelling will enhance the existing rural residential character of the area.

Social

The proposal is in keeping with Area 19 of the 2004 Strathbogie Shire Rural Residential strategy. Ruffy no longer has a Primary School. There has been increased interest in rural residential type lots within the Shire and Ruffy township. The site is large enough to accommodate the buildings and is considered in keeping with the area and the rural residential development.

Environmental

The application has been assessed against the relevant provisions of the *Planning and Environment Act 1987*. The Land Capability Assessment provided to Council demonstrates the ability of the land to support the development as proposed without adversely affecting the environment. There is no proposal to remove vegetation. The applicant proposes they will plant native vegetation in the road reserve informally identified as "Peter Street" to act as a buffer between the rural residential lots and Farming areas.

Climate change

The Strathbogie Planning Scheme has incorporated broader considerations on Climate Change, with the assessment that the proposal will not have an impact on climate change within the municipality, as all works will be required to comply with relevant legislation.

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications with this proposal. The application is being assessed in accordance with relevant legislation, and all parties will be afforded all relevant rights of appeal at the Victorian Civil and Administrative Tribunal.

CONCLUSION

After due assessment of all the relevant factors, it is considered appropriate to issue a Notice of Decision to grant a permit, subject to conditions, in accordance with the officer recommendation.

9.1.4 Planning Permit Application No. P2021-091 - Use and Development of land for a dwelling ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

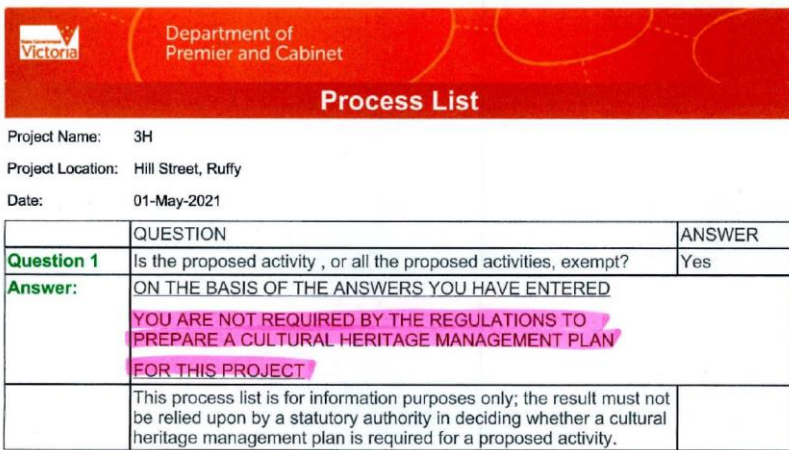
ATTACHMENTS

Attachment 1: Delegate Report
Attachment 2: Subject Land Map
Attachment 3: Locality Map

ATTACHMENT 1:

Planning Report – Delegate

Application Details:

Application is for:	Use and Development of land for a dwelling						
Applicant's/Owner's Name:	Hamill Agriculture						
Date Received:	4 June 2021 Application received 7 June 2021 Paid 21 June 2021 Further Information requested 23 June Further Information Received						
Statutory Days:	More than 60 days						
Application Number:	P2021-089						
Planner: Name, title & department	Trish Hall Town Planner Planning and Investment Department						
Land/Address:	Certificate of Title Volume 05032 Folio 346 Crown Allotment 3 Section H Known as 7 Hill Close, Ruffy VIC 3666						
Zoning:	Farming Zone						
Overlays:	No Overlays						
Is a CHMP required?	<p>No</p> <p>The subject site is affected by Cultural Sensitivity; however, a single dwelling is an exempt activity.</p>  <p>Project Name: 3H Project Location: Hill Street, Ruffy Date: 01-May-2021</p> <table border="1"> <thead> <tr> <th>QUESTION</th><th>ANSWER</th></tr> </thead> <tbody> <tr> <td>Question 1 Answer: ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED YOU ARE NOT REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN FOR THIS PROJECT</td><td>Yes</td></tr> <tr> <td colspan="2">This process list is for information purposes only; the result must not be relied upon by a statutory authority in deciding whether a cultural heritage management plan is required for a proposed activity.</td></tr> </tbody> </table>	QUESTION	ANSWER	Question 1 Answer: ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED YOU ARE NOT REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN FOR THIS PROJECT	Yes	This process list is for information purposes only; the result must not be relied upon by a statutory authority in deciding whether a cultural heritage management plan is required for a proposed activity.	
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Question 1 Answer: ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED YOU ARE NOT REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN FOR THIS PROJECT	Yes						
This process list is for information purposes only; the result must not be relied upon by a statutory authority in deciding whether a cultural heritage management plan is required for a proposed activity.							
Is it within an Open Potable Catchment Area?	No The subject site is not within the Open Potable water Catchment Area.						
Under what clause(s) is a permit required? (include description)	Clause 35.07-1 Use of land for a dwelling on a small lot in the Farming Zone Clause 35.07-4 Buildings and works associated with a Section 2 Use in the Farming Zone less than 100 metre from a waterway and less than 20 metres from a road.						

Restrictive covenants on the title?	No
Current use and development:	Agriculture

Disclosure of Conflicts of Interest in relation to advice provided in this report

After reading the definitions of a general or material conflict of interest as defined by the *Local Government Act 2020*, do you have a conflict of interest?

Yes ☐

(if YES, please complete a Conflict of Interest and Declaration Making Declaration form)

No ☒

Recommendation

That Council

- having caused notice of Planning Application No. P2021-091 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme

and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a **Notice of Decision to grant a permit** under the provisions of Clause 35.07-1 Use of land for a dwelling on a small lot in the Farming Zone, Clause 35.07-4 Buildings and works associated with a Section 2 Use less than 100 metres from a waterway and less than 20 metres from a road in the Farming Zone of the Strathbogie Planning Scheme in respect of the land known as (Crown Allotment 3 Section H) 7 Hill Close, Ruffy VIC 3666, for the Use and Development of land for a dwelling, in accordance with endorsed plans, subject to the following conditions:

Amended Plans:

1. Prior to the commencement of any buildings or works a plan or plans must be submitted to and approved by, the Responsible Authority. When approved these plans shall be endorsed and form part of this permit. The plans must show –
 - c) Fully dimensioned floor plans and elevations for the dwelling.
 - d) Amended Site Plan to meet Goulburn Murray Requirements as per below:
The wastewater disposal area must be located at least: 60m from any waterways and dams (including dams on waterways), 40m from any drainage lines and 20m from any bores. **This must be shown on the endorsed plan forming part of any planning permit issued.**

The dwelling must not be constructed within 30m of the waterway or on any drainage lines. **This must be shown on the endorsed plan forming part of any planning permit issued.**

Endorsed Plans:

2. The use and development must be sited and constructed in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.

Environmental Health Conditions:

Septic Tanks Code of Practice

3. All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016) and the Responsible Authority.
4. All wastewater shall be disposed of within the curtilage of the land and sufficient area shall be kept available for the purpose of wastewater disposal to the satisfaction of the Responsible Authority.
5. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse or drain to the satisfaction of the Responsible Authority.

Approval of wastewater disposal

6. Prior to installation/alterations works commencing on the septic tank system, a Permit to Install/Alter must be obtained from Council.

Area of wastewater disposal

7. No buildings or works shall occur over any part of the approved waste disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891.4 (2016).

Engineering Conditions:

Road Design plan

8. The final design parameters for the roadways must be based on Council's Infrastructure Design Manual (IDM) as modified from time to time, all to the satisfaction of the Responsible Authority. All works shall conform to plans and specifications prepared by a qualified engineer at Owner's expense and approved by the Responsible authority. A list of specific details and requirements are as follows: -.
 - (c) A pavement design must be submitted for the entire road network by a suitably qualified engineer in accordance with clause 12.4 and Standard Drawing 610 of the IDM.
 - (d) The Vehicle crossings to the individual lots from the road must be constructed at a location and of a size and standard satisfactory to the Responsible Authority.

Road Upgrading

9. Before the use begins and/or the building(s) is/are occupied, the developer is to upgrade the **unnamed road reserve** accessed from *Hobart Street* to the satisfaction of Strathbogie Shire Council.

Specific details are as follows:

- (a) Four metre width of gravel road and vehicular crossings;
- (b) underground conduits for water, gas, electricity and telephone;
- (c) appropriate intersection and traffic measures;
- (d) appropriate street lighting and signage;

Road reserve and road widths must be in accordance with the requirements of the Infrastructure Design Manual

Rural Vehicle Crossing Location

10. Prior to the commencement of works on site, any new, relocated, alteration or replacement of required vehicular entrances to the subject land from the road shall be constructed at a location and of a size and standard in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a Vehicle Crossing Permit. Reference should be made to Clause 12.9.2 "Rural Vehicle Crossings" of the Infrastructure Design Manual. Refer to standard drawing SD255 for small vehicles or SD265 for large vehicles.
11. The vehicular crossing shall have satisfactory clearance to any power or Telecommunications pole, manhole cover or marker, or street tree and have a minimum of 50mm of gravel from the shoulder to the property boundary.

Internal Access Roads

12. Prior to the commencement of the use/issue of the Certificate of Occupancy/issue of the Certificate of Final Inspection all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority. Internal access, including the turn-around areas for emergency vehicles, must be all weather construction with a minimum trafficable width of 4m.

Drainage Discharge Plan

13. Before any of the development starts or before the plan of subdivision is certified under the Subdivision Act 1988, a properly prepared drainage discharge plan with computations 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 a minimum of **three copies (or as specified)** must be provided. **The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.**

The information and plan must include:

- a) details of how the works on the land are to be drained **and/or** retarded.
- b) computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority
- c) independent drainage for each lot (for subdivisions only)
- d) underground pipe drains conveying stormwater to the legal point of discharge for each allotment
- e) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council.
- f) documentation demonstrating approval from the relevant authority for the legal point of discharge.
- g) the details of the incorporation of water sensitive urban design designed in accordance either "Urban Stormwater Best Practice Environmental Management Guidelines" 1999.
- h) maintenance schedules for treatment elements.

Before the use begins and/or the building(s) is/are occupied or issue of a Statement of Compliance all works constructed or carried out must be in accordance with those plans. to the satisfaction of the Responsible Authority

Rural Drainage - Works

14. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.
15. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies: -
 - Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and
 - Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)

Prior to the commencement of any works, the design parameters for any defined watercourse crossing(s), both structural and hydraulic design, shall be approved by the Responsible Authority (GBCMA – Works on Waterways Permit).

Council's Assets

16. Before the development starts or subdivision works commences, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.

DELWP Conditions:

Access and Encroachment

17. No access is permitted to the subject land via the Crown land.
18. Adjoining Crown land must not be used for truck turning areas, entry points, parking areas or temporary stack sites during the construction of buildings or works.
19. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into or watercourses on Crown land. Overland flows must be maintained at the same rate post development as on the undeveloped land.
20. No native vegetation is to be removed.

Goulburn Broken Catchment Management Authority:

21. The finished floor level of the proposed dwelling must be constructed at least 300 mm above the highest **existing ground** level underneath the building footprint, or higher level deemed necessary by the responsible authority.

Goulburn Murray Water:

22. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

23. The wastewater disposal area must be located at least: 60m from any waterways and dams (including dams on waterways), 40m from any drainage lines and 20m from any bores. **This must be shown on the endorsed plan forming part of any planning permit issued.**
24. The dwelling must not be constructed within 30m of the waterway or on any drainage lines. **This must be shown on the endorsed plan forming part of any planning permit issued.**
25. All wastewater from the dwelling must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.
26. All wastewater must be applied to land via pressure-compensating sub-surface irrigation installed along the contour.
27. The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy (based on a minimum 4 bedrooms), including an appropriately sized disposal area based on a full water balance specific to the proposal and subject land in accordance with the requirements of the current EPA Code of Practice – Onsite Wastewater Management.
28. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.

General Conditions:

29. The external cladding of the proposed buildings, including the roof, must be constructed of materials in good order and condition, be non-reflective and be of muted colours to enhance the aesthetic amenity of the area.
30. The amenity of the area must not be detrimentally affected by the use, through the:
 - (k) Appearance of any building, works or materials;
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 - (m) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
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Dwelling Conditions:

31. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
32. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

Permit Expiry:

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

- (d) The use and development has not started within two years of the date of this Permit.
- (e) The development is not completed within four years of the date of this Permit.
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- before the permit expires; or
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Environmental Health Notes:

- The system must be at least 300 metres from potable water supply.
- The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply) for primary sewage and 30 metres for secondary sewage, on the subject or neighbouring properties.
- The property has been identified as a Medium Risk Area (Minor Catchment Area).
- A Medium Risk Template - Land Capability Assessment has been provided by Porta Environmental Pty Ltd and prepared in December 2020.

DELWP Notes:

- The adjoining Crown land is not to be used for access, storage of materials or rubbish. Any private use of Crown land requires consent and/or licensing from the Department of Environment, Land, Water and Planning.

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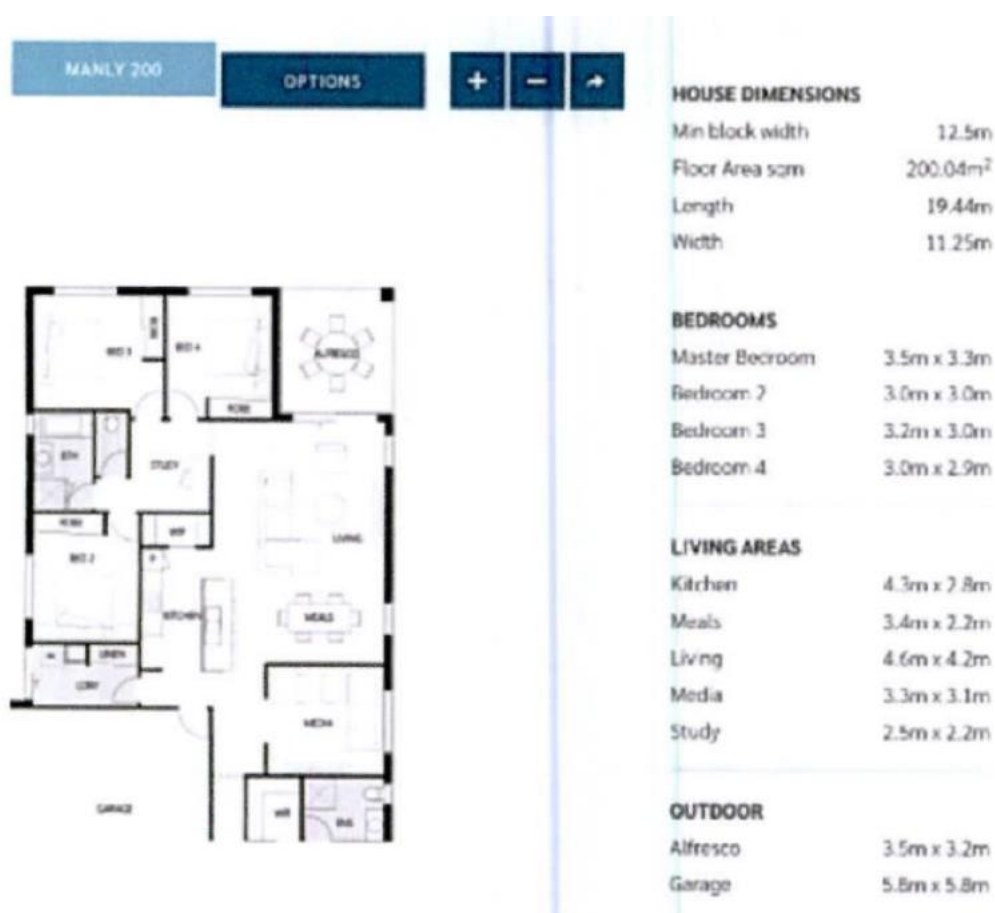
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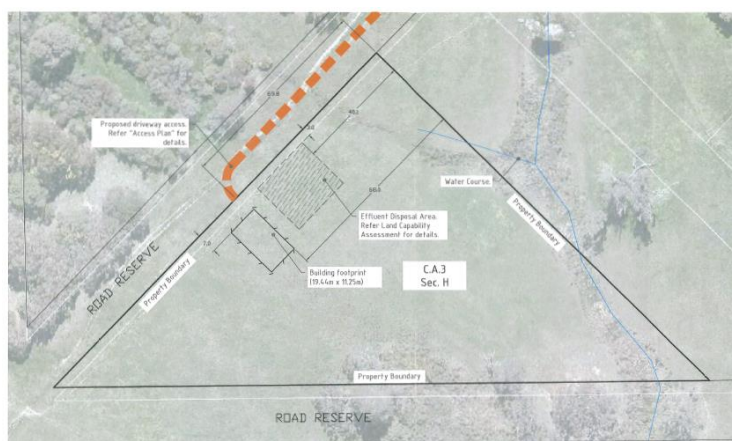
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- Four bedrooms – including main bedroom with ensuite and WIR
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- Study
- Alfresco Area
- Double Garage

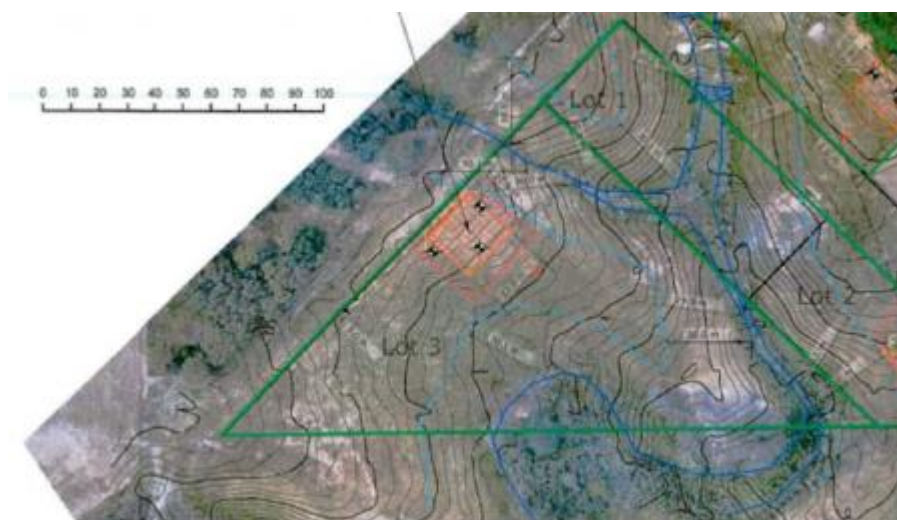


The applicant has requested that elevation plans be provided at a later stage by Condition on any planning permit issued.

The dwelling would be set back 7 metres from the "Hill Close" boundary to the northwest and 68 metres from the northern boundary. The septic field is proposed to be located 40 metres from the northern boundary and 3 metres from the "Hill Close" boundary to the northwest.



The effluent field is proposed to be located near Hill Street in the northwestern corner of the lot as described in the Land Capability Assessment provided.



Subject site & locality

The property is made up of six (6) lots and is known as 7 Hill Close Ruffy.

Allotment 1 Section H – Approximately 4050 square metres

Allotment 2 Section H - Approximately 3297 square metres

Allotment 3 Section H – Approximately 12893 square metres

Allotment 7 Section G – Approximately 12127 square metres

Allotment 8 Section G - Approximately 4152 square metres

Allotment 9 Section D – Approximately 93 hectares



The proposal is for Certificate of Title Volume 05032 Folio 346 Crown Allotment 3 Section H.

This lot has an area of 1.28 hectares.

The lot is located to the south of Hobart Street. The allotment is triangular in shape and adjoins two unnamed road reserves.

The lot is located on the southern side of Crown Allotment 1 and 2 Section H and the road reserve informally known as "Turner Street". An unmade road reserve "Peter Street" is located to the east. The unmade road reserve commonly referred to as "Hill Street" adjoining the western boundary is proposed to be utilised for access.

"Hill Street" and "Turner Street" both have waterways crossing them which feed into the Boggie Creek to the southeast.

Hobart Street further to the north, adjoining the road reserve known as "Hill Street" is a gravel road and adjoins Nolans Road 230 metres to the north. Nolans Road is sealed to the Nolans Road and Hobart Street corner and links to Longwood Ruffy Road and the Hume Freeway. The Hume Freeway is located approximately 18 kilometres to the north of the subject site.



The applicant has stated that no sheep dip has been located on this or adjoining sites.

The site is grassed and contains some trees towards the northwestern corner. A small portion of the waterway which feeds back into Boggy Creek traverses the northern and southeastern corner of the lot. The site is slightly undulating.



The surrounding neighbourhood

The site measures 1.28 hectares and it is considered to be a rural lifestyle property. The adjoining and neighbouring lots to the northeast and south are in the same ownership and are vacant.

The lots further to the north and west are either developed or have a planning permit for dwellings and shedding.

Ruffy Cemetery is located to the west.

More broadly some of the lots originally surveyed more than a century ago remain undeveloped, and larger parcels are utilised for grazing, boutique enterprises and other uses.



- ★ Lot proposed for a dwelling
- ★ Planning permit approved for a dwelling
- ★ Surrounding lots with dwellings

Area 19 2004 Strathbogie Shire Rural Residential Strategy

The subject site is identified in the 2004 Strathbogie Shire Rural Residential Zone as Area 19 – Ruffy Township. The township of Ruffy has been identified as a potential rural living

destination. The town itself was originally surveyed more than a century ago, however it has barely been developed since then, and is predominantly utilised by the farming community surrounding it. More recently interest in Ruffy as a rural lifestyle area is growing. Ruffy is a village that operates one small produce store. The town has a town hall and community centre. The land in the area is used for sheep and cattle grazing with various boutique enterprises including vineyards, nurseries, trail riding facilities and bed & breakfasts etc. More recently, the town of Ruffy has seen weekend visitors taking advantage of the slow pace and scenery. Allotment sizes range from 5 acres to 20 acres.



Permit/Site History

A search of Councils electronic records showed the following planning permits have previously been issued:

P2014-061	Use and development of land for a dwelling (issued)
P2019-031 - 1	Use and development of land for a dwelling (issued)

The following applications have been received:

P2021-089	Application Development of land for a dwelling and access (In Progress)
P2021-090	Application Development of land for a dwelling and access (In Progress)
P2021-092	Application Development of land for a dwelling and access (In Progress)

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by

- Sending letters to adjoining landowners
- Placing (a) sign on site

The notification has been carried out correctly.

Council has received two (2) objections to date.

The objections included the following:

- Effluent Disposal Areas will affect naturally fed springs
- Run off and effluent will end up on adjoining and neighbouring properties

- Disturbance of peace with multiple dwellings; including disturbance to local wildlife and local area.
- Loss of privacy and peace from neighbouring dwellings
- The proposed development will impact the wildlife and animals on surrounding properties

Please see locality map of objectors.



17th September 2021

The applicant responded to the objections (Please see further below in report).

Environmental impact

As per the Porta Environmental Land Capability Assessment and the Strathbogie Shire Council, Environment Health Unit Response to a Planning Referral, the effluent disposal area is compliant and will not affect naturally fed springs and the runoff will not end up in the neighbouring properties.

There will be no loss of privacy or peace from the lots for which the applications are made as they are already in use with multiple daily attendances through agriculture production. There is a planning permit for a dwelling on the objectors' property

The precedent has been set and repeated in the granting of permits in this area on similar sized lots.

The wildlife will remain as it is. Significant native planting along Peter St, installed as a buffer between farmed land and the developing area, has created a new wildlife corridor to the creek reserve therefore the development has already and will continue to benefit the wildlife. The free roaming dog and cat from the objectors' property have a far greater impact on the wildlife than the neighbours having a house to live in.

Consultation

4 June 2021	Application received
7 June 2021	Application paid
21 June 2021	Further Information requested

23 June	Further Information Received
5 th August 2021	Advertised on website and to neighbours
20 th August 2021	Objection 1 Received
30 th August 2021	Further details received
30 th August 2021	Objection 2 Received
31 st August and	
1 st September 2021	Objections sent to applicant
17 th September 2021	Applicant responded to Objections
17 th September 2021	Applicant's response sent to Objectors with Option 3 letter, 14 days to respond.

Officers Response:

The objectors have indicated their objections stand and they do not wish to undertake mediation.

- **Effluent Disposal Areas will affect naturally fed springs**
- **Run off and effluent will end up on adjoining and neighbouring properties**

Conditions will be placed on any planning permit issued to ensure all sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and be disposed of within the curtilage of the land. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse.

All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system. The LCA provided states there no springs or bores noted on the near any of the LCA testing areas, there are also no dams for incised waterways or drainage line on the property apart from a localised depression some distance from the LCA test area.

- **Disturbance of peace with multiple dwellings; including disturbance to local wildlife and local area.**
- **Loss of privacy and peace from neighbouring dwellings**
- **The proposed development will impact the wildlife and animals on surrounding properties**

The subject site is identified in the 2004 Strathbogie Shire Rural Residential Strategy for consideration for rural type living, the proposal is for a single dwelling on a lot with an area of 0.32 hectares (3297 square metres). Conditions will be placed on any planning permit issued to ensure the amenity of the area is not detrimentally affected by the use, through the:

- Appearance of any building, works or materials;
- Transport of materials, goods or commodities to or from the land;
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
- Presence of vermin, and;
- Others as appropriate.

- No native vegetation is to be removed

It is noted that the applicant does have three other applications for single dwellings on lots within the area before Council and these will be considered separately. P2021-091 was heard before Council on October 27, 2021, and the recommendation for a Notice of Decision to approve the permit was moved.

Referrals

External Referrals/Notices required by the Planning Scheme:

External Referrals	Advice/Response/Conditions
Ausnet (Section 52)	No Objection
DELWP (Section 52)	No Objection Subject to Conditions
GBCMA (Section 52)	No Objection Subject to Conditions
GMW (Section 52)	No Objection Subject to Conditions

Internal Council Referrals	Advice/Response/Conditions
Asset Department	No Objection – subject to Conditions
Health Department	No Objection – subject to Conditions

Assessment

The zoning of the land and any relevant overlay provisions

Farming Zone

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Officers Response:

A permit is required for the use and development of land for a dwelling, as the subject site is less than the minimum lot size (40 hectares). The subject site has been identified in Area 19 of the Strathbogie Shire 2004 Rural Residential Strategy. The site measures 1.28 hectares and it is considered to be a rural lifestyle property. The adjoining and neighbouring lots to the southwest and northwest are in the same ownership and are vacant.




The neighbouring lots to the north, west and east are either developed, or have a planning permit for dwellings and shedding.

The use and development of the site for a dwelling will not lead to a direct loss in productive agricultural land. The land is identified in the 2004 Strathbogie Rural Residential Strategy, the lot is smaller in size, located in proximity to other rural dwellings. The impact of the proposed development on surrounding lots and broader agricultural activity to the southwest will be minimal as the land is separated by the area known as Ruffy Township to the north, Boggy Creek to the east and watercourses to the southwest.

A response to the Decision Guidelines at Clause 35.07-6 is detailed below:

General Issues	Complies	Officers Comment
<i>The Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Planning Strategy and local planning policies.</i>	Yes	Assessment against PPF & LPPF is provided below.
<i>Any Regional Catchment Strategy and associated plan applying to the land.</i>	Yes	Boggy Creek and Hughes Creek Catchment Area
<i>The capability of the land to accommodate the proposed use or development, including the disposal of effluent.</i>	Yes	The application has been referred to Council's environmental health department who have consented to this application, subject to conditions. Given this, it is considered the land is capable of treating effluent waste on site. The development has an existing septic system on site.
<i>How the use or development relates to sustainable land management.</i>	Yes	The nature of the subject site including its size, location lends itself to residential development. The addition of a dwelling will result in regular monitoring and reduction in pests and weeds.
<i>Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.</i>	Yes	It is considered the proposal is consistent with the adjoining land uses and is not likely to have a negative impact on the amenity of the

		<p>exiting residents. The lot is separated from the larger surrounding agricultural parcels by the area known as Ruffy Township to the north, Boggy Creek to the east and watercourses to the southwest and east.</p>
<p><i>How the use and development makes use of existing infrastructure and service.</i></p>	Yes	<p>Access is proposed via Hobart Street and the road reserve informally identified as "Hill Close". Conditions regarding appropriate access and the formation of roads will be included on any planning permit issued.</p>
Agricultural Issues		
<p><i>Whether the use or development will support and enhance agricultural production.</i></p>	No	<p>The subject land is vacant. The lot as part of a larger farming enterprise has previously been utilised as a farming enterprise. However, the land is identified as Area 19 in the <i>Rural Residential Strategy 2004</i>. The immediate surrounding lots vary in size, and some have been developed with single dwellings and shedding suitable for rural lifestyle living and is known as Ruffy Township.</p>
<p><i>Whether the use or development will permanently remove land from agricultural production.</i></p>	Yes	<p>The site forms part of Ruffy Township. Despite its links through ownership to larger parcels of land to the south utilised for sheep and cattle grazing the area is considered appropriate use for rural lifestyle living and is identified in the Strathbogie 2004 Rural Residential Strategy.</p>  <p>The town itself was originally surveyed more than a century ago and is becoming more popular as a rural living area. Ruffy is a village that operates one small produce store. The town has a town hall and community centre. The area has been identified as an area for investigation for Rural Residential and Low-Density Residential rezoning.</p>

<i>The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.</i>	Yes	It is considered the development will not directly limit the operation of adjoining and nearby agricultural uses. The site is separated from larger agriculture lots to the southwest and is separated by the area known as Ruffy Township to the north, Boggy Creek to the east and watercourses to the southwest. Smaller lots are identified in the 2004 Strathbogie Rural Residential Strategy and known as the Ruffy Township.
<i>The capacity of the site to sustain the agricultural use.</i>	Yes	The area is known as the Ruffy township and has already been established as an area for rural living. It is considered as discussed in this report the proposed development will not have a detrimental effect to the sustainable agricultural uses surrounding the subject site.
<i>The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.</i>	Yes	The land does have previous ties to agricultural use, several lots are in the same ownership, the site is a vacant smaller allotment.
<i>Any integrated land management plan prepared for the site.</i>	Yes	No integrated land management plans have been prepared; given the size of the land and the fact it is identified for rural residential purposes.
Dwelling Issues	Complies	Officers Comment
<i>Whether the dwelling will result in the loss or fragmentation of productive agricultural land.</i>	Yes	The proposed dwelling will not directly result in the loss or fragmentation of productive agricultural land, the subject site has been identified in the Rural Residential Strategy 2004 and neighbouring lots have been developed for residential purposes.
<i>Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.</i>	Yes	The subject site is surrounded by other rural lifestyle blocks of varied sizes. Land to the northwest is used for Rural Residential living whilst traditional agricultural purposes such as grazing exist past these allotments and to the south.
<i>Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.</i>	Yes	As the use of the land for a dwelling is in an area that is identified and already used for rural living purposes, there will be no impact on the adjoining agricultural practices in any different way than the neighbouring lots impact the land now.

<i>The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.</i>	Yes	The proposal has been assessed, taking into consideration the <i>Rural Residential Strategy 2004</i> it is unlikely that the proposed dwelling would directly result in the proliferation of dwellings beyond the area identified under the strategy.
Environmental issues		
<i>The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.</i>	Yes	Given the dwelling is proposed to be built in an area identified for rural living; the land is unlikely to be impacted any more detrimentally than it is already impacted from the current dwellings and shedding in the area. The site contains a waterway. The proposed dwelling, access and septic is located less than 100 metres from any waterway and more than 100 metres from Boggy Creek. The application has been referred to Strathbogie Shires Environmental Health Department and appropriate conditions will be included on any issued planning permit regarding drainage and sediment and silt. Significant consultation has been undertaken with Goulburn Murray Water who consent subject to Conditions. The dwelling is less than 20 metres from the road reserve this is considered appropriate due to the area being used for rural type living.
<i>The impact of the use or development on the flora and fauna on the site and its surrounds.</i>	Yes	The proposal does not include the removal of any vegetation.
<i>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.</i>	Yes	The proposal does not include the removal of any vegetation. Conditions will be included on any permit issued to ensure the dwelling and effluent disposal is located on the site to the satisfaction of the responsible authority.
<i>The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.</i>	Yes	On site effluent disposal will be required to be carried out in accordance with the requirements of the Responsible Authority.
Design and siting issue		
<i>The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses</i>	Yes	The proposed buildings and works are on a site with an area of 2.18 hectares.

<i>and to minimise the loss of productive agricultural land.</i>		<p>The site contains a small portion of waterway northern corner. The proposed dwelling, septic and driveway is less than 100 metres from the waterway. GMW have set appropriate setback distances from any waterways via Conditional consent.</p> <p>The proposed works are more than 100 metres from Boggy Creek to the southeast.</p> <p>The proposed dwelling is on a site that has been identified in the 2004 Rural Residential Strategy for rural living. Due to the size and location of the subject land it is considered the site is appropriate for residential living and the loss of any potential for agricultural production has already occurred to some degree. The lot is separated from larger agricultural parcels by the area known as Ruffy Township to the north, Boggy Creek to the east and watercourses to the southwest.</p>
<i>The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.</i>	Yes	Should a permit be issued, a condition will be placed on the permit requiring muted tones and materials of good condition.
<i>The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.</i>	Yes	The proposal is unlikely to detract from the existing character and amenity values of the area. The subject site and surrounding land have been identified in the rural living strategy. Some have been developed in a similar manner with single dwellings and shedding constructed from similar materials. A muted tones condition will be included on any planning permit issued.
<i>The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.</i>	Yes	<p>The site is in the Farming Zone and standard conditions will be included on any planning permit issued regarding the provision of water, sewage, electricity and access.</p> <p>Construction of roads in the road reserve will be the responsibility of the developer and appropriate Conditions will be included on any planning permit issued.</p>

<i>Whether the use and development will require traffic management measures.</i>	Yes	As the proposal is for a dwelling, it is deemed not necessary for there to be traffic management measures implemented, however the developer will be responsible for road construction in the road reserves to the IDM Standards and Strathbogie Shire Asset Departments satisfaction.
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The Planning Policy Framework (PPF)

Clause 13.03-1S Floodplain management

Objective:

To assist in the protection of:

- *Life, property and community infrastructure from flood hazard.*
- *The natural Flood carrying capacity of rivers, streams and floodways.*
- *The flood storage function of floodplains and waterways.*
- *Floodplain areas of environment significance or of importance to river health.*

Clause 13.04-2S Erosion and landslip

Objective:

- *To protect areas prone to erosion, landslip or other land degradation processes.*

Clause 13.02-1S, Bushfire planning

Objective

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

Clause 14.02-1S, Catchment planning and management

Objective

To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

Clause 14.01-1S Protection of agricultural land

Objective

- *To protect the state's agricultural base by preserving productive farmland.*

Clause 14.01-2S Sustainable agricultural land use

Objective

- *To encourage sustainable agricultural land use.*

Clause 14.02-1S Catchment planning and management

Objective:

- *To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.*

Officers Response:

The proposal is considered consistent with the *Planning Policy Framework*. The subject site has a total area of 2.18 hectares. The proposed development aligns with the character of the area as the pattern of development in the immediate area is considered rural residential with agricultural uses being undertaken outside of the Ruffy Township. This parcel is part of a larger property within the Ruffy Township with an area of 97.39 hectares

and is one of the last larger properties within the Township to still be utilised for grazing purposes.

It is considered the proposed dwelling will have minimal impact on the environment. No vegetation is proposed to be removed; the site contains grasses and few remnant trees. The proposal is unlikely to create any significant flooding issues the land is not affected by any flood overlays; conditions will be included on any permit issued to ensure stormwater and surface water is discharged from the site to the satisfaction of the responsible authority. The proposal includes road construction in the adjoining road reserves. Conditions will be included on any planning permit issued to ensure accessibility for emergency vehicles. The site is currently grazed and grass land is expected to be mown as part of the approval of any dwelling via amenity Conditions.

The impact on agricultural productivity is considered minimal given the small size of the lot and surrounding residential development, the use of the land for agriculture would become incompatible with surrounding land uses and it is considered the development and use of the land for a dwelling will enhance the existing rural residential character of the area. The land and surrounding area have previously been identified as Area 19 in the *Rural Residential Strategy 2004* as part of an area used for rural living purposes.

The proposed dwelling and works are less than 100 metres from the identified waterway to the southwest and more than 100 metres from Boggy Creek. Conditions will be included on any planning permit regarding drainage. The application was referred to both Goulburn Murray Water and Goulburn Broken Catchment Authority.

The development is more than 5 metres from any neighbouring boundary; however, the proposed dwelling is less than 20 metres from the road, the dwelling, access and septic is proposed to be less than 100 metres from the waterway. GBCMA and GMW have provided appropriate Conditions to protect the waterways and water quality in the area. The site is more than 100 metres from any dwelling.

The surrounding area are used for residential purposes and therefore this is considered appropriate the lesser setbacks from the road and neighbouring dwellings is considered appropriate. The application was referred to both Goulburn Broken Catchment Authority and Goulburn Murray Water who considered the nearby waterway and given Conditional consent as the responsible authority.

The application was referred internally to Council's Assets and Health Department as discussed previously in this report.

The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS) and local planning policies

21.02-6 Building Material – Muted Tones

Overview

The Shire has significant natural landscapes and views which provide an important asset, and opportunity for tourism and economic development. Buildings can be intrusive in this type of environment if constructed of materials which are not sympathetic to the surrounding environment.

Clause 21.07-5 Drainage

Objective:

- *To ensure that appropriate drainage infrastructure is installed and maintained.*

Clause 22.01-3 Dwellings on small lots in the Farming Zone

Policies:

- *The construction of a new dwelling on an existing small lot will be discouraged unless it meets all of the following requirements:*
 - *The lot is accessed by an all-weather road and has appropriate service provisions.*
 - *Emergency ingress and egress is at an appropriate standard,*
 - *The dwelling will not inhibit the operation of agriculture and rural industries. *
 - *The site must be able to contain and treat onsite effluent and wastewater in accordance with the relevant Code of Practice and Australian Standards,*
- and;*
- *Meets at least one of the following requirements:*
- *The dwelling should be associated with a sustainable rural pursuit that requires a dwelling on the land to manage that pursuit.*
- *The application should be supported by a farm management plan that justifies the need for a dwelling to assist in the operation of the farm.*
- *The applicant can substantiate that the land has no agricultural potential due to environmental significance and the dwelling is to be used in conjunction with sustainable land management and the significant vegetation is protected on title.*
- *The lot has been identified in the Strathbogie Shire Rural Residential Strategy, 2004 as rural residential; implying that that there is an historic use and development pattern. Consideration should be given to the recommendations in the Strategy.*
- *The applicant is proposing to consolidate one or more lots in the same ownership with the subject land prior to the construction of the dwelling.*

Officers Response

The proposal is considered consistent with the Local Planning Policy Framework. A standard condition to ensure the proposed dwelling will be constructed from materials of good order and in muted colours will be included on the planning permit.

The application was referred to Council's Assets Department and standard conditions regarding drainage will be included on the planning permit.

The proposal is considered to be generally consistent with the local policy in relation to dwellings on small lots in the Farming Zone. The dwelling is unlikely to inhibit the operation of agricultural land use on the broader lots surrounding the site. Standard conditions along with road formation Conditions from Strathbogie Shires Asset Department will be included to ensure the dwelling is accessible via an all-weather road. The site has been identified as being an area of rural living character in the *Strathbogie Rural Residential Strategy 2004*.

Although it is policy, it is considered that requiring the applicant to enter an agreement under

Section 173 of the *Planning & Environment Act* to prohibit further subdivision, would be excessive for the following reasons:

- The site has been recognised in the 2004 Rural Residential Strategy as being in area mainly used for rural living purposes.
- The nature of the surrounding development. Surrounding properties of similar size to the subject site, have been developed with single dwellings and shedding.
- The site is heavily constrained and would not lend itself to subdivision.

Relevant Particular Provisions

2004 Strathbogie Shire Rural Residential Strategy

Area 19 Ruffy Township

The township of Ruffy has been identified as a potential rural living destination. The town itself was originally surveyed more than a century ago, however it has barely been developed since then, and is predominantly utilised by the farming community surrounding it. Ruffy is a village that operates one small produce store. The town has a town hall and community centre (cricket and tennis). The land in the area is used for sheep and cattle grazing with various boutique enterprises including vineyards, nurseries, trail riding facilities and bed & breakfasts etc. More recently, the town of Ruffy has seen weekend visitors taking advantage of the slow pace and scenery. Allotment sizes range from 5 acres to 20 acres.

Officers Response:

The proposal is in keeping with Area 19 of the 2004 Strathbogie Shire Rural Residential strategy. Ruffy no longer has a Primary School. There has been increased interest in rural residential type lots within the Shire and Ruffy township.

The proposal is considered in keeping with the area and the rural residential development without having any further environmental impact.

The decision guidelines of Clause 65

Clause 65.01, *Approval of an application or plan*, states that; *before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:*

Guideline	Assessment
<i>The matters set out in Section 60 of the Act.</i>	Complies. Consistent with the objectives for planning and satisfies the Scheme requirements. No significant effects are anticipated, including social or economic effects apart from being of benefit.
<i>The Municipal Planning Strategy and the Planning Policy Framework</i>	Complies.
<i>The purpose of the zone, overlay or other provision.</i>	Complies. The proposed development is in accordance with the 2004 Rural Residential Strategy as Area 19.
<i>Any matter required to be considered in the zone, overlay or other provision.</i>	Complies.
<i>The orderly planning of the area.</i>	Complies. The proposal is considered to represent orderly planning as it complies with the scheme and incorporated document requirements.
<i>The effect on the amenity of the area.</i>	Complies. The proposal is consistent with the purpose of the 2004

	Strathbogie Shire Rural Residential Strategy. No amenity issues are anticipated with the development. Standard amenity condition will be included on any planning permit issued.
<i>The proximity of the land to any public land.</i>	Complies. The subject site does not adjoin public land other than the road reserve. The Ruffy Cemetery is located to the west. The proposed dwelling will not have a negative impact on the small country cemetery. The proposed dwelling is less than 20 metres from the road; the area is primarily used for residential purposes.
<i>Factors likely to cause or contribute to land degradation, salinity or reduce water quality.</i>	Complies. The proposal will be governed by permit conditions which will ensure there will be no land degradation, salinity or reduction in water quality.
<i>Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.</i>	Stormwater runoff will be managed in accordance with Council's Engineering Conditions.
<i>The extent and character of native vegetation and the likelihood of its destruction.</i>	Complies. No native vegetation is proposed to be removed or impacted as part of the development works.
<i>Whether native vegetation is to be or can be protected, planted or allowed to regenerate.</i>	Complies.
<i>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.</i>	Complies. The site is not affected by the Bushfire Management Overlay it is within the Bushfire Prone Area. The dwelling will be required to be constructed to the appropriate BAL under the building regulations.
<i>The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.</i>	Not applicable.

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

There are no relevant adopted State policies.

Relevant incorporated, reference or adopted documents

2004 Rural Residential Strategy Area 19

The officer has made reference to this throughout the report.

Relevant Planning Scheme amendments

There are no relevant planning scheme amendments.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Summary of Key Issues and Assessment

- The land is in the Farming Zone and is less than the 40-hectare requirement for an as of right use for a dwelling.
- The land is identified in the 2004 Strathbogie Shire Rural Residential Strategy (Area 19).
- The proposed dwelling is less than 20 metres from the road, which is a trigger for a planning permit under the Farming Zone.
- The proposed dwelling, access and septic is less than 100 metres from the waterway on site to the southwest.
- Required all weather road construction in unmade road reserves known as “Hill Close”.

Officer Response:

It is considered appropriate to allow approval for the proposed dwelling. This is in keeping with the area and the Strathbogie Rural residential Strategy. The owner will still need to obtain appropriate building approvals to ensure the structures have the relevant permissions under the building code. The surrounding area are used for residential purposes and therefore the lesser setbacks from the road and neighbouring dwellings is considered appropriate. The application was referred to both Goulburn Broken Catchment Authority and Goulburn Murray Water who considered the nearby waterway and given Conditional consent as the responsible authority.

Conditions will be included on any planning permit issued to ensure but not limited to:

- The wastewater disposal area must be located at least: 60m from any waterways and dams (including dams on waterways), 40m from any drainage lines and 20m from any bores. **This must be shown on the endorsed plan forming part of any planning permit issued.**
- The dwelling must not be constructed within 30m of the waterway or on any drainage lines. **This must be shown on the endorsed plan forming part of any planning permit issued.**
- All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and be disposed of within the curtilage of the land. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse.
- All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site

boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.

- Crossovers and internal access will be constructed to the satisfaction of Council and provide emergency access.
- The proposed dwelling has an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes. And that the dwelling must be connected to a reticulated electricity supply or have an alternative energy source.
- The amenity of the area is not detrimentally affected by the use, through the:
 - (p) Appearance of any building, works or materials;
 - (q) Transport of materials, goods or commodities to or from the land;
 - (r) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
 - (s) Presence of vermin, and;
 - (t) Others as appropriate.
- No native vegetation is to be removed

These will address the concerns raised by the objectors.

Conclusion

After due assessment of all the relevant factors, it is considered appropriate to grant a planning permit, subject to conditions.

Declaration:

In making this decision as a delegated Officer, I declare that I have had regard to the decision-making requirements of the Strathbogie Shire Council's Governance Rules 2020 outlined by Rule 6 and have:

Made a fair, balanced, ethical and impartial decision - Sub Rule 6(c)(i) ☒

Made a decision based on merits, free from favouritism or self-interest
and without regard to irrelevant or unauthorised considerations- Sub Rule 6 (c)(ii) ☒

Applied the principles of natural justice to my decision, ensuring any person whose rights will be directly affected by the decision has been entitled to communicate their views and have their interests considered - Sub Rule 6(d) N/A

Identified the person or persons whose rights will be directly affected
Sub Rule 6(e)(i) ☒
Given notice of the decision Council must make under Sub Rule G(e)(i) N/A

Ensured that such person(s) have had an opportunity to communicate their views and have their interests considered before I made the decision - Sub Rule 6(e)(i) N/A
Included information about how I've met these Sub Rules in my delegate report-
Sub Rule 6(e)(iv)

ATTACHMENT 2:



ATTACHMENT 3:



9.1.5 Planning Permit Application No. P2021-092 - Use and Development of land for a two (2) bedroom dwelling (Crown Allotment 8 Section G) ~ 7 Hill Close, Ruffy VIC 3666

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is for the use and development of land for a two-bedroom dwelling on Crown Allotment 8 Section G ~ 7 Hill Close, Ruffy VIC 3666.
- The application was advertised, and two (2) objections were received. Further detail is contained within this Delegate Report attached.
- The application has not been assessed within the 60-day statutory timeframe due to Covid restrictions and time taken in working with objectors and referral authorities to try and resolve their concerns.
- The proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework, and the Farming Zone.

RECOMMENDATION

That Council:

1. ***Resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.***
2. ***Note the Delegate Report as attached including the following conditions:***

Amended Plans:

1. ***Prior to the commencement of any buildings or works a plan or plans must be submitted to and approved by, the Responsible Authority. When approved these plans shall be endorsed and form part of this permit. The plans must show:***
 - a) ***Fully dimensioned floor plans and elevations for the dwelling.***
 - b) ***Amended Site Plan to meet Goulburn Murray Requirements as per below:***

The dwelling must not be constructed within 30m of the waterway or on any drainage lines. This must be shown on the endorsed plan forming part of any planning permit issued.

The wastewater disposal area must be located at least: 30m from any waterways and dams (including dams on waterways), 40m from any drainage lines and 20m from any bores. This must be shown on the endorsed plan forming part of any planning permit issued.

