



STRATHBOGIE SHIRE COUNCIL

**MINUTES/DECISIONS OF A MEETING OF THE STRATHBOGIE SHIRE COUNCIL
HELD ON TUESDAY 15 MARCH 2022, AT THE EUROA COMMUNITY CONFERENCE
CENTRE, COMMENCING AT 6.00 P.M.**

Chair:	Paul Murray (Deputy Mayor)	(Hughes Creek Ward)
Councillors:	David Andrews	(Lake Nagambie Ward)
	Reg Dickinson	(Lake Nagambie Ward)
	Sally Hayes-Burke	(Seven Creeks Ward)
	Kristy Hourigan	(Seven Creeks Ward)
	Chris Raeburn	(Honeysuckle Creek Ward)
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)
	Braydon Aitken	Manager, Planning and Investment (MPI)

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

Councillor Laura Binks (Mayor) (Mount Wombat Ward)

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4. Disclosure of Conflicts of Interest

Cr Raeburn declared a general interest under Clause 127 of the Local Government Act 2020 in Item 9.1.4 (Planning Permit Application No. P2021-080 - Use and Development for a Dwelling and Shed ~ 340 Polly McQuinns Road, Strathbogie VIC 3666)

The Chief Executive Officer declared a material interest under Clause 128 of the Local Government Act in Item 9.5.3 (Chief Executive Officer Performance Review) given that the matter related to an employment contract.

5. Confirmation of Minutes of Previous Meetings

MOVED: COUNCILLOR RAEBURN
SECONDER: COUNCILLOR HAYES-BURKE

That the Minutes of the Council meeting held on Tuesday 15 February 2022 be confirmed.

53-21/22 **CARRIED**

6. Petitions

Two late petitions were received by Council in relation to Item 9.1.1 (Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666).

The first petition has 21 signatories and reads –

The undersigned ratepayers and citizens of the Shire of Strathbogie oppose the orientation of the entrance along Boundary Road South to be moved from the current location of where it is proposed on the current drawing plan.

The second petition has 98 signatories and reads –

The undersigned ratepayers and citizens of the Shire of Strathbogie oppose the orientation of the houses along Boundary Road South in the Balmore Subdivision.

We the undersigned feel that houses should front onto Boundary Road for social, aesthetic and long-term connectivity reasons.

The Chair advised that the petitions would be considered as part of Item 9.1.1 under Governance Sub Rule 32.6 and 32.7.

7. Reports of Mayor and Councillors and Delegates

Cr Hayes-Burke

- Thanked community members who participated in the Climate Change roundtable discussions. Feedback will be incorporated into an action plan for final community review.
- Thanked volunteers for assistance with events held throughout the Shire over Labour Day weekend.
- Memorandum of Understanding between Strathbogie Shire Council and the Taungurung Land and Waters Council – meeting next week in relation to action plan.

Cr Dickinson

Acknowledged people of Nagambie who turned up for Clean Up Australia Day.

Cr Murray

- Lifting of restrictions has inspired everyone to get out and about and enjoy events again.
- Participated in Climate Change Action Plan roundtable discussions, held online and in person. Findings will be compiled and a draft action plan will be available for community consultation in April via the Share Strathbogie engagement platform. Action Plan is part of Council's commitment to Declaring a Climate Emergency in 2021.
- Four bins system – asking community to vote on preferred option for best kerbside collection configuration via the Share Strathbogie engagement platform.
- Pitch My Project – 50 submissions received. Councillors now reviewing submissions to decide on for inclusion in 2022/23 draft Budget. Draft Budget will be available to community consultation in due course.
- Participated in Strathbogie Shire Council Audit and Risk Committee meeting.
- Attended two Longwood East Landcare Group History Workshops.
- Attended 2022 International Women's Day event at Yulong Stud in Mangalore.
- Attended March Avenel Market.
- Attended Avenel Active monthly meeting.
- Invited community members to view and fill-in Rural Outreach Survey via the Share Strathbogie engagement platform.

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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.