Endorsed Plans:

2. ***The use and development must be sited and constructed in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.***

- 9.1.5 Planning Permit Application No. P2021-092 - Use and Development of land for a two (2) bedroom dwelling (Crown Allotment 8 Section G) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

Environmental Health Conditions:

Septic Tanks Code of Practice

3. *All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016) and the Responsible Authority.*
4. *All wastewater shall be disposed of within the curtilage of the land and sufficient area shall be kept available for the purpose of wastewater disposal to the satisfaction of the Responsible Authority.*
5. *No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse or drain to the satisfaction of the Responsible Authority.*

Approval of wastewater disposal

6. *Prior to installation/alterations works commencing on the septic tank system, a Permit to Install/Alter must be obtained from Council.*

Area of wastewater disposal

7. *No buildings or works shall occur over any part of the approved waste disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891.4 (2016).*

Engineering Conditions:

Road Design Plan

8. *The final design parameters for the roadways must be based on Council's Infrastructure Design Manual (IDM) as modified from time to time, all to the satisfaction of the Responsible Authority. All works shall conform to plans and specifications prepared by a qualified engineer at Owner's expense and approved by the Responsible authority. A list of specific details and requirements are as follows: -.*
 - (a) *A pavement design must be submitted for the entire road network by a suitably qualified engineer in accordance with clause 12.4 and Standard Drawing 610 of the IDM.*
 - (b) *The Vehicle crossings to the individual lots from the road must be constructed at a location and of a size and standard satisfactory to the Responsible Authority.*

Road Upgrading

9. *Before the use begins and/or the building(s) is/are occupied, the developer is to upgrade the unnamed road reserve accessed from Hobart Street to the satisfaction of Strathbogie Shire Council.*

Specific details are as follows:

- (a) *Four metre width of gravel road and vehicular crossings;*
- (b) *underground conduits for water, gas, electricity and telephone;*
- (c) *appropriate intersection and traffic measures;*
- (d) *appropriate street lighting and signage;*

9.1.5 Planning Permit Application No. P2021-092 - Use and Development of land for a two (2) bedroom dwelling (Crown Allotment 8 Section G) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

Road reserve and road widths must be in accordance with the requirements of the Infrastructure Design Manual.

Rural Vehicle Crossing Location

10. Prior to the commencement of works on site, any new, relocated, alteration or replacement of required vehicular entrances to the subject land from the road shall be constructed at a location and of a size and standard in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a Vehicle Crossing Permit. Reference should be made to Clause 12.9.2 "Rural Vehicle Crossings" of the Infrastructure Design Manual. Refer to standard drawing SD255 for small vehicles or SD265 for large vehicles.

11. The vehicular crossing shall have satisfactory clearance to any power or Telecommunications pole, manhole cover or marker, or street tree and have a minimum of 50mm of gravel from the shoulder to the property boundary.

Internal Access Roads

12. Prior to the commencement of the use/issue of the Certificate of Occupancy/issue of the Certificate of Final Inspection all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority. Internal access, including the turn-around areas for emergency vehicles, must be all weather construction with a minimum trafficable width of 4m.

Drainage Discharge Plan

13. Before any of the development starts or before the plan of subdivision is certified under the Subdivision Act 1988, a properly prepared drainage discharge plan with computations 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 a minimum of three copies (or as specified) must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.

The information and plan must include:

- a) details of how the works on the land are to be drained and/or retarded.***
- b) computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority***
- c) independent drainage for each lot (for subdivisions only)***
- d) underground pipe drains conveying stormwater to the legal point of discharge for each allotment***

9.1.5 Planning Permit Application No. P2021-092 - Use and Development of land for a two (2) bedroom dwelling (Crown Allotment 8 Section G) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

- e) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council*
- f) documentation demonstrating approval from the relevant authority for the legal point of discharge*
- g) the details of the incorporation of water sensitive urban design designed in accordance either "Urban Stormwater Best Practice Environmental Management Guidelines" 1999*
- h) maintenance schedules for treatment elements.*

Before the use begins and/or the building(s) is/are occupied or issue of a Statement of Compliance all works constructed or carried out must be in accordance with those plans. to the satisfaction of the Responsible Authority

Rural Drainage - Works

- 14. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.*
- 15. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies: -*
 - Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and*
 - Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)*

Prior to the commencement of any works, the design parameters for any defined watercourse crossing(s), both structural and hydraulic design, shall be approved by the Responsible Authority (GBCMA – Works on Waterways Permit).

Council's Assets

- 16. Before the development starts or subdivision works commences, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.*

- 9.1.5 Planning Permit Application No. P2021-092 - Use and Development of land for a two (2) bedroom dwelling (Crown Allotment 8 Section G) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

DELWP Conditions:

Access and Encroachment

- 17. No access is permitted to the subject land via the Crown land.**
- 18. Adjoining Crown land must not be used for truck turning areas, entry points, parking areas or temporary stack sites during the construction of buildings or works.**
- 19. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into or watercourses on Crown land. Overland flows must be maintained at the same rate post development as on the undeveloped land.**
- 20. No native vegetation is to be removed.**

Goulburn Broken Catchment Management Authority:

- 21. The finished floor level of the proposed dwelling must be constructed at least 300 mm above the highest existing ground level underneath the building footprint, or higher level deemed necessary by the responsible authority.**

Goulburn Murray Water:

- 22. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).**
- 23. The dwelling must not be constructed within 30m of the waterway or on any drainage lines. This must be shown on the endorsed plan forming part of any planning permit issued.**
- 24. The wastewater disposal area must be located at least: 30m from any waterways and dams (including dams on waterways), 40m from any drainage lines and 20m from any bores. This must be shown on the endorsed plan forming part of any planning permit issued.**
- 25. All wastewater from the dwelling must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.**
- 26. All wastewater must be applied to land via pressure-compensating sub-surface irrigation installed along the contour.**
- 27. The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy (based on a minimum 2 bedrooms), including an appropriately sized disposal area based on a full water balance specific to the proposal and subject land in accordance with the requirements of the current EPA Code of Practice – Onsite Wastewater Management.**
- 28. The dwelling must not contain any greater than 2 bedrooms; including rooms that could be closed off and used as bedrooms, e.g. study, sunroom, etc.**

9.1.5 Planning Permit Application No. P2021-092 - Use and Development of land for a two (2) bedroom dwelling (Crown Allotment 8 Section G) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

29. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.

General Conditions:

30. The external cladding of the proposed buildings, including the roof, must be constructed of materials in good order and condition, be non-reflective and be of muted colours to enhance the aesthetic amenity of the area.

31. The amenity of the area must not be detrimentally affected by the use, through the:

- (a) Appearance of any building, works or materials;***
- (b) Transport of materials, goods or commodities to or from the land;***
- (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;***
- (d) Presence of vermin, and;***
- (e) Others as appropriate.***

Dwelling Conditions:

32. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.

33. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

Permit Expiry:

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

- (g) The use and development has not started within two years of the date of this Permit.***
- (h) The development is not completed within four years of the date of this Permit.***
- (i) The use ceases for a period of two years or more.***

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or***
- within six months afterwards if the use or development has not yet started; or***
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.***

9.1.5 Planning Permit Application No. P2021-092 - Use and Development of land for a two (2) bedroom dwelling (Crown Allotment 8 Section G) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

Planning Notes:

- *This Permit does not authorise the commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.*
- *This Permit does not authorise the creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.*
- *This Permit does not authorise the removal of any native vegetation including for access. Before any such works may commence, the Applicant must apply for and obtain appropriate Planning approval.*

Environmental Health Notes:

- *The system must be at least 300 metres from potable water supply.*
- *The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply) for primary sewage and 30 metres for secondary sewage, on the subject or neighbouring properties.*
- *The property has been identified as a Medium Risk Area (Minor Catchment Area).*
- *A Medium Risk Template - Land Capability Assessment has been provided by Porta Environmental Pty Ltd and prepared in December 2020.*

DELWP Notes:

- *The adjoining Crown land is not to be used for access, storage of materials or rubbish. Any private use of Crown land requires consent and/or licensing from the Department of Environment, Land, Water and Planning.*

Goulburn Broken Catchment Management Authority Notes:

- *Please note that the 100-year ARI flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 100-year ARI flood, may occur in the future.*

Goulburn Murray Water Notes:

- *The subject property is located within an area of Cultural Heritage Sensitivity. Should the activity associated with proposed development require a Cultural Heritage Management Plan (CHMP), planning permits, licences and work authorities cannot be issued unless a CHMP has been approved for the activity.*

End of conditions

9.1.5 Planning Permit Application No. P2021-092 - Use and Development of land for a two (2) bedroom dwelling (Crown Allotment 8 Section G) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

PURPOSE AND BACKGROUND

The landowner is applying to use and develop the land for a two (2) bedroom dwelling on a small lot in the Farming Zone. The land is identified as Area 19 in the 2004 Strathbogie Shire Rural Residential Strategy and has an area of 1.28 hectares this does not meet the required 40-hectare area for an as of right use in the Farming Zone.

The proposal is for the construction of a single storey 2-bedroom home with an approximate floor area of 65 square metres.

The proposed dwelling contains:

- Two bedrooms
- Open kitchen, meals and living area

Subject Site



ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Council is a Responsible Authority under the Planning and Environment Act 1987 (the Act). In this role, Council administers the Strathbogie Planning Scheme (Planning Scheme) and, among other things, determines planning permit applications made for the use and development of the land in the municipality.

9.1.5 Planning Permit Application No. P2021-092 - Use and Development of land for a two (2) bedroom dwelling (Crown Allotment 8 Section G) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

Under delegated authority of Council, Council officers determine some matters. Any application that receives one or more objection is heard before Council.

SUMMARY OF KEY ISSUES

- The land is in the Farming Zone and is less than the 40-hectare requirement for an as of right use for a dwelling.
- The land is identified in the 2004 Strathbogie Shire Rural Residential Strategy (Area 19).
- The area is used for rural residential purposes.
- The objectors have indicated their objections stand and they do not wish to undertake mediation.
- Access is via unformed road reserve.
- Smaller Lot size.

Officer Response:

It is considered appropriate to allow approval for the proposed dwelling. This is in keeping with the character of the area which is used for rural residential purposes and therefore can be considered under the Strathbogie Rural Residential Strategy.

It is recommended that conditions be included on any planning permit issued to ensure that:

- All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and be disposed of within the curtilage of the land. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse.
- All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.
- Crossovers, external and internal access will be constructed to the satisfaction of Council and provide emergency access.
- The proposed dwelling has an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.
- The amenity of the area is not detrimentally affected by the use, through the:
 - (a) Appearance of any building, works or materials;
 - (b) Transport of materials, goods or commodities to or from the land;
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
 - (d) Presence of vermin, and;
 - (e) Others as appropriate.
- No native vegetation is to be removed.
- Conditions will be included based on a two bedroom dwelling.

9.1.5 Planning Permit Application No. P2021-092 - Use and Development of land for a two (2) bedroom dwelling (Crown Allotment 8 Section G) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

The objectors have indicated their objections stand. It is considered the above Conditions will address their concerns regarding drainage and effluent dispersal from the proposed site onto adjoining lots and amenity and environmental concerns. The addition of one proposed dwelling on this lot is considered appropriate and in keeping with the 2004 Strathbogie Shire Rural Residential Strategy.

In summary, the proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework and the Farming Zone.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

Individual applications consider these requirements through assessment phase of each application as per the Planning and Environment Act 1987 and the provisions of the Strathbogie Planning Scheme. The application was advertised to the neighbouring lots.

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by

- Sending letters to adjoining landowners (as shown on the plan below)
- Placing (a) sign on site

Council officers are satisfied that the notification has been carried out correctly. In addition, officers undertook a site visit.

Council Officers undertook consultation individually with both the objectors and the applicant to attempt to address concerns raised. Objectors have advised that their objections and concerns remain.

POLICY CONSIDERATIONS

Council Plans and Policies

There are no implications on the Council Plan or any Council Policies as a result of this decision (Please refer further to the Delegate report attached).

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The state policies are considered in the attached Delegate report.

9.1.5 Planning Permit Application No. P2021-092 - Use and Development of land for a two (2) bedroom dwelling (Crown Allotment 8 Section G) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

This application is being considered under Section 61 of the *Planning and Environment Act 1987*.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This application is being heard by Council as the proposal has two (2) objections to the proposed use and development of land for a dwelling. Hearing the application in the public meeting will allow all parties the opportunity to be heard by the council prior to a decision being made.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

The impact on agricultural productivity is considered minimal given the small size of the lot and surrounding residential development, the use of the land for agriculture would become incompatible with surrounding land uses and it is considered the development and use of the land for a dwelling will enhance the existing rural residential character of the area.

Social

The proposal is in keeping with Area 19 of the 2004 Strathbogie Shire Rural Residential strategy. Ruffy no longer has a Primary School. There has been increased interest in rural residential type lots within the Shire and Ruffy township. The site is large enough to accommodate the buildings and is considered in keeping with the area and the rural residential development.

9.1.5 Planning Permit Application No. P2021-092 - Use and Development of land for a two (2) bedroom dwelling (Crown Allotment 8 Section G) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

Environmental

The application has been assessed against the relevant provisions of the *Planning and Environment Act 1987*. The Land Capability Assessment provided to Council demonstrates the ability of the land to support the development as proposed without adversely affecting the environment. There is no proposal to remove vegetation. The applicant proposes they will plant native vegetation in the road reserve informally identified as "Peter Street" to act as a buffer between the rural residential lots and Farming areas.

Climate change

The Strathbogrie Planning Scheme has incorporated broader considerations on Climate Change, with the assessment that the proposal will not have an impact on climate change within the municipality, as all works will be required to comply with relevant legislation.

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications with this proposal. The application is being assessed in accordance with relevant legislation, and all parties will be afforded all relevant rights of appeal at the Victorian Civil and Administrative Tribunal.

CONCLUSION

After due assessment of all the relevant factors, it is considered appropriate to issue a Notice of Decision to grant a permit, subject to conditions, in accordance with the officer recommendation.

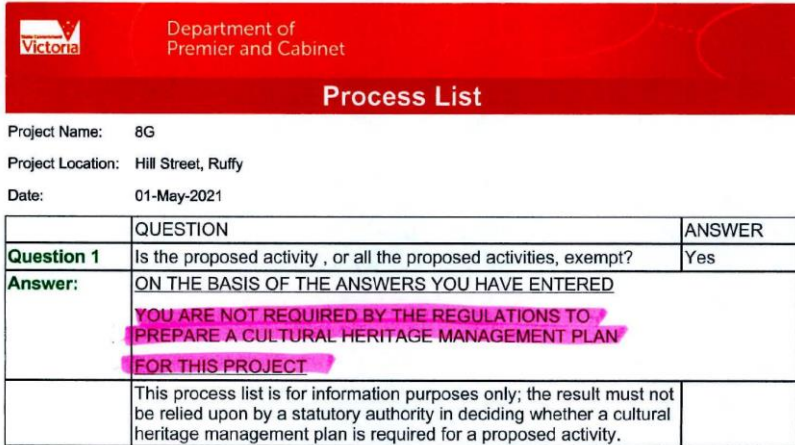
ATTACHMENTS

Attachment 1: Delegate Report
Attachment 2: Subject Land Map
Attachment 3: Locality Map

ATTACHMENT 1:

Planning Report – Delegate

Application Details:

Application is for:	Use and Development of land for a two (2) bedroom dwelling								
Applicant's/Owner's Name:	Hamill Agriculture								
Date Received:	4 June 2021 Application received 7 June 2021 Paid 21 June 2021 Further Information requested 23 June Further Information Received								
Statutory Days:	More than 60 days								
Application Number:	P2021-092								
Planner: Name, title & department	Trish Hall Town Planner Planning and Investment Department								
Land/Address:	Certificate of Title Volume 06658 Folio 473 Crown Allotment 8 Section G Known as 7 Hill Close, Ruffy VIC 3666								
Zoning:	Farming Zone								
Overlays:	No Overlays								
Is a CHMP required?	<p>No</p> <p>The subject site is affected by Cultural Sensitivity; however, a single dwelling is an exempt activity.</p>  <p>Project Name: 8G Project Location: Hill Street, Ruffy Date: 01-May-2021</p> <table border="1"> <thead> <tr> <th>QUESTION</th><th>ANSWER</th></tr> </thead> <tbody> <tr> <td>Question 1 Is the proposed activity , or all the proposed activities, exempt?</td><td>Yes</td></tr> <tr> <td>Answer: ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED YOU ARE NOT REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN FOR THIS PROJECT</td><td></td></tr> <tr> <td colspan="2">This process list is for information purposes only; the result must not be relied upon by a statutory authority in deciding whether a cultural heritage management plan is required for a proposed activity.</td></tr> </tbody> </table>	QUESTION	ANSWER	Question 1 Is the proposed activity , or all the proposed activities, exempt?	Yes	Answer: ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED YOU ARE NOT REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN FOR THIS PROJECT		This process list is for information purposes only; the result must not be relied upon by a statutory authority in deciding whether a cultural heritage management plan is required for a proposed activity.	
QUESTION	ANSWER								
Question 1 Is the proposed activity , or all the proposed activities, exempt?	Yes								
Answer: ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED YOU ARE NOT REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN FOR THIS PROJECT									
This process list is for information purposes only; the result must not be relied upon by a statutory authority in deciding whether a cultural heritage management plan is required for a proposed activity.									
Is it within an Open Potable Catchment Area?	No The subject site is not within the Open Potable water Catchment Area.								
Under what clause(s) is a permit required? (include description)	Clause 35.07-1 Use of land for a dwelling on a small lot in the Farming Zone Clause 35.07-4 Buildings and works associated with a Section 2 Use in the Farming Zone less than 100 metre from a waterway and neighbouring dwelling.								

Restrictive covenants on the title?	No
Current use and development:	Agriculture

Disclosure of Conflicts of Interest in relation to advice provided in this report

After reading the definitions of a general or material conflict of interest as defined by the *Local Government Act 2020*, do you have a conflict of interest?

Yes ☐

(if YES, please complete a Conflict of Interest and Declaration Making Declaration form)

No ☒

Recommendation

That Council

- having caused notice of Planning Application No. P2021-091 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme

and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a **Notice of Decision to grant a permit** under the provisions of Clause 35.07-1 Use of land for a two (2) bedroom dwelling on a small lot in the Farming Zone, Clause 35.07-4 Buildings and works associated with a Section 2 Use less than 100 metres from a waterway and neighbouring dwelling in the Farming Zone of the Strathbogrie Planning Scheme in respect of the land known as (Crown Allotment 8 Section G) 7 Hill Close, Ruffy VIC 3666, for the Use and Development of land for a dwelling, in accordance with endorsed plans, subject to the following conditions:

Amended Plans:

1. Prior to the commencement of any buildings or works a plan or plans must be submitted to and approved by, the Responsible Authority. When approved these plans shall be endorsed and form part of this permit. The plans must show –
 - a) Fully dimensioned floor plans and elevations for the dwelling.
 - b) Amended Site Plan to meet Goulburn Murray Requirements as per below:

The dwelling must not be constructed within 30m of the waterway or on any drainage lines. **This must be shown on the endorsed plan forming part of any planning permit issued.**

The wastewater disposal area must be located at least: 30m from any waterways and dams (including dams on waterways), 40m from any drainage lines and 20m from any bores. **This must be shown on the endorsed plan forming part of any planning permit issued.**

Endorsed Plans:

2. The use and development must be sited and constructed in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.

Environmental Health Conditions:

Septic Tanks Code of Practice

3. All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016) and the Responsible Authority.
4. All wastewater shall be disposed of within the curtilage of the land and sufficient area shall be kept available for the purpose of wastewater disposal to the satisfaction of the Responsible Authority.
5. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse or drain to the satisfaction of the Responsible Authority.

Approval of wastewater disposal

6. Prior to installation/alterations works commencing on the septic tank system, a Permit to Install/Alter must be obtained from Council.

Area of wastewater disposal

7. No buildings or works shall occur over any part of the approved waste disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891.4 (2016).

Engineering Conditions:

Road Design plan

8. The final design parameters for the roadways must be based on Council's Infrastructure Design Manual (IDM) as modified from time to time, all to the satisfaction of the Responsible Authority. All works shall conform to plans and specifications prepared by a qualified engineer at Owner's expense and approved by the Responsible authority. A list of specific details and requirements are as follows: -.
 - (c) A pavement design must be submitted for the entire road network by a suitably qualified engineer in accordance with clause 12.4 and Standard Drawing 610 of the IDM.
 - (d) The Vehicle crossings to the individual lots from the road must be constructed at a location and of a size and standard satisfactory to the Responsible Authority.

Road Upgrading

9. Before the use begins and/or the building(s) is/are are occupied, the developer is to upgrade the **unnamed road reserve** accessed from *Hobart Street* to the satisfaction of Strathbogie Shire Council.
Specific details are as follows:
 - (a) Four metre width of gravel road and vehicular crossings;
 - (b) underground conduits for water, gas, electricity and telephone;
 - (c) appropriate intersection and traffication measures;
 - (d) appropriate street lighting and signage;Road reserve and road widths must be in accordance with the requirements of the Infrastructure Design Manual

Rural Vehicle Crossing Location

10. Prior to the commencement of works on site, any new, relocated, alteration or replacement of required vehicular entrances to the subject land from the road shall

be constructed at a location and of a size and standard in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a Vehicle Crossing Permit. Reference should be made to Clause 12.9.2 "Rural Vehicle Crossings" of the Infrastructure Design Manual. Refer to standard drawing SD255 for small vehicles or SD265 for large vehicles.

11. The vehicular crossing shall have satisfactory clearance to any power or Telecommunications pole, manhole cover or marker, or street tree and have a minimum of 50mm of gravel from the shoulder to the property boundary.

Internal Access Roads

12. Prior to the commencement of the use/issue of the Certificate of Occupancy/issue of the Certificate of Final Inspection all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority. Internal access, including the turn-around areas for emergency vehicles, must be all weather construction with a minimum trafficable width of 4m.

Drainage Discharge Plan

13. Before any of the development starts or before the plan of subdivision is certified under the Subdivision Act 1988, a properly prepared drainage discharge plan with computations 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 a minimum of **three copies (or as specified)** must be provided. **The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.**

The information and plan must include:

- a) details of how the works on the land are to be drained **and/or** retarded.
- a) computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority
- b) independent drainage for each lot (for subdivisions only)
- c) underground pipe drains conveying stormwater to the legal point of discharge for each allotment
- d) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council.
- e) documentation demonstrating approval from the relevant authority for the legal point of discharge.
- f) the details of the incorporation of water sensitive urban design designed in accordance either "Urban Stormwater Best Practice Environmental Management Guidelines" 1999.
- g) maintenance schedules for treatment elements.

Before the use begins and/or the building(s) is/are are occupied or issue of a Statement of Compliance all works constructed or carried out must be in accordance with those plans. to the satisfaction of the Responsible Authority

Rural Drainage - Works

14. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the

Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.

15. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies: -

- Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and
- Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)

Prior to the commencement of any works, the design parameters for any defined watercourse crossing(s), both structural and hydraulic design, shall be approved by the Responsible Authority (GBCMA – Works on Waterways Permit).

Council's Assets

16. Before the development starts or subdivision works commences, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.

DELWP Conditions:

Access and Encroachment

17. No access is permitted to the subject land via the Crown land.
18. Adjoining Crown land must not be used for truck turning areas, entry points, parking areas or temporary stack sites during the construction of buildings or works.
19. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into or watercourses on Crown land. Overland flows must be maintained at the same rate post development as on the undeveloped land.
20. No native vegetation is to be removed.

Goulburn Broken Catchment Management Authority:

21. The finished floor level of the proposed dwelling must be constructed at least 300 mm above the highest **existing ground** level underneath the building footprint, or higher level deemed necessary by the responsible authority.

Goulburn Murray Water:

22. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
23. The dwelling must not be constructed within 30m of the waterway or on any drainage lines. **This must be shown on the endorsed plan forming part of any planning permit issued.**

24. The wastewater disposal area must be located at least: 30m from any waterways and dams (including dams on waterways), 40m from any drainage lines and 20m from any bores. **This must be shown on the endorsed plan forming part of any planning permit issued.**
25. All wastewater from the dwelling must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.
26. All wastewater must be applied to land via pressure-compensating sub-surface irrigation installed along the contour.
27. The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy (based on a minimum 2 bedrooms), including an appropriately sized disposal area based on a full water balance specific to the proposal and subject land in accordance with the requirements of the current EPA Code of Practice – Onsite Wastewater Management.
28. The dwelling must not contain any greater than 2 bedrooms; including rooms that could be closed off and used as bedrooms, e.g. study, sunroom, etc.
29. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.

General Conditions:

30. The external cladding of the proposed buildings, including the roof, must be constructed of materials in good order and condition, be non-reflective and be of muted colours to enhance the aesthetic amenity of the area.
31. The amenity of the area must not be detrimentally affected by the use, through the:
 - (a) Appearance of any building, works or materials;
 - (b) Transport of materials, goods or commodities to or from the land;
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
 - (d) Presence of vermin, and;
 - (e) Others as appropriate.

Dwelling Conditions:

32. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
33. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

Permit Expiry:

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

- (a) The use and development has not started within two years of the date of this Permit.
- (b) The development is not completed within four years of the date of this Permit.
- (c) The use ceases for a period of two years or more.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six months afterwards if the use or development has not yet started; or
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Planning Notes:

- This Permit does not authorise the commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.
- This Permit does not authorise the creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.
- This Permit does not authorise the removal of any native vegetation including for access. Before any such works may commence, the Applicant must apply for and obtain appropriate Planning approval.

Environmental Health Notes:

- The system must be at least 300 metres from potable water supply.
- The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply) for primary sewage and 30 metres for secondary sewage, on the subject or neighbouring properties.
- The property has been identified as a Medium Risk Area (Minor Catchment Area).
- A Medium Risk Template - Land Capability Assessment has been provided by Porta Environmental Pty Ltd and prepared in December 2020.

DELWP Notes:

- The adjoining Crown land is not to be used for access, storage of materials or rubbish. Any private use of Crown land requires consent and/or licensing from the Department of Environment, Land, Water and Planning.

Goulburn Broken Catchment Management Authority Notes:

- Please note that the 100-year ARI flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 100-year ARI flood, may occur in the future.

Goulburn Murray Water Notes:

- The subject property is located within an area of Cultural Heritage Sensitivity. Should the activity associated with proposed development require a Cultural Heritage Management Plan (CHMP), planning permits, licences and work authorities cannot be issued unless a CHMP has been approved for the activity.

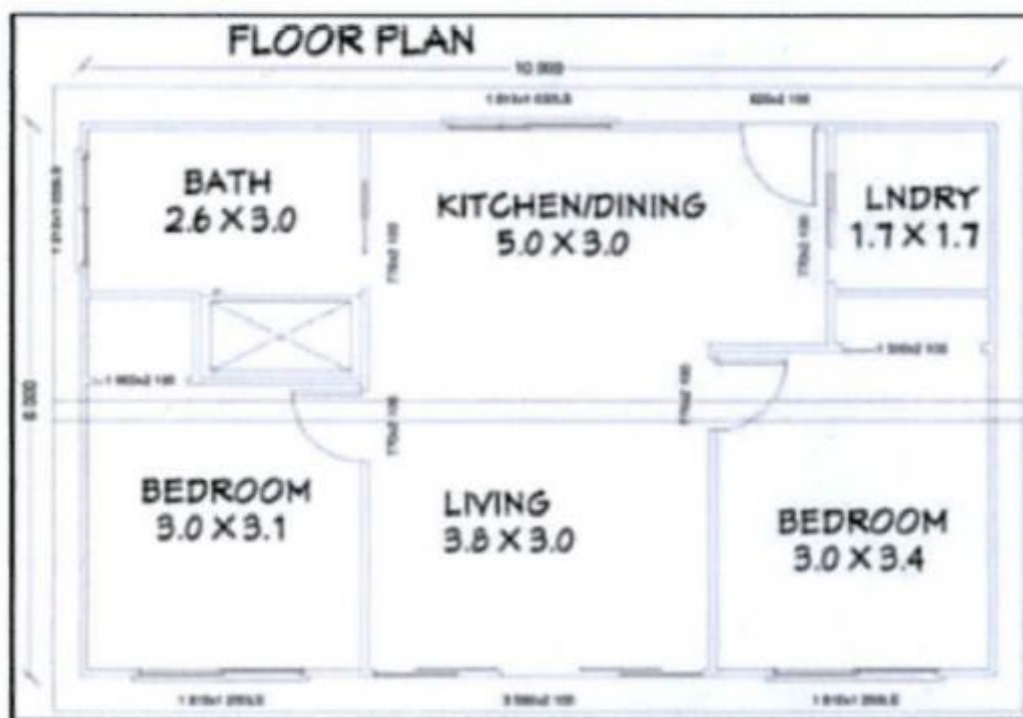
Proposal

The landowner is applying to use and develop the land for a two (2) bedroom dwelling on a small lot in the Farming Zone. The land is identified as Area 19 in the 2004 Strathbogie Shire Rural Residential Strategy and has an area of 4152 square metres this does not meet the required 40-hectare area for an as of right use in the Farming Zone.

The proposal is for the construction of a single storey 2-bedroom home with an approximate floor area of 65 square metres.

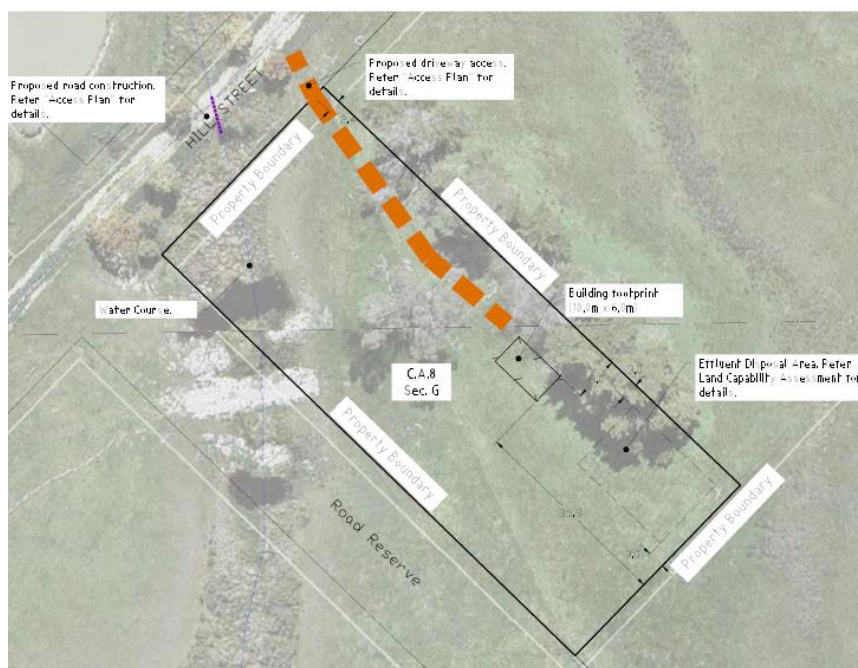
The proposed dwelling contains:

- Two bedrooms
- Open kitchen, meals and living area



The applicant has requested that elevation plans be provided at a later stage by Condition on any planning permit issued.

The dwelling would be set back 54 metres from the "Hill Close" boundary to the northwest, 35.9 metres from the southeastern rear boundary and 8 metres from the northern side boundary. The septic field is proposed to be located 3 metres from the northern boundary and south-eastern boundaries.



The effluent field is proposed to be located in the southeastern corner of the lot as described in the Land Capability Assessment provided.



Subject site & locality

The property is made up of six (6) lots and is known as 7 Hill Close Ruffy.

Allotment 1 Section H – Approximately 4050 square metres

Allotment 2 Section H - Approximately 3297 square metres

Allotment 3 Section H – Approximately 12893 square metres

Allotment 7 Section G – Approximately 12127 square metres

Allotment 8 Section G - Approximately 4152 square metres

Allotment 9 Section D – Approximately 93 hectares



The proposal is for Certificate of Title Volume 06658 Folio 473 Crown Allotment 8 Section G.

Known as 7 Hill Close, Ruffy VIC 3666.

This lot has an area of 4152 square metres.

The lot is located to the south of Hobart Street. The allotment is rectangular in shape and adjoins two unnamed road reserves.

The lot is located on the northern side of Crown Allotment 1 and 2 Section H and the road reserve informally known as “Turner Street”. An unmade road reserve “Peter Street” is located further to the east. The unmade road reserve commonly referred to as “Hill Street” adjoining the western boundary is proposed to be utilised for access.

“Hill Street” and “Turner Street” both have waterways crossing them which feed into the Boggy Creek to the southeast.

Hobart Street further to the north, adjoining the road reserve known as “Hill Street” is a gravel road and adjoins Nolans Road 220 metres to the north. Nolans Road is sealed to the Nolans Road and Hobart Street corner and links to Longwood Ruffy Road and the Hume Freeway. The Hume Freeway is located approximately 18 kilometres to the north of the subject site.



The applicant has stated that no sheep dip has been located on this or adjoining sites.

The site is grassed and contains a large stand of cypress trees along the northeast boundary. The land slopes towards the southwestern corner which contains a dam and a waterway which feeds into Boggy Creek to the east.





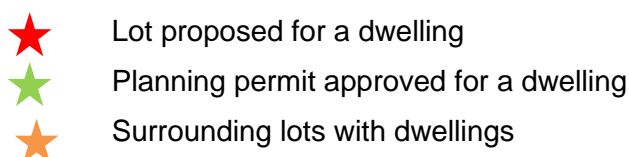
The surrounding neighbourhood

The site measures 4152 square metres and it is considered to be a rural lifestyle property. The adjoining and neighbouring lots to the northeast and south are in the same ownership and are vacant.

The lots further to the north and west are either developed or have a planning permit for dwellings and shedding. The lot directly across the road reserve contains a house and has a similar area.

Ruffy Cemetery is located to the northwest.

More broadly some of the lots originally surveyed more than a century ago remain undeveloped, and larger parcels are utilised for grazing, boutique enterprises and other uses.



The subject site is identified in the 2004 Strathbogie Shire Rural Residential Zone as Area 19 – Ruffy Township. The township of Ruffy has been identified as a potential rural living destination. The town itself was originally surveyed more than a century ago, however it has barely been developed since then, and is predominantly utilised by the farming community surrounding it. More recently interest in Ruffy as a rural lifestyle area is growing. Ruffy is a village that operates one small produce store. The town has a town hall and community centre. The land in the area is used for sheep and cattle grazing with various boutique enterprises including vineyards, nurseries, trail riding facilities and bed & breakfasts etc. More recently, the town of Ruffy has seen weekend visitors taking advantage of the slow pace and scenery. Allotment sizes range from 5 acres to 20 acres.



Permit/Site History

A search of Councils electronic records showed the following planning permits have previously been issued:

P2014-061	Use and development of land for a dwelling (issued)
P2019-031 - 1	Use and development of land for a dwelling (issued)

The following applications have been received:

P2021-089	Application Development of land for a dwelling and access (In Progress)
P2021-090	Application Development of land for a dwelling and access (In Progress)
P2021-092	Application Development of land for a dwelling and access (In Progress)

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by

- Sending letters to adjoining landowners
- Placing (a) sign on site

The notification has been carried out correctly.

Council has received two (2) objections to date.

The objections included the following:

- Effluent Disposal Areas will affect naturally fed springs
- Run off and effluent will end up on adjoining and neighbouring properties
- Disturbance of peace with multiple dwellings; including disturbance to local wildlife and local area.
- Loss of privacy and peace from neighbouring dwellings
- The proposed development will impact the wildlife and animals on surrounding properties

Please see locality map of objectors.



17th September 2021

The applicant responded to the objections (Please see further below in report).

Environmental impact

As per the Porta Environmental Land Capability Assessment and the Strathbogie Shire Council, Environment Health Unit Response to a Planning Referral, the effluent disposal area is compliant and will not affect naturally fed springs and the runoff will not end up in the neighbouring properties.

There will be no loss of privacy or peace from the lots for which the applications are made as they are already in use with multiple daily attendances through agriculture production. There is a planning permit for a dwelling on the objectors' property.

The precedent has been set and repeated in the granting of permits in this area on similar sized lots.

The wildlife will remain as it is. Significant native planting along Peter St, installed as a buffer between farmed land and the developing area, has created a new wildlife corridor to the creek reserve therefore the development has already and will continue to benefit the wildlife. The free roaming dog and cat from the objectors' property have a far greater impact on the wildlife than the neighbours having a house to live in.

Consultation

4 June 2021	Application received
7 June 2021	Application paid
21 June 2021	Further Information requested
23 June	Further Information Received
5 th August 2021	Advertised on website and to neighbours
20 th August 2021	Objection 1 Received

30 th August 2021	Further details received
30 th August 2021	Objection 2 Received
31 st August and	
1 st September 2021	Objections sent to applicant
17 th September 2021	Applicant responded to Objections
17 th September 2021	Applicant's response sent to Objectors with Option 3 letter, 14 days to respond.

Officers Response:

The objectors have indicated their objections stand and they do not wish to undertake mediation.

- **Effluent Disposal Areas will affect naturally fed springs**
- **Run off and effluent will end up on adjoining and neighbouring properties**

Conditions will be placed on any planning permit issued to ensure all sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and be disposed of within the curtilage of the land. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse.

All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system. The LCA provided states there no springs or bores noted on the near any of the LCA testing areas, there are also no dams for incised waterways or drainage line on the property apart from a localised depression some distance from the LCA test area.

- **Disturbance of peace with multiple dwellings; including disturbance to local wildlife and local area.**
- **Loss of privacy and peace from neighbouring dwellings**
- **The proposed development will impact the wildlife and animals on surrounding properties**

The subject site is identified in the 2004 Strathbogie Shire Rural Residential Strategy for consideration for rural type living, the proposal is for a single dwelling on a lot with an area of 0.32 hectares (3297 square metres). Conditions will be placed on any planning permit issued to ensure the amenity of the area is not detrimentally affected by the use, through the:

- Appearance of any building, works or materials;
- Transport of materials, goods or commodities to or from the land;
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
- Presence of vermin, and;
- Others as appropriate.
- No native vegetation is removed

It is noted that the applicant does have three other applications for single dwellings on lots within the area before Council and these will be considered separately. P2021-091 was

heard before Council on October 27, 2021, and the recommendation for a Notice of Decision to approve the permit was moved.

Referrals

External Referrals/Notices required by the Planning Scheme:

External Referrals	Advice/Response/Conditions
Ausnet (Section 52)	No Objection
DELWP (Section 52)	No Objection Subject to Conditions
GBCMA (Section 52)	No Objection Subject to Conditions
GMW (Section 52)	No Objection Subject to Conditions

Internal Council Referrals	Advice/Response/Conditions
Asset Department	No Objection – subject to Conditions
Health Department	No Objection – subject to Conditions

Assessment

The zoning of the land and any relevant overlay provisions

Farming Zone Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Officers Response:

A permit is required for the use and development of land for a dwelling, as the subject site is less than the minimum lot size (40 hectares). The subject site has been identified in Area 19 of the Strathbogie Shire 2004 Rural Residential Strategy. The site measures 42152 square metres and it is considered to be a rural lifestyle property. The adjoining and neighbouring lots to the southwest and northwest are in the same ownership and are vacant.




The neighbouring lots to the north, west and east are either developed, or have a planning permit for dwellings and shedding.

The use and development of the site for a dwelling will not lead to a direct loss in productive agricultural land. The land is identified in the 2004 Strathbogie Rural Residential Strategy, the lot is smaller in size, located in proximity to other rural dwellings. The impact of the proposed development on surrounding lots and broader agricultural activity to the southwest will be minimal as the land is separated by the area known as Ruffy Township to the north, Boggy Creek to the east and watercourses to the southwest.

A response to the Decision Guidelines at Clause 35.07-6 is detailed below:

General Issues	Complies	Officers Comment
<i>The Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Planning Strategy and local planning policies.</i>	Yes	Assessment against PPF & LPPF is provided below.
<i>Any Regional Catchment Strategy and associated plan applying to the land.</i>	Yes	Boggy Creek and Hughes Creek Catchment Area
<i>The capability of the land to accommodate the proposed use or development, including the disposal of effluent.</i>	Yes	The application has been referred to Council's environmental health department who have consented to this application, subject to conditions. Given this, it is considered the land is capable of treating effluent waste on site. The development has an existing septic system on site.
<i>How the use or development relates to sustainable land management.</i>	Yes	The nature of the subject site including its size, location lends itself to residential development. The addition of a dwelling will result in regular monitoring and reduction in pests and weeds.
<i>Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.</i>	Yes	It is considered the proposal is consistent with the adjoining land uses and is not likely to have a negative impact on the amenity of the exiting residents. The lot is separated

		from the larger surrounding agricultural parcels by the area known as Ruffy Township to the north, Boggy Creek to the east and watercourses to the southwest and east.
<i>How the use and development makes use of existing infrastructure and service.</i>	Yes	Access is proposed via Hobart Street and the road reserve informally identified as "Hill Close". Conditions regarding appropriate access and the formation of roads will be included on any planning permit issued.
Agricultural Issues		
<i>Whether the use or development will support and enhance agricultural production.</i>	No	The subject land is vacant. The lot as part of a larger farming enterprise has previously been utilised as a farming enterprise. However, the land is identified as Area 19 in the <i>Rural Residential Strategy 2004</i> . The immediate surrounding lots vary in size, and some have been developed with single dwellings and shedding suitable for rural lifestyle living and is known as Ruffy Township.
<i>Whether the use or development will permanently remove land from agricultural production.</i>	Yes	<p>The site forms part of Ruffy Township. Despite its links through ownership to larger parcels of land to the south utilised for sheep and cattle grazing the area is considered appropriate use for rural lifestyle living and is identified in the Strathbogie 2004 Rural Residential Strategy.</p>  <p>The town itself was originally surveyed more than a century ago and is becoming more popular as a rural living area. Ruffy is a village that operates one small produce store. The town has a town hall and community centre. The area has been identified as an area for investigation for Rural Residential and Low-Density Residential rezoning.</p>

<i>The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.</i>	Yes	It is considered the development will not directly limit the operation of adjoining and nearby agricultural uses. The site is separated from larger agriculture lots to the southwest and is separated by the area known as Ruffy Township to the north, Boggy Creek to the east and watercourses to the southwest. Smaller lots are identified in the 2004 Strathbogie Rural Residential Strategy and known as the Ruffy Township.
<i>The capacity of the site to sustain the agricultural use.</i>	Yes	The area is known as the Ruffy township and has already been established as an area for rural living. It is considered as discussed in this report the proposed development will not have a detrimental effect to the sustainable agricultural uses surrounding the subject site.
<i>The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.</i>	Yes	The land does have previous ties to agricultural use, several lots are in the same ownership, the site is a vacant smaller allotment.
<i>Any integrated land management plan prepared for the site.</i>	Yes	No integrated land management plans have been prepared; given the size of the land and the fact it is identified for rural residential purposes.
Dwelling Issues	Complies	Officers Comment
<i>Whether the dwelling will result in the loss or fragmentation of productive agricultural land.</i>	Yes	The proposed dwelling will not directly result in the loss or fragmentation of productive agricultural land, the subject site has been identified in the Rural Residential Strategy 2004 and neighbouring lots have been developed for residential purposes.
<i>Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.</i>	Yes	The subject site is surrounded by other rural lifestyle blocks of varied sizes. Land to the northwest is used for Rural Residential living whilst traditional agricultural purposes such as grazing exist past these allotments and to the south.
<i>Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.</i>	Yes	As the use of the land for a dwelling is in an area that is identified and already used for rural living purposes, there will be no impact on the adjoining agricultural practices in any different way than the neighbouring lots impact the land now.

<i>The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.</i>	Yes	The proposal has been assessed, taking into consideration the <i>Rural Residential Strategy 2004</i> it is unlikely that the proposed dwelling would directly result in the proliferation of dwellings beyond the area identified under the strategy.
Environmental issues		
<i>The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.</i>	Yes	Given the dwelling is proposed to be built in an area identified for rural living; the land is unlikely to be impacted any more detrimentally than it is already impacted from the current dwellings and shedding in the area. The site contains a waterway. The proposed dwelling, access and septic is located less than 100 metres from any waterway and more than 100 metres from Boggy Creek. The application has been referred to Strathbogie Shires Environmental Health Department and appropriate conditions will be included on any issued planning permit regarding drainage and sediment and silt. Significant consultation has been undertaken with Goulburn Murray Water who consent subject to Conditions.
<i>The impact of the use or development on the flora and fauna on the site and its surrounds.</i>	Yes	The proposal does not include the removal of any vegetation.
<i>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.</i>	Yes	The proposal does not include the removal of any vegetation. Conditions will be included on any permit issued to ensure the dwelling and effluent disposal is located on the site to the satisfaction of the responsible authority.
<i>The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.</i>	Yes	On site effluent disposal will be required to be carried out in accordance with the requirements of the Responsible Authority.
Design and siting issue		
<i>The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.</i>	Yes	The proposed buildings and works are on a site with an area of 4152 square metres. The site contains a small portion of waterway southwestern corner. The proposed dwelling, septic and driveway is less than 100 metres from the waterway. GMW have set

		<p>appropriate setback distances from any waterways via Conditional consent.</p> <p>The proposed works are more than 100 metres from Boggy Creek to the southeast.</p> <p>The proposed dwelling is on a site that has been identified in the 2004 Rural Residential Strategy for rural living. Due to the size and location of the subject land it is considered the site is appropriate for residential living and the loss of any potential for agricultural production has already occurred to some degree. The lot is separated from larger agricultural parcels by the area known as Ruffy Township to the north, Boggy Creek to the east and watercourses to the southwest.</p>
<i>The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.</i>	Yes	Should a permit be issued, a condition will be placed on the permit requiring muted tones and materials of good condition.
<i>The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.</i>	Yes	The proposal is unlikely to detract from the existing character and amenity values of the area. The subject site and surrounding land have been identified in the rural living strategy. Some have been developed in a similar manner with single dwellings and shedding constructed from similar materials. A muted tones condition will be included on any planning permit issued.
<i>The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.</i>	Yes	<p>The site is in the Farming Zone and standard conditions will be included on any planning permit issued regarding the provision of water, sewage, electricity and access.</p> <p>Construction of roads in the road reserve will be the responsibility of the developer and appropriate Conditions will be included on any planning permit issued.</p>
<i>Whether the use and development will require traffic management measures.</i>	Yes	As the proposal is for a dwelling, it is deemed not necessary for there to be traffic management measures implemented, however the developer will be responsible for road

		construction in the road reserves to the IDM Standards and Strathbogrie Shire Asset Departments satisfaction.
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The Planning Policy Framework (PPF)

Clause 13.03-1S Floodplain management

Objective:

To assist in the protection of:

- *Life, property and community infrastructure from flood hazard.*
- *The natural Flood carrying capacity of rivers, streams and floodways.*
- *The flood storage function of floodplains and waterways.*
- *Floodplain areas of environment significance or of importance to river health.*

Clause 13.04-2S Erosion and landslip

Objective:

- *To protect areas prone to erosion, landslip or other land degradation processes.*

Clause 13.02-1S, Bushfire planning

Objective

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

Clause 14.02-1S, Catchment planning and management

Objective

To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

Clause 14.01-1S Protection of agricultural land

Objective

- *To protect the state's agricultural base by preserving productive farmland.*

Clause 14.01-2S Sustainable agricultural land use

Objective

- *To encourage sustainable agricultural land use.*

Clause 14.02-1S Catchment planning and management

Objective:

- *To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.*

Officers Response:

The proposal is considered consistent with the *Planning Policy Framework*. The subject site has a total area of 4152 square metres. The proposed development aligns with the character of the area as the pattern of development in the immediate area is considered rural residential with agricultural uses being undertaken outside of the Ruffy Township. This parcel is part of a larger property within the Ruffy Township with an area of 97.39 hectares and is one of the last larger properties within the Township to still be utilised for grazing purposes.

It is considered the proposed dwelling will have minimal impact on the environment. No vegetation is proposed to be removed; the site contains grasses and few remnant trees. The proposal is unlikely to create any significant flooding issues the land is not affected by

any flood overlays; conditions will be included on any permit issued to ensure stormwater and surface water is discharged from the site to the satisfaction of the responsible authority. The proposal includes road construction in the adjoining road reserves. Conditions will be included on any planning permit issued to ensure accessibility for emergency vehicles. The site is currently grazed and grass land is expected to be mown as part of the approval of any dwelling via amenity Conditions.

The impact on agricultural productivity is considered minimal given the small size of the lot and surrounding residential development, the use of the land for agriculture would become incompatible with surrounding land uses and it is considered the development and use of the land for a dwelling will enhance the existing rural residential character of the area. The land and surrounding area have previously been identified as Area 19 in the *Rural Residential Strategy 2004* as part of an area used for rural living purposes.

The proposed dwelling and works are less than 100 metres from the identified waterway to the southwest and more than 100 metres from Boggy Creek. Conditions will be included on any planning permit regarding drainage. The application was referred to both Goulburn Murray Water and Goulburn Broken Catchment Authority.

The surrounding area are used for residential purposes and therefore this is considered appropriate the lesser setbacks from neighbouring dwellings and waterway is considered appropriate. The application was referred to both Goulburn Broken Catchment Authority and Goulburn Murray Water who considered the nearby waterway and given Conditional consent as the responsible authority.

The application was referred internally to Council's Assets and Health Department as discussed previously in this report.

The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS) and local planning policies

21.02-6 Building Material – Muted Tones

Overview

The Shire has significant natural landscapes and views which provide an important asset, and opportunity for tourism and economic development. Buildings can be intrusive in this type of environment if constructed of materials which are not sympathetic to the surrounding environment.

Clause 21.07-5 Drainage

Objective:

- *To ensure that appropriate drainage infrastructure is installed and maintained.*

Clause 22.01-3 Dwellings on small lots in the Farming Zone

Policies:

- *The construction of a new dwelling on an existing small lot will be discouraged unless it meets all of the following requirements:*
 - *The lot is accessed by an all-weather road and has appropriate service provisions.*
 - *Emergency ingress and egress is at an appropriate standard,*
 - *The dwelling will not inhibit the operation of agriculture and rural industries. *
 - *The site must be able to contain and treat onsite effluent and wastewater in accordance with the relevant Code of Practice and Australian Standards, and;*
- *Meets at least one of the following requirements:*

- *The dwelling should be associated with a sustainable rural pursuit that requires a dwelling on the land to manage that pursuit.*
- *The application should be supported by a farm management plan that justifies the need for a dwelling to assist in the operation of the farm.*
- *The applicant can substantiate that the land has no agricultural potential due to environmental significance and the dwelling is to be used in conjunction with sustainable land management and the significant vegetation is protected on title.*
- *The lot has been identified in the Strathbogie Shire Rural Residential Strategy, 2004 as rural residential; implying that there is an historic use and development pattern. Consideration should be given to the recommendations in the Strategy.*
- *The applicant is proposing to consolidate one or more lots in the same ownership with the subject land prior to the construction of the dwelling.*

Officers Response

The proposal is considered consistent with the Local Planning Policy Framework. A standard condition to ensure the proposed dwelling will be constructed from materials of good order and in muted colours will be included on the planning permit.

The application was referred to Council's Assets Department and standard conditions regarding drainage will be included on the planning permit.

The proposal is considered to be generally consistent with the local policy in relation to dwellings on small lots in the Farming Zone. The dwelling is unlikely to inhibit the operation of agricultural land use on the broader lots surrounding the site. Standard conditions along with road formation Conditions from Strathbogie Shires Asset Department will be included to ensure the dwelling is accessible via an all-weather road. The site has been identified as being an area of rural living character in the *Strathbogie Rural Residential Strategy 2004*.

Although it is policy, it is considered that requiring the applicant to enter an agreement under Section 173 of the *Planning & Environment Act* to prohibit further subdivision, would be excessive for the following reasons:

- The site has been recognised in the 2004 Rural Residential Strategy as being in area mainly used for rural living purposes.
- The nature of the surrounding development. Surrounding properties of similar size to the subject site, have been developed with single dwellings and shedding.
- The site is heavily constrained and would not lend itself to subdivision.

Relevant Particular Provisions

2004 Strathbogie Shire Rural Residential Strategy

Area 19 Ruffy Township

The township of Ruffy has been identified as a potential rural living destination. The town itself was originally surveyed more than a century ago, however it has barely been developed since then, and is predominantly utilised by the farming community surrounding it. Ruffy is a village that operates one small produce store. The town has a town hall and community centre (cricket and tennis). The land in the area is used for sheep and cattle grazing with various boutique enterprises including vineyards, nurseries, trail riding facilities and bed & breakfasts etc. More recently, the town of Ruffy has seen weekend visitors taking advantage of the slow pace and scenery. Allotment sizes range from 5 acres to 20 acres.

Officers Response:

The proposal is in keeping with Area 19 of the 2004 Strathbogie Shire Rural Residential strategy. Ruffy no longer has a Primary School. There has been increased interest in rural residential type lots within the Shire and Ruffy township.

The proposal is considered in keeping with the area and the rural residential development without having any further environmental impact.

The decision guidelines of Clause 65

Clause 65.01, *Approval of an application or plan*, states that; *before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:*

Guideline	Assessment
<i>The matters set out in Section 60 of the Act.</i>	Complies. Consistent with the objectives for planning and satisfies the Scheme requirements. No significant effects are anticipated, including social or economic effects apart from being of benefit.
<i>The Municipal Planning Strategy and the Planning Policy Framework</i>	Complies.
<i>The purpose of the zone, overlay or other provision.</i>	Complies. The proposed development is in accordance with the 2004 Rural Residential Strategy as Area 19.
<i>Any matter required to be considered in the zone, overlay or other provision.</i>	Complies.
<i>The orderly planning of the area.</i>	Complies. The proposal is considered to represent orderly planning as it complies with the scheme and incorporated document requirements.
<i>The effect on the amenity of the area.</i>	Complies. The proposal is consistent with the purpose of the 2004 Strathbogie Shire Rural Residential Strategy. No amenity issues are anticipated with the development. Standard amenity condition will be included on any planning permit issued.
<i>The proximity of the land to any public land.</i>	Complies. The subject site does not adjoin public land. The Ruffy Cemetery is located to the southwest and Boggy Creek Reserve to the east. The proposed dwelling will not have a negative impact on

	the small country cemetery or Creek reserve.
<i>Factors likely to cause or contribute to land degradation, salinity or reduce water quality.</i>	Complies. The proposal will be governed by permit conditions which will ensure there will be no land degradation, salinity or reduction in water quality.
<i>Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.</i>	Stormwater runoff will be managed in accordance with Council's Engineering Conditions.
<i>The extent and character of native vegetation and the likelihood of its destruction.</i>	Complies. No native vegetation is proposed to be removed or impacted as part of the development works.
<i>Whether native vegetation is to be or can be protected, planted or allowed to regenerate.</i>	Complies.
<i>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.</i>	Complies. The site is not affected by the Bushfire Management Overlay it is within the Bushfire Prone Area. The dwelling will be required to be constructed to the appropriate BAL under the building regulations.
<i>The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.</i>	Not applicable.

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

There are no relevant adopted State policies.

Relevant incorporated, reference or adopted documents

2004 Rural Residential Strategy Area 19

The officer has made reference to this throughout the report.

Relevant Planning Scheme amendments

There are no relevant planning scheme amendments.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Summary of Key Issues and Assessment

- The land is in the Farming Zone and is less than the 40-hectare requirement for an as of right use for a dwelling.
- The land is identified in the 2004 Strathbogrie Shire Rural Residential Strategy (Area 19).
- The proposed dwelling is less than 100 metres from the neighbouring dwellings (which have been granted planning permit permission, however, are not yet constructed), which is a trigger for a planning permit under the Farming Zone.
- The proposed dwelling, access and septic is less than 100 metres from the waterway on site to the southwest.
- Required all weather road construction in unmade road reserves known as "Hill Close"
- The lot has an area of 4152 square metres and may be constricted by the slope and waterway in the southwestern corner.

Officer Response:

It is considered appropriate to allow approval for the proposed dwelling. This is in keeping with the area and the Strathbogrie Rural residential Strategy. The owner will still need to obtain appropriate building approvals to ensure the structures have the relevant permissions under the building code. The surrounding area are used for residential purposes and therefore the lesser setbacks from the road and neighbouring dwellings is considered appropriate. The application was referred to both Goulburn Broken Catchment Authority and Goulburn Murray Water who considered the nearby waterway and given Conditional consent as the responsible authority.

Conditions will be included on any planning permit issued to ensure but not limited to:

- The dwelling must not be constructed within 30m of the waterway or on any drainage lines. **This must be shown on the endorsed plan forming part of any planning permit issued.**
- The wastewater disposal area must be located at least: 30m from any waterways and dams (including dams on waterways), 40m from any drainage lines and 20m from any bores. **This must be shown on the endorsed plan forming part of any planning permit issued.**
- All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and be disposed of within the curtilage of the land. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse.
- All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.
- Crossovers and internal access will be constructed to the satisfaction of Council and provide emergency access.
- The proposed dwelling has an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes. And that the dwelling

must be connected to a reticulated electricity supply or have an alternative energy source.

- The amenity of the area is not detrimentally affected by the use, through the:
 - (f) Appearance of any building, works or materials;
 - (g) Transport of materials, goods or commodities to or from the land;
 - (h) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
 - (i) Presence of vermin, and;
 - (j) Others as appropriate.
- No native vegetation is removed.
- Although the lot is constrained by slope, size and waterways there is opportunity to build a smaller home which would meet the requirements of all the Conditions including GMW. A smaller dwelling would provide a variety of housing in the area and therefore increasing diversity within the locality known as Ruffy Township.

These will address the concerns raised by the objectors.

Conclusion

After due assessment of all the relevant factors, it is considered appropriate to grant a planning permit, subject to conditions.

Declaration:

In making this decision as a delegated Officer, I declare that I have had regard to the decision-making requirements of the Strathbogie Shire Council's Governance Rules 2020 outlined by Rule 6 and have:

Made a fair, balanced, ethical and impartial decision - Sub Rule 6(c)(i) ☒

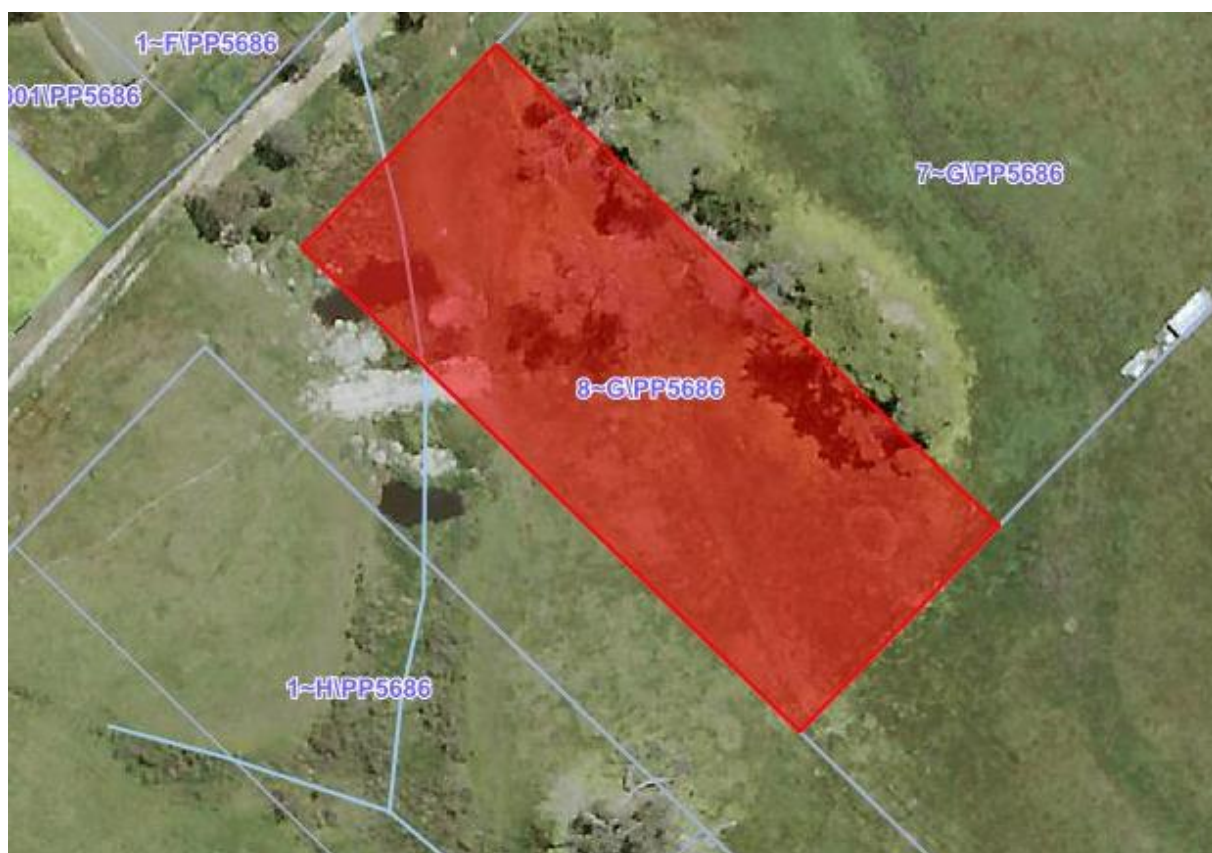
Made a decision based on merits, free from favouritism or self-interest
and without regard to irrelevant or unauthorised considerations- Sub Rule 6 (c)(ii) ☒

Applied the principles of natural justice to my decision, ensuring any person whose rights will be directly affected by the decision has been entitled to communicate their views and have their interests considered - Sub Rule 6(d) N/A

Identified the person or persons whose rights will be directly affected
Sub Rule 6(e)(i) ☒
Given notice of the decision Council must make under Sub Rule G(e)(i) N/A

Ensured that such person(s) have had an opportunity to communicate their views and have their interests considered before I made the decision - Sub Rule 6(e)(i) N/A
Included information about how I've met these Sub Rules in my delegate report-
Sub Rule 6(e)(iv) ☒

ATTACHMENT 2:



ATTACHMENT 3:



9.1.6 Planning Permit Application No. P2020-147 - Development of land for a dwelling and shed (Five (5) existing units on site) ~ 10 Jean Street, Longwood VIC 3665

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The proposal is for the development of land for a dwelling and shed (Five (5) existing units on site) at 10 Jean Street, Longwood VIC 3665.

- The application was advertised, and two (2) objections were received. Further detail is contained within this report.
- The application has not been assessed within the 60-day statutory timeframe due to Covid restrictions and working through objections with the applicant and objectors.
- The proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework, the Zone, Overlay.
- It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

RECOMMENDATION

That Council:

- 1. Resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.***
- 2. Note the Delegate Report as attached including the following conditions:***

Amended Plans Required

- 1. Prior to the commencement of the use/development, 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. The plans must be generally in accordance with the plans submitted with the application but modified to show:***
 - (a) fully dimensioned dwelling plans***
 - (b) fully dimensioned shed plan***

Endorsed Plans

- 2. The development must be generally in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.***

- 9.1.6 Planning Permit Application No. P2020-147 - Development of land for a dwelling and shed (Five (5) existing units on site) ~ 10 Jean Street, Longwood VIC 3665 (cont.)

Engineering Conditions

Urban Vehicle Crossing Location

3. ***Before the use begins and/or the building(s) is/are occupied vehicular crossings shall be constructed in accordance with the endorsed plan(s) to the satisfaction of the Responsible Authority, and shall comply with the following:***
 - a) ***standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed and replaced with concrete (kerb and channel);***
 - b) ***any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense;***
 - c) ***crossings shall be at least 9 metres apart.***

Urban Drainage – Works

4. ***All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/ Goulburn Murray Water. The legal point of discharge for the site is at the existing culvert within easement at north east of the site adjacent to Hill Street.***
5. ***No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.***
6. ***A qualified engineer is to prepare Stormwater Impact Assessment Report [SIAR] and/ or Stormwater Management Assessment Report [SMAR] in accordance with the requirements of clause 11 of the Infrastructure Design Manual.***
7. ***Appropriate steps must be taken to retain all silt and sediment on site during the construction phase (including existing dwelling and shed removal) to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies: -***
 - ***Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and***
 - ***Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)***

For Common Access, the drainage system must be constructed before commencement of the use and development as per the approved plans.

- 9.1.6 Planning Permit Application No. P2020-147 - Development of land for a dwelling and shed (Five (5) existing units on site) ~ 10 Jean Street, Longwood VIC 3665 (cont.)

Council's Assets

8. *Before the development starts or subdivision works commences, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb & channel, footpath, seal, streetlights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.*

Health Conditions

Septic Tanks Code of Practice

9. *All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016) and the Responsible Authority. All wastewater shall be disposed of within the curtilage of the land and sufficient area shall be kept available for the purpose of wastewater disposal to the satisfaction of the Responsible Authority. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse or drain to the satisfaction of the Responsible Authority.*
10. *All waste water and liquid are to be contained and treated on site by an approved septic tank system or equivalent. The system must be at least 300 metres from potable water supply. The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply) for primary sewage and 30 metres for secondary sewage, on the subject or neighbouring properties, and must meet the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).*

Approval of wastewater disposal

11. *Prior to installation/alterations works commencing on the septic tank system, a Permit to Install/Alter must be obtained from Council.*

Area of wastewater disposal

12. *No buildings or works shall occur over any part of the approved waste disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891.4 (2016).*

- 9.1.6 Planning Permit Application No. P2020-147 - Development of land for a dwelling and shed (Five (5) existing units on site) ~ 10 Jean Street, Longwood VIC 3665 (cont.)

Goulburn Broken Catchment Management Authority

13. *The finished floor level of the proposed dwelling must be constructed at least 300 mm above the highest existing ground level underneath the building footprint, or higher level deemed necessary by the responsible authority.*

Street numbering

14. *Prior to the Certificate of occupancy, the owner must complete and duly sign a Statutory Declaration agreeing to the Allocation of Street numbers.*

Shed

15. *The shed approved by this permit must not be used for human habitation, or Commercial purposes.*

Dwelling:

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

General Amenity:

20. *The external cladding of the proposed buildings, including the roof, must be constructed of materials in good order and condition and be of muted colours to enhance the aesthetic amenity of the area. Material having a highly reflective surface must not be used.*
21. *The building and works hereby permitted must be managed so that the amenity of the area is not detrimentally affected, through the:*
- a. *Transport of materials, good or commodities to or from the land;*
 - b. *Appearance of any building, works or materials;*
 - c. *Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;*
 - d. *Presence of vermin; and*
 - e. *Others as appropriate.*

9.1.6 Planning Permit Application No. P2020-147 - Development of land for a dwelling and shed (Five (5) existing units on site) ~ 10 Jean Street, Longwood VIC 3665 (cont.)

Permit Expiry:

Development:

22. *This permit will expire if one of the following circumstances applies:*
- (j) The development is not started within two (2) years of the date of this Permit,*
 - (k) The development is not completed and use commenced within four (4) years of the date of this Permit.*

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or*
- within six months afterwards if the use or development has not yet started; or*
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.*

Planning Notes:

- This Permit does not authorise the creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.*
- This Permit does not authorise the removal of any native vegetation including for access. Before any such works may commence, the Applicant must apply for and obtain appropriate Planning approval.*
- This Permit does not authorise the commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.*
- This dwelling was assessed against Clause 32.05-7 (more than one dwelling on a lot), Clause 44.04-2 (buildings and works in the Land Subject to Inundation Overlay) and Clause 55.*
- The shed was assessed under Clause 44.04-2 Buildings and works in the Land Subject to Inundation Overlay.*

Environmental Health Notes:

- A High-Risk Template - Land Capability Assessment was prepared by Damien Porta of Porta Environmental Pty Ltd on August 2019. GV Water – Water main runs along Jean Street, the dwellings will be connected to the water supply. Land Subject to Inundation Overlay.*
- Decommissioning treatment system
When a septic tank is no longer required it may be removed, rendered unusable or reused to store stormwater. A licensed plumbing practitioner must disconnect the tank from the premises and from the absorption trench system.*
- Floor Plan
The floor plan shows a rumpus/office area that could be closed off with a door and may need to be included as a bedroom for the purposes of calculating the minimum daily domestic flow rates.*

9.1.6 Planning Permit Application No. P2020-147 - Development of land for a dwelling and shed (Five (5) existing units on site) ~ 10 Jean Street, Longwood VIC 3665 (cont.)

Goulburn Broken Catchment Management Authority Notes:

- *The Authority's best estimate of the 100-year ARI flood level for the location described above is 176.4 metres AHD, which was established from Granite Creeks Regional Flood Mapping Study (2019). Available ground LiDAR information indicates that the location of the proposed dwelling is on elevated ground above the 100-year ARI flood level. Nevertheless, the finished floor level of the proposed dwelling is to be set at least 300 millimetres above the general surrounding ground level to safeguard against over-floor flooding associated with localised severe thunderstorms; particularly in light of climate change, the objectives set out in the Climate Change Act 2017 and the Planning Policy Framework within the Greater Shepparton Planning Scheme.*
- *Please note that if the proposed shed is intended to store high value goods the authority would encourage the floor level to be raised.*
- *Please note that the 100-year ARI flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 100-year ARI flood, may occur in the future.*

End of conditions

PURPOSE AND BACKGROUND

The landowner is applying to develop the land for a dwelling and shed (Five (5) existing units on site). The land is located in the Township Zone of Longwood and partly affected by the Land Subject to Inundation Overlay. The land has an area of 4702 square metres. A planning permit is required under Clause 32.057 Construction of two or more dwellings on a lot (must address Clause 55), and Clause 44.04-2 Buildings and works in the Land Subject to Inundation Overlay for a domestic shed.

The land contains five (5) units and associated infrastructure which occupies the eastern portion of the property.

A planning permit is triggered under Clause 32.05-7 to construct the dwelling as there is at least one dwelling existing on the lot.

The proposed dwelling is a new home and will be located towards the centre of the property and set forward fronting Jean Street to the south. The dwelling is proposed to be setback 8 metres from Jean Street. The dwelling is setback 1.3 metres from the rear boundary.

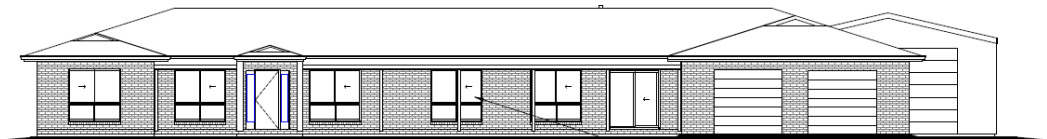


9.1.6 Planning Permit Application No. P2020-147 - Development of land for a dwelling and shed (Five (5) existing units on site) ~ 10 Jean Street, Longwood VIC 3665 (cont.)

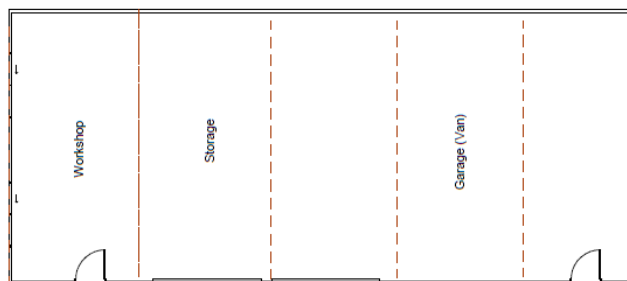
The proposed dwelling contains:

- Three bedrooms (Including main bedroom with ensuite)
- Open lounge, dining and kitchen
- Bathroom with separate toilet
- Laundry with toilet
- Separate toilet adjoining the outdoor alfresco area
- Front verandah
- Rear verandah
- Double garage

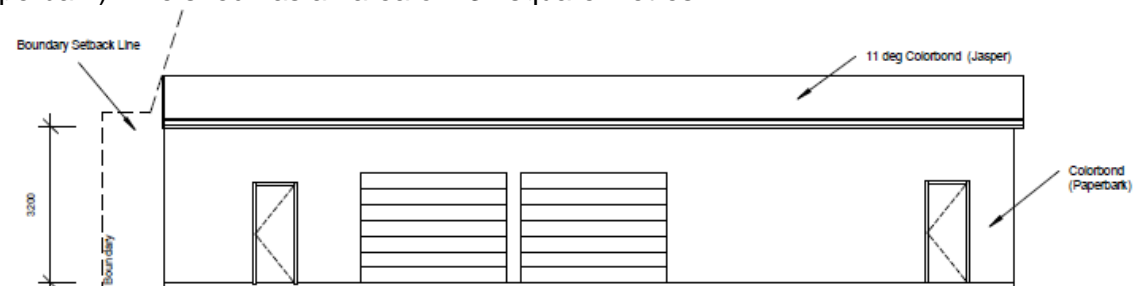
The dwelling is clad in brick with aluminium windows and Colourbond roof. The dwelling has an area of 393 square metres.



The shed will sit 12.4 metres behind the dwelling towards the northern boundary. The shed is proposed to contain a personal workshop, storage and vehicle store. The shed has two roller doors and two personal access doors.

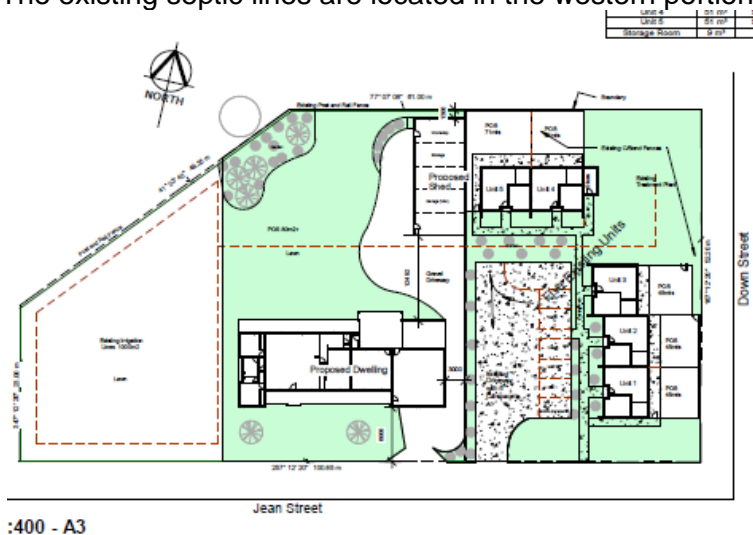


The shed is proposed to have an eave height of 3.2 metres with an 11degree pitched roof, the shed is proposed to be clad in Colourbond (Roof-Jasper, walls-Paperbark). The shed has an area of 132 square metres.



9.1.6 Planning Permit Application No. P2020-147 - Development of land for a dwelling and shed (Five (5) existing units on site) ~ 10 Jean Street, Longwood VIC 3665 (cont.)

The existing septic lines are located in the western portion of the site.



ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Council is a Responsible Authority under the Planning and Environment Act 1987 (the Act). In this role, Council administers the Strathbogie Planning Scheme (Planning Scheme) and, among other things, determines planning permit applications made for the use and development of the land in the municipality. Under delegated authority of Council, Council officers determine some matters. Any application that receives one or more objection is heard before Council.

SUMMARY OF KEY ISSUES

- Construction of another dwelling on a lot – Land capability
- Clause 55 (to ensure the character of the neighbourhood and the amenity of the immediate adjoining land holders is not detrimentally affected by the proposal.)
- Domestic shed is located in the Land Subject to Inundation Overlay.

Officers Comment:

The proposed second dwelling on the lot is considered to be appropriately located on site and meets the requirements of Clause 55 and other relevant policy. The site already contains five units, the additional dwelling is proposed to be a single storey home. The dwelling lends itself to provide accommodation to manage the five units. Lots in the area vary in size and development. The development provides opportunities for diverse housing opportunities and does not create any overlooking or overshadowing onto neighbouring lots.

The application was referred to Strathbogie Councils Health and Engineering departments in addition to Goulburn Broken Catchment Management Authority who have no objection.

9.1.6 Planning Permit Application No. P2020-147 - Development of land for a dwelling and shed (Five (5) existing units on site) ~ 10 Jean Street, Longwood VIC 3665 (cont.)

In summary, the proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework and the Farming Zone.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

Individual applications consider these requirements through assessment phase of each application as per the Planning and Environment Act 1987 and the provisions of the Strathbogie Planning Scheme. The application was advertised to the neighbouring lots.

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by

- Sending letters to adjoining landowners (as shown on the plan below)
- Placing (a) sign on site

Council Officers are satisfied that the notification has been carried out correctly. In addition, officers undertook site visits.

Council Officers undertook consultation with the applicant to attempt to address concerns raised. The applicant submitted amended plans. These plans were sent to the objectors for further comment. Council received no further comment from the objectors and messages left by Council Officers. Objections remain.

POLICY CONSIDERATIONS

Council Plans and Policies

There are no implications on the Council Plan or any Council Policies as a result of this decision. Please refer further to the Delegate report attached.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The state policies are considered in the attached Delegate report.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

This application is being considered under Section 61 of the *Planning and Environment Act 1987*.

9.1.6 Planning Permit Application No. P2020-147 - Development of land for a dwelling and shed (Five (5) existing units on site) ~ 10 Jean Street, Longwood VIC 3665 (cont.)

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This application is being heard by Council as the proposal has two (2) objections to the proposed use and development of land for a dwelling and shed. Hearing the application in a public Council Meeting will allow all parties the opportunity to be heard by the Council prior to a decision being made.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

The proposal will allow for diverse housing opportunities within the Township of Longwood.

Social

The proposal will allow for an additional dwelling and shed in association with the existing five (5) units. The site is large enough to accommodate the buildings and infrastructure and will provide for diversity within the Township of Longwood.

Environmental

The application has been assessed against the relevant provisions of the *Planning and Environment Act 1987*. The Land Capability Assessment provided to Council demonstrates the ability of the land to support the development as proposed without adversely affecting the environment. There is no proposal to remove vegetation.

Climate change

The Strathbogie Planning Scheme has incorporated broader considerations on Climate Change, with the assessment that the proposal will not have an impact on climate change within the municipality, as all works will be required to comply with relevant legislation.

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications with this proposal. The application is being assessed in accordance with relevant legislation, and all parties will be afforded all relevant rights of appeal at the Victorian Civil and Administrative Tribunal.

9.1.6 Planning Permit Application No. P2020-147 - Development of land for a dwelling and shed (Five (5) existing units on site) ~ 10 Jean Street, Longwood VIC 3665 (cont.)

CONCLUSION

After due assessment of all the relevant factors, it is considered appropriate to issue a Notice of Decision to grant a permit, subject to conditions, in accordance with the officer recommendation.

ATTACHMENTS

Attachment 1: Delegate Report
Attachment 2: Subject Land Map
Attachment 3: Locality Map

ATTACHMENT 1:

Planning Report – Delegate

Application Details:

Application is for:	Development of land for a dwelling and shed (Five (5) existing units on site)
Applicant's/Owner's Name:	Michael Barry
Date Received:	16 November 2020 Application Received and Paid 26 November 2020 Further Information Request 27 January 2021 Request to place application on hold until 1 September 2021 31 August 2021 Amended Plans Received
Statutory Days:	Over 60 days
Application Number:	P2020-147
Planner: Name, title & department	Trish Hall Town Planner Planning and Investment Department
Land/Address:	Lot 1 on Plan of Subdivision 736416N Certificate of Title Volume 11997 Folio 077 10 Jean Street, Longwood VIC 3665
Zoning:	Township Zone
Overlays:	Land Subject to Inundation Overlay (Part)
Is a CHMP required?	No The subject site is not within a Culturally Sensitive Area
Is it within an Open Potable Catchment Area?	No The subject site is not within an Open Potable Water Catchment Area
Under what clause(s) is a permit required? (include description)	Clause 32.05-7 Construction of two or more dwellings on a lot (Must address Clause 55) Clause 44.04-2 Buildings and works in the Land subject to Inundation Overlay for a domestic shed
Restrictive covenants on the title?	No
Current use and development:	Residence/Accommodation
Adjacent to Road Zone Cat 1 or 2	No
Status of Road on Road Register	Fronting Jean Street Local Road – Road Zone 2 – Sealed Down and Hurley Streets are local roads.
Adjacent to Public Land	Longwood Recreational Reserve and land used by the public known as the "Pub Paddock" (not zoned as public land)
Current use and development:	Five units

Application Checklist:

Application form <input checked="" type="checkbox"/>	Title enclosed <input checked="" type="checkbox"/>	Fee paid <input checked="" type="checkbox"/>
Site Plan <input checked="" type="checkbox"/>	Plans of Proposal <input checked="" type="checkbox"/>	Planning Report <input checked="" type="checkbox"/>
Supporting Information <input checked="" type="checkbox"/>	Effluent Disposal <input checked="" type="checkbox"/>	Other N/A <input type="checkbox"/>

Disclosure of Conflicts of Interest in relation to advice provided in this report

After reading the definitions of a general or material conflict of interest as defined by the *Local Government Act 2020*, do you have a conflict of interest?

Yes ☐

(if YES, please complete a Conflict of Interest and Declaration Making Declaration form)

No ☒

Recommendation

That Council

- having caused notice of Planning Application No. P2020-147 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme

and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Grant a Permit under the provisions of Clause 32.05-7 and Clause 44.04-2 Buildings and works in the Land Subject to Inundation Overlay of the Strathbogie Planning Scheme in respect of the land known as Lot 1 on Plan of Subdivision 736416N Certificate of Title Volume 11997 Folio 077 10 Jean Street, Longwood VIC 3665, for the Development of land for a dwelling and shed (Five (5) existing units on site), in accordance with endorsed plans, subject to the following conditions:

Amended Plans Required:

1. Prior to the commencement of the use/development, 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. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - (a) fully dimensioned dwelling plans
 - (b) fully dimensioned shed plan

Endorsed Plans

2. The development must be generally in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.

Engineering Conditions

Urban Vehicle Crossing Location

3. Before the use begins and/or the building(s) is/are occupied vehicular crossings shall be constructed in accordance with the endorsed plan(s) to the satisfaction of the Responsible Authority, and shall comply with the following:
 - d) standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed and replaced with concrete (kerb and channel);
 - e) any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense;
 - f) crossings shall be at least 9 metres apart.

Urban Drainage – Works

4. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/ Goulburn Murray Water. The legal point of discharge for the site is at the existing culvert within easement at north east of the site adjacent to Hill Street.
5. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.
6. A qualified engineer is to prepare Stormwater Impact Assessment Report [SIAR] and/ or Stormwater Management Assessment Report [SMAR] in accordance with the requirements of clause 11 of the Infrastructure Design Manual.
7. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase (including existing dwelling and shed removal) to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies: -
 - Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and
 - Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)

For Common Access, the drainage system must be constructed before commencement of the use and development as per the approved plans

Council's Assets

8. Before the development starts or subdivision works commences, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb & channel, footpath, seal, streetlights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.

Health Conditions

Septic Tanks Code of Practice

9. All sewage and sullage waters shall be treated in accordance with the requirements of the *Environment Protection Act 1970* and the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016) and the Responsible Authority. All wastewater shall be disposed of within the curtilage of the land and sufficient area shall be kept available for the purpose of wastewater disposal to the satisfaction of the Responsible Authority. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse or drain to the satisfaction of the Responsible Authority.

10. All waste water and liquid are to be contained and treated on site by an approved septic tank system or equivalent. The system must be at least 300 metres from potable water supply. The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply) for primary sewage and 30 metres for secondary sewage, on the subject or neighbouring properties, and must meet the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).

Approval of wastewater disposal

11. Prior to installation/alterations works commencing on the septic tank system, a Permit to Install/Alter must be obtained from Council.

Area of wastewater disposal

12. No buildings or works shall occur over any part of the approved waste disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891.4 (2016).

Goulburn Broken Catchment Management Authority

13. The finished floor level of the proposed dwelling must be constructed at least 300 mm above the highest **existing ground** level underneath the building footprint, or higher level deemed necessary by the responsible authority.

Street numbering

14. Prior to the Certificate of occupancy, the owner must complete and duly sign a Statutory Declaration agreeing to the Allocation of Street numbers.

Shed

15. The shed approved by this permit must not be used for human habitation, or Commercial purposes.

Dwelling:

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

General Amenity:

20. The external cladding of the proposed buildings, including the roof, must be constructed of materials in good order and condition and be of muted colours to enhance the aesthetic amenity of the area. Material having a highly reflective surface must not be used.

21. The building and works hereby permitted must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. Transport of materials, good or commodities to or from the land;
 - b. Appearance of any building, works or materials;
 - c. Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
 - d. Presence of vermin; and
 - e. Others as appropriate.

Permit Expiry:

Development:

22. This permit will expire if one of the following circumstances applies:
 - (a) The development is not started within two (2) years of the date of this Permit,
 - (b) The development is not completed and use commenced within four (4) years of the date of this Permit.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six months afterwards if the use or development has not yet started; or
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Planning Notes:

- This Permit does not authorise the creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.
- This Permit does not authorise the removal of any native vegetation including for access. Before any such works may commence, the Applicant must apply for and obtain appropriate Planning approval.
- This Permit does not authorise the commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.
- This dwelling was assessed against Clause 32.05-7 (more than one dwelling on a lot), Clause 44.04-2 (buildings and works in the Land Subject to Inundation Overlay) and Clause 55.
- The shed was assessed under Clause 44.04-2 Buildings and works in the Land Subject to Inundation Overlay.

Environmental Health Notes:

- A High-Risk Template - Land Capability Assessment was prepared by Damien Porta of Porta Environmental Pty Ltd on August 2019. GV Water – Water main runs along Jean Street, the dwellings will be connected to the water supply. Land Subject to Inundation Overlay.
- *Decommissioning treatment system*

When a septic tank is no longer required it may be removed, rendered unusable or reused to store stormwater. A licensed plumbing practitioner must disconnect the tank from the premises and from the absorption trench system.

- *Floor Plan*

The floor plan shows a rumpus/office area that could be closed off with a door and may need to be included as a bedroom for the purposes of calculating the minimum daily domestic flow rates.

Goulburn Broken Catchment Management Authority Notes:

- The Authority's best estimate of the 100-year ARI flood level for the location described above is 176.4 metres AHD, which was established from Granite Creeks Regional Flood Mapping Study (2019). Available ground LiDAR information indicates that the location of the proposed dwelling is on elevated ground above the 100-year ARI flood level. Nevertheless, the finished floor level of the proposed dwelling is to be set at least 300 millimetres above the general surrounding ground level to safeguard against over-floor flooding associated with localised severe thunderstorms; particularly in light of climate change, the objectives set out in the Climate Change Act 2017 and the Planning Policy Framework within the Greater Shepparton Planning Scheme.
- Please note that if the proposed shed is intended to store high value goods the authority would encourage the floor level to be raised.
- Please note that the 100-year ARI flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 100-year ARI flood, may occur in the future.

Proposal

The application proposes a single storey dwelling and shed at 10 Jean Street Longwood. The subject site is formally identified as Lot 1 on Plan of Subdivision 736416N Certificate of Title Volume 11997 Folio 077 10 Jean Street, Longwood VIC 3665.

The land contains five (5) units and associated infrastructure which occupies the eastern portion of the property.

A planning permit is triggered under Clause 32.05-7 to construct the dwelling as there is at least one dwelling existing on the lot.

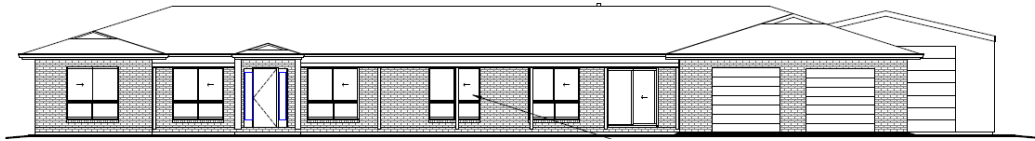
The proposed dwelling is a new home and will be located towards the centre of the property and set forward fronting Jean Street to the south. The dwelling is proposed to be setback 8 metres from Jean Street. The dwelling is setback 1.3 metres from the rear boundary.



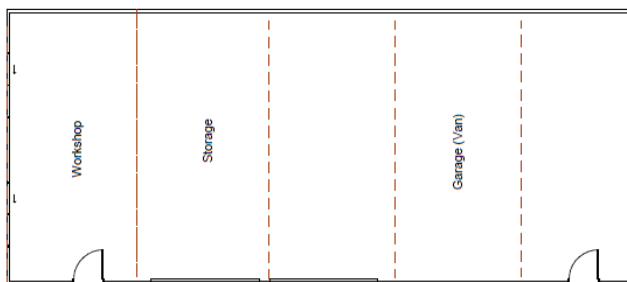
The proposed dwelling contains:

- Three bedrooms (Including main bedroom with ensuite)
- Open lounge, dining and kitchen
- Bathroom with separate toilet
- Laundry with toilet
- Separate toilet adjoining the outdoor alfresco area
- Front verandah
- Rear verandah
- Double garage

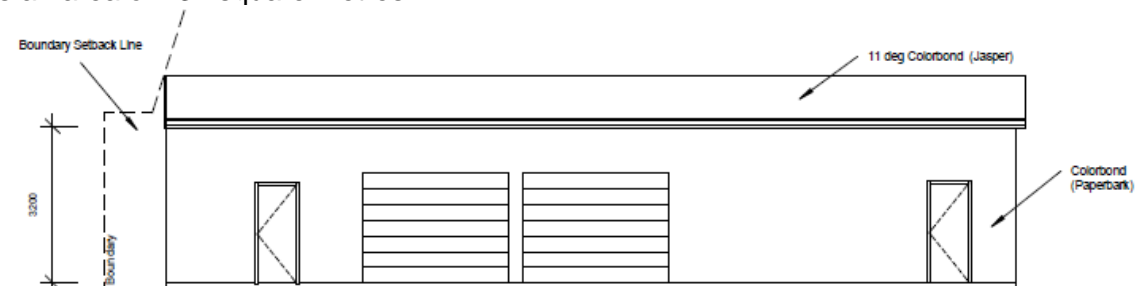
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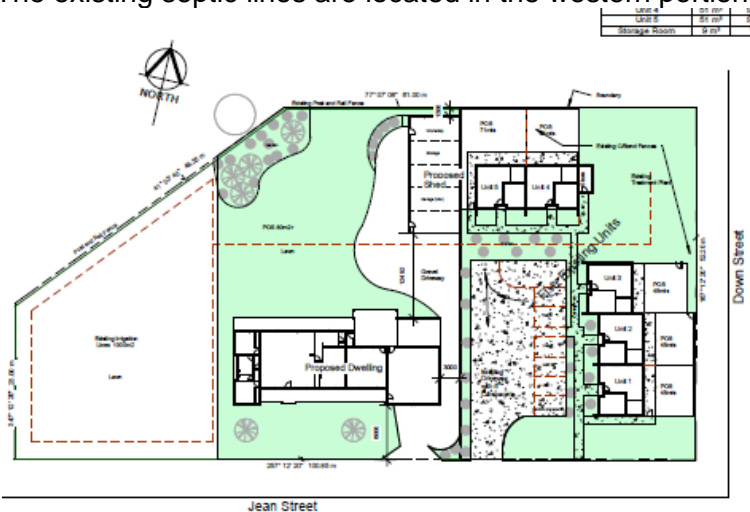
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The shed is proposed to have an eave height of 3.2 metres with an 11degree pitched roof, the shed is proposed to be clad in Colourbond (Roof-Jasper, walls-Paperbark). The shed has an area of 132 square metres.



The existing septic lines are located in the western portion of the site.



Subject site & locality

Inspection date/s:	Officer:	Area of land:
		

The subject site is formally identified as Lot 1 on Plan of Subdivision 736416N Certificate of Title Volume 11997 Folio 077 10 Jean Street, Longwood VIC 3665.

The Lot is approximately 4702 square metres in area, it is irregular in shape. The northern boundary adjoins land commonly known as “the Pub Paddock”, which is utilised as park land by the Longwood Community. The eastern boundary adjoins Down Street, the southern boundary adjoins Jean Street, and the western boundary adjoins Hurley Street.

The surrounding lots vary in size from approximately 1,000 square metres to 7,500 square metres.

The site is relatively flat, and contains access, five (5) existing units, fencing and other associated infrastructure. The existing dwellings are located within the north-eastern portion of the property.

The site is connected to town water and electricity. The site is not connected to main sewer or gas.

Permit/Site History

A search of Council’s planning electronic records results in the following planning permits being issued for the site:

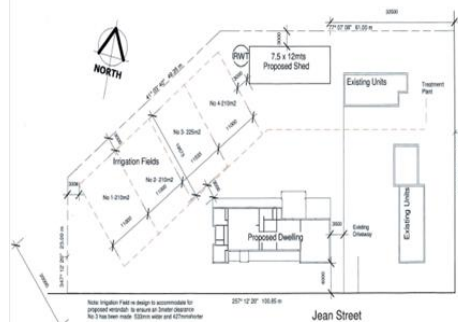
P2015-002 Two lot subdivision and creation of an easement

Further Information

Further Information Required:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
What was requested? Clause 55 Assessment		
FI Requested: 26/11/2020	FI Received: 19/01/2022	

Is notification/advertisement required under section 52? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Exempt			
Please provide comment			
Advertised by:		<input checked="" type="checkbox"/> Council	<input checked="" type="checkbox"/> Applicant
Site plan selected:		<input checked="" type="checkbox"/> Site plan selected	Doc ID: As above
Add Instructions on Spear		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Letters: Yes	Signs: Yes Three one on each road Hurley, Down and Jean Street.	Paper: No	Stat Dec received: Yes

Advertising/Public Notification



The application was advertised to surrounding neighbours.

Objections received?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Number:2
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31 August 2021

Amended plans were received changing the orientation of the proposed shed.

1 October 2021

These plans were sent to both objectors for comment.

End of 2021

Phone messages were left to both of the objectors, no response was received.

Consultation

3 December 2020 Objection 1 Received

Concerns raised were:

Fencing/Visual Amenity

- Property boundary is located on public parklands.
- Colourbond fencing in this setting would detrimentally affect the look and feel of this park.

Shedding

- The site plan indicates a Colourbond shed abutting the parklands. This will have a negative impact on these parklands, which are a great asset to the community. Attention needs to be given in regard to fencing this area.

Drainage

- Hurley Street on this side of the block has insufficient drainage as is. There is no indication on this planning permit of where stormwater will be discharged.

Effluent Fields

- In addition to the stormwater drainage, the effluent fields will be required to discharge water from what will be 9 toilets on this site.
- This will increase the requirement for much better drainage on Hurley Street. It will exacerbate an already existing issue for our residence.

Density of potential dwellings on the site

- This proposal allows for a total of 6 dwellings on the site. Could more information please be provided on the use of the existing dwellings on site.

15 December 2020

Objection acknowledgement sent to objector and objection sent to applicant for response.

15 December 2020

Applicants' response received and sent to Objector on 21 January 2021.

Fencing

The fencing around the existing units consists of rotten fallen down timber, I have proposed replacing that with standard Colourbond fencing at 1.8 m high, anything else in that area would create privacy issues to the tenants, and especially if they have pet dogs/cats, that fencing seems to have been fine since the units were built around 1983, and Colourbond seems in the norm in most new developments in the town /village.

The existing site will be landscaped, as with any landscaping it all takes time to mature 2/5 years, fencing beyond what's existing, I have proposed Colourbond 1.8 high along the council owned land some are calling it parkland, the extent of this is some 70m including what is now existing.

The remaining boundary distance, from the corner of where the site cuts away, some 40m would be post and rail/pool type open fencing at a height of max 1.4m to stop dogs jumping up and over, this fencing would also extend along Hurley Street. and down Jean Street to where it would meet the driveway of the units.

The existing wire fence at the units will be replaced with Colourbond, dividing the units from the house again allowing privacy both from the house and the units, lights at night etc.

Shedding

The shed itself will not generate mess but will hold any tools vehicles and building materials.

Shed abutting council land/parklands, the shed has a considerable setback from the boundary and will have no impact on anyone using the council/parkland, this proposal in general/overall will have no detrimental effect on the park or anyone using it,

Drainage

As the site is East of Hurley street and is downstream/lower it will have no effect whatsoever on the drainage that exists in Hurley Street, as the town/village does not

have a proper storm water system it the water makes its way to the lowest point, I would suggest the stormwater that is excess to my needs on site, will find its way to the open drain along Down Street, again this point of discharge will be determined by Council, and will form a Condition if a planning permit is granted, these days with new applications a large portion of your stormwater must be retained on site and discharged slowly to help with a reduction in flash flooding.

Effluent fields

A comprehensive LCA was commissioned by Council and approved by their Health Department, taking in to account all possible scenarios and set aside an area to deal with same.

Site density

Six buildings on a site over 4700 sq meters - no over development.

The use of existing dwellings would be to supply accommodation to tenants, which is in a massive shortage in the area.

17th December 2020

Applicant provided the additional notes to Objection 1.

- There is already a very large Colourbond shed within the council/parkland and no sign of any attempt to landscape around it after all these years its highly visible from all angles.
- There is also a Colourbond toilet block as well as a Colourbond covered barbecue area. My proposal to use Colourbond fencing is only following a precedent already established in the area.
- Another point is, I looked at the landscape/shrubs around the boundary of the objectors' house which faces the council owned land /parkland, it is quite impressive and id like to incorporate it as a screen in front of all the Colourbond fencing, and in say 2/5 years it would completely screen out the Colourbond, in the interim the Colourbond is needed for privacy and more importantly Security of the tenants who would be renting these properties.

No formal response was received by the Objector messages left by Council Officer end of 2021 were unanswered.

16 December 2020 Objection 2 Received

Concerns raised were:

Visual amenity and use

Currently the park (Pub paddock as it is locally known) provides the township with a unique feature of having a park in the centre of town.

The sheer size of the shed is disproportionate to the requirements in a built-up area and with this shed, there would be possible unsightly storage and rubbish that is synonymous with sheds. The material itself and size (52.5 m2 plus the roof view) of the rear wall/roof within full view of those using the park would be hard to look at, would not be discreet in any way and hard to justify its placement in this environment.

Health and safety/Effluent

6 dwellings in total with a total of 9 toilets, 8 bedrooms and a total possible occupancy of up to 16 plus people.

The expectation that all the occupants have the required knowledge of the fickle nature of these systems and adhere to the requirements of what goes down the drain is

highly questionable and in this case has undesirable outcomes. For example, incorrect use leads to foul odours that the system omits from the plant itself and the similar odours it can omit in the draining system/field. Ultimately these are undesirable to anyone that resides close by or uses the park on a frequent basis. Although these systems are checked on a regular basis as per the regulations, they can go out of balance very easily. I have a treatment plant and although we are extremely careful with what goes down the drain, there are times/events that affect the correct running of it and there is nothing that can be done in the short term until balance is resumed through human effort or after naturally occurring conditions within the system reoccur or take place. I am no expert, but these need attention and respect.

Some occurrences that affect the running of these systems are.

- Excess water running through the system due to high water use (long showers, washing etc) that does not allow the system to operate in the way it is designed.
- Incorrect washing detergents used
- Foreign bodies that are disposed through the system that block its proper operation
- Fats, oils and other solids such as vegetable matter

Additionally, any excess wastewater running through the system that is not adequately treated when use is high will either run down the gravity line through the soil or over the surface to the main drain that runs parallel to down street from the existing dwellings toward the pub. It will therefore be exposed to the public as it flows to the rest area/public toilet, the BMX track, the foot bridge, the pub and other nearby residences. Storm water around the site and in particular coming downhill from Hurley St is not currently adequately dealt with and I have witnessed where this goes when water floods in the area in question which would limit the adequate and efficient operation of the system and irrigations fields.

A major additional side effect of these systems is the infestation of mosquitoes and the possible health effects these may have to humans in the area. Numbers increase due to the damp nature of the system itself and the drainage areas due to increased moisture and conditions desirable by mosquitoes.

Users of the park and the path would be clearly impacted by any failure of the system to operate at a proper level. These include.

- Children who access the school via the path from Hurley Street to the buses
- Users of the path that access the shops, post office and pub from the south and western sides of Longwood
- Park users
- Church parishioners
- Neighbouring residents

Possible noise and use

In my opinion, the extremely large shed (90m²) or (131 m²) depending on which is correct, is disproportional for the requirements of a domestic shed in a township. The house has an additional shed /garage space as well. The enormity of this shed indicates a possible use for commercial purposes and therefore could indicate that the use may be such that implies a commercial or semi commercial nature and therefore increased activity and noise.

The future use of the existing flats is no doubt subject to the requirements of council. In this planning permit there is no mention of the proposal for the existing flats and maybe there needs not be. However, I believe that this needs clarification for the purposes of how the short-, medium- or long-term tenants may affect the town bearing in mind the history of the occupants of the flats in the past.

Loss of Trees

This area in question is significant and for as long as I have lived here, I have observed the bird activity in this area, particularly Galah and Parrots and Budgerigar. At different times of the year these birds routinely visit and feed on whatever they are feeding on in that area and there is a significant tree that is located outside the proposed development that could be affected by the additional richness fertilization) in the soil from the treatment plant. These trees are significant for their age, the wildlife they attract and the effect on the amenity and this development presents a risk to the life of this tree.

Appearance and materials

As outlined above, the size of the shed, use and material used particularly on the shed are important for clarification. Additionally, what are the fences to be used. I cannot see any detail on this and forms a significant part of the aesthetics and look of the property in question. There is no mention of what will be three sections of straight and imposing boundary fencing that I assume is required to keep animals etc both in and out. Three sections of fence from the Hurley Street end, is 23, 50 and 61 metres in length with overall 134m in length. Very imposing to say the least. This needs to be clarified and a mention of this in the design and application for further consideration particularly use of materials that are sympathetic to the surrounding park. This forms a large part of the visual impact of the property from the northern western side looking southeast.

I am concerned about the precedent this is setting for further land sales by the council and building on the remaining land that was, in my understanding, a park that was gifted to the township of Longwood by the original owner.

The parkland is a very natural setting and imagining a better place with more trees and wildlife, more seats and a design and amenity that enhances the town for its residents, greater community and visitors alike.

16 December 2020

Objection Acknowledged

22 January 2021

Objection sent to applicant

29 August 2021

Applicants' response to Objection received in addition to works carried out not requiring a planning permit.

Visual amenity and use

- The units already existed.
- The land exists.
- The application is for one additional home as seen in the new developments in Correll Street Longwood
- The size of the shed merely reflects my requirements, caravan, boat, jet ski, two ride on mowers, trailer, two Utes, and general storage, shed details and location will be shown on an upgraded site plan.
- Selling the land, you call a park is in fact not a park but council owned land.
- There is other very, very large Colourbond sheds in the said vicinity.
- Sheds and mess - that's why you have a shed, so things are tidy.

Health and safety/Effluent

- The treatments plants and total irrigation systems were designed by experts in the field and hired by Strathbogie Shire we installed them as per those plans.

- It is not one treatment system , in fact it is three systems with two irrigation fields , with a total area of some 1000 square meters and a buffer zone of 35% built into the system , this is not a septic tank, all water is secondary treated and is suitable for above ground irrigation also, as a builder I have been installing these treatment plants for over 20 years - yet to see a problem with them if they are maintained in a proper manner with servicing as per requirements.
- Personally, here in Longwood I have had two, one where I lived for 14 years no problems one where I am now 5 years no problems.
- There are no gravity lines they are pressurized lines this is not a Septic tank,
- Storm water in Hurley Street is another matter and should be taken up with Council, we have created a berm at the west end of the site to cut off storm water entering the irrigation field as per the design.

Possible noise and use

- It is not an extremely large shed.
- There is no indication given or intended to any commercial use of the shed, its simply my requirements in fact it would be too small to do any commercial enterprise,
- As for use of the units, I have given my requirements to the letting agents it is up to them to vet suitable people I have done my best to attract the best possible people in how I have renovated the property , I will add that if suitable people can't be found there's every chance it may revert back to what it once was so it's in everyone's best interest that we succeed.

Appearance and materials

- Materials will be specified in the updated site plan as well as its location on the site.
- Fencing is now complete less the mesh to keep pets/animals in and out so it explains itself so to sum up I don't think the development will impact on anyone's life or amenity in fact it will enhance it.

13 September 2021

Applicants' response sent to Objector

No formal response was received by the Objector messages left by Council Officer end of 2021 were unanswered.

Officers response:

Fencing

Fencing is existing and works have been carried out in accordance with the contract of sale.

Fencing includes mostly post and rail with a small section of Colourbond around the existing units which offer some privacy to their rear courtyards.

Shedding

The applicant has re-orientated the shed to protect views from the parkland known as "the Pub Paddock" Conditions will be included on any planning permit issued to ensure materials utilised are of good order and in muted tones. The CFA shed is located on Down Street abutting the parkland and is clad in similar proposed materials. The shed is proposed to be 3.6 metres high and will not detrimentally impact the surrounding properties. A Condition requiring amended plans will be required on any planning permit issued to confirm details regarding the overall height width and length of the shed are

appropriate and match the information detail in the report and Clause 55 Assessment. The shed will enable the landowner to store their goods within the shed rather than on the land itself.

Drainage

The application was referred to Strathbogie Councils Asset Department who have consented subject to Conditions. These include:

Urban Drainage – Works

- All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/ Goulburn Murray Water. The legal point of discharge for the site is at the existing culvert within easement at north east of the site adjacent to Hill Street.
- No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.
- A qualified engineer is to prepare Stormwater Impact Assessment Report [SIAR] and/ or Stormwater Management Assessment Report [SMAR] in accordance with the requirements of clause 11 of the Infrastructure Design Manual.

Effluent

The application was referred to Strathbogie Councils Health Department who have consented subject to Conditions. These include:

- All sewage and sullage waters shall be treated in accordance with the requirements of the *Environment Protection Act 1970* and the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016) and the Responsible Authority. All wastewater shall be disposed of within the curtilage of the land and sufficient area shall be kept available for the purpose of wastewater disposal to the satisfaction of the Responsible Authority. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse or drain to the satisfaction of the Responsible Authority.
12. All waste water and liquid are to be contained and treated on site by an approved septic tank system or equivalent. The system must be at least 300 metres from potable water supply. The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply) for primary sewage and 30 metres for secondary sewage, on the subject or neighbouring properties, and must meet the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).

Area of wastewater disposal

14. No buildings or works shall occur over any part of the approved waste disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891.4 (2016).

Density and Amenity

It is considered the proposal will have very little visual or noise impact on the surrounding area. The site has an area of 4702 square metres and is considered adequate to contain the five units, dwelling, domestic shed and area for effluent disposal.

Loss of Trees

No trees are proposed to be removed as part of this application.

Referrals

Add instructions on SPEAR:			<input checked="" type="checkbox"/> No
Referrals Authority	Type of Referral	Referral Clause and Description	Date received including Advice/Response/Condition
GBCMA	Section 55 - Recommending	Clause 66.03 - Other State Standard Provisions	Referred on the 3 December 2020 and re-referred amended plans on 4 October 2021 (Revised response received 15 November 2021)
HEALTH	For Referral	Internal	Referred on the 3 December 2020 and amended plans 4 October 2021 – Response provided Conditions will be included on any issued planning permit.
ENGINEER	For Referral	Internal	Referred on the 3 December 2020 and amended plans 4 October 2021 – Response provided

External Referrals/Notices required by the Planning Scheme:

Assessment

The zoning of the land and any relevant overlay provisions

Clause 32.05 Township Zone

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for residential development and a range of commercial, industrial and other uses in small towns.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Officers Comment:

Under Clause 32.05-7 A planning permit is required to construct a dwelling if there is at least one dwelling on the lot. The development must meet Clause 55, please see further in this report.

Clause 44.04 Land Subject to Inundation Overlay

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.*

- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To minimise the potential flood risk to life, health and safety associated with development.*
- *To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.*
- *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*
- *To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.*

Officers Comment:

Upon review of the amended site plans it appears the dwelling is located outside of the Land Subject to Inundation Overlay and therefore not triggered under Clause 44.04-2 buildings and works in the Land Subject to Inundation Overlay.

However, the domestic shed is triggered and has been assessed under Clause 44.04-2. The shed is not exempt under Schedule 1.0 of Clause 44.04 as it is not in association with an existing dwelling.

The application was referred to GBCMA and they have provided Conditional consent which will be included on any issued permit.

Clause 11.02-1S Supply of urban land

Objective

- *To ensure enough supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

Clause 13.02-1S, Bushfire Planning

Objective

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

Clause 13.03-1S, Floodplain management

Objective

To assist the protection of:

- *Life, property and community infrastructure from flood hazard.*
- *The natural flood carrying capacity of rivers, streams and floodways.*
- *The flood storage function of floodplains and waterways.*
- *Floodplain areas of environmental significance or of importance to river health.*

Clause 15.01-5S Neighbourhood character

Objective

- *To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*

Clause 16.01-2S Location of residential development

Objective:

- *To locate new housing in designated locations that offer good access to jobs, services and transport.*

Officers Comment:

The subject site is within a Bushfire Prone Area. It is considered the additional dwelling within the Township of Longwood will not have any further impact on property or life. The dwelling can be connected to mains water. The Building Code will require an assessment rating which will be undertaken to establish the relevant BAL rating.

The site is partially affected by the land subject to Inundation Overlay, the application was referred to GBCMA, appropriate drainage Conditions will be included on any planning permit issued.

The additional dwelling will allow for residential living within the rural township of Longwood. Dwelling styles in the area are varied, ranging from early 20th century dwellings to 1960's era onwards, most of which are clad with weatherboard, but occasionally with brick, and predominantly tin roofs. The proposal is considered appropriate within the surrounding area. The orientation of the dwelling allows for access to the street and possible future subdivision. Lots containing residential development vary in size. The subject site is centrally located from services located within the township and has direct access to transport links via the Hume Freeway.

The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS) and local planning policies

Clause 21.02-1 Whole Municipality

Objective

- To have consistent planning across the Municipality that individually represents and respects the natural and built environment.

Officers Comment:

The application will facilitate the residential growth of land which is located within an existing settlement.

Clause 21.03-3 Longwood

Objective

- *To preserve the distinctive characteristics of the natural and built environment of Longwood and promote Longwood as a place to live.*

Clause 21.04-6, *Flooding*

Objective:

- To protect and manage floodplains.

Clause 21.04-7 *Bushfire*

Objective

- To minimise the risk to life, property and the environment from bushfire.

Clause 21.07, *Sustainable Infrastructure*

Clause 21.07-2, *Urban Services*

Objective

- *To deliver sustainable services.*

Clause 21.07-5, *Drainage*

Objective:

- *To ensure that appropriate drainage infrastructure is installed and maintained.*

Officers Comment:

The application will help to facilitate the sustainable growth of Longwood offering residential development adding diversity and choice of housing in the area which maintains the current character of the area and will not remove any native vegetation. Surrounding lots containing residential development vary in size. The subject site due to its size and location lends itself to future development.

The subject site is partially affected by the Land Subject to Inundation Overlay Overlays. The proposed development will not increase any additional risk to life, and property from flood hazard.

The subject site is not in the Bushfire Prone Area, or the Bushfire Management Overlay.

A condition will be included on any planning permit issued to ensure the owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services, or have an alternative source.

Conditions will be included on any planning permit issued to ensure the provision of sufficient drainage and appropriate services to the satisfaction of the Responsible Authority. Therefore, the proposed development complies with all relevant local planning policy of Strathbogie Shire.

Relevant Particular Provisions

Assessment against Clause 55 – Two or more dwellings on a lot and residential buildings, of the Strathbogie Planning Scheme is relevant to this proposal. A response to the relevant standards is provided in the table below.

Clause 55.01 – Neighbourhood and Site Description and Design Response		
Objective	Applicant Comment	Council Comment
<p>Neighbourhood and site description</p> <ul style="list-style-type: none"> In relation to the neighbourhood: <ul style="list-style-type: none"> The pattern of development of the neighbourhood The built form, scale and character of surrounding development including front fencing Architectural and roof styles Any other notable features or characteristics of the neighbourhood In relation to the site <ul style="list-style-type: none"> Site shape, size, orientation and easements Levels of the site and the difference in levels between the site and surrounding properties The use of surrounding buildings The location of secluded private open space and habitable room windows of surrounding properties which have and outlook to the site within 9 metres 	<p>Longwood is a small rural settlement consistent with single-storey dwellings facing the street. Majority with weatherboard cladding and iron roofs. 10 Jean Street has five existing brick veneer units with tiled roofs built in the 1980s. This lot size is 4786m² and has a 1000m² area set aside for existing irrigation lines for the septic system to services the units with the capability of severing more. Approx. 1750m² is currently vacant, where the owners proposed to build a residence and sheds.</p>	<p>Complies</p> <p>Residential living is on mixed size blocks and construction periods of various eras.</p> <p>The proposed residential building will face the Street.</p>

Clause 55.02 – Neighbourhood Character and Infrastructure		
Objective	Applicant Comment	Council Comment
<p>Neighbourhood Character Objectives</p> <ul style="list-style-type: none"> To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character To ensure that development responds to the features of the site and the surrounding area <p>55.02-01 Standard B1</p>	<p>The proposed dwelling is similar to the five existing units. It is single-storey and has street setbacks like other dwellings in the area.</p>	<p>The proposed dwelling is setback 8 metres from the road.</p> <p>This is considered in line with the units on site and surrounding dwellings in the area.</p> <p>Setbacks along Jean Street vary from 6 metres to 15 metres. Buildings to the north along Hill Street have zero setbacks.</p>

		<p>The existing units on the site are clad in brick veneer, the proposed brick dwelling is in keeping with the structures on the lot.</p> <p>The construction type of dwelling in the neighbourhood varies.</p> <p>A Condition requiring muted tones and material of good repair will be included on any planning permit issued.</p>
<p>Residential policy objectives</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies To support medium densities in areas where development can take advantage of public transport and community infrastructure and services <p>55.02-02 Standard B2</p>	<p>The Council Plan and Municipal Strategic Statement shares a common vision, encompassed by the following objectives:</p> <ul style="list-style-type: none"> Quality strategic planning for our community's future Enhancing our lifestyle and strengthening our community Engaging our community to develop a shared vision for the future Driving our economic development Planning for long term sustainability <p>The proposed Dwelling will provide a manager residence for the management and maintains of the existing five units.</p>	<p>Complies</p> <p>The subject site is within walking distance to the local shop, education complex and recreation area. Longwood is a small Township and does not have a main shopping complex/supermarket. It is considered appropriate to have additional living in the area within walking distance to the services available within the Township of Longwood.</p>
<p>Dwelling diversity objective</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings <p>55.02-03 Standard B3</p>	<p>N/A; there are less than ten dwellings on the lot.</p>	<p>N/A</p> <p>Approval of the additional dwelling will result in six (6) dwellings on the lot.</p>
<p>Infrastructure Objectives</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure 	<p>A new recirculated septic to cater for the five units and proposed Dwelling. Drainage is and will be</p>	<p>Complies</p> <p>The site has an area of over 4,000 square metres. Approximately</p>

<ul style="list-style-type: none"> To ensure development does not unreasonable overload the capacity of utility services and infrastructure <p>55.02-04 Standard B4</p>	constructed to the relevant authority's regulations.	<p>1750 square metres is currently vacant.</p> <p>Power and water are available in Longwood.</p> <p>Longwood utilise bottled LPG gas and lots are serviced by septic or alternative systems.</p> <p>The application was referred to the Health Department who had no objection, subject to Conditions.</p>
<p>Integration with the street objective</p> <ul style="list-style-type: none"> To integrate the layout of the development with the street <p>55.02-05 Standard B5</p>	The proposed dwelling is ordinated to the address street, as do the five exiting units, and has good access for all vehicles and pedestrians.	Complies

Clause 55.03 – Site Layout and Building Massing

Objective	Applicant Comment	Council Comment
<p>Street setback objective</p> <ul style="list-style-type: none"> To ensure that the setbacks of the buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site <p>55.03-01 Standard B6</p>	The proposed dwelling setback is 8 meters more than the existing units. This is to ensure the clearance of an existing native tree. There is no abutting allotment to this site.	Complies This is consistent with dwellings on site and along Jean Street.
<p>Building height objective</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character <p>55.03-02 Standard B7</p>	The existing Units, Proposed Dwelling and Shed, do not exceed 9 meters in height.	Complies
<p>Site coverage objective</p> <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site <p>55.03-03 Standard B8</p>	Yes, there is approximately 38% total site coverage.	Complies
<p>Permeability objective</p> <ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system To facilitate on-site stormwater infiltration 	73% Impervious Surfaces Irrigation Field not included.	Complies

55.03-04	Standard B9		
<p>Energy efficiency objectives</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and residential buildings To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy <p>55.03-05</p>	Standard B10	Two of the existing Units Oriented to the North, and the other three are East. The Existing Dwelling is Oriented to the North, ensuring maximum energy efficiency and not impacting any other buildings nearby.	Complies
<p>Open space objective</p> <ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space provided in or adjacent to the development <p>55.03-06</p>	Standard B11	Communal gardens, car parking area, storeroom and seating area provided for tenants.	Complies
<p>Safety Objective</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property <p>55.03-07</p>	Standard B12	The existing units and proposed dwelling are not obscured from the street and external access way. Good lighting to both access and car parking, and all have enclosed POS.	Complies The proposed dwelling has long frontage facing Jean Street. Fencing is open style.
<p>Landscaping objectives</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance To provide appropriate landscaping To encourage the retention of mature vegetation on site <p>55.03-08</p>	Standard B13	The units are landscaped, and the proposed Dwelling and Shed will follow the same style. There is no existing vegetation to be removed.	<p>The site is already landscaped, and there is ample room for gardens. The additional dwelling does not require any additional screening from neighbouring lots or dwellings.</p> <p>A note will be included on any planning permit issued regarding the removal of any Native Vegetation.</p>
<p>Access objectives</p> <ul style="list-style-type: none"> To ensure vehicle access to and from a development is safe, manageable and convenient To ensure the number and design of vehicle crossovers respect the neighbourhood character <p>55.03-09</p>	Standard B14	The existing units have a concrete driveway connecting the street where vehicles can enter and exit in a forward direction. The existing cross over and proposed cross take up less than	Complies

	33m% of the length of the frontage. All service, emergency, and delivery vehicles will be able to access this property.	
Parking location objectives <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles To avoid parking and traffic difficulties in the development and the neighbourhood To protect residents from vehicular noise within developments 55.03-10 Standard B15	The proposed Dwelling has an attached double garage and will have tandem parking in the driveway for visitors. The existing car parking is situated over 1.5meters from existing windows and is close and convenient to the Units	Complies

Clause 55.04 – Amenity Impacts

Objective	Applicant Comment	Council Comment
Side and rear setbacks objective <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings 55.04-01 Standard B17	The proposed shed is 1.3metres from the boundary and has a maximum height of 3.6metres. There are no other encroachments within 0.5 metres and 1.0 metres high on this site.	Complies
Wall on boundaries objective <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings 55.04-02 Standard B18	No wall on the boundary on this site.	Complies
Daylight to existing windows objective <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows 55.04-03 Standard B19	Existing windows will not be affected by this development	Complies
North-facing windows objective <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows 55.04-04 Standard B20	The proposed Dwelling North facing windows have over 3 meters to any boundaries and other buildings.	Complies
Overshadowing open space objective <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space 55.04-05 Standard B21	Unit 1 – 5 are all existing and comply with this clause The proposed shed will only overshadow a blank wall of Unit five on the	Complies

	west side. The proposed Dwelling will not Overshadow any Open Private Spaces.	
<p>Overlooking objective</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows <p>55.04-06 Standard B22</p>	Overlooking is not an issue for all existing units, and proposed Dwelling as the max floor will be less than 800mm high.	Complies
<p>Internal views objective</p> <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential building within a development <p>55.04-07 Standard B23</p>	All units Private Open Spaces surrounded with an 1800h Colourbond fence, and proposed Dwelling has proposed a garden for screening from the adjoining park.	Complies
<p>Noise impacts objectives</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings To protect residents from external noise <p>55.04-08 Standard B24</p>	This development is situated in a small rural town, where noise sources are kept at a minimum.	Complies

Clause 55.05 – On-site amenity and facilities

Objective	Applicant Comment	Council Comment
<p>Accessibility objective</p> <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments <p>55.05-01 Standard B25</p>	Both the existing Units and Proposed Dwelling are all single storey and can be accessed by people with limited mobility.	Complies - Single storey dwelling
<p>Dwelling entry objective</p> <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity <p>55.05-02 Standard B26</p>	All the units have a visible front door with cover provided, as does the proposed Dwelling.	Complies The proposed dwelling has its own entry.
<p>Daylight to new windows objective</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows <p>55.05-03 Standard B27</p>	The windows to the proposed Dwelling have more than three square meters and are 1 meter clear to the sky, as does all the existing Units.	Complies
<p>Private open space objective</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents <p>55.05-04 Standard B28</p>	The Units and proposed Dwelling have over 40 square meters of private open space, and all are	Complies

	accessed from a living room. <table><tr><th colspan="2">Private Open Space Area</th></tr><tr><td>Unit 1</td><td>45m2</td></tr><tr><td>Unit 2</td><td>45m2</td></tr><tr><td>Unit 3</td><td>45m2</td></tr><tr><td>Unit 4</td><td>61m2</td></tr><tr><td>Unit 5</td><td>71m2</td></tr><tr><td>Dwelling</td><td>+80m2</td></tr></table>	Private Open Space Area		Unit 1	45m2	Unit 2	45m2	Unit 3	45m2	Unit 4	61m2	Unit 5	71m2	Dwelling	+80m2	
Private Open Space Area																
Unit 1	45m2															
Unit 2	45m2															
Unit 3	45m2															
Unit 4	61m2															
Unit 5	71m2															
Dwelling	+80m2															
Solar access to open space objective <ul style="list-style-type: none">To allow solar access into the secluded private open space of new dwellings and residential buildings 55.05-05Standard B29	All the POS have orientated to the North.	Complies														
Storage objective <ul style="list-style-type: none">To provide adequate storage facilities for each dwelling 55.05-06Standard B30	The proposed dwelling includes a shed to be used for personal and vehicle storage.	Complies														

Clause 55.06 – Detailed Design		
Objective	Applicant Comment	Council Comment
<p>Design detail objective</p> <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character <p>55.06-01 Standard B31</p>	The existing Five units are brick veneers with concrete tiled roof. The proposed Dwelling also has brick veneer. Other close by dwellings are single storey weatherboard cladding in various style. The Dwelling complements the units and will fit in with the existing neighbourhood character.	Complies
<p>Front fences objective</p> <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character <p>55.06-02 Standard B32</p>	The front fence to the Proposed Dwelling is post and rail and complements the rural town setting.	Complies
<p>Common property objectives</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained To avoid future management difficulties in areas of common ownership <p>55.06-03 Standard B33</p>	There is existing communal concrete car parking for all units with an extra one for visitors.	Complies
<p>Site services objectives</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained 	All residence has a clothesline and area for bins in their own Private Open Space.	Complies

<ul style="list-style-type: none"> To ensure that site facilities are accessible, adequate and attractive <p>55.06-04 Standard B34</p>	<p>The Units have an existing shared area for mailboxes. Whilst the proposed Dwelling will have its own</p>	
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The decision guidelines of Clause 65

Clause 65.01 Approval of an Application or Plan

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

Decision Guideline	Response
<p><i>The matters set out in section 60 of the Act.</i></p> <p>The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard. The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.</p>	<p>The application is consistent with all relevant policies of the Strathbogie Planning Scheme.</p>
<p><i>Any significant effects the environment, including the contamination of land, may have on the use or development.</i></p>	<p>The proposed development does not include any native vegetation removal. The proposed additional dwelling and septic system is appropriately located on site. The application documents included an LCA and was referred to Environmental Health who has no objection. Any effluent and waste will be appropriately managed.</p>
<p><i>The Municipal Planning Strategy and the Planning Policy Framework.</i></p>	<p>The application is considered consistent with the MPS and PPF as discussed throughout this report.</p>
<p><i>The purpose of the zone, overlay or other provision.</i></p>	<p>The subject site is in the Township Zone and partially affected by the Land Subject to Inundation Overlay.</p> <p>The proposal is for an additional dwelling. The lot has ample room to accommodate a second dwelling and associated infrastructure, whilst meeting the appropriate setbacks.</p> <p>Standard conditions will be included on any planning permit issued regarding sewer/septic, water and electricity connections to the satisfaction of the responsible authority.</p>
<p><i>Any matter required to be considered in the zone, overlay or other provision. The orderly planning of the area.</i></p> <p><i>For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives,</i></p>	<p>Under Clause 35.07-7 Township Zone. A development must meet the requirements of Clause 55. As discussed in the above table the application meets Clause 55.</p>

<i>standards and decision guidelines of Clause 55.</i>	
<i>The effect on the environment, human health and amenity of the area.</i>	The proposal is for the construction of an additional dwelling on a lot, the application has been assessed in Clause 55. The application provides for additional opportunities for residential development in Longwood which respects the neighbourhood character.
<i>The proximity of the land to any public land.</i>	The subject site adjoins three road reserves including: Jean Street, Down Street and Hurley Street. The Longwood Recreation reserve is located to the southeast. Parklands known as "the Pub Paddock" are not identified as Public Land, however the site is utilised by the Longwood Community.
<i>Factors likely to cause or contribute to land degradation, salinity or reduce water quality.</i>	It is considered the proposed dwelling on the subject site will not contribute to land degradation, salinity or reduce water quality. The proposal is not within an Erosion Management Overlay, or near any watercourse.
<i>Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.</i>	Standard drainage Conditions will be included on any planning permit issued.

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

There are no relevant adopted State policies.

Relevant incorporated, reference or adopted documents

Infrastructure Design Manual, Shire of Campaspe, City of Greater Bendigo, Greater Shepparton City Council, Version 4, March 2013

Relevant Planning Scheme amendments

There are no relevant planning scheme amendments.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Summary of Key Issues and Assessment

- Construction of another dwelling on a lot – Land capability
- Clause 55 (to ensure the character of the neighbourhood and the amenity of the immediate adjoining land holders is not detrimentally affected by the proposal.)
- Domestic shed is located in the Land Subject to Inundation Overlay.

Officers Comment:

The proposed second dwelling on the lot is considered to be appropriately located on site and meets the requirements of Clause 55 and other relevant policy. The site already contains five units, the additional dwelling is proposed to be a single storey home. The dwelling lends itself to provide accommodation to manage the five units. Lots in the area vary in size and development. The development provides opportunities for diverse housing opportunities and does not create any overlooking or overshadowing onto neighbouring lots.

The application was referred to Strathbogie Councils Health and Engineering departments in addition to Goulburn Broken Catchment Management Authority who have no objection.

Conclusion

After due assessment of all the relevant factors, it is considered appropriate to grant a planning permit, subject to Conditions.

☒

Decision:

Delegate Report <input type="checkbox"/>	Council Report <input checked="" type="checkbox"/>
Determination: Choose an item.	Determination Date:

Endorsed Plans:

Date:	Plan Numbers:

Declaration:

In making this decision as a delegated Officer, I declare that I have had regard to the decision-making requirements of the Strathbogie Shire Council's Governance Rules 2020 outlined by Rule 6 and have:

Made a fair, balanced, ethical and impartial decision - Sub Rule 6(c)(i) ☒

Made a decision based on merits, free from favouritism or self-interest
and without regard to irrelevant or unauthorised considerations- Sub Rule 6 (c)(ii) ☒

Applied the principles of natural justice to my decision, ensuring any person whose rights will be directly affected by the decision has been entitled to communicate their views and have their interests considered - Sub Rule 6(d) N/A

Identified the person or persons whose rights will be directly affected
Sub Rule 6(e)(i) ☒
Given notice of the decision Council must make under Sub Rule G(e)(i) N/A

Ensured that such person(s) have had an opportunity to communicate their views and have their interests considered before I made the decision - Sub Rule 6(e)(i) N/A

Included information about how I've met these Sub Rules in my delegate report-
Sub Rule 6(e)(iv) ☒

ATTACHMENT 2:



ATTACHMENT 3:



9.1.7 Planning Applications Received and Planning Applications Determined 1 to 31 December 2021 and 1 to 31 January 2022

Author: Manager Planning & Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report provides listings of all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) for the periods of 1 to 31 December 2021 and 1 to 31 January 2022. The latest available Planning Permit Activity Performance Figures are also attached (Attachment 3). The contents of this report are provided for information purposes only.

It is noted that there were 22 new planning applications received during the reporting period.

During the reporting period there were 34 planning permit applications decided upon. This included 4 applications that were withdrawn, and 1 planning application that lapsed.

RECOMMENDATION

That Council:

- 1. Note that there were 22 new planning applications received, and 34 planning permit applications decided on during the periods of 1st to 31st December 2021 and 1st to 31st January 2022.***
- 2. Note the report.***

PURPOSE AND BACKGROUND

To report to Council on the current planning application activity and matters considered under delegation.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Council is a Responsible Authority under the *Planning and Environment Act 1987* (the Act). In this role, Council administers the Strathbogie Planning Scheme (Planning Scheme) and, among other things, determines planning permit applications made for the use and development of the land in the municipality. Under delegated authority of Council, Council officers determine some matters.

Many types of use and development do not require a planning permit and may take place without being recorded as part of the planning approvals data. The statistics presented do not represent all development activity in the municipality. In addition, some planning permits are not acted on, or there may be a delay between when the approval is granted and when works take place.

9.1.7 Planning Applications Received and Planning Applications Determined 1 to 31 December 2021 and 1 to 31 January 2022 (cont.)

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

Individual applications consider these requirements through assessment phase of each application as per the Planning and Environment Act 1987 and the provisions of the Strathbogie Planning Scheme.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report continues to demonstrate that Council is being transparent in its position in relation to all applications received and determined by the Council.

CONCLUSION

This report is provided for Council to note the current planning permit application activity.

ATTACHMENTS

Attachment 1: Planning Applications Received

Attachment 2: Planning Applications Determined

Attachment 3: Planning Permit Activity Performance Figures

ATTACHMENT 1:

Monday, 6 December 2021

Site Address	Application Number Display	Application Description	Cost Of Works
24-26 Industrial Crescent, Nagambie VIC 3608	P2021-220	Minor addition to an existing industrial building for staff amenities	\$10,000.00

Wednesday, 8 December 2021

Site Address	Application Number Display	Application Description	Cost Of Works
52 Rowe Street, Euroa VIC 3666	P2021-221	Construction of Five Dwellings and a Five Lot Subdivision	\$985,000.00

Thursday, 9 December 2021

Site Address	Application Number Display	Application Description	Cost Of Works
34 Lakeside Drive, Nagambie VIC 3608	P2021-223	Two Lot Subdivision	\$0.00

Monday, 13 December 2021

Site Address	Application Number Display	Application Description	Cost Of Works
24 Goulburn Views Drive, Kirwans Bridge VIC 3608	P2021-225	Addition to a Dwelling and Construction of a Shed	\$450,000.00
646 Sheans Creek Road, Balmattum VIC 3666	P2021-222	Development of land for a shed (Horse Arena Shelter)	\$200,000.00

Tuesday, 14 December 2021

Site Address	Application Number Display	Application Description	Cost Of Works
111 Holloways Lane, Avenel VIC 3664	P2021-227	Development of land for a shed (Agricultural)	\$35,000.00
254 Oneils Road, Tabilk VIC 3607	P2021-224	Use and Development of land for a Jetty at Tabilk Winery	\$30,000.00
40 Longwood Road, Avenel VIC 3664	P2021-226	Two (2) Lot Subdivision (Boundary Realignment)	\$0.00

Thursday, 16 December 2021

Site Address	Application Number Display	Application Description	Cost Of Works
15 Moglonemby Road, Euroa VIC 3666	P2021-232	Four Lot Re-Subdivision	\$0.00

Friday, 17 December 2021

Site Address	Application Number Display	Application Description	Cost Of Works
61 Hunter Street, Euroa VIC 3666	P2021-228	Extension to an existing dwelling	\$95,000.00

Monday, 20 December 2021

Site Address	Application Number Display	Application Description	Cost Of Works
327 Euroa-Mansfield Road, Euroa VIC 3666	P2021-230	Two (2) lot re-subdivision and use and development of land for a dwelling	\$450,000.00
42 Bury Street, Euroa VIC 3666	P2022-002	Thirteen Lot Subdivision	\$0.00
457 Tarcombe Road, Avenel VIC 3664	P2021-229	Construction of a Shed	\$49,931.00
54 Longwood-Mansfield Road, Longwood East VIC 3666	P2021-231	Use of land for Cellar Door Sales and associated Liquor License	\$25,000.00

Tuesday, 21 December 2021

Site Address	Application Number Display	Application Description	Cost Of Works
107 Binney Street, Euroa VIC 3666	P2021-233	Two Lot Subdivision	\$0.00

Tuesday, 4 January 2022

Site Address	Application Number Display	Application Description	Cost Of Works
8 McLeod Street, Kirwans Bridge VIC 3608	P2022-001	Construction of a carport	\$10,000.00

Tuesday, 11 January 2022

Site Address	Application Number Display	Application Description	Cost Of Works
109 Wilkinsons Lane, Euroa VIC 3666	P2022-005	Construction of Rural Worker Accommodation (2 x 2 bedroom dwellings)	\$190,000.00
303 Sloans Road, Koonda VIC 3669	P2022-004	Construction of a shed (rural domestic)	\$32,848.00
Withers Street, Longwood VIC 3665	P2022-003	Construction of a Dwelling	\$275,790.00

Monday, 17 January 2022

Site Address	Application Number Display	Application Description	Cost Of Works
402 Spring Creek Road, Kithbrook VIC 3666	P2022-006	Construction of a Farm Shed	\$97,407.00

Thursday, 20 January 2022

Site Address	Application Number Display	Application Description	Cost Of Works
Drysdale Road, Longwood VIC 3665	P2022-007	Construction of a Dwelling	\$540,915.00

Monday, 24 January 2022

Site Address	Application Number Display	Application Description	Cost Of Works
96-98 Tarcombe Street, Euroa VIC 3666	P2022-008	Storage of vehicles in the Floodway Overlay	\$80,000.00

ATTACHMENT 2:

1/12/2021 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
297 Mitchellstown Road, Tabilk VIC 3607	P2020-085	Development of land for a twelve (12) Lot Subdivision; Removal of native vegetation.	\$250,000.00 for subdivision works	Withdrawn

2/12/2021 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
106 Horseshoe Bend Lane, Euroa VIC 3666	P2021-086	Re-subdivision of existing 5 lots to 4 lots and use and development of three lots each for a dwelling	\$1,200,000.00	Withdrawn
115 Longwood-Mansfield Road, Longwood East VIC 3666	P2021-197	Use of land for a licensed premise (Cellar Door Sales)	\$0.00	Issued

6/12/2021 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
102 Fernhills Road, Sheans Creek VIC 3666	P2021-176	Construction of an agricultural shed	\$35,000.00	Issued

7/12/2021 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
34 Kelvin View School Road, Kelvin View VIC 3666	P2021-151	Construction of a Verandah	\$41,800.00	Issued

9/12/2021 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
45 Wattlevale Road, Baillieston VIC 3608	P2021-173	Construction of a Jetty (Recreational Boat Facility)	\$30,000.00	Issued

10/12/2021 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
541 Euroa-Mansfield Road, Euroa VIC 3666	P2021-169	Construction of a replacement agricultural machinery shed	\$39,000.00	Issued

13/12/2021 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
339 Kippings Road, Strathbogie VIC 3666	P2021-177	Construction of an Agricultural Shed	\$30,000.00	Issued
490 Feltrim Road, Earlstoun VIC 3669	P2021-135	Use and development of land for a caretakers dwelling	\$450,000.00	Lapsed

17/12/2021 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
1383 Dargalong Road, Warring VIC 3608	P2021-199	Use and Development for a Utility Installation (Antenna Support Structure)	\$20,000.00	Issued
24-26 Industrial Crescent, Nagambie VIC 3608	P2021-220	Minor addition to an existing industrial building for staff amenities	\$10,000.00	Issued
376 Nook Road, Nagambie VIC 3608	P2021-196	Development of land for a replacement dwelling	\$2,000,000.00	Issued

40 Brock Street, Euroa VIC 3666	P2019-106	Use and development of land for a residential village, creation of easements and reserves; and the removal of native vegetation	\$4,000,000.00	NOD
42 McLeod Street, Kirwans Bridge VIC 3608	P2021-178	Construction of a Replacement Dwelling	\$350,000.00	Issued
Wattlevale Road, Mitchellstown VIC 3608	P2021-186	Use and development of land for a private floating jetty	\$23,000.00	Issued

21/12/2021 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
92 Tuan Lane, Longwood VIC 3665	P2021-195	Use of land for Cellar Door Sales and associated Producers Liquor Licence	\$0.00	Issued

23/12/2021 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
111 Holloways Lane, Avenel VIC 3664	P2021-227	Development of land for a shed (Agricultural)	\$35,000.00	Issued
1948 Euroa-Strathbogie Road, Strathbogie VIC 3666	P2021-207	Development of land for a shed (Agricultural)	\$15,000.00	Issued
457 Tarcombe Road, Avenel VIC 3664	P2021-229	Construction of a Domestic Shed	\$49,931.00	Issued
646 Sheans Creek Road, Balmattum VIC 3666	P2021-222	Development of land for a shed (Horse Arena Shelter)	\$200,000.00	Issued

24/12/2021 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
24 Goulburn Views Drive, Kirwans Bridge VIC 3608	P2021-225	Addition to a Dwelling and Construction of a Shed	\$450,000.00	Issued
36 Kennedy Street, Euroa VIC 3666	P2021-206	Addition to a Nursing Home to provide additional bedrooms and amenities	\$490,000.00	Issued

11/01/2022 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
18-20 Frost Street, Euroa VIC 3666	P2021-147	Two (2) Lot Subdivision	\$0.00	Issued

13/01/2022 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
8 McLeod Street, Kirwans Bridge VIC 3608	P2022-001	Construction of a carport	\$10,000.00	Issued

17/01/2022 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
303 Sloans Road, Koonda VIC 3669	P2022-004	Development of land for a domestic/rural shed	\$32,848.00	Issued

18/01/2022 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
118 Cherry Tree Road, Bailieston VIC 3608	P2021-205	Native vegetation removal (no large trees for emergency vehicle access)	\$0.00	Issued
Creightons Creek Road, Creightons Creek VIC 3666	P2021-211	Use and Development of a GPS Ground Station	\$80,000.00	Issued

21/01/2022 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
7 Scobie Street South, Avenel VIC 3664	P2021-183	Two (2) lot re-subdivision	\$0.00	Issued

24/01/2022 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
20 Woodlea Court, Kirwans Bridge VIC 3608	P2021-161	Use and development of land for a dwelling and garage	\$450,000.00	Issued

25/01/2022 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
209 Goulburn Weir Road, Goulburn Weir VIC 3608	P2020-039	Use and development of land for two (2) dwellings; Re-subdivision of land - 5 lots into 3.	\$600,000.00	Withdrawn

27/01/2022 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
2 Boundary Road South, Euroa VIC 3666	P2021-212	Development of land for an extension to a dwelling	\$150,000.00	Issued
58 Baxters Road, Goulburn Weir VIC 3608	P2021-187	Use and development of land for a single dwelling and associated outbuildings	\$1,110,000.00	Issued

28/01/2022 12:00:00 AM

Site Address	Application Number Display	Application Description	Cost Of Works	Decision
160 Lobbs Lane, Nagambie VIC 3608	P2020-160	Four Lot Subdivision; Use and Development for a Dwelling (on a lot smaller than the minimum lot size); Construction of a Dwelling (within 100m of a waterway); Subdivide land adjacent to a road in a Road Zone Category 1 and land in a Public Acquisition Overlay for a Category 1 road	\$300,000.00	Withdrawn
181 Millards Lane, Euroa VIC 3666	P2021-148	Use and Development for a Dwelling	\$498,000.00	Issued

ATTACHMENT 3:

Performance figures

	This Month	Last Month	Financial Year to Date	Rural Average	SMR Average
Applications with: ⓘ					
Public notice	<u>7</u>	<u>7</u>	<u>48</u>	12	6
Further information	<u>14</u>	<u>10</u>	<u>73</u>	14	6
Referrals	<u>7</u>	<u>7</u>	<u>48</u>	12	6
Submissions	<u>5</u>	<u>0</u>	<u>10</u>	3	1
Financial ⓘ					
Total value of fees for applications received	\$16,841	\$21,274	\$138,598	\$34,648	\$14,615
Average fee per application received	\$1,123	\$967	\$949	\$1,222	\$1,026
Total estimated cost of works for permits issued	\$8,018,731	\$8,893,336	\$31,222,299	\$23,291,816	\$13,442,332
Average cost of works per permit issued	\$320,749	\$468,070	\$209,546	\$838,086	\$911,345
Processing times ⓘ					
Average gross days to Responsible Authority determination	107	119	85	104	82
Median processing days to Responsible Authority determination	66	107	67	71	59
Completed within sixty days	76.2%	66.7%	79.0%	68.9%	70.4%
Average gross days to final outcome	126	117	92	108	83
Median processing days to final outcome	72	106	70	71	58
VicSmart applications ⓘ					
Received	<u>5</u>	<u>0</u>	<u>19</u>	4	3
Completed	<u>5</u>	<u>2</u>	<u>25</u>	5	3
Completed within ten days	100.0%	50.0%	76.0%	78.0%	84.5%

9.2 COMMUNITY

9.2.1 Nagambie Ageing Hub

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

At its meeting of 20 April 2021 Council considered a report in relation to development of a project in Vale Street/Carrick Crescent, Nagambie, which would see the:

- Creation of an *Age Friendly* community Living environment.
- Development of seven (7) additional units for supported living and refurbishment of six (6) existing units.
- Eventual refurbishment of the Senior Citizens and RSL building.
- Delivery of allied health services from premises adjoining the Nagambie Library.
- Enhancement of the open space within the precinct in line with Rural Councils Victoria Older Persons Framework.

Before this decision, at its 15 September 2020 Council meeting, Council resolved to undertake statutory procedures which would enable it to transfer two land parcels (Lots 3 and 4 Carrick Crescent to Nagambie HealthCare. This involved Council publicly advertising its intention to transfer land, as is required by the Local Government Act.

At the close of submissions none had been received and the Council resolved to :

1. Obtain an independent valuation for Lots 3 and 4 Carrick Crescent Nagambie (Lots 3 and 4 LP 220490 V9971 Parish of Tabilk;
2. Authorise the Chief Executive Officer to finalise and sign a Section 173 Agreement (including a provision that should there be any change in the circumstances of Nagambie Health, and as result should any change of ownership occur, with Council consent the development must remain for the same purpose under the Planning and Environment Act 1987
3. Develop a Memorandum of Understanding (MOU) in relation to the proposed development; and
4. Transfer Lots 3 and 4 Carrick Crescent to Nagambie Health Care following completion of the above steps.

9.2.1 Nagambie Ageing Hub (cont.)

RECOMMENDATION

That Council:

1. ***Note changes that have occurred to the project since the Council decision of 15 September 2020 and authorize the Chief Executive Officer to finalize a Memorandum of Understanding and Section 173 Agreement with Nagambie HealthCare in line with previous plans and advised changes inter alia:***
 - a) ***Alterations to the mix of new and refurbished units;***
 - b) ***Nagambie HealthCare to continue undertaking garden maintenance on the site (but not manage the Senior Citizens/RSL building); and***
2. ***Authorise officers work with the Nagambie Senior Citizens and RSL to develop shared use leasing and licencing arrangements suitable to both parties to ensure that the centre functions as a multi-use facility accessible to other community groups including Nagambie HealthCare for a range of community activities that promote social inclusion and connectedness.***

PURPOSE AND BACKGROUND

Over recent months there have been discussions to finalise the Section 173 agreement and Memorandum of Understanding (MOU) with Nagambie Health Care. Given that there have been some changes and in the interests of transparency, it is prudent to advise Council and the community.

The former Draft MOU included the following provisions :

Nagambie HealthCare to:

- Refurbish and extend six (6) existing units and construct an additional seven (7) units on the Vale Street Supported Living site for the purpose of providing low cost assisted living to Veterans, Ageing Community members and National Disability Insurance Scheme (NDIS) clients generally in accordance with the attached concept plan (refer Attachment 1
- Construct accommodation for care staff and visiting clinicians generally in accordance with the attached concept plan
- Provide a range of community care and allied health services from council owned premises adjacent to the Nagambie library (Nagambie HealthCare Community Care Hub)
- Manage the Nagambie HealthCare Community Care Hub site and be responsible for service operations, infrastructure maintenance of the Nagambie Healthcare areas and garden maintenance of the entire site
- Work with Strathbogie Shire to further enhance the precinct including collaboration on funding applications for agreed improvements.

9.2.1 Nagambie Ageing Hub (cont.)

Council to:

- Transfer Lots 3 and 4 Carrick Crescent to Nagambie HealthCare at no cost for the purposes of constructing facilities described above, to be regulated by a Memorandum of Understanding between the two parties
- Recognises the land at a Value of \$162,000 or independent valuation, whichever is the greater, as Council's contribution to the project
- Provide facilities for the provision of community care and allied health services as above on a Peppercorn Lease arrangement
- Work with Nagambie HealthCare to further enhance the precinct including collaboration on funding applications for agreed improvements
- Where practicable, provide necessary internal Planning, Engineering and other advice to facilitate the project. Any external Planning, Engineering and other advice or services to facilitate the project be at Nagambie Healthcare cost
- Develop a 173 Agreement to ensure that the development remains for the purpose intended. Should there be any change in circumstances of Nagambie Health, the Section 173 agreement under the Planning and Environment Act requires that should any change of ownership occur the development remains as community based supported living accommodation.

Matters that have changed during the process:

- NHC had originally looked at refurbishing and extending all existing 6 units however the 3 units closest to the Carrick St land have been built on fill and due to cracking, they may need to be demolished and new build of those units undertaken rather than refurbishment
- Originally NHC were to manage the Community Care Hub site (which included the Senior Citizens/RSL facility) and be responsible for service operations, infrastructure maintenance of the Nagambie Healthcare areas and garden maintenance of the entire site. Council is currently working with those two groups on upgrade options for the facility and it is intended to not include this in the MOU with NHC. NHC will continue the agreement to undertake garden maintenance of the grounds as they now have a dedicated gardener who is on site. In addition, NHC are currently seeking grant funding to further develop the community garden.

In finalising the MOU and Section 173, it is proposed to incorporate the above changes.

It is also proposed that officers work with the Nagambie Senior Citizens and RSL to develop a shared use leasing and licensing agreement suitable to both parties. The lease and license agreement will also ensure that the centre functions as a multi-use facility available to other community groups including Nagambie HealthCare on a regular basis for a range of community activities that promote social inclusion and connectedness.

9.2.1 Nagambie Ageing Hub (cont.)

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

Sections 189 and 223 of the 1989 Act require Council to undertake mandatory public consultation when considering a proposal to sell or exchange land, which has been done. As a result of the advertising positive engagement undertaken with adjoining property owners and an undertaking given to keep them informed of progress with the project.

POLICY CONSIDERATIONS

Council Plans and Policies

Council Plan 2021-2025

*Strategic focus Area 2: **Live. Access. Connect.***

- *Work with Nagambie HealthCare to progress the delivery of enhanced services and facilities at the Nagambie Ageing Hub*

Regional, State and National Plans and Policies

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The project is consistent with various aged care strategies and social policies at State and National level.

Our demographic profile highlights that our population is ageing. The provision of local facilities provides housing options to support our ageing community and assists in achieving State and Federal goals of ageing in place.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

Legal requirements as specified in the *Local Government Act* have been complied with.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

The matter is being discussed in public and therefore makes community aware of the project and allows for comment on the sale/transfer process.

9.2.1 Nagambie Ageing Hub (cont.)

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The value of the blocks as carried in Council's Balance Sheet would need to be written off, having a one-off impact on Council Operating Statement and Balance Sheet.

Costs of transfer and all associated planning, design and construction costs to achieve the development of the additional units, including ongoing maintenance and garden maintenance will be met in full by Nagambie HealthCare.

SUSTAINABILITY CONSIDERATIONS

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Social

It is considered that substantial community benefit will be gained through the proposed land exchange given it will support the provision of a wide range of aged care facilities and services, enabling our community to age in place. Further:

- A significant proportion of the area's population is over 60
- Nagambie HealthCare are currently seeing aging members of the community with Down Syndrome or intellectual disability requiring accommodation locally due to aging parents having reduced capacity to look after them. Dislocating them from their communities causes them additional challenges
- Nagambie HealthCare currently provides home care services and service independent living support
- Nagambie HealthCare have acquired units in Vale Street, Nagambie, from Council
- There is potential for improved coordination of services across the Shire
- Space at the hospital location is fully occupied
- Nagambie HealthCare proposed to occupy premises adjacent to the library in order to work with Council to develop a Healthy Ageing Hub – allowing community access to aged care, supported living, home care and chronic disease assessment and self-management services.
- There is an opportunity to provide an extension to GP and allied health services in Nagambie including recruitment of another GP and GP Registrar and service provision could include people over 65 and NDIS clients
- There was identified potential to work with Council and investors to build further independent living units co located with the Vale Street units. There is strong demand for supporting people with a disability. The facility would operate 5 days a week.

9.2.1 Nagambie Ageing Hub (cont.)

Environmental

Principles in the proposed design of the development include;

- Liveability (Affordability, Safety, Natural Light,)
- Accessibility (DDA compliance, Adaptability)
- Sustainability (Passive design, water collection, solar design, shade cover, Food growing)
- Connectedness (street presentation, Seating opportunities, shared space.

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

The project demonstrates collaboration between Council and Nagambie HealthCare and over time is likely to involve other levels of government in sourcing of funding and operational assistance

HUMAN RIGHTS CONSIDERATIONS

The proposal is consistent with the *Charter of Human Rights and Responsibilities Act 2006* will provide facilities and services for a sector of the community who are currently challenged in being able to access.

The concept around the use of the hub is to provide a broader range of health and allied services to the community – services which would otherwise be difficult to access. Some issues of access relate to the psychological barrier of attending a health service, and there are benefits to offering some services in a space removed from an institutional style setting eg. mental health support services and aged care services focused on assistance with navigating the system.

There are also some infrastructure barriers associated with accessing both the health service and medical clinic to attend health related appointments, eg: lack of a footpath, car park congestion and road congestion.

CONCLUSION

The proposal has the potential to provide significant benefits to Nagambie and surrounding communities by facilitating needed accommodation and improved service delivery.

ATTACHMENTS

Attachment 1: Proposed Site Plan

ATTACHMENT 1:

PROJECT NO. 18008
NAGAMBIE HEALTH CARE



proposed site plan - option a

(not to scale)

9.2.2 Enabling Tourism Fund - Council Co-Contribution

Author: Economic Development and Projects Coordinator

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Released on the 25th January 2022, the Enabling Tourism Fund delivered by the Department of Jobs, Precincts and Regions is a state-wide competitive Victoria Government program that will support the planning and feasibility studies for new and innovative tourism infrastructure projects that will increase visitation, drive private investment and deliver more jobs.

The four priority areas relevant to the Enabling Tourism Fund are nature, epicurean, arts and culture and First Peoples' led experiences.

Council Officers are working in collaboration with the Balmattum Hill Mountain Bike Park Committee, to further investigate (and advocate for) the construction of a Mountain Bike track at Balmattum Hill. The Enabling Tourism Fund provides an opportunity to apply for funding to undertake various planning activities for projects including but not limited to, feasibility studies, detailed design and quantity surveying.

Council Officers have reviewed the priority projects within the community against the specified criteria funding stream to determine projects for inclusion within a funding application due on 4 March 2022. As a Council Plan priority, it is proposed that Council in partnership with the Balmattum Hill Mountain Bike Park Committee submit an application to undertake further planning studies for the development of a Mountain Bike track at Balmattum Hill.

RECOMMENDATION

That Council:

- 1. Provisionally allocate up to \$112,500 as a co-contribution to funding submission for the Balmattum Hill Mountain Bike Track project through the State Government 2022 Enabling Tourism Fund; and***
- 2. Note the provision of in-kind Project Management to oversee the delivery of the project including communication and engagement support.***

PURPOSE AND BACKGROUND

This report provides information around the requirements of the Enabling Tourism Fund – Competitive Round and seeks a provisional financial commitment from Council should the nominated project be awarded funding by the Department of Jobs, Precincts and Regions (DJPR).

9.2.2 Enabling Tourism Fund - Council Co-Contribution (cont.)

This competitive round of the Enabling Tourism Fund has been designed to support high-potential regional and rural Victorian tourism initiatives through the project development and market-testing phase to provide the solid foundation project's need to attract private-sector investment.

The following activities are eligible for funding under this round of the Enabling Tourism Fund:

- business case development
- feasibility studies and master planning
- detailed design
- funding strategy development
- pilot projects and market testing*
- site investigations (for example, geotechnical, heritage, approvals)
- quantity surveying/cost consulting
- operational viability studies
- information to promote investment partnering opportunities (go to market approaches)
- other activities required to progress tourism-related infrastructure projects to investment-ready status.

The Enabling Tourism Fund priorities in this funding round are as follows:

1. Nature - experiences and products that activate regional Victoria's natural assets such as forests, parks, alpine areas, wildlife, geothermal and natural mineral springs, coastlines, rivers, lakes and oceans, and contribute to a healthy and resilient environment.
2. Epicurean - culinary and gastronomic experiences and products that highlight provenance and demonstrate innovation, including agricultural and regenerative farming experiences, cellar doors, distilleries and breweries.
3. Arts and Culture - experiences and products that enable the visitor to engage with art and culture in new and innovative ways, such as museums, storytelling, multicultural centres, art and heritage trails, public art installations, galleries and creative venues.
4. First Peoples' led experiences - prioritising the world's oldest, continuous living culture that will contribute the future of Victorian tourism, through the creation of immersive experiences and products that are driven by Aboriginal self-determination.

To be eligible for funding under the Enabling Tourism Fund, a project must demonstrate strategic investment or support visitation outcomes in one or more of the following Visitor Economy Recovery and Reform Plan priority experience pillars: nature, epicurean, arts and culture; and First Peoples' led experiences, and meet the objectives of the fund, which are:

- build a strong pipeline of demand-driving public and private tourism infrastructure projects and progress them towards investment-ready status;
- develop strategic tourism infrastructure projects that will increase visitation, improve quality of customer experience, and increase visitor yield and length of stay;

9.2.2 Enabling Tourism Fund - Council Co-Contribution (cont.)

- develop projects that broaden Victoria's tourism offering, and support and encourage year-round visitation and dispersal across regional Victoria; and or
- leverage and facilitate private sector investment, including through strengthening public tourism infrastructure.

Eligible applicants may seek funding for up to \$500,000 per project, with a minimum funding amount of \$20,000 per project. Co-contributions are required as part of the Enabling Tourism grant funding.

The following funding commitment ratio is required:

Applicant	Maximum funding ratios for co-contributions
Public, not-for-profit <ul style="list-style-type: none"> • Local and State Government entities • Incorporated associations • Not-for-profit organisations 	\$ 1 for every \$4 of grant funding

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Council Officers have reviewed the priority projects detailed in the 2021 – 2025 Council Plan against the specified criteria funding stream to determine projects for inclusion within a funding application due on 4 March 2022. After due consideration, it is proposed that Council submit an application to undertake further planning studies for the development of a mountain bike track at Balmattum Hill.

A mountain bike track at Balmattum Hill would create an opportunity to provide a unique tourist experience in the Strathbogie region, complementing our existing spectacular natural assets. The development of the track would create a recreational facility in harmony with the natural assets of the site, overlooking the Euroa township and provide an excellent addition to the already established list of 'Tracks and Trails' with the region.

Balmattum Hill is Crown land managed by Parks Victoria. Council Officer will continue to work with Parks Victoria representatives and the Balmattum Hill Mountain Bike Park Committee in the development of this application.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

9.2.2 Enabling Tourism Fund - Council Co-Contribution (cont.)

Community consultation for this project continues through discussions with the Balmattum Hill Mountain Bike Park Committee. Further consultation with community and relevant stakeholders would be undertaken as part of further planning for this project.

POLICY CONSIDERATIONS

Council Plans and Policies

The following goals of the Council Plan 2021-2025 have been identified:

Strategic focus area 2: Live. Access. Connect:

Initiative:

- 2.1.6: Support the work being undertaken by the Euroa Mountain Bike Club for the development of a mountain bike track at Balmattum Hill through advocacy with Parks Victoria and relevant government departments.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The following document will also be reviewed as part of the ETF application:

- The Hume Region Significant Tracks and Trails Strategy 2014-2023
Page 54 lists "Support for mountain bike park at Balmattum Hill near Euroa (Strathbogie's #1 priority)"

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

In the interest of transparency and open and honest communication with our community it is recommended that this application for funding be acknowledged in a public forum providing full disclosure of the project being put forward for funding and the amount of Council contribution to be allocated in the funding application.

9.2.2 Enabling Tourism Fund - Council Co-Contribution (cont.)

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The budget considerations and Council contribution in the funding application towards the project as described are summarised below:

- a) Allocating \$112,500 for the provision of co-funding of the project; and
- b) Providing in-kind Project Management to oversee the delivery of the project including communication and engagement support.

This recommendation seeks Council endorsement to make these funds provisionally available should the application for funding for this project with the Department Jobs, Precincts and Regions be successful.

It is proposed that the Euroa Rotary Club will also contribute financially to this project as a further leverage for state government funding.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

As a tourism product, mountain biking is a growing sector that regional tourism bodies are identifying for development projects. Given the proximity to Melbourne and the ease of access for young people via the train network, this project will further expand the tourism offer within the Shire.

The development of this precinct provides employment opportunities and an economic boost throughout the construction period. Ongoing, this project will increase economic development through increased visitation and providing local Cafe's, businesses and accommodation venues with greater tourism expenditure.

Social

This project provides an opportunity for people to come together to enjoy a nature based sporting activity that will enhance the visitor experience and encourage physical activity for local people and visitors alike.

Environmental

Designed with the environment front and centre, well planned and designed mountain bike tracks and networks, in conjunction with community education, can provide a variety of opportunities for riding in natural settings. This can lead to opportunities for connection to nature, education and promotion of environmental stewardship, as well as enabling physical activity as part of healthy lifestyles. This project will help strengthen the Shires reputation as a nature-based tourism hub.

Climate Change

As highlighted above, the mountain bike track lends itself for connection to nature, education and promotion of environmental stewardship. The planning process and subsequent studies would provide further recommendations on the enhancement of the natural environment should the track be constructed.

9.2.2 Enabling Tourism Fund - Council Co-Contribution (cont.)

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

Council Officers will continue to collaborate with local community groups and key stakeholders in the development of the funding application.

HUMAN RIGHTS CONSIDERATIONS

The author of this report considers that the recommendation does not limit any human rights under the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

CONCLUSION

The Enabling Tourism Fund is an opportunity for Council to apply for financial assistance to develop plans and conduct a feasibility study and development of a fully costed concept design for a unique tourism infrastructure project that will support new and innovative tourism infrastructure that will increase visitation, drive private investment and deliver more jobs. This application if successful will work towards delivering a Council Plan priority.

ATTACHMENTS

Nil.

9.2.3 Building Better Regions Fund (Round 6) - Council Co-Contribution

Author: Director Community and Planning

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Released on the 13 December 2021 the Building Better Regions Fund – Round 6 delivered by the Australian Government is a nationwide competitive program that supports the Australian Government's commitment to create jobs, drive economic growth and build stronger regional communities. Submissions to this fund closed on the 10 February 2022.

Grant funding was available through two funding streams:

- The Infrastructure Projects Stream: Supports projects that involve construction of new infrastructure, or the upgrade or extension of existing infrastructure.
- The Community Investments Stream: Funds community development activities including, but not limited to, new or expanded local events, strategic regional plans, leadership and capability building activities.

Council Officers reviewed the priority projects within the community against the Building Better Regions criteria to determine projects Council submitted. The following applications were submitted to Round 6 of the Building Better Regions Fund:

- Nagambie Employment Precinct (Infrastructure Projects Stream) – a package of significant infrastructure works including; sealing of Habel Road for heavy vehicles, linking the Nagambie Employment Precinct to nationally significant regional Freeway networks (Hume & Goulburn Valley Freeways); and drainage improvements that will assist for further development of the industrially zoned land in Nagambie. The new infrastructure will improve business's transport efficiencies and decrease start-up costs. Grant application totalled \$3,008,000, with a Council co-contribution of \$1,110,000. Council also has a grant application pending with the State Government for the Habel Road redevelopment of \$948,000.
- ARTBOX (Infrastructure Projects Stream) - a travelling exhibition space, promoting professional and emerging artists and makers. ARTBOX will support community arts and culture projects across the Shire and will also provide opportunities for community to experience and engage with arts and culture. Grant application totalled \$85,000 with a Council co-contribution of \$42,500.
- Youth Leadership Program (Community Investments Stream) – an opportunity for young people aged between 17 – 25 years of age to participate in a self-growth learning opportunity centred around sustainable agriculture. Grant application totalled \$20,000 with no Council co-contribution required.

Due to the timing of the February Council Meeting and to meet the timeframe of the grant submission deadline, all three applications have been submitted.

9.2.3 Building Better Regions Fund (Round 6) - Council Co-Contribution (cont.)

RECOMMENDATION

That Council:

- 1. *Note the co-contribution of funding required for the submissions to the Australian Government Building Better Regions Fund Round 6:***
 - a) up to \$1,110,000 for the Nagambie Employment Precinct;***
 - b) up to \$42,500 for the ARTBOX Project from existing budget allocations; and***
- 2. *Note the provision of in-kind Project Management to oversee the delivery of the projects including communication and engagement support.***

PURPOSE AND BACKGROUND

This report provides information for the requirements of the Building Better Regions Fund – Round 6 and demonstrates a financial commitment from Council should the nominated projects be awarded funding by the Department of Infrastructure, Transport, Regional Development and Communications.

Round 6 of the Building Better Regions Fund is designed to support the Australian Government's commitment to create jobs, drive economic growth and build stronger regional communities.

The following initiatives were eligible for funding under round 6 of the Building Better Regions Fund:

- The Infrastructure Projects Stream: supports projects that provide economic and social benefits to regional and remote areas. The projects can be either construction of new infrastructure or the upgrade or extension of existing infrastructure.
- The Community Investments Stream: funds new or expanded local events, strategic regional plans, or leadership and capability strengthening activities that provide economic and social benefits to regional and remote areas. Infrastructure projects are not eligible under the Community Investments Stream.

Eligible activities for funding under the Building Better Regions Fund include:

- The Infrastructure Projects Stream:
 - aimed at the construction, upgrade or extension of infrastructure that provides economic and social benefits to regional and remote areas
 - comprise one of the following activities:
 - constructing new infrastructure upgrading existing infrastructure
 - extending existing infrastructure
 - replacing infrastructure where there is a significant increase in benefit
 - not have started construction.
 - Maximum grant is \$10million.

9.2.3 Building Better Regions Fund (Round 6) - Council Co-Contribution (cont.)

- The Community Investments Stream:
 - o be aimed at new or expanded local events, strategic regional plans, or leadership and capability strengthening activities that provide economic and social benefits to regional and remote areas
 - o comprise one of the following activities:
 - local events
 - strategic planning
 - regional leadership and capability
 - not have commenced.
 - Maximum grant is \$1million.

Co-contributions are required as part of the Building Better Regions Fund.

The following funding commitment ratio was required:

Applicant	Maximum funding ratios for co-contributions
Inner Regional Australia	<p><i>Infrastructure Projects:</i> Up to 50 per cent of total eligible project costs</p> <p><i>Community Investment Stream:</i> For small projects with a total grant amount of equal to or less than \$20,000, grant funding will be up to 100% of eligible project costs.</p>

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

As a result of COVID-19 the State and Federal Governments are trying to facilitate more local manufacturing in the regions and have less reliance on international trade that can be done locally. As such the focus for the Building Better regions 2022 funding round is targeting projects to achieve this objective.

Council Officers reviewed the priority projects detailed in the 2021 – 2025 Council Plan against the specified criteria funding stream to determine projects for inclusion within the funding application due on 10 February 2022. After due consideration and timing constraints due to the January leave period, officers submitted the above mentioned three (3) applications as detailed below:

Project 1:

The Nagambie Employment Precinct takes advantage of its unique location and strategic transport assets being the Goulburn and Hume Freeways and provides a buffer from residential areas (refer image below). This grant opportunity will provide the transport and storm water infrastructure to facilitate and attract businesses without adverse amenity impacts to our region. Currently these businesses are purchasing productive agricultural land as the start-up costs to currently develop within the Nagambie Employment Precinct are cost prohibitive.

9.2.3 Building Better Regions Fund (Round 6) - Council Co-Contribution (cont.)

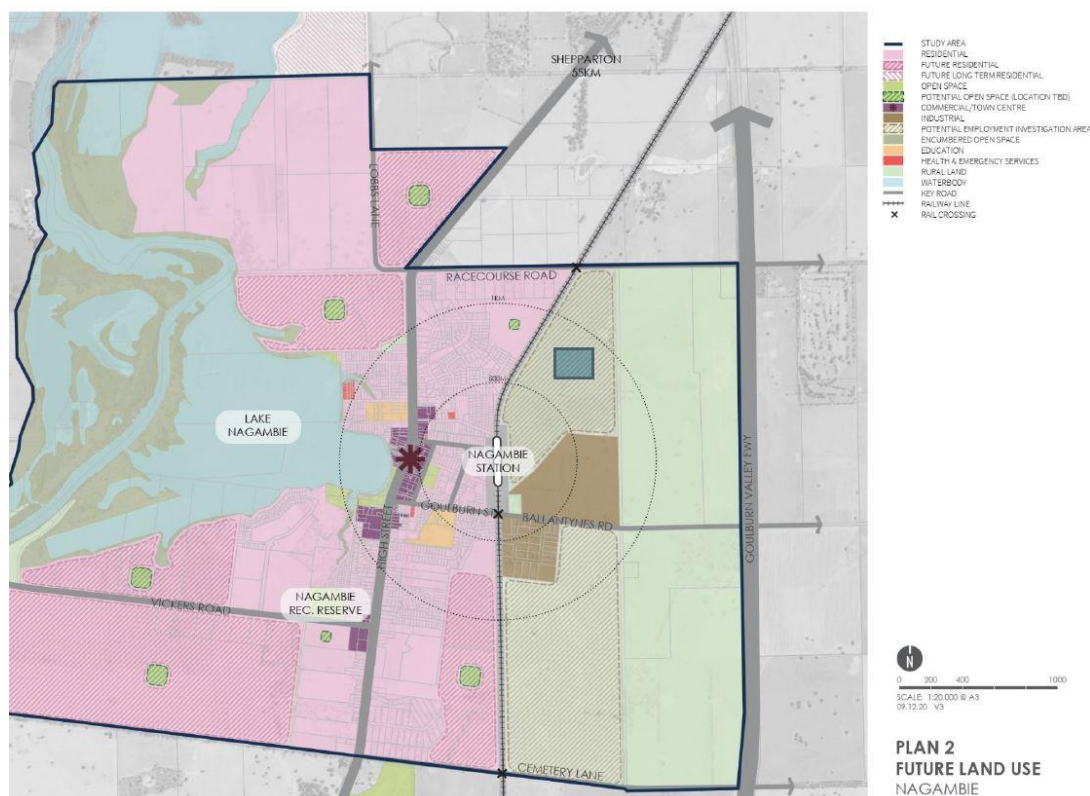


Image: Plan 2 Future Land Use – draft Nagambie Growth Management Strategy 2020

Project 2:

ARTBOX is an innovation travelling exhibition space, promoting professional and emerging artists and makers. ARTBOX will support community arts and culture projects across the Shire and will also provide opportunities for community to experience and engage with arts and culture.

Project 3:

The Youth Leadership program provides an opportunity for young people aged between 17 – 25 years of age to participate in a self-growth learning opportunity centred around sustainable agriculture. This will provide a leadership program, linking our young people to our vibrant local agricultural sector.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

As part of the consultation for the draft Nagambie Growth Management Strategy 2020 the community advocated for the need to minimise the number of heavy vehicle movements in Goulburn Street, Nagambie. The sealing of Habel Road will achieve this as Habel Road, connects to the Goulburn Valley Freeway, providing direct access at the southern end. As Habel Road is currently unsealed, heavy vehicles are compelled to take the sealed route through Nagambie's residential areas.

9.2.3 Building Better Regions Fund (Round 6) - Council Co-Contribution (cont.)

The development of the 2019-2023 Arts and Culture Strategy was underpinned on extensive community consultation. The strategy identifies a number of initiatives to assist our community with developing and delivering arts and culture projects and activities across our region.

Community consultation for the Youth Leadership Program has been undertaken in conjunction with a number of local stakeholders, including young people, farmers, universities and vocational training institutions.

POLICY CONSIDERATIONS

Council Plans and Policies

The following goals of the Council Plan 2021-2025 have been identified:

Strategic focus area 1: Engage. Create. Unite.

- We are inspired by our creatives and celebrate art and culture.
- We create welcoming social spaces where people can connect.

Strategic focus area 2: Live. Access. Connect.

- We are focussed on activities that build economic, financial and social security

Strategic focus area 4: Inclusive. Productive. Balanced.

- We target economic development to enhance our region
- We are capitalising on our region's strengths.
-

Furthermore, the draft Nagambie Growth Management Strategy 2020 identifies the Employment Precinct and the need to upgrade Habel Road to facilitate heavy vehicle movements and stormwater infrastructure to allow for more developable land within the precinct.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The Hume Regional Growth Plan identifies Nagambie as a key sub-regional settlement to accommodate growth.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

9.2.3 Building Better Regions Fund (Round 6) - Council Co-Contribution (cont.)

In the interest of transparency and open and honest communication with our community it is recommended that this application for funding be acknowledged in a public forum providing full disclosure of the project being put forward for funding and the amount of Council contribution to be allocated in the funding application.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The budget considerations and Council contribution in the funding application towards the project as described are summarised below:

- a) Allocation of \$1,110,000 toward the Nagambie Employment Precinct project and up to \$42,500 for the ARTBOX project through the Australian Government Building Better Regions Fund; for the provision of co-funding of these projects; and
- b) Providing in-kind Project Management to oversee the delivery of the project including communication and engagement support.

The contribution of \$1,110,000 toward the Nagambie Employment Precinct (incorporating Habel Road sealing and Industrial area drainage) are provided for in the 2021/22 Budget mid-year review, and draft 2022/23 Budget.

If successful, the contribution of \$42,500 towards the ARTBOX will be sourced from existing budget allocations.

This recommendation seeks Council acknowledgement to make these funds provisionally available should the application/s for funding with the Department of Infrastructure, Transport, Regional Development and Communications be successful.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

Upgrading the identified infrastructure (Nagambie Employment Precinct) will increase the financial viability for businesses to establish within the precinct and increase Nagambie's economic viability well into the future. The Nagambie Employment Precinct would drive economic growth not only during construction phase, but also provide a precinct that can attract businesses without adverse amenity impacts to our region. Currently these businesses are purchasing productive agricultural land as the start-up costs to currently develop within the Nagambie Employment Precinct are cost prohibitive.

9.2.3 Building Better Regions Fund (Round 6) - Council Co-Contribution (cont.)

Social

The accessible ARTBOX would contribute to building local identity and pride of place. Artistic and cultural activities stimulate intrinsic responses such as increased self-belief, self-empowerment, sense of belonging and other outcomes that contribute to the improved social wellbeing. Through these intrinsic changes, there can be associated positive social instrumental impacts.

Environmental

Youth Leadership Program provides an opportunity for young people aged between 17 – 25 years of age to participate in a self-growth learning opportunity centred around sustainable agriculture. Sustainable agriculture is farming in sustainable ways meeting society's present food and textile needs, without compromising the ability for current or future generations to meet their needs. The program will engage sustainable agriculture practices occurring throughout the municipality.

Climate Change

Sustainable agriculture not only embraces less energy intensive tools of agricultural production but also adopts smart farming systems. By eliminating the use of fossil fuels and reducing energy use, sustainable farming helps in reducing greenhouse gas emissions, thereby playing a significant role in combating climate change.

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

Council Officers will continue to collaborate with local community groups and key stakeholders in the development of the funding application.

HUMAN RIGHTS CONSIDERATIONS

The author of this report considers that the recommendation does not limit any human rights under the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

CONCLUSION

The Building Better Regions Fund is an opportunity for Council to apply for financial assistance to create jobs, drive economic growth and build stronger regional communities into the future. The abovementioned projects provide opportunities for the municipality to continue to meet the needs of our growing community.

ATTACHMENTS

Nil.

9.3 INFRASTRUCTURE

9.3.1 Collaborative Procurement Working Group HUME **Memorandum of Understanding - Waste Services Collaborative Procurement**

Author: Environment and Waste Coordinator

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

The North East and Goulburn Valley Waste and Resource Recovery Groups (WRRGs) are working with the Councils in both regions on a regional collaborative procurement process for kerbside and transfer station waste collection and disposal.

This report relates to a Memorandum of Understanding (MOU) for the “Resource Recovery Collective – Hume” and Councils proposed participation in the regional tender for kerbside and transfer station collection and processing for the following streams:

- Landfill Waste (Red Bin)
- Recycling (Yellow Bin)
- Organics (Green Bin)
- NEW – Glass Recycling (Purple Bin)

This report seeks the Councils endorsement to execute the MOU and participating in the collaborative procurement process.

RECOMMENDATION

That Council commit to participating in the collaborative procurement and endorse the execution of the Memorandum of Understanding – Waste Services Collaborative Procurement by the Chief Executive Officer.

PURPOSE AND BACKGROUND

In 2014 the Councils of Strathbogie, Benalla, Murrindindi, Mansfield and Mitchell Shire came together to collaboratively procure kerbside and transfer station collection, disposal and recycling services. This resulted in a much smoother and easier tender process and significant savings for all Councils involved. The ability to work together to deliver Councils biggest contract meant that the participating Councils were able to bring in external expertise to help manage the process.

Strathbogie Shire Council’s current waste contracts are due to expire 1 July 2025 and the North East and Goulburn Valley Waste and Resource Recovery Groups (WRRGs) have come together again to procure this important community service as part of the ‘Resource Recovery Collection – Hume’.



9.3.1 Collaborative Procurement Working Group HUME
Memorandum of Understanding - Waste Services Collaborative Procurement
(cont.)

This initiative will support the ongoing delivery of essential kerbside waste and recycling services beyond current contracts and provide an opportunity for councils and alpine resorts to implement actions contained in the Victorian Government's circular economy policy, *Recycling Victoria – A new economy*.

The 'Resource Recovery Collective – Hume' will seek to ensure councils and alpine resorts from across the Hume region continue to lead the state in the diversion of waste from landfill, whilst supporting the achievement of sustainable regional circular economy opportunities and economic growth.

To establish the framework for the collaboration and confirm the mutual objectives and expectations of the collaboration, a MOU has been developed for each of the participating parties to execute (Confidential Attachment 1). The MOU has been prepared to:

- Provide an outline of the commitment to participants through the delivery of the project including the framework and governance structure for project delivery.
- Outline the requirements of the Minister for Energy, Environment and Climate Change and the Department of Environment Land Water and Property (DELWP) to have strong oversight of this procurement by approving some key project outputs and supporting the procurement to ensure a smooth transition to the new Waste Authority whilst ensuring that the procurement objectives can be achieved.
- Implement processes to ensure fairness for all participants and the responsible use of funds.
- Support the effective management of probity requirements.

The MOU also provides an outline of requirements from participating councils and alpine resorts including:

- Once the MOU has been executed, withdrawal from the tender process cannot occur until the completion of the tender.
- The participating councils/alpine resorts are not compelled to award contracts based on the submissions received via the tender but are committed to presenting the tender evaluation/recommendation to their respective delegated authority of their council/alpine resort.
- The participating councils/alpine resorts cannot run a parallel tender/market approach for the same waste streams.
- Participants are to support the requirements of the probity plan once this is endorsed by the Collaborative Procurement Working Group (CPWG).

In April 2021 the Council adopted the following recommendations

1. Notes the business cases provided for the introduction of a 4 bin kerbside collection service
2. Approves the Community Engagement Plan
3. Receive a report in the next financial year outlining the outcomes of the community engagement for the Council to endorse the preferred service.

9.3.1 Collaborative Procurement Working Group HUME
Memorandum of Understanding - Waste Services Collaborative Procurement
(cont.)

The Environment and Waste Team, working with Communication and Engagement Team, have begun the engagement process with the community for their preferred service model and this will be presented to the Council in before the end of the financial year for endorsement.

Council Plans and Policies

The key strategic focus area that links in with the delivery of waste management services is -

- Strategic Focus Area 3: Protect. Enhance. Adapt.
 - We are minimising the harmful impacts on our natural environment
 - We are championing best practice environmental strategies

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The proposed regional tender will consider that there has been significant policy, regulatory and industry change within the waste and resource recovery sector. The project will be informed through careful consideration of these changes to ensure progression towards administering kerbside reform and meeting the targets of the Victorian Government's circular economy policy. It is critical that this can be achieved in a cost effective and compliant way and that the resilience of the sector is enhanced.

Key regulatory and current state changes that will be considered include:

China National Sword

- Widespread disruption to the recycling industry in 2018 due to a ban on the export of waste to China
- SKM Recycling insolvency and Cleanaway entry to the market

Government Intervention

- Guidance Notes and Model Contract Clauses (Model Clauses) for local governments 2018
- National Waste Policy at Federal level
- Greater regulatory scrutiny at State level

Environment Protection Act 2017 (Vic)

- General environmental duty, specific duties and permissions regime

Circular Economy Act 2021 (Vic)

- Greater consistency and transparency in service delivery
- Greater State government oversight (Recycling Victoria)

9.3.1 Collaborative Procurement Working Group HUME
Memorandum of Understanding - Waste Services Collaborative Procurement
(cont.)

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law. Council provides waste management services to its community and these are seen as one of the core functions of Council. This tender will ensure that we continue to deliver these services with best value for money for our community.

Conflict of Interest Declaration

All officers involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

All participants of the Collaborative Procurement Working Group have signed confidentiality agreements and Conflict of Interest declarations.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

Once this MOU has been signed by all participating Councils a media release will be released outlining more information on the project to ensure that all potential tenderers see the same information to ensure probity.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

While the project aims to assist councils and alpine resorts to reduce the significant resource burden required to manage a major tender, a commitment to the working group and supporting required inputs is necessary.

The Collaborative Procurement Working Group (CPWG) meets monthly for up to three hours. Strathbogie Shire Council has delegated the Environment and Waste Coordinator to the CPWG and the alternative delegate is the Waste Management Officer. A governance structure has been adopted for the CPWG which recognises that councils and alpine resorts will direct the tender through collective decision making.

The WRRGs are investing significant human resources and funding over \$400,000 in project management costs. At this stage, a financial contribution from participating councils and alpine resorts is not being sought.

Strathbogie Shire Councils long term financial plan includes projections/assumptions regarding the cost of kerbside waste services. This tender will allow Council to project the cost of these services more accurately over the long term. The ability to leverage significant tonnages from across the region will ensure value for money services can be achieved.

9.3.1 Collaborative Procurement Working Group HUME
Memorandum of Understanding - Waste Services Collaborative Procurement
(cont.)

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

The ability to collaboratively procure waste services across the region will mean that Council will be able source the best value for money service for our residents.

Social

Waste is considered a key service that Council delivers for its residents. Participating in this collaborative procurement process will mean that our residents continue to have access to high quality, best practice waste management services.

Environmental

This tender will have as one of its core tenants' mitigations to reduce the environmental impacts of waste management services. All staff involved in the development of this tender participated in a "Strategic Objectives Workshop" to ensure that the things that were important to the participating Councils were captured.

Reduction of carbon emissions, encouraging the development of the circular economy and investment in sustainable infrastructure all rated highly and will be part of the tender and evaluation process.

Climate change

As part of the tender process the impacts of climate change will be investigated, but the strategic objectives of this tender are to minimise greenhouse gas emissions and environmental outcomes.

INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

By collaboratively procuring and maximising our tonnages we will be able to attract better technology to the region. The tender process will also ask for any innovative value adds to the contracts.

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

Strathbogie Shire Council will be collaborating with other Councils within the Goulburn Valley and North East Waste Management Groups.

9.3.1 Collaborative Procurement Working Group HUME
Memorandum of Understanding - Waste Services Collaborative Procurement
(cont.)

HUMAN RIGHTS CONSIDERATIONS

It is not considered that there are any Humans Rights that will be impacted as a result of Council signing this MOU to participate in the Resource Collective - Hume

CONCLUSION

If executed, the MOU will bind Strathbogie Shire Council to the collaborative procurement process, to the point of consideration of the tender evaluation report and recommendations from the evaluation panel. It aims to facilitate a strong commitment from participating parties to ensure the best outcome can be achieved from the careful management and delivery of the agreed objectives of the collaborative tender.

APPENDICES

Appendix 1: Memorandum of Understanding - Waste Services Collaborative Procurement - CONFIDENTIAL

9.3.2 Contracts Awarded Under Delegation (as approved in Council's 2021/22 capital works budget)

Author: Manager Projects

Responsible Directors: Director Community & Planning

EXECUTIVE SUMMARY

The purpose of this report is to inform Council and the community of the status of request for tenders that have been awarded under delegation and those that have been publicly advertised but are yet to be awarded as of 1 February 2022. This report specifically relates to works that form part of Council's 2021/22 capital works budget.

RECOMMENDATION

That Council note the contracts awarded under delegated authority by the Chief Executive Officer.

PURPOSE AND BACKGROUND

In line with Council's approach to transparency and good governance, the Contracts Awarded Under Delegation report will be tabled for information purposes at each Council Meeting.

The report details any contracts that have been awarded under delegated authority by the Chief Executive Officer, a Director, or a Manager within their approved financial threshold. This report specifically relates to works that form part of Council's approved 2021/22 capital works budget.

During this reporting period there was one capital works contract awarded under delegated authority by the Chief Executive Officer.

ISSUES, OPTIONS AND DISCUSSION

Any contract awarded under delegation is undertaken in line with Council's Procurement Policy. Through the *Instrument of Delegation to the Chief Executive Officer* the Council has delegated authority to the following:

- Chief Executive Officer – award a contract up to the value of \$150,000 for Goods and Services and \$200,000 for Works
- A Director – award a contract up to the value of \$50,000 for Goods and Services and \$50,00 for Works
- A Manager – award a contract up to the value of \$15,000 for Goods and Services and \$15,000 for Works.

9.3.2 Contracts Awarded Under Delegation (as approved in Council's 2021/22 capital works budget) (cont.)

Tendered Contracts Awarded Under Delegated Authority by CEO

Contract No.	21-22-30
Contract Name	<i>McGregor Avenue Solar Pump (Nagambie)</i>
Contract Details	Lump Sum Contract for the supply and installation of new solar pump to McGregor Avenue Drainage
Value Excluding GST	\$152,946
Awarded to	S & R Engineering & Construction
Scheduled Commencement	February 2022
Scheduled Completion Date	May 2022

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

Consultation

Where required, external stakeholders have been engaged providing input on relevant projects.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Conflict of Interest Declaration

All offices, and/or contracts involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report demonstrates that Council is being transparent by providing information to the community regarding the awarding of any capital works contract.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured. The contracts awarded under delegation are projects that have formed part of Council's adopted 2020/21 budget.

9.3.2 Contracts Awarded Under Delegation (as approved in Council's 2021/22 capital works budget) (cont.)

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social, and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

Works awarded under delegation provide an opportunity to generate great economic benefit using local contractors and the purchasing of materials and supplies. In addition, the enhancement of infrastructure continues to make our municipality a place of destination, one where people choose to live, work and play.

Social

Each project includes several social benefits to our community. Some of these benefits include enabling infrastructure that encourages health and wellbeing activities and amenity improvements.

Environmental

The works will be undertaken in line with an approved scope of works and ensure that the site is made good upon completion of the works.

Climate Change

The author of this report considers that the recommendation has no significant implications on Climate Change and on the general environment. The solar water pump is an eco-friendly system that doesn't require an electricity or fuel reducing our carbon footprint on the environment.

HUMAN RIGHTS CONSIDERATIONS

This report considers that the recommendations do not limit any Human Rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

CONCLUSION

It is important that decisions and actions taken under delegation be properly documented and transparent in nature. The report details the publicly advertised contracts awarded by the Chief Executive Officer, Directors and Managers under delegated authority of the Council during the period 1 December 2021 to 1 February 2022.

ATTACHMENTS

Nil.

9.4 CORPORATE

9.4.1 Mid-Year Budget Review 2021/22

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

The Mid-year budget review for the 2021/22 financial year records an improvement of operating result by \$2,161,457 and increased capital expenditure by \$1,667,502 when compared to the adopted Budget. The Mid-year review outcome forms the starting point for the 2022/23 Budget

RECOMMENDATION

That Council note the Mid-Year Review for the period ended 30 June 2022.

PURPOSE AND BACKGROUND

The 2021/22 Budget was prepared in accordance with the Local Government Act 2020 and was formally adopted at a Special Meeting of Council held on 29 June 2021.

In accordance with the Local Government Act 2020 (the Act), under Sections 96 and 97 of the Act, Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management. This report satisfies those requirements.

ISSUES, OPTIONS AND DISCUSSION

The attached Mid-Year Review shows the following:

Improvement in Operating Result	2,161,457
Less: Carried forward grant income	(895,727)
Add: Cash flow decrease in capital	1,483,571
Add: Non-cash item	212,580
Subtotal	2,961,881
Reduced Loan amount and repayment	(4,127,000)
Capital funded from underspend in 2020/21	2,096,571
Other Savings in 2020/21	1,192,354
NET IMPACT	2,123,806

The major reasons for variations (both positive and negative) are as follows:

Positive

- Grant funding received in 2020/21 but income recognised in 2021/22.
- Grant funding achieved but not budgeted namely pertaining to COVID related grants.
- Grant funding budgeted for Habel Road sealing project, Nagambie Growth Plan.
- Additional Roads To Recovery (R2R) funding for drought affected Councils.
- Gain on disposal of property, plant and equipment.
- Decrease in borrowing expense.

9.4.1 Mid-Year Budget Review 2021/22 (cont.)

Negative

- Carried forward expenditure from 2020/21.
- Payment of MAV Workcover shortfall (as subject to a Council report in 2021).
- Increased COVID related expenses (partially offset by grants income).

In relation to the current year, the forecasted operating surplus at the end of the period ending 30 June 2022 is \$8,425,457.

The report contains the Comprehensive Income Statement, Balance Sheet, Cash Flow Statement and Statement of Capital Works.

Capital works for 2021/22 is expected to be \$23,238,502 including committed works.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

Councils are required to effectively plan and report their results to ensure activities are transparent and accountable to the community. This report ensures that the community is informed of how council budget is expended.

This report has no significant unfavourable community or social implications for the Council or the broader community. Improved capital grant funding will result in improved infrastructure renewal outcomes.

POLICY CONSIDERATIONS

Council Plans and Policies

The 2021/22 Budget was prepared in accordance with the Local Government Act 1989, and was formally adopted at a Special Meeting of Council held on 29 June 2021.

The report is in accordance with the Local Government Act 2020. Under Section 96 and 97 of the Act, Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management. This report satisfies those requirements.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

Applicable regional, state and national plans and policies have been taken into account when preparing mid-year budget review.

9.4.1 Mid-Year Budget Review 2021/22 (cont.)

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

The Local Government Act 2020 allows for budget reallocations. Consideration and adoption of periodic Financial reports as per the Local Government Act 2020 ensures Council complies with its Legal and Statutory obligations

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

The 2021/22 budget process followed all the transparency principles. Furthermore, this report is being tables at a public meeting to ensure that community members are aware of Council's progress against budget.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The net estimated financial impact from the mid-year budget review is an improvement of \$2,123,806.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

The mid-year budget report provides updated details on how the council generates income and spends funds during the financial year. Our report is intended to inform the community of the wider financial and economic impact of council activities.

Social

Strathbogie Shire Council, in partnership with other levels of government, is responsible for aspects of everyday life that our community value – from our public open space to accessible libraries, to strong local business and employment opportunities. Effective planning and reporting by councils is essential for ensuring transparency and accountability to the community and other levels of government as to how public money is being spent and the quality of services delivered. The Mid-year budget review provides an insight into to how the council will spend its funds during 2021/22.

9.4.1 Mid-Year Budget Review 2021/22 (cont.)

Environmental

There is no adverse effect on environment from the mid-year budget changes.

Climate change

There is no adverse effect on climate change from the mid-year budget changes.

INNOVATION AND CONTINUOUS IMPROVEMENT

Council continues to refine its budget and the proposed changes in the mid-year budget will better reflect its actual expenditure by the year end.

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications from this proposal.

CONCLUSION

That the Mid-Year Review for the period ended 30 June 2022 be noted.

ATTACHMENTS

Attachment 1: Income Statement

Attachment 2: Balance Sheet

Attachment 3: Cash Flow Statement

Attachment 4: Capital Works Statement

Attachment 5: Mid-Year Summary of adjustments to Budget

ATTACHMENT 1:

Comprehensive Income Statement

		2021/22			Notes
		Adopted Budget	Mid Year Review	Variance	
		\$	\$	\$	
Income					
Rates and charges		20,578,246	20,578,246	-	
Statutory fees and fines		651,000	670,376	19,376	1
User fees		486,619	460,700	(25,919)	2
Grants - operating		6,619,017	7,292,621	673,604	3
Grants - capital		7,955,691	9,657,746	1,702,055	4
Contributions - monetary		408,200	438,500	30,300	5
Net gain on disposal of property, infrastructure, plant and equipment		(591,000)	237,608	828,608	6
Other income		453,134	491,950	38,816	7
Total income		36,560,907	39,827,747	3,266,840	
Expenses					
Employee costs		11,184,564	11,572,439	387,875	8
Materials and services		12,648,193	13,466,835	818,642	9
Depreciation		5,852,800	5,845,600	(7,200)	
Amortisation - right of use assets		178,400	178,400	-	
Bad and doubtful debts		5,000	5,000	-	
Borrowing costs		110,700	15,820	(94,880)	10
Finance costs - leases		16,100	16,100	-	
Other expenses		301,150	302,096	946	
Total expenses		30,296,907	31,402,290	1,105,383	
Surplus/(deficit) for the period		6,264,000	8,425,457	2,161,457	

Financial Performance Overview

Income

Note 1 - Increase in Statutory fees and fines is mainly due to increased infringement and septic tank fee income.

Note 2 - Decrease in User fees is mainly due to Cinema income and Regatta Centre income which were affected by COVID-19.

Note 3 - Increase in operating grant is mainly due to additional grant income on Local Government Outdoor Eating & Entertainment Package (\$200k), income on Nagambie Growth Plan (\$100k), increase in Grant Commission general purpose and Local Road Grant (\$89k), COVID Vaccine Community Engagement Grants (\$60k), Risk and Resilience Grant (\$32.5k) and 2020/21 unspent grant carry forward to 2021/22 financial year.

Note 4 - Increase in capital grant income is due to grants projected for Hable road sealing project (948k) and unspent grant carry forward from 2020/21 financial year – Local road community infrastructure grant Stage-2 (\$622k) and Cinema seating grant (\$100k).

Note 5 - Increase in monetary contribution is mainly due to estimated GV Water contribution for Greening Euroa project (\$26k).

Note 6 - Income on disposal of property, infrastructure, plant and equipment is mainly due to profit on disposal of lands held for sale and gain on disposal of vehicles.

Note 7 - Increase in other income is mainly due to higher interest recovery on rates overdue balances (\$35k).

Expense

Note 8 - Increase in employee cost is mainly due to payment of MAV Workcover shortfall (\$276k), increased cleaning hours due to Covid Safe practices (\$71k), increase in income protection insurance (\$33k) and casual wage on Covid Concierges employees.

Note 9 - Increase in material and services cost is mainly due to value of land transferred to Nagambie Healthcare at no consideration (\$219k), Local Government Outdoor Eating & Entertainment Package (\$200k), legal cost (\$121k), Grant funded Risk and Resilience project (\$65k) and Growing Cooler Green Urban Spaces project (\$60k), industrial waste disposal as per EPA requirements (\$60k), increased caravan park maintenance expense as per lease agreement (\$51k) and appointment of municipal monitor (\$45k).

Note 10 - Decrease in borrowing cost is mainly due to timing of new loan proposed for landfill restoration work.

ATTACHMENT 2:

Balance Sheet

	2021/22		
	Adopted Budget	Mid Year Review	Variance
	\$	\$	\$
Assets			
Current assets			
Cash and cash equivalents	7,249,000	9,372,806	2,123,806
Trade and other receivables	2,329,000	2,329,000	-
Other financial assets	-	-	-
Inventories	5,000	5,000	-
Non-current assets classified as held for sale	-	-	-
Other assets	115,000	115,000	-
Total current assets	9,698,000	11,821,806	2,123,806
Non-current assets			
Trade and other receivables	-	-	-
Other financial assets	-	-	-
Investments in associates, joint arrangements and subsidiaries	243,000	243,000	-
Property, infrastructure, plant and equipment	314,409,000	301,922,218	(12,486,782)
Right-of-use assets	474,000	474,000	-
Investment property	-	-	-
Intangible assets	120,000	120,000	-
Total non-current assets	315,246,000	302,759,218	12,486,782
Total assets	324,944,000	314,581,024	10,362,976
Liabilities			
Current liabilities			
Trade and other payables	2,983,000	2,983,000	-
Trust funds and deposits	477,000	477,000	-
Provisions	3,010,000	5,914,525	2,904,525
Interest-bearing liabilities	391,000	192,600	(198,400)
Lease liabilities	160,000	160,000	-
Total current liabilities	7,021,000	9,727,125	2,706,125

ATTACHMENT 3:**Statement of Cash Flows**

	2021/22		
	Adopted Budget	Mid Year Review	Variance
	\$	\$	\$
Cash flows from operating activities			
Rates and charges	20,784,000	20,784,000	-
Statutory fees and fines	664,000	683,376	19,376
User fees	496,000	470,081	(25,919)
Grants - operating	3,701,000	4,024,448	323,448
Grants - capital	5,326,000	6,292,707	966,707
Contributions - monetary	408,000	438,300	30,300
Interest received	140,000	140,000	-
Other receipts	321,000	359,816	38,816
Net GST refund/payment	2,369,000	2,234,130	(134,870)
Employee costs	(11,185,000)	(11,572,875)	(387,875)
Materials and services	(12,467,000)	(13,065,862)	(598,862)
Trust funds and deposits repaid	-	-	-
Other payments	(428,000)	(428,946)	(946)
Net cash provided by/(used in) operating activities	10,129,000	10,359,175	230,175
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	(26,059,000)	(24,575,429)	1,483,571
Payments for intangible assets	-	-	-
Proceeds from sale of property, infrastructure, plant & equipment	720,000	564,991	(155,009)
Net cash provided by/(used in) investing activities	(25,339,000)	(24,010,438)	1,328,562
Cash flows from financing activities			
Finance costs	(170,000)	(75,120)	94,880
Proceeds from borrowings	5,000,000	500,000	(4,500,000)
Repayment of borrowings	(385,000)	(106,880)	278,120
Interest paid - lease liability	-	-	-
Repayment of lease liabilities	(194,000)	(194,000)	-
Net cash provided by/(used in) financing activities	4,251,000	124,000	(4,127,000)
Net increase (decrease) in cash and cash equivalents	(10,959,000)	(13,527,263)	(2,568,263)
Cash and cash equivalents at the beginning of the period	18,208,000	22,900,069	4,692,069
Cash and cash equivalents at the end of the period*	7,249,000	9,372,806	2,123,806
Non-current liabilities			
Trust funds and deposits	-	-	-
Provisions	3,000,000	3,000,000	-
Interest-bearing liabilities	4,512,000	483,000	(4,029,000)
Lease liabilities	314,000	314,000	-
Total non-current liabilities	7,826,000	3,797,000	(4,029,000)
Total liabilities	14,847,000	13,524,125	(1,322,875)
Net assets	310,097,000	301,056,899	9,040,101
Equity			
Accumulated surplus	112,662,000	113,716,981	1,054,981
Reserves	197,435,000	187,339,918	(10,095,082)
Total Equity	310,097,000	301,056,899	(9,040,101)

ATTACHMENT 3:

Statement of Cash Flows

	2021/22		
	Adopted Budget	Mid Year Review	Variance
	\$	\$	\$
Cash flows from operating activities			
Rates and charges	20,784,000	20,784,000	-
Statutory fees and fines	664,000	683,376	19,376
User fees	496,000	470,081	(25,919)
Grants - operating	3,701,000	4,024,448	323,448
Grants - capital	5,326,000	6,292,707	966,707
Contributions - monetary	408,000	438,300	30,300
Interest received	140,000	140,000	-
Other receipts	321,000	359,816	38,816
Net GST refund/payment	2,369,000	2,234,130	(134,870)
Employee costs	(11,185,000)	(11,572,875)	(387,875)
Materials and services	(12,467,000)	(13,065,862)	(598,862)
Trust funds and deposits repaid	-	-	-
Other payments	(428,000)	(428,946)	(946)
Net cash provided by/(used in) operating activities	10,129,000	10,359,175	230,175
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	(26,059,000)	(24,575,429)	1,483,571
Payments for intangible assets	-	-	-
Proceeds from sale of property, infrastructure, plant & equipment	720,000	564,991	(155,009)
Net cash provided by/(used in) investing activities	(25,339,000)	(24,010,438)	1,328,562
Cash flows from financing activities			
Finance costs	(170,000)	(75,120)	94,880
Proceeds from borrowings	5,000,000	500,000	(4,500,000)
Repayment of borrowings	(385,000)	(106,880)	278,120
Interest paid - lease liability	-	-	-
Repayment of lease liabilities	(194,000)	(194,000)	-
Net cash provided by/(used in) financing activities	4,251,000	124,000	(4,127,000)
Net increase (decrease) in cash and cash equivalents	(10,959,000)	(13,527,263)	(2,568,263)
Cash and cash equivalents at the beginning of the period	18,208,000	22,900,069	4,692,069
Cash and cash equivalents at the end of the period*	7,249,000	9,372,806	2,123,806

ATTACHMENT 4:

Statement of Capital Works

	2021/22		
	Adopted Budget	Mid Year Review	Variance
	\$	\$	\$
Property			
Land	-	-	-
Total land	-	-	-
Buildings	1,143,000	1,778,477	635,477
Total buildings	1,143,000	1,778,477	635,477
Total property	1,143,000	1,778,477	635,477
Plant and equipment			
Plant, machinery and equipment	902,000	1,334,094	432,094
Computers and telecommunications	350,000	692,711	342,711
Total plant and equipment	1,252,000	2,026,805	774,805
Infrastructure			
Roads	3,855,000	6,748,630	2,893,630
Bridges	1,400,000	1,500,000	100,000
Footpaths and cycleways	3,989,000	4,713,407	724,407
Drainage	753,000	550,659	(202,341)
Recreational, leisure and community facilities	3,848,000	3,971,858	123,858
Waste management	5,000,000	500,000	(4,500,000)
Parks, open space and streetscapes	331,000	1,448,666	1,117,666
Total infrastructure	19,176,000	19,433,220	257,220
Total capital works expenditure	21,571,000	23,238,502	1,667,502
Represented by:			
New asset expenditure	3,208,000	4,517,353	1,309,353
Asset renewal expenditure	13,386,000	10,358,177	(3,027,823)
Asset expansion expenditure	1,170,000	2,059,652	889,652
Asset upgrade expenditure	3,807,000	6,303,320	2,496,320
Total capital works expenditure	21,571,000	23,238,502	1,667,502
Funding sources represented by:			
Grants	7,956,000	9,625,246	1,669,246
Contributions	-	-	-
Council cash	8,615,000	13,113,256	4,498,256
Borrowings	5,000,000	500,000	(4,500,000)
Total capital works expenditure	21,571,000	23,238,502	1,667,502

ATTACHMENT 5:

Strathbogie Council*
Account Details
For Period 2021/22 - January

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
People & Performance	3,325,827	3,328,120	(2,293)	1,871,856	
ICT	1,171,731	1,189,651	(17,920)	569,716	
GIS	141,178	141,478	(300)	89,396	
Expenditure	141,178	141,478	(300)	89,396	
4041405.710010. Employee Expenses	76,702	76,702	0	62,364	No change
4041405.710011. Employee Expenses On Costs	32,526	32,526	0	0	No change
4041405.710080. Staff Uniforms	750	750	0	0	No change
4041405.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	No change
4041405.766030. IT Support	10,000	10,000	0	9,000	No change
4041405.766040. Annual Maintenance - Application Software	17,400	17,400	0	16,513	No change
4041405.766090. Internet	0	300	(300)	200	GIS internet costs
4041405.770060. Printing	400	400	0	208	No change
4041405.770100. Subscriptions	1,000	1,000	0	1,000	No change
4041405.770150. Training & Development	1,500	1,500	0	0	No change
ICT	1,030,553	1,048,173	(17,620)	480,320	
Expenditure	1,030,553	1,048,173	(17,620)	480,320	
4041401.710010. Employee Expenses	268,684	267,284	(18,600)	173,546	No change+System Accountant to IT 18600
4041401.710011. Employee Expenses On Costs	113,566	117,286	(3,720)	0	No change+System Accountant to IT 3720 oncost
4041401.710080. Staff Uniforms	1,000	1,000	0	0	No change
4041401.765010. Service Delivery Expenses	46,203	46,203	0	21,855	No change
4041401.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Greg's Vehicle
4041401.766010. Telephone /Telecommunications- Fixed line	4,000	4,000	0	294	No change
4041401.766020. Telephone /Telecommunications- Mobile	3,000	3,000	0	1,600	No change
4041401.766030. IT Support	100,000	100,000	0	16,535	No change
4041401.766031. Cyber Security	40,000	40,000	0	7,500	No change
4041401.766040. Annual Maintenance - Application Software	295,000	295,000	0	119,412	No change
4041401.766050. Annual Maintenance - Systems	90,000	90,000	0	91,029	No change
4041401.766070. Printers and Photocopying	900	900	0	0	No change
4041401.766080. Peripherals less than \$1000	20,000	15,000	5,000	14,514	Usual spend reduced due to staff WFH
4041401.766081. Hardware/Assets less than \$1000	10,000	10,000	0	16,356	No change
4041401.766090. Internet	0	300	(300)	200	Minor addition for internet charges
4041401.770060. Printing	3,000	3,000	0	348	No change. Cost each month distributed to organisation

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
4041401.770100. Subscriptions	3,000	3,000	0	1,997	No change
4041401.770150. Training & Development	5,000	5,000	0	0	No change
4041401.770220. Website Maintenance	10,000	10,000	0	6,504	No change
4041401.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Greg's Vehicle
4041401.775030. Bank Charges	0	0	0	31	
Governance & Customer Service	1,045,072	1,022,572	22,500	516,682	
Customer Contact	811,950	761,450	50,500	320,666	
Revenue	(2,500)	(2,500)	0	(1,003)	
4047471.610030. Agent Fees	(2,500)	(2,500)	0	(1,003)	No change
Expenditure	814,450	763,950	50,500	321,669	
4047471.710010. Employee Expenses	499,614	476,534	23,080	282,478	\$40k total reduce labour cost for Governance Officer as per David R as not yet recruited-increased hours for Kerryn offset with reduced hours for Pene
4047471.710011. Employee Expenses On Costs	211,336	194,416	16,920	0	\$40k total reduce labour cost for Governance Officer as per David R as not yet recruited No change-increased hours for Kerryn offset with reduced hours for Pene
4047471.710080. Staff Uniforms	3,000	3,000	0	0	No change
4047471.760010. Contractors-Professional services	3,000	1,000	2,000	0	Misc. expenses
4047471.765010. Service Delivery Expenses	0	0	0	3	
4047471.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Dawn's Vehicle
4047471.766010. Telephone /Telecommunications- Fixed line	2,000	2,000	0	111	No change
4047471.766020. Telephone /Telecommunications- Mobile	600	600	0	260	No change
4047471.766040. Annual Maintenance - Application Software	13,000	13,000	0	12,943	Merit + Adobe
4047471.766090. Internet	0	0	0	200	
4047471.770060. Printing	6,000	4,000	2,000	1,817	Reduced Based on actual
4047471.770070. Stationery Items	7,000	6,000	1,000	2,399	Reduced Based on actual
4047471.770080. Postage	35,000	30,000	5,000	5,693	Reduced Based on actual & last year
4047471.770100. Subscriptions	700	700	0	771	No change
4047471.770125. Staff Amenities	2,000	1,500	500	632	Reduced Based on actual
4047471.770150. Training & Development	10,000	10,000	0	1,297	No change
4047471.770160. Advertising Expenses	4,000	4,000	0	4,468	No change
4047471.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Dawn's Vehicle
Records	233,122	261,122	(28,000)	196,016	
Expenditure	233,122	261,122	(28,000)	196,016	
4041403.710010. Employee Expenses	146,628	146,628	0	99,212	No change
4041403.710011. Employee Expenses On Costs	61,994	61,994	0	0	No change
4041403.710080. Staff Uniforms	1,000	1,000	0	0	No change
4041403.765010. Service Delivery Expenses	5,000	5,000	0	1,406	Grace record mgt
4041403.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	No change
4041403.766020. Telephone /Telecommunications- Mobile	300	300	0	375	No change

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
4041403.766040. Annual Maintenance - Application Software	0	0	0	2,720	Reallocate from IT area - MAGIQ Documents - 8.8 upgrade \$6k
4041403.766090. Internet	0	0	0	200	
4041403.770080. Printing	2,600	2,600	0	1,572	No change
4041403.770090. Legal fees	12,000	40,000	(28,000)	90,300	Actual + estimate, part transferred from Council cost centre \$13.5k
4041403.770100. Subscriptions	1,200	1,200	0	0	No change
4041403.770150. Training & Development	1,500	1,500	0	120	No change
People & Culture	1,109,024	1,115,897	(6,873)	785,458	
Organisational Performance	1,109,024	1,115,897	(6,873)	785,458	
Revenue	(50,100)	(75,100)	25,000	(86,488)	
4045451.611092. Employee Contribution - Staff Uniform	(100)	(100)	0	0	No change
4045451.611110. Insurance Recovery - Income Protection	(50,000)	(75,000)	25,000	(86,488)	As per actual
Expenditure	1,159,124	1,190,997	(31,873)	871,947	
4045451.710010. Employee Expenses	326,288	346,288	(20,000)	247,683	15 weeks salary of Hannah (\$26k) added for maternity leave position - Chris Annual Leave payout + higher duties Alana & Keira expense offset HR Manager vacant period.
4045451.710011. Employee Expenses On Costs	137,930	143,930	(6,000)	0	15 weeks salary of Hannah (\$26k) added for maternity leave position - Chris Annual Leave payout + higher duties Alana & Keira expense offset HR Manager vacant period.
4045451.710015. Family Violence Leave	0	0	0	258	
4045451.710050. Work Cover	(50,000)	(50,000)	0	(13,464)	No change
4045451.710080. Staff Uniforms	1,000	1,000	0	0	No change
4045451.710110. Work Cover Claims	0	0	0	250	
4045451.710200. Employee Related - Others	6,500	6,500	0	3,652	No change
4045451.760010. Contractors-Professional services	0	0	0	38,159	
4045451.760040. External Consultancies	52,000	52,000	0	9,509	No change - Workforce plan + Dianna Taylor consulting
4045451.760041. External Consultancies - (CEO Performance)	10,000	2,000	8,000	0	CEO Committee etc. \$2k for 20/21 and \$10k back in 22/23
4045451.765010. Service Delivery Expenses	0	0	0	1,085	
4045451.765030. Motor Vehicles Expenses	20,000	20,000	0	10,002	P&C Manager + Hannah vehicle
4045451.766010. Telephone /Telecommunications- Fixed line	900	300	600	111	Annualised Oct21 Actual
4045451.766020. Telephone /Telecommunications- Mobile	2,800	2,000	800	1,248	Annualised Oct21 Actual
4045451.766040. Annual Maintenance - Application Software	10,000	10,000	0	4,730	No change
4045451.766050. Annual Maintenance - Systems	0	0	0	3,363	
4045451.766090. Internet	0	0	0	200	
4045451.770050. Insurances	484,606	499,879	(15,273)	507,647	As per Actual
4045451.770080. Printing	1,200	1,200	0	590	No change
4045451.770090. Legal fees	5,000	30,000	(25,000)	0	Increased by \$25k for Covid related legal cases regarding employees
4045451.770100. Subscriptions	4,500	0	4,500	0	Transferred to legal fees
4045451.770150. Training & Development	110,000	89,500	20,500	25,300	\$20.5k transferred to legal fees. Need to restate in 22/23
4045451.770160. Advertising Expenses	20,000	21,500	(1,500)	24,177	\$15.k transferred from other expenses. Increase due to new recruitments

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
4045451.770240. Other Expenses	2,000	500	1,500	245	\$1.5k transferred to advertising
4045451.771160. Depreciation- Motor Vehicles	14,400	14,400	0	7,200	P&C Manager + Hannah vehicle
Corporate Operations	(7,545,601)	(7,803,994)	258,393	(11,198,079)	
Waste Mgt & Sustainable Environments	(214,569)	(261,117)	46,548	(1,472,784)	
Sustainability	62,417	59,252	3,165	(24,909)	
Revenue	(151,000)	(226,665)	75,665	(190,345)	
3038380.606490. Grants R-OP (State) - Roadside Weeds and Pest Management	(61,000)	(65,893)	4,893	(65,893)	increased to actual
3038380.606556. Grants NR-OP (State) - Greening Euroa	(30,000)	(64,372)	34,372	(64,372)	\$64K c/f from 21, total funding \$129,722. Pt recorded in 20/21 Balance carried forward to 21/22
3038380.606557. Grants NR-OP (State) - Growing Cooler Green Urban Spaces	(60,000)	(60,000)	0	(52,800)	\$52.8k c/f + \$8k in 21/22
3038380.606558. Grants NR-OP (State) - Energy Assessment - Sustainability Victoria	0	(10,400)	10,400	(7,280)	As per grant agreement
3038380.607015. Contribution - Greening Euroa GVW	0	(26,000)	26,000	0	Invoice to be done to GVW
Expenditure	213,417	285,917	(72,500)	165,436	
3038380.710010. Employee Expenses	41,248	41,248	0	31,464	No change
3038380.710011. Employee Expenses On Costs	16,874	16,874	0	0	No change
3038380.760010. Contractors-Professional services	150,000	90,000	60,000	40,261	\$61k for roadside weed spraying, \$5.5 for Trellises, \$8k for GBGA, \$6k for GBBRRG + \$10k for other+60for greener Euroa
3038380.765010. Service Delivery Expenses	0	60,000	(60,000)	37,266	\$60k for Greening Euroa Project trfd from Contractors
3038380.765011. Service Delivery Expenses - Growing Cooler Green Urban Spaces	0	60,000	(60,000)	30,311	Should have been included in the original budget.
3038380.765012. Trust for Nature - Council Rates Rebate	0	12,500	(12,500)	23,550	Trust for Nature Council Rate Rebate
3038380.766010. Telephone /Telecommunications- Fixed line	900	450	450	111	reallocated part to internet
3038380.766020. Telephone /Telecommunications- Mobile	900	900	0	471	No Change
3038380.766090. Internet	0	450	(450)	200	Reallocated from telephone
3038380.770060. Printing	1,000	1,000	0	208	No Change
3038380.770100. Subscriptions	745	745	0	0	No Change
3038380.770150. Training & Development	750	750	0	0	No Change
3038380.770160. Advertising Expenses	1,000	1,000	0	1,593	No Change
Waste	(276,986)	(320,369)	43,383	(1,447,875)	
Revenue	(2,909,258)	(2,953,641)	44,383	(2,925,186)	
3033335.601035. Garbage Charges- Residential	(2,379,728)	(2,399,115)	19,387	(2,403,443)	As per actual
3033335.601040. Garbage Charges- Commercial	(117,468)	(110,617)	(6,851)	(110,617)	As per actual
3033335.601045. Garbage Charges- Recycling	(193,178)	(191,632)	(1,546)	(191,836)	As per actual
3033335.606006. Grants NR-OP (State) - Household Recycling Reforms	0	(31,277)	31,277	(31,277)	Household Recycling Reforms Grants received in advance, to be spent in 2023/24 year, expense not added for 21/22 or 22/23
3033335.606007. Grants NR-OP (State) - Resale Shop Feasibility Study	0	0	0	(7,000)	
3033335.610070. Tip Fees	(134,000)	(134,000)	0	(126,896)	No Change
3033335.611032. Interest - Garbage Charges	(8,884)	(11,000)	2,116	(13,282)	As per actual
3033335.611090. Miscellaneous Income	(76,000)	(76,000)	0	(40,835)	No Change
Expenditure	2,632,272	2,633,272	(1,000)	1,477,311	
3033335.710010. Employee Expenses	196,040	196,040	0	197,795	Increased due to using Depot staff

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
3033335.710011. Employee Expenses - On Costs	83,132	83,132	0	0	No change
3033335.710080. Staff Uniforms	2,000	2,000	0	679	No Change
3033335.720010. Materials and Consumables	10,000	10,000	0	2,656	No change
3033335.720310. Waste Collection - Residential	322,000	322,000	0	165,860	No change
3033335.720320. Waste Collection - Recycling	494,000	494,000	0	272,108	No change
3033335.720330. Waste Collection -Organics	457,000	457,000	0	247,424	No change
3033335.720340. Organic Acceptance & Processing	222,000	222,000	0	172,210	No change
3033335.720341. Recycling, Acceptance & Processing	66,000	66,000	0	33,896	No change
3033335.720350. Transfer Stations	259,000	259,000	0	174,931	No change
3033335.720360. Landfill Acceptance and Disposal	247,000	247,000	0	139,328	No change
3033335.720390. Waste -Others	103,000	103,000	0	17,519	No change
3033335.760010. Contractors-Professional services	100,000	100,000	0	30,464	No change
3033335.760030. Contractors- Others	18,500	18,500	0	0	No change
3033335.765020. Plant-Hiring Expenses - Internal	11,000	11,000	0	6,367	No change
3033335.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Molly's Vehicle
3033335.766010. Telephone /Telecommunications- Fixed line	1,100	1,100	0	111	No change
3033335.766020. Telephone /Telecommunications- Mobile	1,400	1,400	0	1,084	No change
3033335.766090. Internet	0	0	0	200	
3033335.770030. Utilities -Water	500	1,500	(1,000)	390	As per overall Utility Cost review
3033335.770060. Printing	400	400	0	308	No change
3033335.770090. Legal fees	5,000	5,000	0	2,100	No change
3033335.770100. Subscriptions	5,000	5,000	0	0	No change
3033335.770160. Advertising Expenses	1,000	2,000	(1,000)	3,281	Increased due to contracts being advertise.
3033335.770240. Other Expenses	10,000	9,000	1,000	0	No change
3033335.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Molly's Vehicle
Finance	(13,957,718)	(14,605,671)	647,953	(14,476,077)	
Finance	(13,957,718)	(14,914,346)	956,628	(15,555,582)	
Revenue	(21,854,442)	(22,479,993)	625,551	(18,849,805)	
5057571.601005. General Rates - Residential	(8,636,438)	(8,722,413)	85,975	(8,715,386)	Estimate
5057571.601010. General Rates - Farm	(8,017,244)	(7,970,765)	(46,479)	(7,967,770)	Estimate
5057571.601015. General Rates - Commercial	(950,355)	(889,035)	(61,320)	(889,022)	Estimate
5057571.601020. Municipal Charges	0	0	0	362	Estimate
5057571.601025. Environmental Levy	(209,835)	(213,162)	3,327	(213,072)	Estimate
5057571.601080. Others- Rate and Charges	(74,000)	(81,507)	7,507	494	FSL Grant + Supplementary
5057571.602060. Land Information Certificates	(20,000)	(20,000)	0	(15,311)	Estimate
5057571.606005. Grants R-OP (Commw) - Grants Commission - Financial Assistance	(3,507,420)	(3,557,690)	50,270	(869,586)	Increase
5057571.610080. Miscellaneous fees and Charges	(1,500)	(1,500)	0	(1,311)	Estimate
5057571.611005. Interest Income on investments	(50,000)	(50,000)	0	(14,540)	Achievable, No change

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
5057571.611010. Interest income-Others	(3,000)	(5,000)	2,000	(4,585)	Estimate
5057571.611015. Fuel Tax Credit	(65,000)	(65,000)	0	(29,507)	No change
5057571.611022. Interest - Residential	(35,000)	(70,000)	35,000	(46,918)	Estimate
5057571.611024. Interest - Farm	(30,000)	(30,000)	0	(38,931)	Estimate
5057571.611026. Interest - Commercial	(4,500)	(12,000)	7,500	(7,848)	Estimate
5057571.611028. Interest - Municipal Charges	(500)	(4,000)	3,500	(3,932)	Estimate
5057571.611030. Interest - Envt Levy	(500)	(2,000)	1,500	(1,311)	Estimate
5057571.611042. Sale Proceeds Gross - Disposed Assets	(209,000)	(784,771)	575,771	(31,109)	As per DR worksheet, include asset trf to Nagambie Health Care
5057571.611090. Miscellaneous Income	(40,000)	(1,000)	(39,000)	(320)	Estimate
5057571.611091. Dividend Income	(150)	(150)	0	(202)	Estimate
Expenditure	7,896,724	7,565,647	331,077	3,294,223	
5057571.710010. Employee Expenses	471,022	452,422	18,600	307,908	System Accountant to IT 18600
5057571.710011. Employee Expenses On Costs	199,162	195,442	3,720	0	System Accountant to IT 18600
5057571.710012. Annual Leave	0	0	0	5,781	
5057571.710080. Staff Uniforms	1,500	0	1,500	0	Estimate
5057571.710200. Employee Related - Others	190,000	190,000	0	94,998	Estimate
5057571.760010. Contractors-Professional services	0	23,300	(23,300)	29,644	Allyson
5057571.760080. Debt Collection Fees	5,000	5,000	0	(29)	Estimate
5057571.765010. Service Delivery Expenses	200	3,700	(3,500)	3,671	ProMaster implementation
5057571.765030. Motor Vehicles Expenses	0	0	0	4,998	
5057571.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	Estimate
5057571.766020. Telephone /Telecommunications- Mobile	400	400	0	208	Estimate
5057571.766040. Annual Maintenance - Application Software	0	18,000	(18,000)	13,674	Magiq+ProMaster+Adobe
5057571.766090. Internet	0	0	0	200	
5057571.770080. Printing	30,000	10,000	20,000	8,620	Estimate
5057571.770080. Postage	0	20,000	(20,000)	11,719	Estimate
5057571.770090. Legal fees	0	0	0	1,733	
5057571.770100. Subscriptions	13,840	4,500	9,340	2,436	Finpro 3 + CPA 2 + Revenue 2+ Procurement1
5057571.770150. Training & Development	4,000	4,000	0	441	Estimate
5057571.770180. Valuation and Revaluations Expenses	10,000	15,000	(5,000)	7,610	Increased supps
5057571.770190. Fire Services Levy	25,000	25,000	0	22,410	Estimate
5057571.770240. Other Expenses	500	500	0	740	Estimate
5057571.771110. Depreciation- Building	870,000	870,000	0	435,000	Estimate
5057571.771120. Depreciation- Plant and Equipments	320,000	320,000	0	21,373	Estimate
5057571.771130. Depreciation- Furniture and Equipments	220,000	220,000	0	130,396	Estimate
5057571.771150. Depreciation- Infrastructure	4,306,000	4,306,000	0	2,153,000	Estimate
5057571.771190. WDV - Disposed Asset	800,000	547,163	252,837	12,530	As per DR worksheet, include asset trf to Nagambie Health Care
5057571.771200. Amortisation - ROU Property	178,400	178,400	0	0	Estimate

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
5057571.772010. Auditor Remuneration- External	44,000	44,000	0	0	Estimate
5057571.773010. Auditors Remuneration -Internal	50,000	50,000	0	31,673	Estimate
5057571.775020. Interest Expenses	110,700	15,820	94,880	9,103	As per loan schedule
5057571.775021. Finance Costs - Leases ROU	16,100	16,100	0	0	Estimate
5057571.775030. Bank Charges	25,000	25,000	0	25,942	Estimate
5057571.776410. Bad & Doubtful Debts	5,000	5,000	0	0	Estimate
5057571.780010. Recoveries - Motor Vehicle Costs	0	0	0	(41,669)	
Internal Cost Recovery	0	308,675	(308,675)	1,079,505	
Expenditure	0	308,675	(308,675)	1,079,505	
5057575.710009. Oncost Recovery	(3,526,680)	(3,526,680)	0	(1,031,022)	No change
5057575.710012. Annual Leave	920,087	920,087	0	445,485	No change
5057575.710014. Family Leave	0	0	0	34,070	No change
5057575.710016. Long Service Leave	236,978	236,978	0	161,294	No change
5057575.710018. Sick Leave	462,856	462,856	0	152,826	No change
5057575.710020. Public Holidays & Others	546,519	546,519	0	147,706	No change
5057575.710022. Time in Lieu	0	0	0	856	No change
5057575.710050. Work Cover	235,550	511,550	(276,000)	440,916	MAV Workfare shortfall \$276k
5057575.710060. Income Protection Insurance	151,591	184,266	(32,675)	184,266	As per actual
5057575.710070. Superannuation	973,099	973,099	0	543,108	No change
Compliance	825,309	856,779	(31,470)	352,378	
Building Control	206,156	199,656	6,500	37,855	
Revenue	(169,800)	(169,800)	0	(66,613)	
5053535.602020. Building Fees	(92,700)	(92,700)	0	(66,613)	No change, increased income in first 4 months due to follow up
5053535.602025. Building Enforcement Fees	(2,100)	(2,100)	0	0	No change
5053535.606001. Grants NR-OP (State) - Women Building Surveyors Program	(75,000)	(75,000)	0	0	No change
Expenditure	375,956	369,456	6,500	104,468	
5053535.710010. Employee Expenses	38,468	38,468	0	22,973	No change
5053535.710011. Employee Expenses On Costs	16,288	16,288	0	0	No change
5053535.760010. Contractors-Professional services	306,000	156,000	150,000	79,928	M.BUILDING Surveyor Service, Reallocated \$150k to service delivery expenses for Women Building Surveyor program
5053535.765010. Service Delivery Expenses	1,000	151,000	(150,000)	861	Transferred from .7610010 for Women Building Surveyor program
5053535.766010. Telephone /Telecommunications- Fixed line	800	800	0	111	No Change
5053535.766040. Annual Maintenance - Application Software	6,500	0	6,500	0	Paid in June21 - Building software, open office
5053535.766090. Internet	0	0	0	200	
5053535.770060. Printing	400	400	0	211	No Change
5053535.770090. Legal fees	5,000	5,000	0	0	No Change
5053535.770150. Training & Development	1,500	1,500	0	0	No Change
5053535.770240. Other Expenses	0	0	0	182	
Environmental Health	105,517	123,717	(18,200)	51,371	

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
Revenue	(100,575)	(103,375)	2,800	(33,114)	
5053531.602015. Registrations	(80,000)	(80,000)	0	(5,063)	TO REVIEW with Barb.
5053531.602065. Compliance	0	0	0	(3,735)	
5053531.606005. Grants R-OP (State) - MAV Tobacco	(3,375)	(3,375)	0	(7,848)	No change
5053531.610010. Septic Tank Fees	(17,200)	(20,000)	2,800	(16,468)	Increased in line with actual
Expenditure	206,092	227,092	(21,000)	84,485	
5053531.710010. Employee Expenses	106,678	106,678	0	54,545	No change
5053531.710011. Employee Expenses On Costs	45,114	45,114	0	0	No change
5053531.710080. Staff Uniforms	500	500	0	0	No change
5053531.765010. Service Delivery Expenses	30,000	55,000	(25,000)	20,782	Increased \$25k to Resolve Septic issue 1369 Murchison Violet Town Road, \$20k for Domestic Wastewater Management Plan
5053531.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Barbara's vehicle
5053531.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	No change
5053531.766020. Telephone /Telecommunications- Mobile	700	700	0	630	No change
5053531.766040. Annual Maintenance - Application Software	4,000	0	4,000	0	Open Office Health Manager paid in June21
5053531.766090. Internet	0	0	0	200	
5053531.770080. Printing	600	600	0	208	No change
5053531.770150. Training & Development	0	0	0	(998)	
5053531.770240. Other Expenses	400	400	0	408	No change
5053531.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Barbara's vehicle
Compliance	209,700	209,700	0	128,506	
Expenditure	209,700	209,700	0	128,506	
5053539.710010. Employee Expenses	118,066	118,066	0	103,684	No Change
5053539.710011. Employee Expenses On Costs	49,984	49,984	0	0	No Change
5053539.710080. Staff Uniforms	1,750	1,750	0	0	No Change
5053539.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Jason's Vehicle
5053539.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	No Change
5053539.766020. Telephone /Telecommunications- Mobile	600	600	0	126	No Change
5053539.766090. Internet	0	0	0	200	
5053539.770080. Printing	1,200	1,200	0	368	No Change
5053539.770090. Legal fees	15,000	15,000	0	15,417	No change, 1369 Murch. resolved and any increase will be covered from savings in other areas
5053539.770150. Training & Development	5,000	5,000	0	0	No Change
5053539.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Jason's Vehicle
Local Laws	220,306	220,306	0	112,955	
Revenue	(141,000)	(141,000)	0	(43,750)	
5053537.602030. Animal Registration	(102,000)	(102,000)	0	(4,884)	No Change
5053537.602035. Infringements	(1,000)	(1,000)	0	(2,012)	No Change
5053537.606005. Grants R-OP (State) - School Crossing Supervision	(30,800)	(30,800)	0	(30,850)	No Change

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
5053537.610013. Pound Fees & Local Law Enforcement	(7,200)	(7,200)	0	(6,004)	No Change, moved to Shepparton and around \$2k expected in next 8 months
Expenditure	361,306	361,306	0	156,704	
5053537.710010. Employee Expenses	47,424	47,424	0	39,112	No Change
5053537.710011. Employee Expenses On Costs	20,482	20,482	0	1,097	No Change
5053537.760010. Contractors-Professional services	210,000	210,000	0	112,477	Ranger service, no change at this stage
5053537.760030. Contractors- Others	18,000	18,000	0	430	No change
5053537.765010. Service Delivery Expenses	24,000	24,000	0	1,629	Payments to GSCC for impounded cats and dogs
5053537.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	No Change
5053537.766090. Internet	0	0	0	200	
5053537.770060. Printing	9,500	9,500	0	1,648	In Feb/March - Animal rego notices
5053537.770090. Legal fees	7,000	7,000	0	0	No change
5053537.770160. Advertising Expenses	2,000	2,000	0	0	No change
5053537.770240. Other Expenses	22,000	22,000	0	0	Sec89 Domestic Animal Act payment \$11k pay towards end of the year + other
Boating Enforcement	83,630	103,400	(19,770)	21,692	
Revenue	(56,670)	(56,900)	230	(57,100)	
5053533.602035. Infringements	0	0	0	(200)	
5053533.606491. Grants R-OP (State) - Boat Ramp Maintenance	(8,670)	(8,900)	230	(8,900)	As confirmed by the Dept
5053533.606556. Grants NR-OP (State) - Waterways Management	(48,000)	(48,000)	0	(48,000)	No change
Expenditure	140,300	160,300	(20,000)	78,792	
5053533.760010. Contractors-Professional services	77,000	77,000	0	25,576	No change
5053533.760030. Contractors- Others	48,000	48,000	0	48,000	No change
5053533.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	No change
5053533.766090. Internet	0	0	0	200	
5053533.770060. Printing	400	400	0	208	No change
5053533.770160. Advertising Expenses	5,000	5,000	0	1,497	No change
5053533.770240. Other Expenses	9,000	29,000	(20,000)	3,200	Maintenance of boat ramp + \$20k for Upgraded signage following Speed limit review as per David
Assets Planning	993,502	995,502	(2,000)	435,390	
Assets Services - Infrastructure	477,812	476,812	1,000	202,438	
Revenue	0	(11,000)	11,000	(6,317)	
3037371.610045. Road Opening Permits	0	(11,000)	11,000	(6,317)	Budget and actual trfd from Operations area
Expenditure	477,812	487,812	(10,000)	208,755	
3037371.710010. Employee Expenses	202,398	202,398	0	133,087	No change
3037371.710011. Employee Expenses On Costs	85,564	85,564	0	0	No change
3037371.710090. Staff Uniforms	750	750	0	339	Updated
3037371.720010. Materials and Consumables	40,000	40,000	0	22,660	Updated
3037371.760010. Contractors-Professional services	140,000	140,000	0	40,575	Updated

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
3037371.760030. Contractors- Others	0	10,000	(10,000)	0	\$10k x 3 years from 2021/22, Integrated Water Management Project Officer - Funding Contribution
3037371.765010. Service Delivery Expenses	0	0	0	5,000	Miscosting?
3037371.766010. Telephone /Telecommunications- Fixed line	900	400	500	111	Updated
3037371.766020. Telephone /Telecommunications- Mobile	700	700	0	304	Updated
3037371.766040. Annual Maintenance - Application Software	1,400	1,500	(100)	1,500	Updated
3037371.766090. Internet	0	400	(400)	200	Updated
3037371.770060. Printing	400	400	0	342	Updated
3037371.770150. Training & Development	5,200	5,200	0	2,200	Updated
3037371.770160. Advertising Expenses	500	500	0	2,166	Updated
3037371.770240. Other Expenses	0	0	0	270	
Design	515,690	518,690	(3,000)	232,952	
Expenditure	515,690	518,690	(3,000)	232,952	
3031313.710010. Employee Expenses	266,392	266,392	0	185,398	Updated
3031313.710011. Employee Expenses On Costs	112,608	112,608	0	0	Updated
3031313.720010. Materials and Consumables	10,000	10,000	0	1,638	Updated
3031313.760010. Contractors-Professional services	12,250	12,250	0	0	Updated
3031313.760040. External Consultancies	85,000	85,000	0	27,179	Updated
3031313.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Uwe's vehicle
3031313.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	Updated
3031313.766020. Telephone /Telecommunications- Mobile	900	900	0	399	Updated
3031313.766040. Annual Maintenance - Application Software	7,540	7,540	0	6,225	Updated
3031313.766090. Internet	0	500	(500)	200	Updated
3031313.770060. Printing	400	400	0	246	Updated
3031313.770090. Legal fees	0	2,500	(2,500)	2,280	Updated
3031313.770100. Subscriptions	0	0	0	678	Updated
3031313.770150. Training & Development	2,500	2,500	0	0	Updated
3031313.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Uwe's vehicle
Management Services - Corporate Operations	535,596	755,376	(219,780)	318,691	
Director - Corporate Services	535,596	755,376	(219,780)	318,691	
Expenditure	535,596	755,376	(219,780)	318,691	
5059591.710010. Employee Expenses	134,578	134,578	0	96,894	No Change
5059591.710011. Employee Expenses On Costs	55,068	55,068	0	0	No Change
5059591.710080. Staff Uniforms	500	500	0	0	No Change
5059591.730010. Regional Library Expenses	277,000	277,000	0	207,656	No Change
5059591.760040. External Consultancies	10,000	10,000	0	3,240	No Change
5059591.765010. Service Delivery Expenses	0	219,780	(219,780)	0	Added transfer of land to Nagambie Health Care at no consideration
5059591.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	David's Vehicle
5059591.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	No Change

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
5059591.760020. Telephone /Telecommunications- Mobile	900	900	0	934	No Change
5059591.760090. Internet	0	0	0	200	
5059591.770060. Printing	2,100	2,100	0	387	No Change
5059591.770090. Legal fees	6,000	6,000	0	671	No Change
5059591.770150. Training & Development	750	750	0	0	No Change
5059591.770160. Advertising Expenses	600	600	0	0	No Change
5059591.770240. Other Expenses	30,000	30,000	0	0	No Change
5059591.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	David's Vehicle
Operations	4,272,279	4,455,137	(182,858)	3,644,323	
Buildings	926,343	925,741	602	379,024	
Revenue	(288,200)	(292,500)	4,300	(148,750)	
3033337.607015. Contribution - GMW Nagambie Lake Leisure Park	(203,200)	(207,500)	4,300	(103,750)	As per new agreed value for 21/22
3033337.610040. Rent and Lease Income	(85,000)	(85,000)	0	(45,000)	Euroa Caravan Park Rent
Expenditure	1,214,543	1,218,241	(3,698)	527,774	
3033337.710010. Employee Expenses	239,000	310,000	(71,000)	213,332	Added \$71k for increased cleaning cost
3033337.710011. Employee Expenses - On Costs	101,316	101,316	0	0	No change
3033337.720010. Materials and Consumables	61,800	61,800	0	25,782	No change
3033337.720100. Community Buildings	37,927	37,927	0	20,970	No change
3033337.720110. Buildings-Pre Schools	19,500	19,500	0	4,858	No change
3033337.720120. Buildings-Libraries	5,100	15,100	(10,000)	3,442	\$10k moved from council offices
3033337.720130. Buildings-Council Offices	56,600	46,600	10,000	6,908	\$10k trfd to Council offices
3033337.720140. Buildings-Depots	1,000	3,000	(2,000)	1,731	\$2k trfd from Building Other - Additional \$2k for depo security expenses
3033337.720150. Buildings-Swimming Pools	56,600	60,000	(3,400)	60,940	\$3.4k trfd from Contractors-Professional Services
3033337.720160. Buildings-Caravan Parks	35,100	85,798	(50,698)	4,751	As per Euroa Caravan Park reconciliation
3033337.720170. Buildings-Regatta Centre	0	127,300	(127,300)	42,422	\$127.3k trfd from Building Other for Regatta centre maintenance - Bonza monthly charge
3033337.720190. Buildings -Others	143,200	53,900	89,300	39,721	\$127.3k trfd to Buildings-regatta Centre. \$2k trfd to Building Depo, \$40k trfd from Contractors Other
3033337.760010. Contractors-Professional services	46,300	42,900	3,400	21,862	\$3.4k trfd to Buildings Swimming Pools
3033337.760030. Contractors- Others	108,100	68,100	40,000	10,327	\$40k trfd to Building Others
3033337.765020. Plant-Hiring Expenses - Internal	8,300	20,000	(11,700)	15,713	Trfd from work station - Gone from 2 to 3, originally underbudgeted
3033337.765022. Plant-Hiring Expenses - External	2,000	2,000	0	267	No change
3033337.766010. Telephone /Telecommunications- Fixed line	3,700	3,700	0	1,147	No change
3033337.766020. Telephone /Telecommunications- Mobile	600	600	0	379	No change
3033337.766060. Work Stations	25,000	13,300	11,700	3,478	Trfd to Plant Hire Expense-External
3033337.766090. Internet	0	0	0	200	No change
3033337.770010. Utilities -Power	150,000	62,000	88,000	18,516	As per overall Utility Expense review for the whole organisation
3033337.770020. Utilities -Gas	13,000	13,000	0	5,725	As per overall Utility Expense review for the whole organisation
3033337.770030. Utilities -Water	100,000	70,000	30,000	24,105	As per overall Utility Expense review for the whole organisation

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
3033337.770080. Printing	400	400	0	208	No change
3033337.770150. Training & Development	0	0	0	990	Reallocate actuals to Works-Operating
Emergency Management	54,300	86,405	(32,105)	78,012	
Revenue	(82,500)	(137,000)	54,500	(10,891)	
5058580.602035. Infringements	(1,000)	(10,000)	9,000	0	Expect to prosecute in Court from 20/21 fire season
5058580.606040. Grants R-OP (State) - Municipal Emergency Management	(60,000)	(73,000)	13,000	0	\$60k recd in 20/21. 22/23 Income (\$60k) expected to receive in 21/22, \$13.2k additional in 21/22 notified.
5058580.606490. Grants R-OP (State) - Vulnerable Persons Register	(18,500)	(18,500)	0	(10,891)	Monthly paymts from DFFH
5058580.606807. Grants NR-CP (State) - Risk and Resilience Grant	0	(32,500)	32,500	0	Risk and Resilience Grant
5058580.611090. Miscellaneous Income	(3,000)	(3,000)	0	0	Reimbursed expenses - eg essential water
Expenditure	136,800	223,405	(86,605)	88,903	
3058580.730106. Minor Emergency Expense	3,000	3,000	0	0	Costs of minor EM expenses eg essential water replacement
3058580.730108. Pandemic Response	0	2,000	(2,000)	11,268	Unbudgeted costs of air purifier (records) and sanitiser & QR for reception/customer service
3058580.730109. Community Expenses - Emergency & Disaster Response 1	0	0	0	0	
3058580.766010. Telephone/Telecommunications- Fixed line	900	0	900	111	Duplicated budget Jnl exp to account below
5058580.710010. Employee Expenses	0	18,500	(18,500)	15,440	6x Covid Concierges employee wages Casual
5058580.710011. Employee Expenses On Costs	0	3,700	(3,700)	0	6x Covid Concierges employee wages Casual
5058580.720010. Materials and Consumables	0	0	0	390	
5058580.760010. Contractors-Professional services	56,600	46,600	10,000	25,144	\$10k trfd to contractors other for CFA water tank filling. To cover fire prevention inspections, fire plug inspection & maintenance and topping up of water tanks 10K trfd to Contractors other
5058580.760030. Contractors- Others	3,100	13,100	(10,000)	1,928	\$10k added for CFA tank water. Cost of slashing infringing properties - recovered through prosecution (refer to income above)
5058580.765010. Service Delivery Expenses	65,000	65,000	0	30,268	EMO costs
5058580.765011. Service Delivery Expenses - Risk and Resilience Project	0	65,000	(65,000)	0	Risk and Resilience Grant spending
5058580.765020. Plant-Hiring Expenses - Internal	0	650	(650)	0	Installation of BPLR & TFB signs expected in November 21
5058580.766010. Telephone /Telecommunications- Fixed line	1,000	500	500	0	To reallocate \$60 exp from account above (duplicate)
5058580.770090. Legal fees	1,500	500	1,000	0	Not anticipating need for legal advice before the end of 21/22 FY
5058580.770100. Subscriptions	4,200	4,355	(155)	4,355	Crisis works subscription at a 33% discount
5058580.770160. Advertising Expenses	1,500	500	1,000	0	Not anticipating a substantial advertising cost
Infrastructure	135,466	177,421	(41,955)	1,335,729	
Revenue	(3,780,136)	(3,815,881)	35,745	(604,382)	
3033333.606005. Grants R-OP (Commw) - Local Roads - Financial Assistance	(2,329,568)	(2,368,313)	38,745	(566,382)	As per mid-year adjustment workpaper
3033333.606006. Grants R-OP (State) - Vicroads Median Maintenance Contribution	0	(8,000)	8,000	(8,000)	As per actual
3033333.606505. Grants R-CP (Commw) - Roads to Recovery	(1,439,568)	(1,439,568)	0	0	No change
3033333.610045. Road Opening Permits	(11,000)	0	(11,000)	0	By Assets - Budget & Actual transferred to Uwe's area
Expenditure	3,915,602	3,993,302	(77,700)	1,940,111	
3033333.710010. Employee Expenses	1,387,438	1,387,438	0	912,413	No change
3033333.710011. Employee Expenses On Costs	586,864	586,864	0	0	No change

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
3033333.720010. Materials and Consumables	30,000	30,000	0	18,734	No change
3033333.720020. Sealed Roads	415,000	380,000	35,000	113,827	\$35k trfd to Contractors Other for line marking and minor patching provision
3033333.720030. Unsealed Roads	273,000	273,000	0	167,375	No change
3033333.720040. Drainage	74,200	74,200	0	9,450	No change
3033333.720050. Roadside	75,000	75,000	0	15,063	No change
3033333.720060. Bridges	80,600	70,600	10,000	627	\$10k trfd to Contractors other for contractor services rather than material
3033333.720070. Footpaths	5,200	5,200	0	0	No change
3033333.720080. Infrastructure - Street Lighting	29,300	87,000	(57,700)	45,059	As per overall Utility Expense review for the whole organisation
3033333.760010. Contractors-Professional services	0	0	0	850	
3033333.760030. Contractors- Others	228,900	293,900	(65,000)	140,192	\$10k trfd from Bridges for road maintenance contract in place rather than material, \$35k trfd from Sealed Roads for line marking and minor patching, provision + \$20k additional required for second round spray for Roadside Weed Program
3033333.765020. Plant-Hiring Expenses - Internal	471,900	471,900	0	323,126	No change
3033333.765022. Plant-Hiring Expenses - External	250,000	250,000	0	189,948	No change
3033333.766010. Telephone /Telecommunications- Fixed line	4,700	4,700	0	613	No change
3033333.766020. Telephone /Telecommunications- Mobile	600	600	0	473	No change
3033333.766090. Internet	0	0	0	200	
3033333.770060. Printing	400	400	0	242	No change
3033333.770160. Advertising Expenses	2,500	2,500	0	1,919	No change
Parks and Reserves	1,198,268	1,203,268	(5,000)	459,684	
Revenue	(4,100)	(4,100)	0	0	
3033332.606006. Grants R-OP (State) - Beach Cleaning Subsidy	(4,100)	(4,100)	0	0	No change
Expenditure	1,202,368	1,207,368	(5,000)	459,684	
3033332.710010. Employee Expenses	510,836	510,836	0	325,793	No change
3033332.710011. Employee Expenses On Costs	216,132	216,132	0	0	No change
3033332.720010. Materials and Consumables	58,000	58,000	0	17,250	No change
3033332.720011. Park Furniture	50,000	50,000	0	0	No change
3033332.720012. Irrigation	10,000	10,000	0	3,667	No change
3033332.720013. Playgrounds	40,000	40,000	0	3,797	No change
3033332.720014. Landscaping	30,000	30,000	0	2,315	No change
3033332.720015. Herbicides and Fertilizers	20,000	20,000	0	208	No change
3033332.760010. Contractors-Professional services	0	0	0	822	No change
3033332.760020. Contractors- Labour Hire	0	0	0	450	No change
3033332.760030. Contractors- Others	103,000	103,000	0	13,519	No change
3033332.765020. Plant-Hiring Expenses - Internal	93,100	93,100	0	53,382	No change
3033332.765022. Plant-Hiring Expenses - External	5,000	5,000	0	1,000	No change
3033332.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	No change

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
3033332.766090. Internet	0	0	0	200	
3033332.770030. Utilities -Water	65,000	70,000	(5,000)	36,960	As per overall Utility Expense review for the whole organisation
3033332.770080. Printing	400	400	0	208	No change
Saleyards	(49,654)	(49,254)	(400)	(72,515)	
Revenue	(251,400)	(251,400)	0	(186,274)	
3033339.610025. Saleyard Fees	(196,000)	(196,000)	0	(136,316)	No change - expect to catch up in November & December
3033339.610030. Agent Fees	(14,900)	(14,900)	0	(6,369)	No change
3033339.610080. Miscellaneous fees and Charges	(40,500)	(40,500)	0	(43,589)	Truck wash - No change
Expenditure	201,746	202,146	(400)	113,759	
3033339.710010. Employee Expenses	20,696	20,696	0	14,893	No change
3033339.710011. Employee Expenses On Costs	8,750	8,750	0	0	No change
3033339.720010. Materials and Consumables	45,600	45,600	0	17,368	No change. \$2k invoices not yet paid
3033339.720170. Trade Waste Charges	5,200	5,200	0	2,751	No change
3033339.760010. Contractors-Professional services	40,900	40,900	0	38,585	No change
3033339.760030. Contractors- Others	60,800	60,800	0	29,245	No change
3033339.765020. Plant-Hiring Expenses - Internal	1,000	1,000	0	216	No change
3033339.765022. Plant-Hiring Expenses - External	10,000	10,000	0	7,376	No change
3033339.766010. Telephone /Telecommunications- Fixed line	1,200	1,200	0	111	No change
3033339.766020. Telephone /Telecommunications- Mobile	200	200	0	110	No change
3033339.766090. Internet	0	0	0	200	
3033339.770030. Utilities -Water	3,100	3,500	(400)	460	As per overall Utility Expense review for the whole organisation
3033339.770080. Printing	200	200	0	208	No change
3033339.770100. Subscriptions	2,200	2,200	0	2,238	No change
3033339.770160. Advertising Expenses	1,900	1,900	0	0	No change
Trees	1,130,452	1,130,452	0	559,173	
Expenditure	1,130,452	1,130,452	0	559,173	
3033334.710010. Employee Expenses	79,806	79,806	0	54,207	No change
3033334.710011. Employee Expenses On Costs	33,164	33,164	0	0	No change
3033334.720010. Materials and Consumables	0	0	0	37	
3033334.760010. Contractors-Professional services	92,700	92,700	0	48,482	No change
3033334.760102. Contractors - Emergency Storm Damage	0	0	0	14,764	
3033334.760103. Contractors - General Tree Works	350,000	350,000	0	189,901	No change
3033334.760104. Contractors - Tree Root Maintenance	15,400	15,400	0	0	No change
3033334.760105. Contractors - Tree Planting Maintenance and Establishment	25,700	25,700	0	7,683	No change
3033334.760106. Contractors - Rural Road Canopy Clearing	360,000	360,000	0	214,381	No change
3033334.760107. Contractors - Pest and Disease Control	12,300	12,300	0	0	No change
3033334.760108. Contractors - Power Line Clearing	94,700	94,700	0	23,063	No change
3033334.765011. Community Tree Planting - Working for Victoria	62,382	0	62,382	0	Trfd to specific ledger for additional 4 year tree planting & maintenance ledger

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
3033334.765012. Street Tree Planting & Maintenance-4 Year Project	0	62,382	(62,382)	0	Trfd from .765011 (35,000+27,382) - Part of 1/4 year project for additional 4 year tree planting & maintenance
3033334.765020. Plant-Hiring Expenses - Internal	0	0	0	5,390	
3033334.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	No change
3033334.766020. Telephone /Telecommunications- Mobile	1,000	1,000	0	443	No change
3033334.766090. Internet	0	0	0	200	
3033334.770060. Printing	400	400	0	208	No change
3033334.770100. Subscriptions	0	0	0	80	
3033334.770160. Advertising Expenses	2,000	2,000	0	224	No change
Works - Operating	877,104	981,104	(104,000)	905,217	
Expenditure	877,104	981,104	(104,000)	905,217	
3033331.710010. Employee Expenses	430,662	430,662	0	385,300	No change
3033331.710011. Employee Expenses On Costs	182,142	182,142	0	63	No change
3033331.710020. Public Holidays & Others	0	0	0	76,139	
3033331.710060. Income Protection	0	0	0	98,419	
3033331.710080. Staff Uniforms	18,300	18,300	0	9,580	No change
3033331.720010. Materials and Consumables	55,800	55,800	0	16,792	No change
3033331.760010. Contractors-Professional services	2,600	2,600	0	1,855	No change
3033331.760030. Contractors- Others	3,600	2,600	1,000	2,400	Actuals will transfer to correct ledger
3033331.765020. Plant-Hiring Expenses - Internal	2,000	2,000	0	(16,332)	No change
3033331.765022. Plant-Hiring Expenses - External	69,200	69,200	0	121,992	No change
3033331.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Daniel's vehicle
3033331.765040. Plant Operating Expenses	0	0	0	(1,635)	
3033331.765050. Plant Operating Expenses- Recoveries	0	0	0	(5,398)	
3033331.766010. Telephone /Telecommunications- Fixed line	900	500	400	111	No change
3033331.766020. Telephone /Telecommunications- Mobile	20,000	16,000	4,000	8,339	Annualised actual, part transferred to Subscription
3033331.766080. Peripherals less than \$1000	2,200	2,200	0	30	No change
3033331.766090. Internet	0	400	(400)	200	No change
3033331.770010. Utilities -Power	30,000	61,000	(31,000)	40,908	As per overall Utility Expense review for the whole organisation
3033331.770030. Utilities -Water	0	13,000	(13,000)	2,751	As per overall Utility Expense review for the whole organisation
3033331.770060. Printing	3,000	3,000	0	252	No change
3033331.770070. Stationery Items	0	0	0	35	
3033331.770100. Subscriptions	0	5,000	(5,000)	(52)	SAI Global - Access to Australian Standards for Constructions -
3033331.770150. Training & Development	39,500	39,500	0	4,916	No change
3033331.770200. Disposal Expenses - Industrial Waste	0	60,000	(60,000)	19,003	NAGAMBIE DEPO CLEAN UP WORK AS PER EPA REQUIREMENT - NEW BUDGET
3033331.771120. Depreciation- Plant and Equipments	0	0	0	130,952	
3033331.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Daniel's vehicle
Corporate Leadership	1,006,052	956,581	49,471	483,926	

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
Communications & Engagement	619,642	570,171	49,471	300,839	
Communications & Marketing	619,642	570,171	49,471	300,839	
Revenue	0	(60,000)	60,000	(40,000)	
4047473.606555. Grants NR-OP (State) - COVID Vaccine Community Engagement Grants	0	(60,000)	60,000	(40,000)	As per Fav's email
Expenditure	619,642	630,171	(10,529)	340,839	
4047473.710010. Employee Expenses	375,310	375,310	0	290,255	TBC
4047473.710011. Employee Expenses On Costs	158,732	158,732	0	0	TBC
4047473.760010. Contractors-Professional services	20,000	30,529	(10,529)	30,528	Deliberative engagement \$30K, Website transactions to be reallocated to capital.
4047473.760040. External Consultancies	10,000	10,000	0	500	TBC
4047473.766010. Telephone /Telecommunications- Fixed line	1,000	1,000	0	111	TBC
4047473.766020. Telephone /Telecommunications- Mobile	1,000	1,000	0	903	TBC
4047473.766090. Internet	0	0	0	200	
4047473.770080. Printing	20,000	20,000	0	7,806	TBC
4047473.770100. Subscriptions	400	400	0	0	TBC
4047473.770150. Training & Development	3,000	3,000	0	0	TBC
4047473.770160. Advertising Expenses	25,000	25,000	0	9,675	TBC
4047473.770170. Merchandise Expenses	200	200	0	0	TBC
4047473.770220. Website Maintenance	5,000	5,000	0	1,060	TBC
Chief Executive Officer	386,410	386,410	0	183,087	
Executive Services	386,410	386,410	0	183,087	
Expenditure	386,410	386,410	0	183,087	
2021211.710010. Employee Expenses	237,342	237,342	0	166,039	No change
2021211.710011. Employee Expenses On Costs	100,268	100,268	0	0	No change
2021211.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Julie's Vehicle
2021211.766010. Telephone /Telecommunications- Fixed line	800	400	400	111	No change
2021211.766020. Telephone /Telecommunications- Mobile	2,600	2,600	0	962	No change
2021211.766080. Peripherals less than \$1000	700	700	0	1,328	No change
2021211.766090. Internet	0	400	(400)	200	No change
2021211.770080. Printing	4,000	4,000	0	427	No change
2021211.770090. Legal fees	10,000	10,000	0	0	No change
2021211.770100. Subscriptions	3,000	3,000	0	475	No change
2021211.770120. Travelling	1,100	1,100	0	0	No change
2021211.770150. Training & Development	8,200	8,200	0	4,248	No change
2021211.770210. Meeting Expenses	1,200	1,200	0	0	No change
2021211.770240. Other Expenses	0	0	0	699	
2021211.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Julie's Vehicle
Community & Planning	(3,423,409)	(5,262,084)	1,838,675	(2,297,387)	
Economic Developments	370,670	370,670	0	120,220	

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
Economic Developments	370,670	370,670	0	120,220	
Revenue	0	0	0	(30,000)	
505553.606491. Grants NR-OP (State) - Business Concierge & Hospitality Support	0	0	0	(30,000)	
Expenditure	370,670	370,670	0	150,220	
505553.710010. Employee Expenses	104,818	104,818	0	100,778	No change
505553.710011. Employee Expenses On Costs	44,302	44,302	0	0	No change
505553.710080. Staff Uniforms	500	500	0	0	No Change
505553.760010. Contractors-Professional services	215,000	215,000	0	46,536	No Change
505553.765010. Service Delivery Expenses	3,700	3,300	400	1,590	Reduced to top up Internet
505553.766010. Telephone /Telecommunications- Fixed line	900	450	450	111	Reduce to Actuals
505553.766020. Telephone /Telecommunications- Mobile	300	750	(450)	357	Reduce to Actuals
505553.766040. Annual Maintenance - Application Software	0	353	(353)	353	as per actual
505553.766080. Peripherals less than \$1000	750	397	353	0	Reduced to add to Appl software
505553.766090. Internet	0	400	(400)	200	Increase due to Actuals
505553.770060. Printing	400	400	0	294	No Change
Management Services - Infrastructure	0	0	0	0	
Director - Infrastructure	0	0	0	0	
Expenditure	0	0	0	0	
3039390.760030. Contractors- Others	0	0	0	0	
Management Services - Community & Planning	213,796	213,796	0	110,802	
Director - Community & Planning	213,796	213,796	0	110,802	
Expenditure	213,796	213,796	0	110,802	
4049491.710010. Employee Expenses	134,578	134,578	0	97,250	No change
4049491.710011. Employee Expenses On Costs	55,068	55,068	0	0	No change
4049491.710080. Staff Uniforms	750	750	0	0	No change
4049491.760010. Contractors-Professional services	0	0	0	2,402	
4049491.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Amanda's vehicle
4049491.766010. Telephone /Telecommunications- Fixed line	1,800	1,800	0	111	No change
4049491.766020. Telephone /Telecommunications- Mobile	400	400	0	256	No change
4049491.766080. Peripherals less than \$1000	600	600	0	241	No change
4049491.766090. Internet	0	0	0	200	
4049491.770060. Printing	400	400	0	219	No change
4049491.770100. Subscriptions	3,000	3,000	0	1,525	Check?
4049491.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Amanda's vehicle
Planning & Investment	646,734	540,191	106,543	221,654	
Subdivisions	(97,300)	(97,700)	400	(47,718)	
Revenue	(100,000)	(100,000)	0	(48,237)	
4043435.602010. Subdivision Fees	(100,000)	(100,000)	0	(48,237)	Test

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
Expenditure	2,700	2,300	400	520	
4043435.765010. Service Delivery Expenses	400	0	400	0	
4043435.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	May need to be revised down due to COVID will monitor
4043435.766090. Internet	0	0	0	200	
4043435.770060. Printing	400	400	0	208	Expected to meet budget
4043435.770100. Subscriptions	1,000	1,000	0	0	Expected to meet budget PIA subscriptions to be paid
Statutory Planning	331,784	429,141	(97,357)	212,353	
Revenue	(252,000)	(252,000)	0	(154,592)	
4043433.602005. Application Fees	(247,000)	(247,000)	0	(146,542)	Still expect to meet budget given application numbers are at a record high
4043433.607010. Contributions- Developers	(5,000)	(5,000)	0	(8,050)	Still expecting contributions in early 2022
Expenditure	583,784	681,141	(97,357)	366,945	
4043433.710010. Employee Expenses	345,514	345,514	0	211,308	No change
4043433.710011. Employee Expenses On Costs	146,120	146,120	0	0	No change
4043433.710080. Staff Uniforms	1,750	1,750	0	0	Expected to meet budget we have new staff commencing that will require new uniforms
4043433.760010. Contractors-Professional services	5,000	5,000	0	6,663	Expected to meet budget - some consultancy work still likely to be required.
4043433.760020. Contractors- Labour Hire	20,000	40,000	(20,000)	22,768	Further contract work will be required until all positions are filled and backlog of work is removed.
4043433.765010. Service Delivery Expenses	1,500	1,500	0	616	Expected to meet budget - regular file retrieval is required
4043433.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Braydon's Vehicle
4043433.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	May need to be reduced due to COVID - will continue to monitor
4043433.766020. Telephone /Telecommunications- Mobile	1,100	1,100	0	505	Expected to meet budget
4043433.766040. Annual Maintenance - Application Software	7,600	0	7,600	0	
4043433.766090. Internet	0	0	0	200	
4043433.770060. Printing	1,500	1,000	500	530	Likely to reduce forecast expenditure due to working remotely during COVID
4043433.770090. Legal fees	25,000	110,000	(85,000)	112,249	A large increase in VCAT cases has lead to increased expenditure. Normally 1 per year we have had 5 this year
4043433.770100. Subscriptions	500	500	0	0	Expected to meet budget
4043433.770120. Travelling	100	100	0	0	Expected to meet budget
4043433.770150. Training & Development	3,000	3,000	0	1,127	Expected to meet budget - VCAT training scheduled for December
4043433.770160. Advertising Expenses	5,000	5,000	0	313	Expected to meet budget
4043433.770210. Meeting Expenses	500	500	0	0	Expected to meet budget - some face to face meetings will be required post COVID
4043433.770240. Other Expenses	1,500	1,957	(457)	1,957	No further payments expected - there was a slight CASBE price increase
4043433.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Braydon's Vehicle
Strategic Planning	412,250	208,750	203,500	57,019	
Revenue	0	(130,000)	130,000	(33,096)	
4043431.602005. Application Fees	0	0	0	(3,096)	

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
4043431.606555. Grants NR-OP (State) - Nagambie Growth Plan	0	(130,000)	130,000	(30,000)	\$30k c/f from 20/21 + Adjusted \$100k as per David's meeting 20.1.2022
Expenditure	412,250	338,750	73,500	90,115	
4043431.710010. Employee Expenses	58,682	58,682	0	43,786	No change
4043431.710011. Employee Expenses On Costs	24,818	24,818	0	0	No change
4043431.710080. Staff Uniforms	450	150	300	0	Some expenditure expected - budget reduced
4043431.760040. External Consultancies	280,000	214,000	66,000	31,810	Reduced to \$214k David's meeting 20.1.2022, Reduced as per discussion 9 Dec Still expected to meet budget - a number of strategic projects to commence in late 2021 & early 2022
4043431.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Gillian's vehicle
4043431.766010. Telephone /Telecommunications- Fixed line	900	300	600	111	Budget revised down due to COVID
4043431.766020. Telephone /Telecommunications- Mobile	100	200	(100)	184	Revised up due to employee using mobile during COVID
4043431.766090. Internet	0	0	0	200	
4043431.770080. Printing	0	0	0	279	
4043431.770090. Legal fees	20,000	15,000	5,000	4,145	Revised down - will still likely require legal advice on key strategy docs and planning panels
4043431.770100. Subscriptions	3,600	2,400	1,200	800	Revised down based on current commitments
4043431.770150. Training & Development	1,500	1,000	500	0	Revised down - some training will be required in early 2022
4043431.770160. Advertising Expenses	5,000	5,000	0	202	Budget expected to be met - a number of consultations will be required in early 2022
4043431.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Gillian's vehicle
Project Delivery	(6,158,219)	(7,826,574)	1,668,355	(3,175,729)	
Projects	(6,158,219)	(7,826,574)	1,668,355	(3,175,729)	
Revenue	(6,716,123)	(8,385,678)	1,669,555	(3,461,655)	
3035351.606607. Grants NR-CP (State) - Nagambie Rec Netball Court	(280,000)	(280,000)	0	0	No change
3035351.606609. Grants NR-CP (State) - Nagambie Skate Facility	(25,000)	(25,000)	0	(25,000)	No change
3035351.606610. Grants NR-CP (State) - Nagambie Foreshore Walk	(3,000,000)	(3,000,000)	0	(2,400,000)	No change
3035351.606621. Grants NR-CP (State) - Nagambie Rec. Reserve - Facilities	(200,000)	(200,000)	0	0	No change
3035351.606623. Grants NR-CP (Commw) - LRCI Infrastructure Funding-Stage 1	0	0	0	36,516	
3035351.606624. Grants NR-CP (Commw) - LRCI Infrastructure Funding-Stage 2	(621,555)	(1,243,110)	621,555	(621,555)	\$621,555+ C/f \$621,555 - Total \$1,243,110
3035351.606625. Grants NR-CP (Commw) - Nagambie Locksley Rd Bridge	(600,000)	(600,000)	0	0	No change
3035351.606626. Grants NR-CP (State) - Cinema Seating	0	(100,000)	100,000	(100,000)	\$100k c/f from 20/21
3035351.606627. Grants NR-CP (Commw) - LRCI Infrastructure Funding-Stage 3	(1,439,568)	(1,439,568)	0	0	No change
3035351.606628. Grants NR-CP (Commw) - Nagambie Foreshore Walk	(350,000)	(350,000)	0	(350,000)	No change
3035351.606629. Grants NR-CP (State) - Habel Road	0	(948,000)	948,000	0	Hable Project RBV Grant
3035351.607015. Contributions - Others	(200,000)	(200,000)	0	(1,616)	No change
Expenditure	557,904	559,104	(1,200)	285,926	
3035351.710010. Employee Expenses	353,324	353,324	0	263,828	No change
3035351.710011. Employee Expenses On Costs	160,980	160,980	0	0	No change
3035351.710080. Staff Uniforms	1,000	1,000	0	0	No change
3035351.720010. Materials and Consumables	2,500	2,500	0	0	No change

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
3035351.765030. Motor Vehicles Expenses	20,000	20,000	0	10,002	Bruce + Snt Project Officer (Mary) Vehicle
3035351.766010. Telephone /Telecommunications- Fixed line	900	600	300	111	No change
3035351.766020. Telephone /Telecommunications- Mobile	1,200	0	1,200	1,107	
3035351.766090. Internet	0	300	(300)	200	Increased to Actual
3035351.770060. Printing	600	1,000	(400)	592	Increase budget to cover increase of projects for delivery
3035351.770080. Postage	0	2,000	(2,000)	1,236	Increased to actual
3035351.770150. Training & Development	3,000	3,000	0	1,651	No change
3035351.771160. Depreciation- Motor Vehicles	14,400	14,400	0	7,200	Bruce + Snt Project Officer (Mary) Vehicle
Tourism & Community Service	1,503,610	1,439,833	63,777	425,667	
Art and Culture	67,758	67,758	0	27,326	
Expenditure	67,758	67,758	0	27,326	
5055557.710010. Employee Expenses	31,826	31,826	0	21,381	No change
5055557.710011. Employee Expenses On Costs	13,482	13,482	0	0	No change
5055557.760010. Contractors-Professional services	20,000	20,000	0	2,434	Will spend by EOFY
5055557.766010. Telephone /Telecommunications- Fixed line	900	500	400	111	No change
5055557.766020. Telephone /Telecommunications- Mobile	0	0	0	180	
5055557.766040. Annual Maintenance - Application Software	0	0	0	1,012	
5055557.766090. Internet	0	400	(400)	200	No change
5055557.770060. Printing	400	400	0	208	No change
5055557.770150. Training & Development	750	750	0	1,800	No change
5055557.770160. Advertising Expenses	400	400	0	0	No change
Cinema	30,362	30,362	0	11,251	
Revenue	(25,000)	(10,000)	(15,000)	(2,237)	
4047475.610005. Cinema Income	(25,000)	(10,000)	(15,000)	(2,237)	Reduced due to Covid lockdown
Expenditure	55,362	40,362	15,000	13,488	
4047475.710010. Employee Expenses	10,206	10,206	0	4,767	No change
4047475.710011. Employee Expenses On Costs	4,356	4,356	0	0	No change
4047475.710080. Staff Uniforms	300	300	0	0	No change
4047475.765010. Service Delivery Expenses	25,000	15,000	10,000	4,663	Reduced as per income drop due to Covid
4047475.766010. Telephone /Telecommunications- Fixed line	1,100	600	500	111	No change
4047475.766020. Telephone /Telecommunications- Mobile	0	0	0	245	
4047475.766090. Internet	0	500	(500)	200	No change
4047475.770060. Printing	400	400	0	254	No change
4047475.770160. Advertising Expenses	14,000	9,000	5,000	3,247	Reduced as per income drop due to Covid
Community	312,942	293,042	19,900	168,931	
Revenue	0	(1,200)	1,200	(1,200)	
5051517.611090. Miscellaneous Income	0	(1,200)	1,200	(1,200)	16 Days of Activism Grant
Expenditure	312,942	294,242	18,700	170,131	

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
5051517.710010. Employee Expenses	167,416	167,416	0	123,996	No staff changes
5051517.710011. Employee Expenses - On Costs	70,826	70,826	0	0	No staff changes
5051517.710080. Staff Uniforms	750	750	0	0	No change
5051517.730100. Other Community Expenses	16,000	5,000	11,000	0	No change, \$11k transferred to Annual Maintenance -System
5051517.760040. Implementation of Liveability Plan	30,000	30,000	0	18,076	No change
5051517.765010. Service Delivery Expenses	0	0	0	11,544	
5051517.765012. Service Delivery Expenses - CASI(COVID19)	0	0	0	1,000	
5051517.765030. Motor Vehicles Expenses	10,000	0	10,000	0	No Private vehicle for community
5051517.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	No change
5051517.766020. Telephone /Telecommunications- Mobile	700	700	0	592	No change
5051517.766050. Annual Maintenance - Systems	0	11,000	(11,000)	11,364	Reallocated from Other Com. Expenses - Smarty Grant Annual Subscription
5051517.766090. Internet	0	0	0	200	
5051517.770060. Printing	3,000	1,500	1,500	695	As per actual, transfer \$1.5
5051517.770100. Subscriptions	2,500	2,500	0	2,476	No change
5051517.770120. Travelling	150	150	0	0	No change
5051517.770130. Accommodations	500	500	0	0	No change
5051517.770150. Training & Development	2,000	2,000	0	77	No change
5051517.770160. Advertising Expenses	1,000	1,000	0	0	Expenditure in this line item of \$2108 needs to be reassigned to pools advertising expense ledger 3031311.770160
5051517.771160. Depreciation- Motor Vehicles	7,200	0	7,200	0	No Private vehicle for community
Community Funding	173,000	169,400	3,600	85,886	
Revenue	(2,600)	(3,000)	400	(3,000)	
5051515.606035. Grants R-OP (State) - DHHS Senior Festival	(2,600)	(3,000)	400	(3,000)	Increased funding received this year
Expenditure	175,600	172,400	3,200	88,886	
5051515.730080. Childrens Week Program	2,000	0	2,000	0	Did not submit grant or run program in 2021
5051515.730090. Grants Expenses - Senior Citizens	15,000	15,000	0	10,000	No change
5051515.765010. Service Delivery Expenses - Community Funding	156,000	156,000	0	78,035	No change
5051515.766010. Telephone /Telecommunications- Fixed line	2,200	1,000	1,200	443	Savings Trfd to Early Years
5051515.766090. Internet	0	0	0	200	
5051515.770060. Printing	400	400	0	208	No change
Early Years	64,398	(38,382)	102,780	(89,261)	
Revenue	(267,818)	(381,098)	113,280	(287,187)	
5051511.606010. Grants R-OP (State) - Maternal & Child Health - Universal	(81,110)	(81,110)	0	(50,990)	No change
5051511.606015. Grants R-OP (State) - Maternal & Child Health - Enhanced	(114,610)	(114,610)	0	(79,704)	No change
5051511.606016. Grants R-OP (State) - Workforce Support	(1,250)	(1,250)	0	(345)	No change
5051511.606017. Grants R-OP (State) - Sleep and Settling Consults	(15,388)	(15,388)	0	(10,061)	No change
5051511.606020. Grants R-OP (State) - Kindergarten Central Enrolment Grant	0	(75,000)	75,000	(75,000)	Existing balance is incorrectly c/f to 2021/22
5051511.606490. Grants R-OP (State) - Supported Play Group	(55,460)	(58,740)	3,280	(36,088)	Updated as per funding agreement

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
5051511.606491. Grants NR-OP (State) - Local Planning & Change Management Grant	0	(35,000)	35,000	(35,000)	Existing balance is incorrectly c/f to 2021/22
Expenditure	332,216	342,716	(10,500)	197,925	
5051511.710010. Employee Expenses	195,234	195,234	0	169,158	No change
5051511.710011. Employee Expenses - On Costs	82,632	82,632	0	0	No change
5051511.730100. Other Community Expenses - Early Years	15,000	7,000	8,000	6,238	Part trfd to Service Delivery Expense
5051511.760010. Contractors-Professional services	0	1,500	(1,500)	230	Trfd from saving in Community-Printing
5051511.760030. Contractors- Others	6,000	0	6,000	0	Trfd to Service Delivery Expense
5051511.760100. Contractors- Immunisation	22,000	22,000	0	5,478	No change
5051511.765010. Service Delivery Expenses - Early Years	0	24,000	(24,000)	10,950	Part trfd from savings in other ledgers + 20% of supported playgroup income need to be in this ledger
5051511.766010. Telephone /Telecommunications- Fixed line	3,600	2,600	1,000	1,377	No change
5051511.766020. Telephone /Telecommunications- Mobile	1,400	1,400	0	863	No change
5051511.766040. Annual Maintenance - Application Software	3,200	3,200	0	3,143	\$3143 is full amount expected for the year
5051511.766090. Internet	0	0	0	200	
5051511.770060. Printing	400	400	0	289	No change
5051511.770150. Training & Development	2,250	2,250	0	0	No change
5051511.770160. Advertising Expenses	500	500	0	0	No change
Regatta Centre	3,800	8,800	(5,000)	1,741	
Revenue	(20,000)	(15,000)	(5,000)	(5,291)	
5053532.610060. Regatta Centre Events	(20,000)	(15,000)	(5,000)	(5,291)	Reduced due to lockdowns
Expenditure	23,800	23,800	0	7,032	
5053532.730100. Other Community Expenses	20,000	20,000	0	5,542	No change
5053532.766010. Telephone /Telecommunications- Fixed line	3,000	3,000	0	1,082	No change
5053532.766070. Printers and Photocopying	400	400	0	0	No change
5053532.766090. Internet	0	0	0	200	
5053532.770060. Printing	400	400	0	208	No change
Swimming Pools	314,900	341,500	(26,600)	174,376	
Revenue	(10,300)	(10,300)	0	0	
3031311.610073. Swimming Pool fees	(10,300)	(10,300)	0	0	Fees have gone up this season but entrance numbers variable
Expenditure	325,200	351,800	(26,600)	174,376	
3031311.720010. Materials and Consumables	5,800	5,800	0	3,798	no change
3031311.720150. Swimming Pools-Operating Costs	309,000	339,400	(30,400)	164,712	Increase in cost of Belgravia Fees \$339407.66 exact figure
3031311.760010. Contractors-Professional services	0	0	0	1,280	
3031311.766010. Telephone /Telecommunications- Fixed line	2,000	2,000	0	774	No change
3031311.766020. Telephone /Telecommunications- Mobile	0	0	0	188	
3031311.766090. Internet	0	0	0	200	
3031311.770060. Printing	400	600	(200)	445	new signs needed to be printed for each pool
3031311.770090. Legal fees	0	0	0	891	

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
3031311.770160. Advertising Expenses	8,000	4,000	4,000	2,108	\$2000 of costs to come in from community ledger for tender advertising. Then advertising will predominately be a cost of contractor
Visitor Economy	437,076	436,716	360	6,679	
Revenue	(19,100)	(204,460)	185,360	(219,704)	
5055551.606490. Grants-Others	(15,000)	0	(15,000)	(16,000)	What is this - TO REVIEW
5055551.606556. Grants NR-OP (State) - LG Outdoor Eating & Entertainment Package	0	(200,000)	200,000	(200,000)	Received on 23.11.2021
5055551.607015. Contributions - Others	0	(360)	360	(360)	As per actual
5055551.610055. Merchandise income	(1,600)	(1,600)	0	(1,141)	No change
5055551.610080. Miscellaneous Fees and Charges	(2,500)	(2,500)	0	(2,204)	No change
Expenditure	456,176	641,176	(185,000)	226,383	
5055551.710010. Employee Expenses	192,362	192,362	0	159,464	No change
5055551.710011. Employee Expenses On Costs	81,314	81,314	0	0	No change
5055551.710080. Staff Uniforms	1,000	1,000	0	0	No change
5055551.710090. Casual Staff Special Events	5,000	5,000	0	0	No change
5055551.720010. Materials and Consumables	15,000	0	15,000	0	Nil.
5055551.730020. V.I.C Operations Expenses	18,500	18,500	0	6,478	Euroa VIC rent and cleaning
5055551.730100. Other Community Expenses	52,300	52,300	0	27,893	No change
5055551.760010. Contractors-Professional services	0	0	0	10,000	Wrong Ledger - Reallocate actual to Steve or Molly
5055551.765010. Service Delivery Expenses	46,000	46,000	0	4,009	RTB allocation.
5055551.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Manager Art & Community (Claire) vehicle
5055551.765101. Service Delivering Expenses - LG Outdoor Eating & Entertainment Package	0	200,000	(200,000)	5,000	As per grant received
5055551.766010. Telephone /Telecommunications- Fixed line	2,100	2,100	0	1,079	No change
5055551.766020. Telephone /Telecommunications- Mobile	1,100	1,100	0	698	No change
5055551.766090. Internet	0	0	0	200	
5055551.770060. Printing	800	800	0	333	No change
5055551.770150. Training & Development	3,500	3,500	0	929	No change
5055551.770160. Advertising Expenses	20,000	20,000	0	1,703	No change
5055551.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Manager Art & Community (Claire) vehicle
Youth	99,374	130,637	(31,263)	38,737	
Revenue	(97,166)	(90,903)	(6,263)	(62,785)	
5051513.606020. Grants R-OP (State) - Youth Week	(2,000)	(2,000)	0	0	No change
5051513.606025. Grants R-OP (State) - Youth FreeZa	(24,500)	(24,500)	0	(12,250)	No change
5051513.606030. Grants R-OP (State) - VicRoads L2P	(34,000)	(27,737)	(6,263)	(13,868)	Funding amount reduced due to reduced number of learners
5051513.606490. Grants R-OP (State) - Engage Youth	(36,666)	(36,666)	0	(36,667)	No change
Expenditure	196,540	221,540	(25,000)	101,522	
5051513.710010. Employee Expenses	71,254	71,254	0	52,908	No change
5051513.710011. Employee Expenses On Costs	30,136	30,136	0	0	No change
5051513.710080. Staff Uniforms	750	750	0	0	No change

Account	2021/22 Full Year Budget	2021/22 Total Mid Year Budget	2021/22 Mid Year Budget Variance	2021/22 YTD Actuals January	Mid Year Budget Comments
5051513.765010. Service Delivery Expenses - Youth	85,000	110,000	(25,000)	48,940	Includes additional \$25k for Creative Victoria for funding received in 2019 + existing Freeza \$24.5k, Engage \$36.6k and L2P \$27.7k
5051513.766010. Telephone /Telecommunications- Fixed line	900	900	0	656	No change
5051513.766020. Telephone /Telecommunications- Mobile	1,600	1,600	0	414	No change
5051513.766090. Internet	0	0	0	200	
5051513.770060. Printing	400	400	0	224	No change
5051513.770150. Training & Development	1,500	1,500	0	180	No change
5051513.770160. Advertising Expenses	5,000	5,000	0	0	No change
Mayor & Councillors	372,850	355,920	16,930	170,506	
Council	372,850	355,920	16,930	170,506	
Council	372,850	355,920	16,930	170,506	
Revenue	(9,400)	(10,776)	1,376	(8,576)	
1011111.602090. Others- Statutory Fees and Fines	(7,000)	(8,376)	1,376	(8,376)	Changed to actuals - Election compulsory vote
1011111.610080. Miscellaneous fees and Charges	(2,400)	(2,400)	0	(200)	No change
Expenditure	382,250	366,696	15,554	179,082	
1011111.710027. Salaries- Overtime	0	0	0	586	
1011111.760041. External Consultancies - Municipal Monitor	0	45,000	(45,000)	12,966	Municipal Monitor
1011111.765030. Motor Vehicles Expenses	10,000	10,000	0	4,998	Mayor Vehicle
1011111.766010. Telephone /Telecommunications- Fixed line	900	900	0	111	No change
1011111.766020. IT and Communication Expenses	9,000	6,000	3,000	2,408	Reduced as per actual
1011111.766090. Internet	0	0	0	200	
1011111.770060. Printing	1,000	500	500	214	Reduced as per actual
1011111.770090. Legal fees	15,000	1,500	13,500	1,594	Budget moved to Governance (Record Mgt)
1011111.770100. Subscriptions	33,000	33,000	0	31,412	No change
1011111.770110. Car Mileage Expenses	9,000	6,000	3,000	2,024	Reduced based on actual
1011111.770120. Travelling	10,000	5,000	5,000	0	Less due to COVID
1011111.770130. Child/Family Care Expenses	0	0	0	893	
1011111.770150. Conference and Training Expenses	40,000	25,000	15,000	11,469	Less activity due to Covid
1011111.770160. Advertising Expenses	0	0	0	0	
1011111.770210. Meeting Expenses	5,000	1,500	3,500	512	Less face to face meetings
1011111.770232. Allowances- Councillors	189,178	189,178	0	91,573	REVIEW END DECEMBER/JANUARY
1011111.770234. Superannuation - Councillors	17,972	18,918	(946)	9,254	10% SGC - REVIEW END DECEMBER/JANUARY
1011111.770240. Other Misc Expenses	5,000	2,000	3,000	1,764	As per actual
1011111.770241. Election Expenses	30,000	15,000	15,000	3,506	Compulsory vote enforcement + \$2,406 for Countback for Vacancy
1011111.771160. Depreciation- Motor Vehicles	7,200	7,200	0	3,600	Mayor vehicle
Grand Total	(6,264,281)	(8,425,457)	2,161,176	(10,969,179)	

9.5 GOVERNANCE AND CUSTOMER SERVICE

9.5.1 Monthly Performance Report

The February 2022 Monthly Performance Report includes reports as follows:-

- Building Department – December 2021 and January 2022 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – December 2021 and January 2022
- Customer Enquiry Analysis Report – Reports for December 2021 and January 2022
- Waste Management Reporting ~ Year to Date – December 2021 and January 2022
- Actioning of Council Reports Resolutions – Council Meeting 14 December 2021
- Outstanding Actions of Council Resolutions to 31 January 2022
- Review of Council Policies and Adoption of new Policies – December to February 2021
- Records of Informal Council Briefings / Meetings – 1 December 2021 to 31 January 2022

By reporting on a monthly basis, Council can effectively manage any risks that may arise. The Business Management System will also incorporate Council's corporate goals and objectives.

RECOMMENDATION

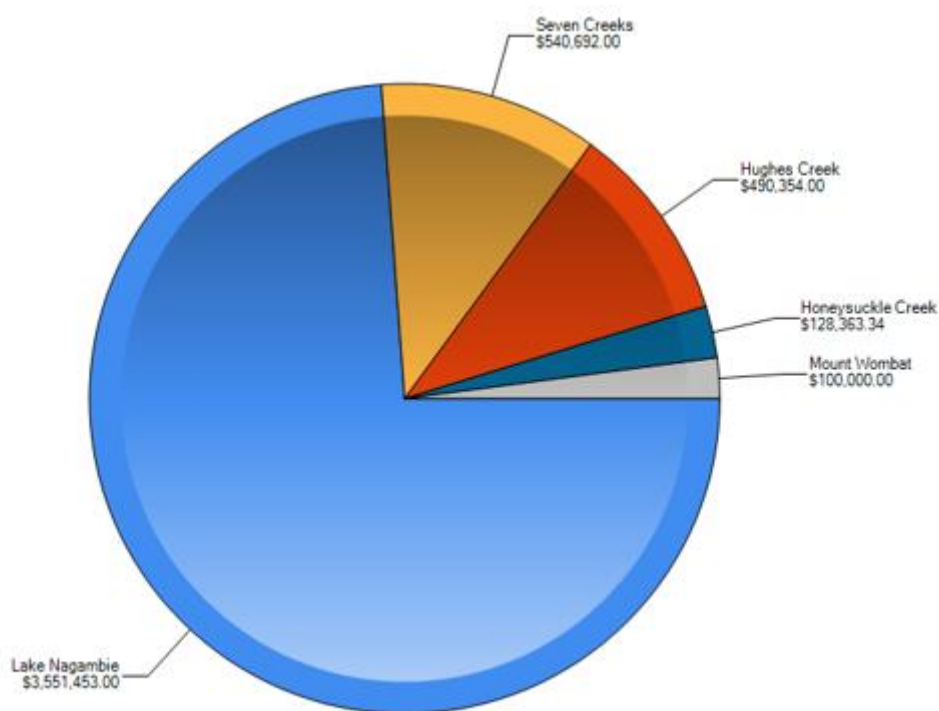
That the report be noted.

BUILDING ACTIVITY

DECEMBER 2021

A report on new building permits recorded in Council's building permit register in December 2021

Council ward	Number of lodgements	Total works value
Honeysuckle Creek	3	\$128,363.34
Hughes Creek	1	\$490,354.00
Lake Nagambie	14	\$3,551,453.00
Mount Wombat	1	\$100,000.00
Seven Creeks	3	\$540,692.00
	22	\$4,810,862.34



Honeysuckle Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
3757900045267	20/12/2021	Construction of	Hay Shed	Baddaginnie	\$69,400.00
5503410075220	17/12/2021	Construction of	Shed	Marraweeney	\$45,483.34
8097911561091	6/12/2021	Construction of	Carport	Violet Town	\$13,480.00

Hughes Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
8098085799013	21/12/2021	Demolition and Re-construction of	Toilet Block	Longwood	\$490,354.00

Lake Nagambie

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
7380588337883	22/12/2021	Construction of	Dwelling & Garage	Nagambie	\$500,763.00
2034170490831	18/12/2021	Construction of	Shed	Nagambie	\$14,500.00
2728182395440	18/11/2021	Construction of	Shed	Nagambie	\$21,565.00
3147802182946	16/12/2021	Construction of	Swimming Pool and Fence	Tabilk	\$33,000.00
5537550954862	28/11/2021	Construction of	Dwelling & Garage	Nagambie	\$463,411.00
6898201040139	25/11/2021	Construction of	train station platform extension	Nagambie	\$1,200,000.00
8075519655630	7/10/2021	Construction of	Shed	Wahring	\$30,128.00
8614023498754	19/12/2021	Construction of	Swimming Pool and Fence	Kirwans Bridge	\$55,970.00
9005628387691	21/12/2021	Construction of	Shed	Arcadia South	\$30,478.00
9095863455436	8/12/2021	Construction of	Shed	Nagambie	\$25,400.00
9520651240616	19/12/2021	Construction of	Dwelling & Garage	Nagambie	\$465,190.00
9541740758740	10/12/2021	Construction of	Dwelling & Garage	Nagambie	\$274,321.00
9645553394898	23/12/2021	Construction of	Dwelling	Moormbool West	\$99,000.00
9683619214196	28/11/2021	Construction of	Dwelling & Garage	Nagambie	\$337,727.00

Mount Wombat

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
3650421357139	30/11/2021	Alterations & Additions to	Dwelling	Ruffy	\$100,000.00

Seven Creeks

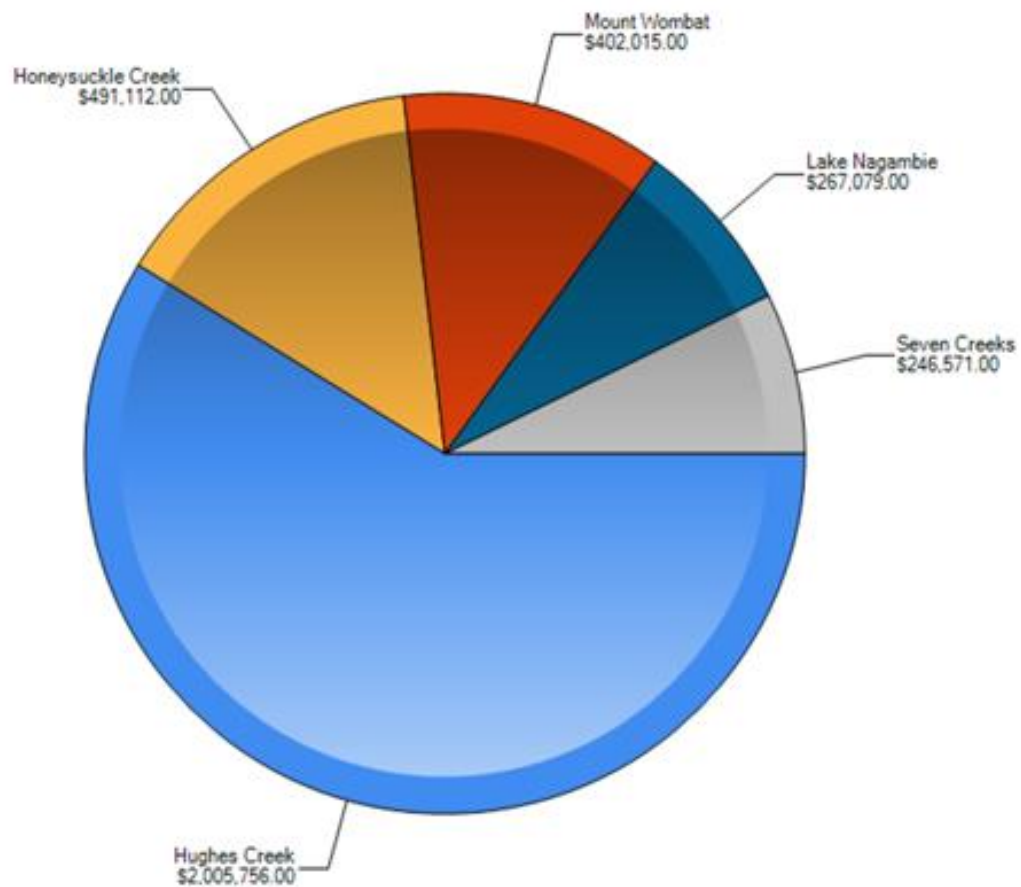
Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
1358906145217	10/12/2021	Additions to	Dwelling	Euroa	\$80,000.00
3572535836249	6/12/2021	Construction of	2x Dwellings & Garage	Euroa	\$440,000.00
4431218012543	2/12/2021	Construction of	Shed	Euroa	\$20,692.00

BUILDING ACTIVITY

JANUARY 2022

A report on new building permits recorded in Council's building permit register in January 2022

Sum(Cost Of Works Number)	Number of Lodgements	Ward
\$491,112.00	2	Honeysuckle Creek
\$2,005,756.00	9	Hughes Creek
\$267,079.00	3	Lake Nagambie
\$402,015.00	6	Mount Wombat
\$246,571.00	2	Seven Creeks
\$3,412,533.00	22	



Honeysuckle Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
1724308094825	28/01/2022	Construction of	Dwelling	Violet Town	\$198,950.00
5960935441966	12/01/2022	Construction of	Dwelling	Violet Town	\$292,162.00
					\$491,112.00

Hughes Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
1248986716247	12/01/2022	Re-erection of	Dwelling	Avenel	\$15,500.00
4302201149067	7/10/2021	Construction of	Retaining Wall	Avenel	\$15,500.00
6135728855041	28/01/2022	Construction of	Dwelling & Garage	Avenel	\$491,860.00
7403074483322	2/02/2022	Construction of	Dwelling & Garage	Avenel	\$327,225.00
8055242548831	24/01/2022	Construction of	Shed	Avenel	\$41,240.00
8391355131498	26/01/2022	Construction of	Dwelling & Garage	Avenel	\$601,257.00
9095905366351	31/01/2022	Construction of	Farm Shed	Avenel	\$66,879.00
9569023119166	12/01/2022	Construction of	Shed	Avenel	\$41,745.00
9934935102973	30/01/2022	Construction of	Dwelling & Garage	Avenel	\$404,550.00
					\$2,005,756.00

Lake Nagambie

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
3812951767721	10/01/2022	Construction of	Dwelling & Garage	Nagambie	\$228,329.00
3941849751403	21/01/2022	Construction of	Sail Shades	Nagambie	\$24,750.00
9306836028047	12/01/2022	Construction of	Shed	Nagambie	\$14,000.00
					\$267,079.00

Mount Wombat

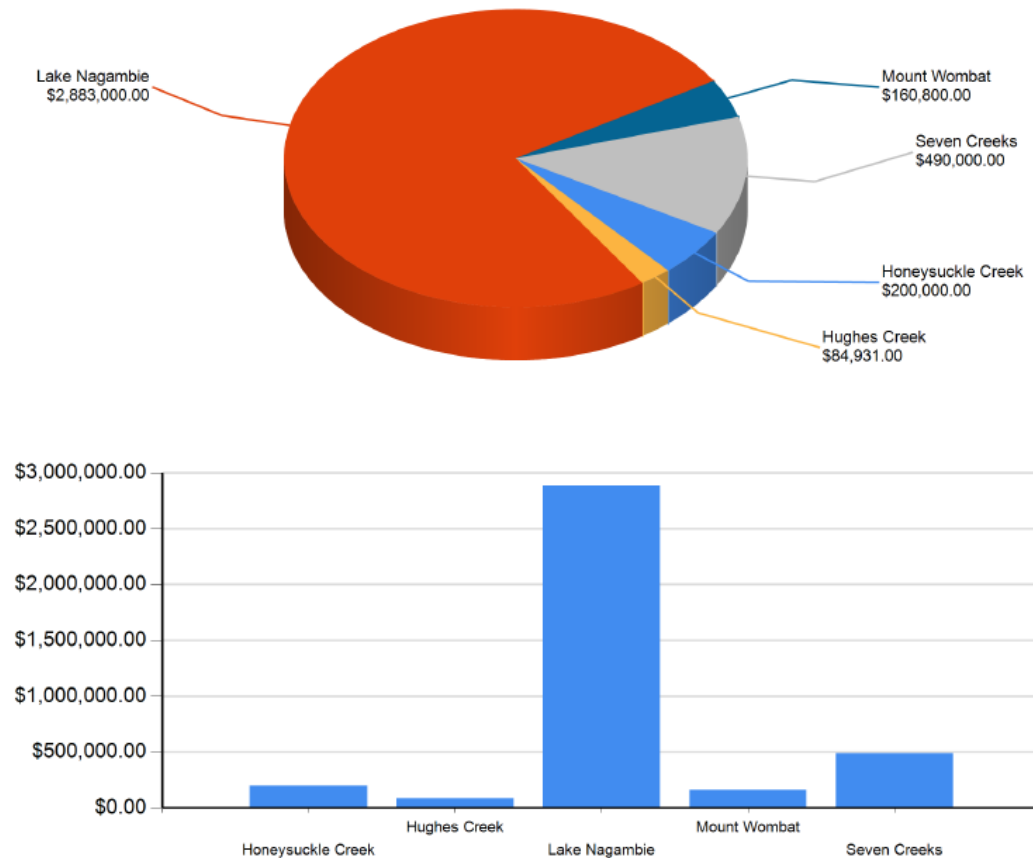
Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
3967036468198	24/01/2022	Installation of	Swimming Pool and Fence	Longwood East	\$47,984.00
3979613396767	24/01/2022	Construction of	2 x Farm Sheds (Machinery & Shearing Sheds)	Sheans Creek	\$72,548.00
5463947920340	14/12/2021	Construction of	Verandah	Kelvin View	\$41,800.00
8704237331260	24/01/2022	Construction of	Attached Carport, Shed	Strathbogie	\$16,002.00
8769387612944	21/01/2022	Construction of	Verandah	Boho South	\$28,125.00
95249009847174/0	31/01/2022	Construction of	Dwelling & Garage	Strathbogie	\$195,556.00
					\$402,015.00

Seven Creeks

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
4426506332711	21/01/2022	Construction of	Dwelling	Euroa	\$215,001.00
5779517924070	18/01/2022	Installation of	Shade sail	Euroa	\$31,570.00
					\$246,571.00

PLANNING APPLICATION APPROVALS – DEVELOPMENT COST (CAPITAL IMPROVED VALUE)
DECEMBER 2021

Honeysuckle Creek	\$200,000.00
Balmattum	\$200,000.00
Hughes Creek	\$84,931.00
Avenel	\$35,000.00
Avenel	\$49,931.00
Lake Nagambie	\$2,883,000.00
Bailieston	\$30,000.00
Kirwans Bridge	\$350,000.00
Kirwans Bridge	\$450,000.00
Mitchellstown	\$23,000.00
Nagambie	\$2,000,000.00
Nagambie	\$10,000.00
Wahring	\$20,000.00
Mount Wombat	\$160,800.00
Euroa	\$39,000.00
Kelvin View	\$41,800.00
Sheans Creek	\$35,000.00
Strathbogrie	\$30,000.00
Strathbogrie	\$15,000.00
Seven Creeks	\$490,000.00
Euroa	\$490,000.00
Total Value	\$3,818,731.00



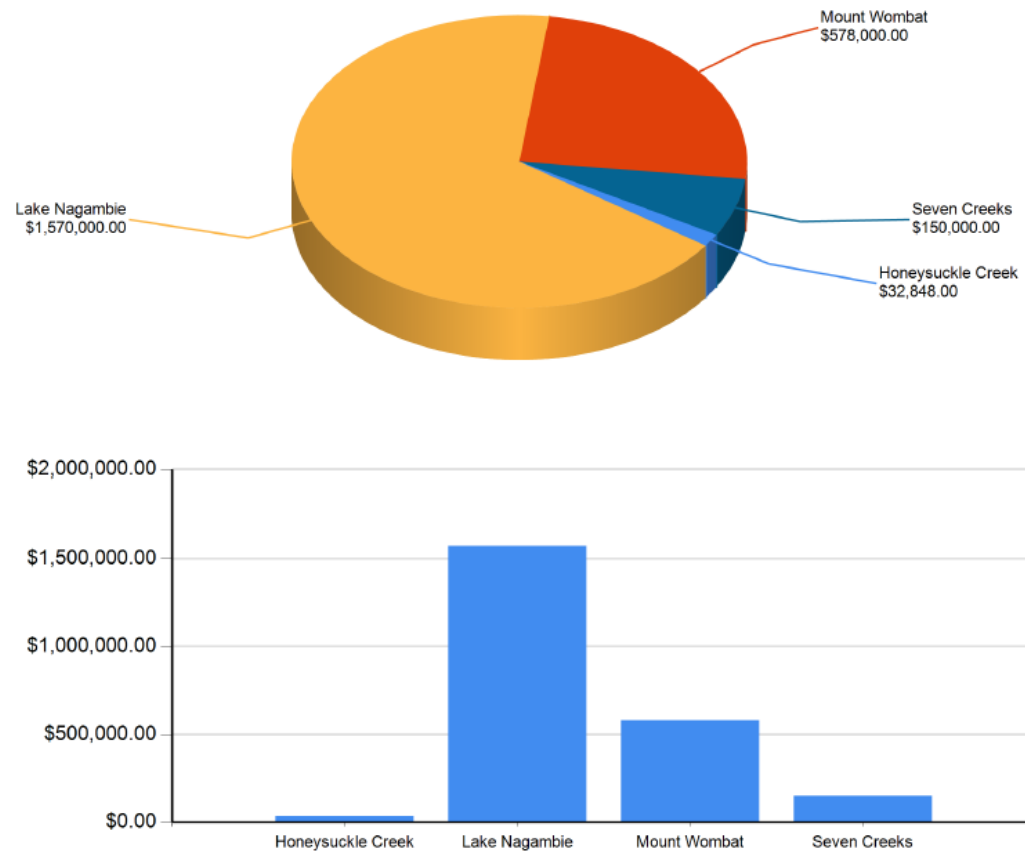
PLANNING APPLICATION APPROVALS – DEVELOPMENT COST (CAPITAL IMPROVED VALUE)
JANUARY 2022



Planning Applications Determined

January 2022

Honeysuckle Creek	\$32,848.00
Koonda	\$32,848.00
Lake Nagambie	\$1,570,000.00
Goulburn Weir	\$1,110,000.00
Kirwans Bridge	\$450,000.00
Kirwans Bridge	\$10,000.00
Mount Wombat	\$578,000.00
Creightons Creek	\$80,000.00
Euroa	\$498,000.00
Seven Creeks	\$150,000.00
Euroa	\$150,000.00
Total Value	\$2,330,848.00



CUSTOMER ENQUIRY ANALYSIS REPORT - REPORTS FOR DECEMBER 2021



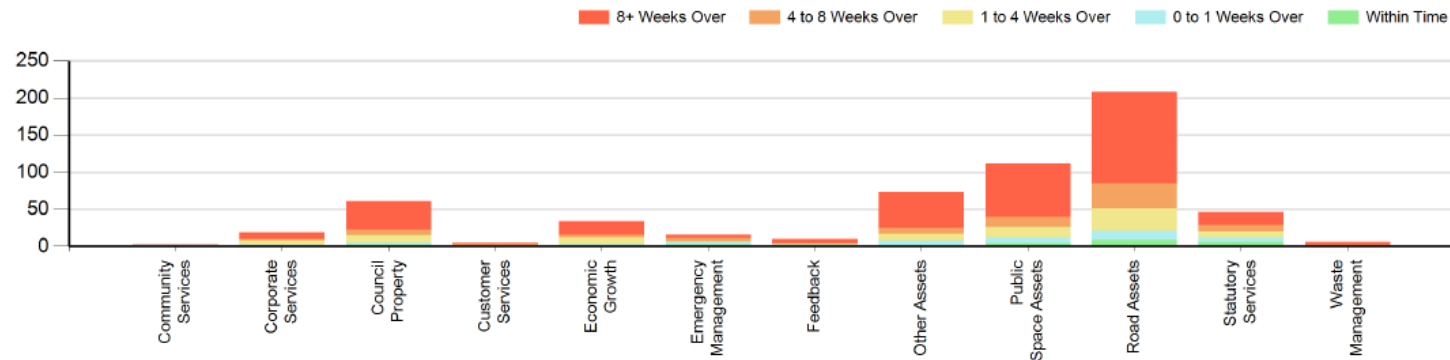
Request Throughput Analysis

01/12/2021 to 31/12/2021

C N	Complete / New	> 80%	50-80%	< 50%
	Overdue / Remaining	< 33%	34-70%	> 70%

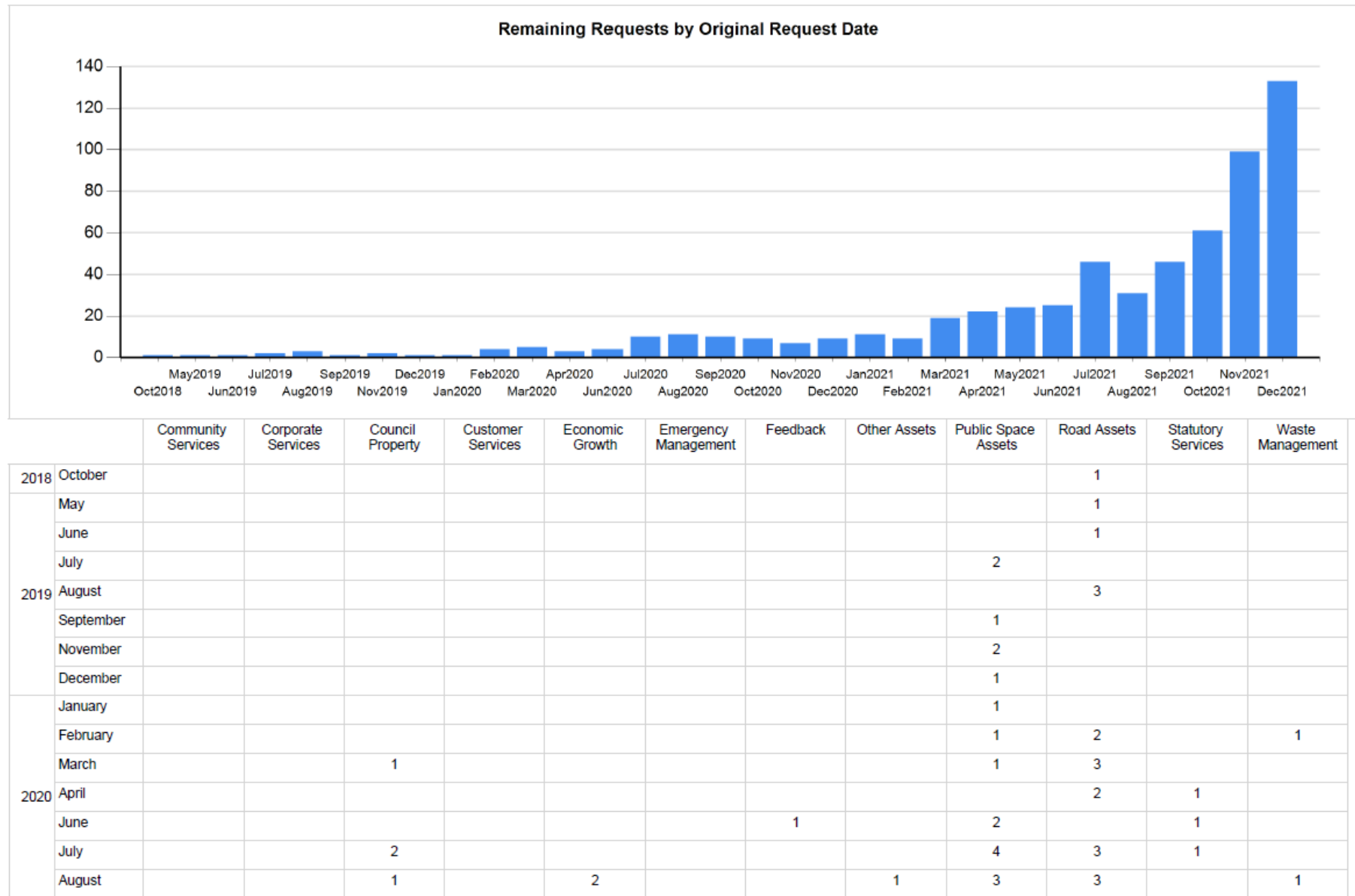
Service Area	Existing Requests	New Requests	Completed Requests	Remaining Requests	C N	Within Time	Over Time	O R	Pending Resources	Service Area Usage
Community Services	11	37	45	3	✓	0	3	✗	0	<div></div>
Corporate Services	17	49	46	20	✓	1	19	✗	0	<div></div>
Council Property	72	43	53	61	✓	2	59	✗	1	<div></div>
Customer Services	4	8	7	5	✓	0	5	✗	0	<div></div>
Economic Growth	29	158	151	36	✓	0	36	✗	0	<div></div>
Emergency Management	14	40	37	17	✓	2	15	✗	0	<div></div>
Feedback	7	4	1	10	✗	0	10	✗	0	<div></div>
Other Assets	69	27	21	75	⚠	1	74	✗	0	<div></div>
Public Space Assets	132	45	57	114	✓	4	110	✗	6	<div></div>
Road Assets	218	72	81	209	✓	9	200	✗	0	<div></div>
Statutory Services	52	95	100	47	✓	6	41	✗	0	<div></div>
Waste Management	8	24	25	7	✓	0	7	✗	0	<div></div>
Total	633	602	624	604		25	579		7	

Request Ageing



Service Usage





2020	September			1					3	6		
	October		1			2			1	5		
	November			3					2	2		
	December			1					6	2		
2021	January		3	3		1			2		1	1
	February			1					4	3	1	
	March	1		4		2		4	3	4	1	
	April		1	1	1			5	1	12	1	
	May			2		2	1	5	2	10	2	
	June			3		1	1	10	2	7	1	
	July		1	4		3	2	14	3	17	2	
	August		2	4		1	1	2	7	11	2	1
	September			4	1	5	1	3	12	18	2	
	October		1	7	1	1	5	5	17	21	3	
	November		2	8		4	2	1	13	17	13	3
	December	2	9	12	2	14	7	3	13	20	15	
Total		3	20	62	5	36	17	10	75	120	209	47

CUSTOMER ENQUIRY ANALYSIS REPORT - REPORTS FOR JANUARY 2022



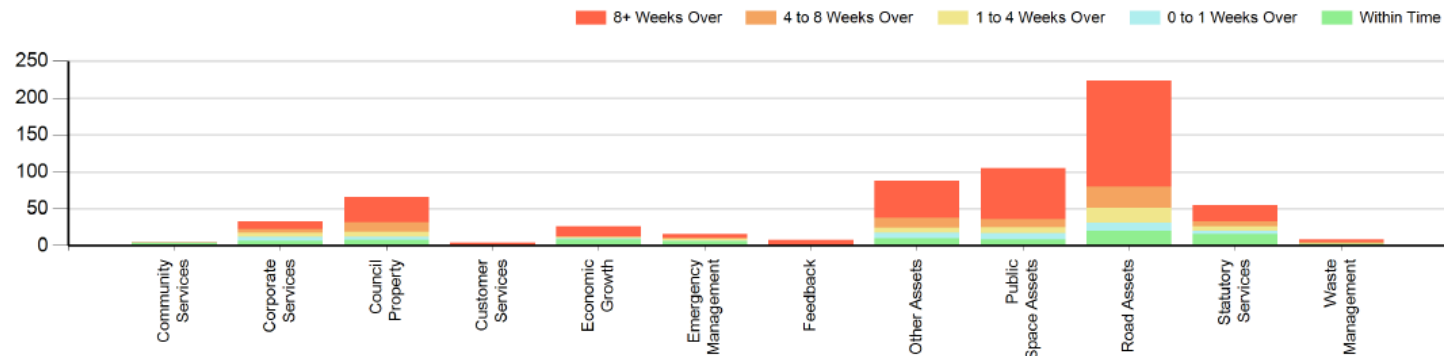
Request Throughput Analysis

01/01/2022 to 31/01/2022

	Complete / New	> 80%	50-80%	< 50%
	Overdue / Remaining	< 33%	34-70%	> 70%

Service Area	Existing Requests	New Requests	Completed Requests	Remaining Requests	C N	Within Time	Over Time	O R	Pending Resources	Service Area Usage
Community Services	3	30	28	5		4	1		0	
Corporate Services	20	61	48	33		7	26		0	
Council Property	62	51	45	67		8	59		1	
Customer Services	4	5	5	4		0	4		0	
Economic Growth	36	164	174	26		9	17		0	
Emergency Management	17	63	64	16		6	10		0	
Feedback	10	1	3	8		0	8		0	
Other Assets	76	32	19	89		10	79		0	
Public Space Assets	120	72	79	107		9	98		6	
Road Assets	208	67	50	225		20	205		0	
Statutory Services	47	111	102	56		16	40		0	
Waste Management	7	16	14	9		2	7		0	
Total	610	673	631	645		91	554		7	

Request Ageing



Service Usage



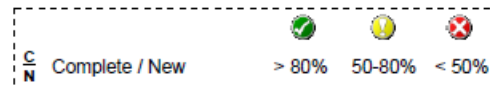


2020	September			1					2	6		
	October		1			2				5		
	November			3					2	2		
	December			1					5	2		
2021	January		3	3		1			2		1	1
	February			1					3	3	1	
	March	1		4		1		3	1	4	1	
	April		1	1	1			5	1	11	1	
	May			1			2	1	5	2	10	2
	June			1		1		1	8	2	5	
	July		1	3		3		2	14	3	17	2
	August		2	3				1	2	6	11	2
	September			2	1	3	1		3	9	16	2
	October		1	5	1	1	3		4	14	17	3
	November		2	6				1	11	13	27	9
	December		5	11	1		2	1	12	7	29	5
2022	January	4	17	18		12	8		21	25	41	24
Total		5	33	68	4	26	16	8	89	113	225	56

Definitions

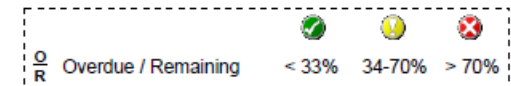
Service Area	Grouping of services by area of responsibility
Existing	Requests open prior to reporting period
New	Requests made during reporting period
Within Time	Remaining Requests where defined deadline is after reporting period
Pending Resources	Requests where additional resources are required to continue. This includes labour, materials, and financial resources.

Complete New An indicator showing the ratio of Completed requests and New requests. Designed to represent how well we are keeping up with the demand for a service.

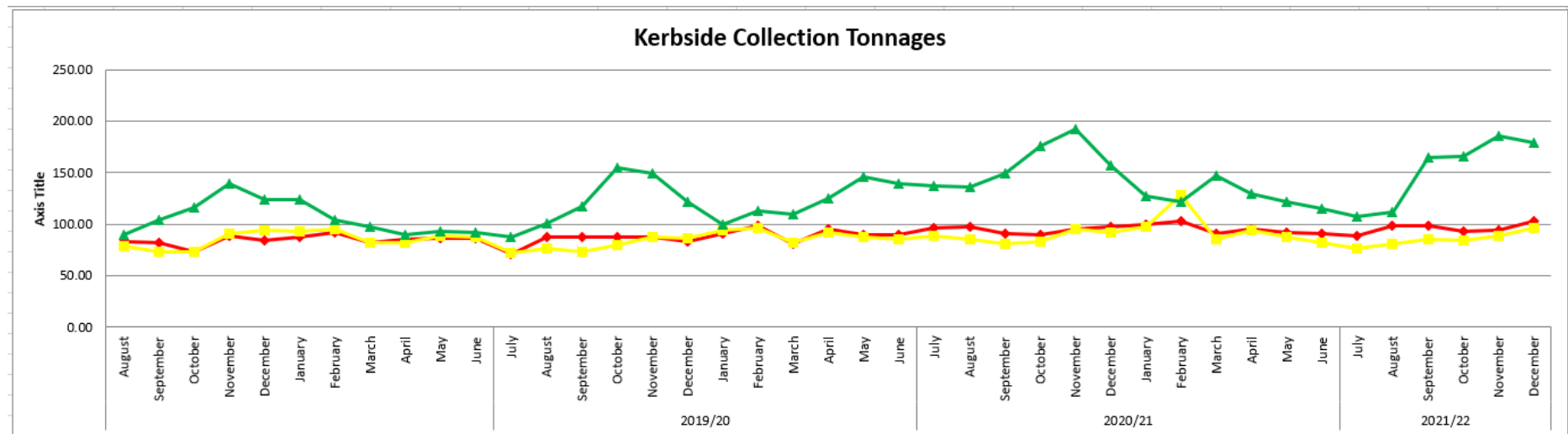


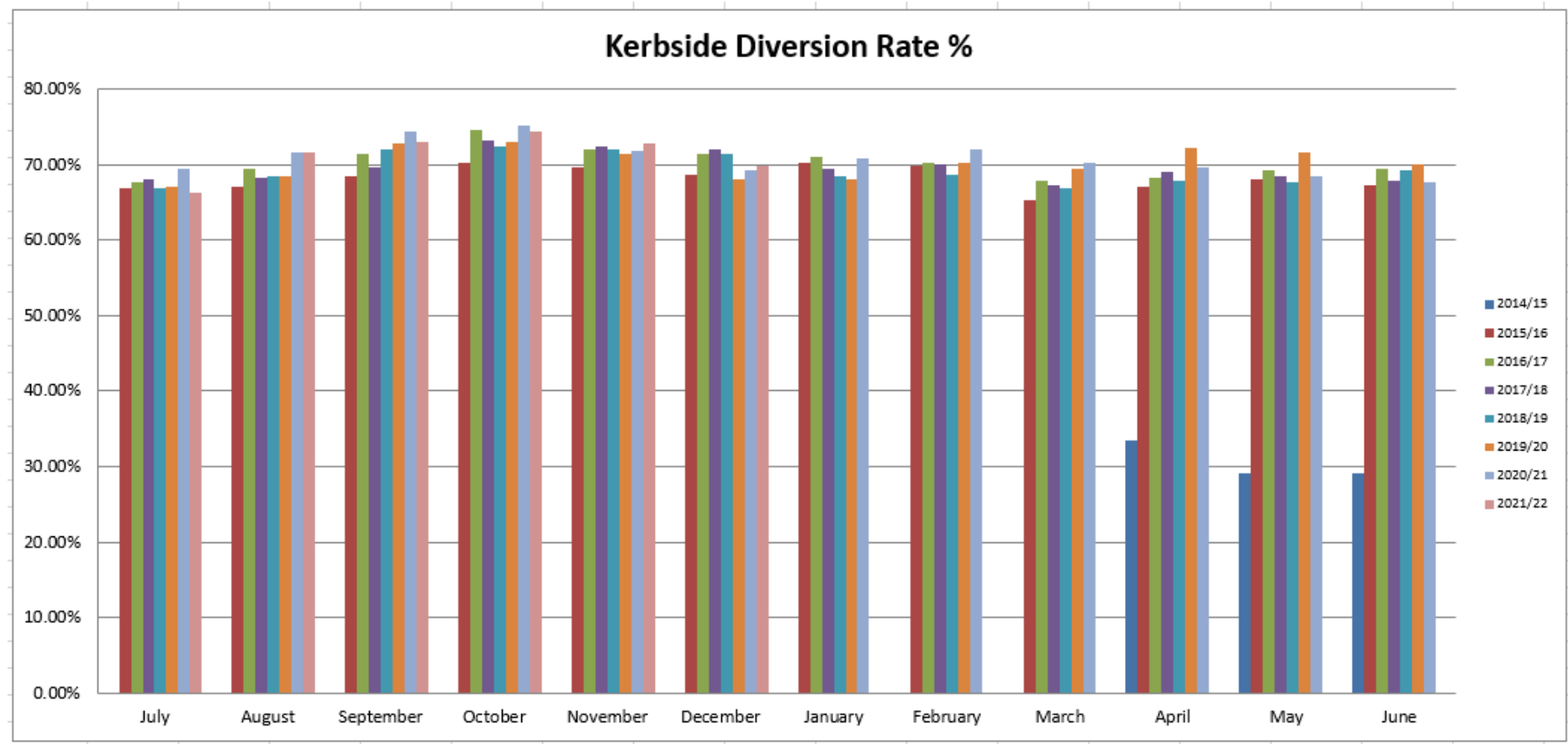
Service	Activities that provide value to the customer
Remaining	Requests incomplete at end of reporting period
Completed	Requests completed during reporting period
Over Time	Remaining Requests where defined deadline is before the end of the reporting period

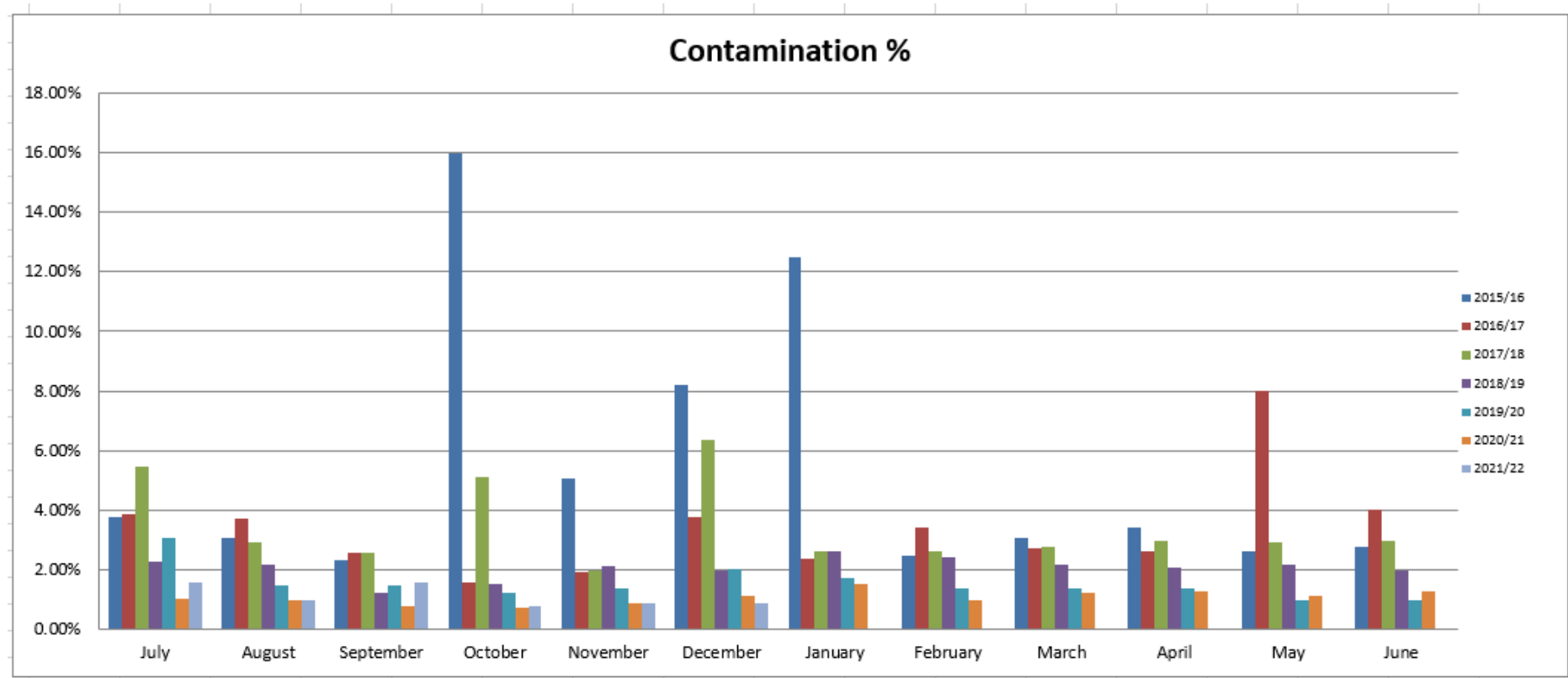
Overdue Remaining An indicator showing the ratio of Overdue requests and Remaining requests. Designed to represent how well we are keeping to the defined deadlines.



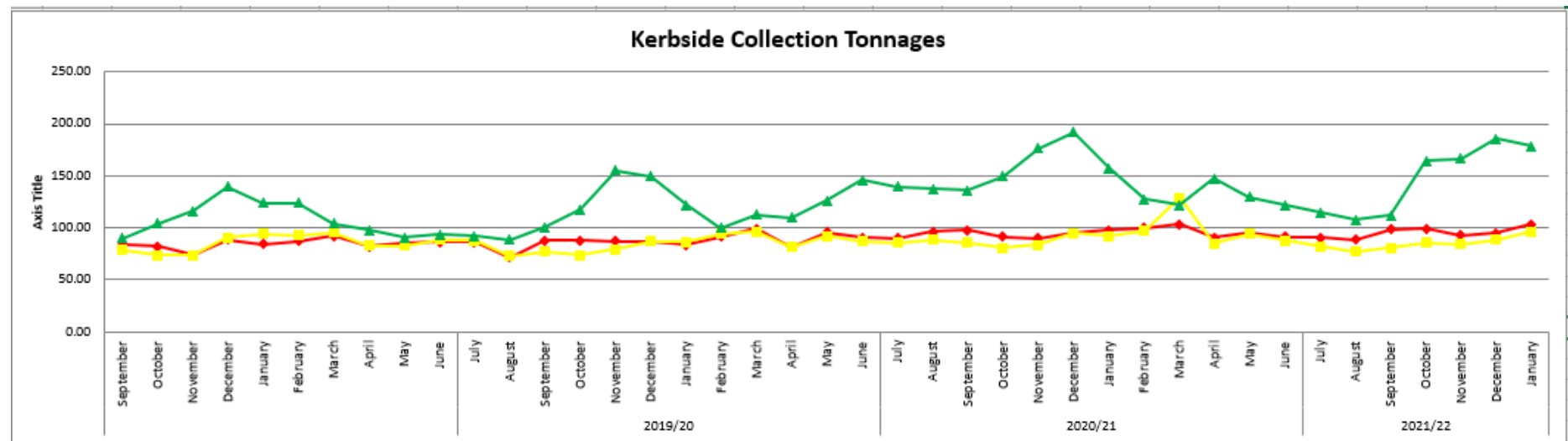
WASTE MANAGEMENT REPORTING
YEAR TO DATE - DECEMBER 2021

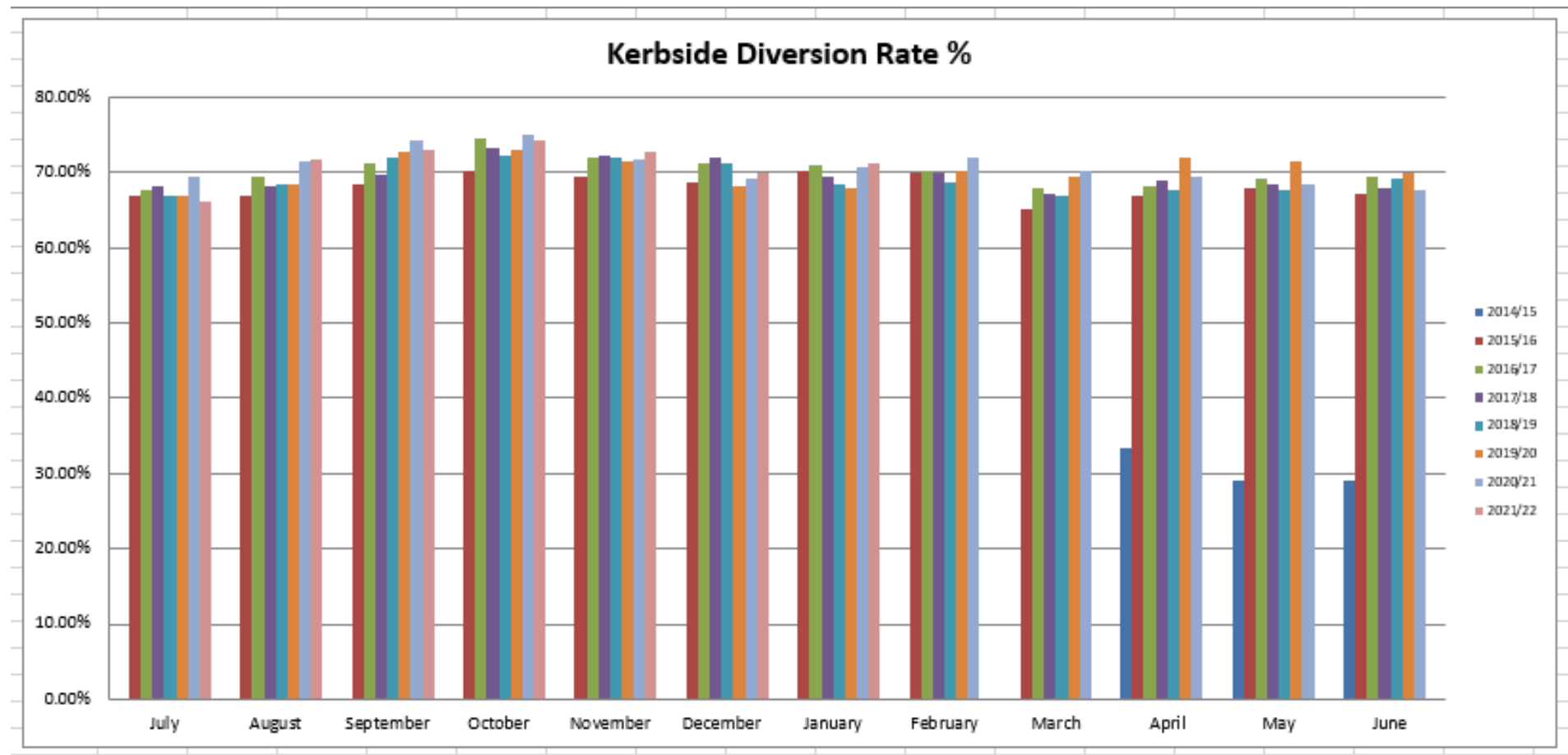


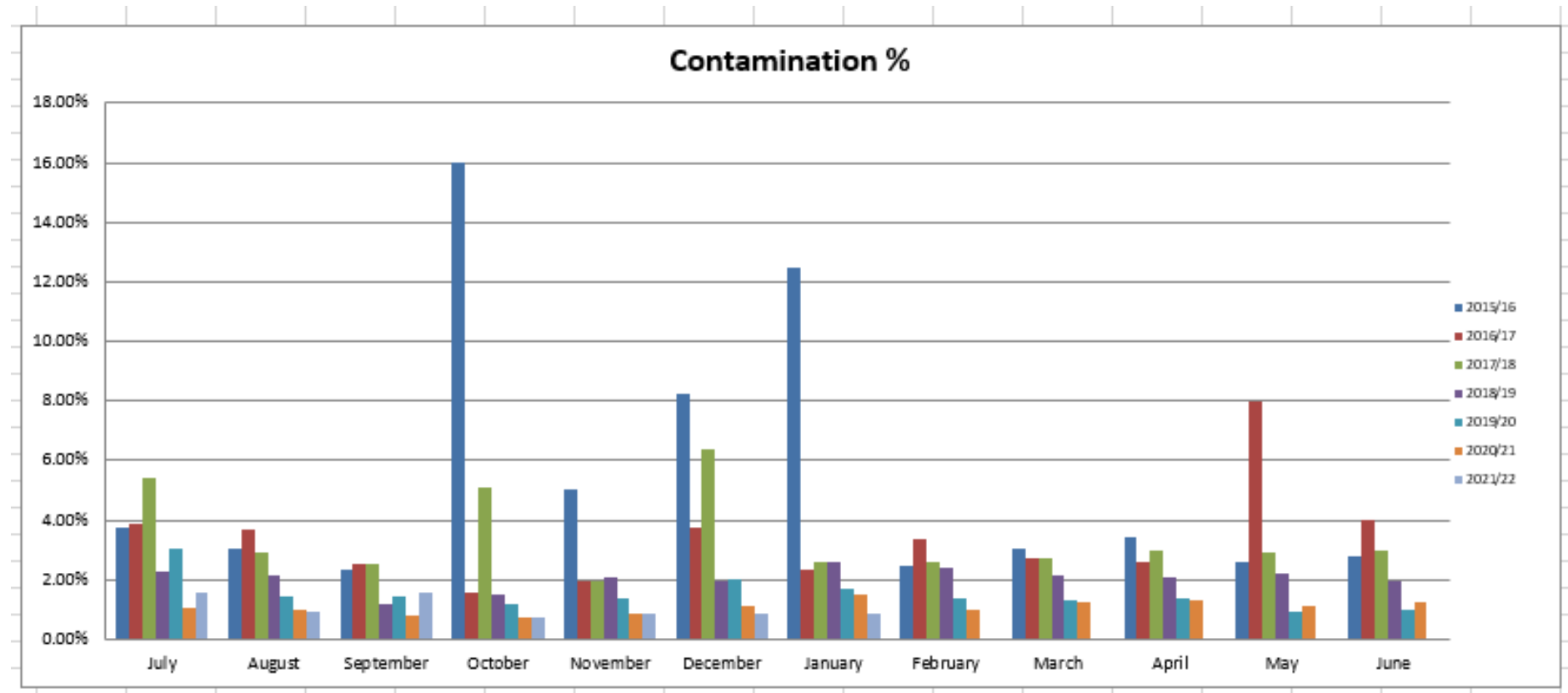




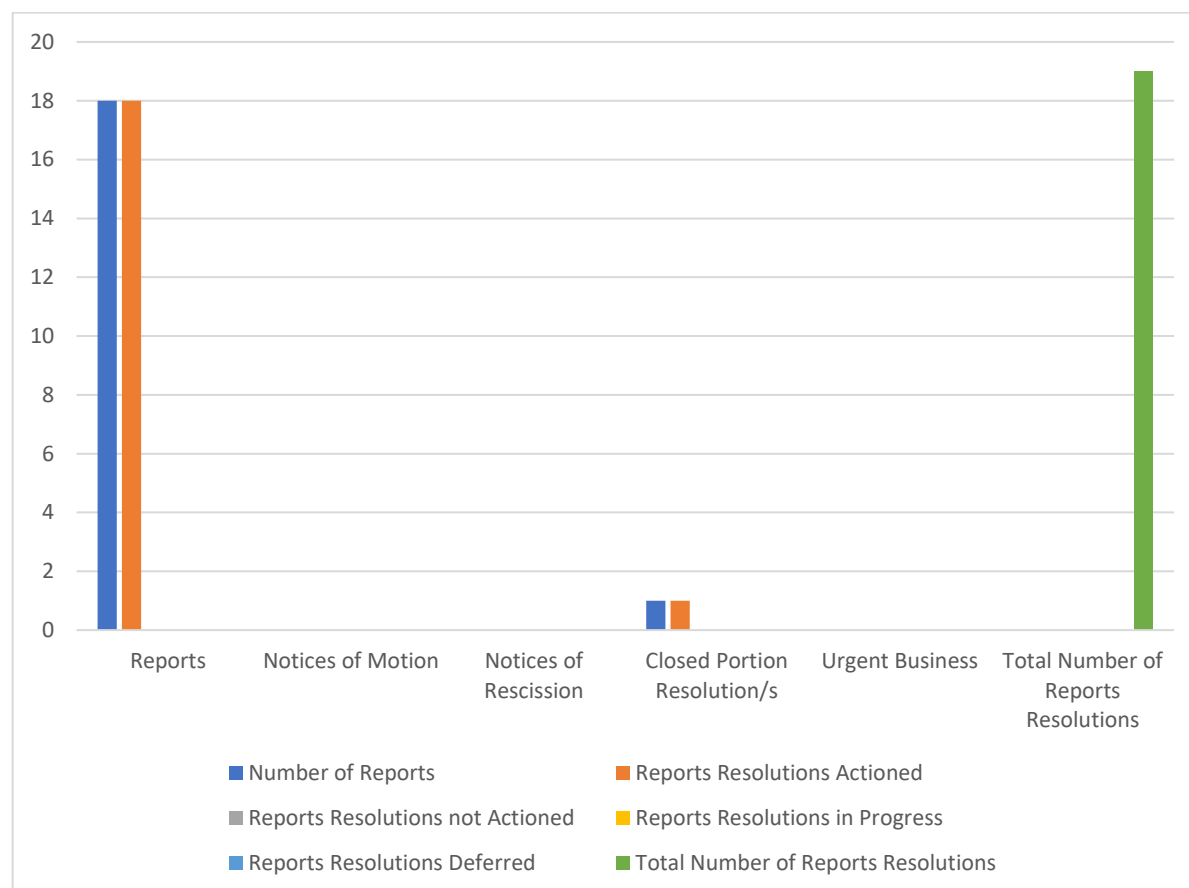
WASTE MANAGEMENT REPORTING **YEAR TO DATE - JANUARY 2022**







ACTIONING OF COUNCIL REPORTS RESOLUTIONS **COUNCIL MEETING – 14 DECEMBER 2021**



OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO 31 JANUARY 2022

This Report is to advise the Executive Management Team, Councillors and the community of the status of previous Council resolutions which are in progress but are yet to be finalised.

Council Meeting Date	Item No.	Description
20 April 2021	10.1	<p>Notice of Motion - Climate Emergency Declaration</p> <p><u>Officer Update:</u> The online forum for Developing a Climate Change Action Plan is now live on Share Strathbogie. We have also begun a social media campaign to promote interest and hear views. Once this consultation has been completed, a draft Climate Change Action Plan will be developed and presented to Council.</p>

REVIEW OF EXISTING COUNCIL POLICIES AND ADOPTION OF NEW POLICIES

Review of Policy / New Policy	Policy Name	Details
<i>Nil</i>		

RECORDS OF INFORMAL COUNCIL BRIEFINGS / MEETINGS

For period 1 December 2021 to 31 January 2022

Record in accordance with Council's Public Transparency Policy 2020

Note: Details of matters discussed at the meeting that have been designated confidential under Rule 103 of the Governance Rules and sections 3 and 125 of the LG Act 2020 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting

Name of Meeting: Informal Council Briefings / Meetings

Date of Meeting: Tuesday 7 December 2021

Time: 11.00 a.m. – 3.45 p.m.

Attendees:

Councillors

Laura Binks

David Andrews

Reg Dickinson

Sally Hayes-Burke

Kristy Hourigan

Paul Murray

Chris Raeburn

Officers

Julie Salomon (Chief Executive Officer)

David Roff (Director, Corporate Operations)

Amanda Tingay (Director, Community and Planning)

Dawn Bray (Executive Manager, Governance and Customer Service)

Kristin Favaloro (Executive Manager, Communications and Engagement)

Apologies:

Janet Dore (Municipal Monitor)

1. Councillors / CEO Only Discussions
2. Councillor Only Discussions
3. Review of draft Agenda for December 2021 Council Meeting
4. Workforce Plan – briefing by Dawn Bray
5. Regional Tourism Board Update – briefing by Amanda Tingay
6. Elloura Development

Declaration of Interest/s under Local Government Act 2020 (General Conflict of Interest - Section 127 / Material Conflict of Interest – Section 128)

Councillor/s -

Matter No.	LGA 2020 Interest Section	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?
3 / 9.5.1	128	Cr Binks	Yes (Left meeting at 2.30 p.m. / returned at 2.32 p.m.)

Officer/s -

Matter No.	LGA 2020 Interest Section	Names of Officer/s who disclosed interest	Did the Officer/s leave the meeting?
3 / 9.4.3	128	Amanda Tingay	Yes <i>(Left meeting at 1.51 p.m. / returned at 1.53 p.m.)</i>

Record of Informal Council Briefings / Meetings

Record in accordance with Council's Public Transparency Policy 2020

Note: Details of matters discussed at the meeting that have been designated confidential under Rule 103 of the Governance Rules and sections 3 and 125 of the LG Act 2020 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting

Name of Meeting: Informal Council Briefings / Meetings

Date of Meeting: Tuesday 14 December 2021

Time: 11.00 a.m. – 3.45 p.m.

Attendees:

Councillors

Laura Binks
David Andrews
Reg Dickinson
Sally Hayes-Burke
Kristy Hourigan
Paul Murray
Chris Raeburn

Officers

Julie Salomon (Chief Executive Officer)
David Roff (Director, Corporate Operations)
Amanda Tingay (Director, Community and Planning)
Dawn Bray (Director, People and Performance)
Kristin Favaloro (Executive Manager, Communications and Engagement)

Apologies:

Janet Dore (Municipal Monitor)

1. CEO Performance Review Committee Meeting
2. Elloura Development
3. Tourism App Demonstration
4. Councillors / MM / CEO Only Discussions⁵
5. Councillors / MM Only Discussions
6. Elloura Development
7. Council Meeting

Declaration of Interest/s under Local Government Act 2020 (General Conflict of Interest - Section 127 / Material Conflict of Interest – Section 128)

Councillor/s -

Matter No.	LGA 2020 Interest Section	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?
7 / 9.5.1	128	Cr Binks	Yes (Left meeting at 8.00 p.m. / returned at 8.08 p.m.)

Officer/s – NIL

10. NOTICES OF MOTION

11. NOTICES OF RESCISSION

12. URGENT BUSINESS

13. CONFIDENTIAL BUSINESS

Confidential Appendices

These appendices have been classified as being confidential in accordance with section 66(2)(a) and Part 1, section 3 of the Local Government Act 2020 as they relate to:

- (a) *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released*

Appendix 1: Collaborative Procurement Working Group HUME
Memorandum of Understanding - Waste Services
Collaborative Procurement

NEXT MEETING

The next monthly Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 15 March 2022, commencing at 6.00 p.m.

It is intended that this meeting be held in the Euroa Community Conference Centre, however, this will be dependent on any COVID-19 restrictions which may be in place.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT..... P.M.