Council Ref: TM 01/2022

Road closure permit issued by the Shire. When the ratepayer has 18km to travel on way in lieu of 30 metres. When I asked for a copy I was told it is under the Privacy Act.

The Crown Reserve is controlled by the Shire to use the reserve the Shire creates restriction of use with no standards.

Officer Response

I understand officers have had discussions with you today to clarify which road closure you are referring to, which is a temporary road closure for road works to be undertaken on Mahers Road for a period between 4 – 18 March 2022.

I have been advised that the permit applicant placed a notice in the local paper and notified local residents of the temporary closure prior to 4 March.

Council must comply with privacy legislation when dealing with documents that contain people's personal details such as names, phone numbers and addresses that will be listed on the application form and permits.

We cannot, therefore, provide copies of application forms and permits without going through a Freedom of Information process, which will require consultation with all parties whose information is on the form prior to making a decision as to whether or not information can be released.

I acknowledge this sounds bureaucratic, but government agencies are bound by strict restrictions and there are penalties for Council if we breach the Act. In accordance with the permit, the road will reopen on Saturday.

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

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NEXT MEETING

The next monthly Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 19 April 2022, commencing at 6.00 p.m.

It is intended that this meeting be held at the Euroa Community Conference Centre, however, it should be noted that if coronavirus restrictions are in force, the meeting will be held virtually.

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9. OFFICER REPORTS

9.1 STRATEGIC AND STATUTORY PLANNING

9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is for a staged multi lot residential subdivision (48 lots) at (CA 6, 7 & 8 SEC 65 Parish of Euroa) 45-85 Boundary Road South, Euroa. Planning approval is also required for the removal of native vegetation (8 trees) and creation of vehicle access to a Transport Zone 2 – Principle Road Network (Mansfield Road).
- The application was advertised and 27 objections were received. Amendments to the proposed plan of subdivision have been made to address some of the objectors' concerns. This has resulted in a number of the objections being withdrawn.
- The application has not been assessed within the 60-day statutory timeframe due objections being received.
- The proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework and the relevant Zone and Overlay controls.
- The subdivision layout has been designed to avoid native vegetation removal, particularly within the road reserve frontage of the land along Boundary Road South. While the existing large native trees on the land are to be retained, they are deemed to be lost under the Native Vegetation Guidelines as they will be contained within an urban environment.
- The land is located within the Euroa's designated township boundary, is zoned for residential development and is identified for infill residential development.
- It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

Six submitters to the application and the applicant addressed the meeting.

MOVED: COUNCILLOR HAYES-BURKE

SECONDED: COUNCILLOR HOURIGAN

That Council

1. ***Having caused notice of Planning Application No. P2020-163 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 32.08-3, 44.04-3, 52.17-1 & 52.29-2 of the Strathbogie Planning Scheme in respect of the land known as CA 6, 7 & 8 SEC 65 Parish of Euroa 45-85 Boundary Road South, Euroa, for a Staged multi lot residential subdivision, access to the Principal Road Network TRZ2 and removal of native vegetation in accordance with endorsed plans, subject to the following conditions:***

- 9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

Conditions:

Endorsed Plans

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

Section 173 Agreement

2. *Prior to the issue of a Statement of Compliance for Stage 1 of the proposed subdivision a Section 173 Agreement must be entered in to at no cost to Council, which ensures the following:*
 - a) *The on-site detention for stormwater for the 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. Provision should be made for the use of tanks for each dwelling to allow for the capture and re-use of stormwater for garden, toilet and laundry purposes.*
 - 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. 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).*
 - c) *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*
 - d) *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.*
 - e) *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.*
 - f) *The Owner will pay for all the costs associated with the construction and maintenance of each on-site detention system.*
 - g) *Boundary fencing along Boundary Road South must be maintained in accordance with the endorsed fencing plan forming part of planning permit P2020-163, at the landowner's expense, to the satisfaction of the responsible authority.*

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9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

The Section 173 Agreement must be prepared by Council's solicitors, to the satisfaction of the Responsible Authority and must be recorded on the folio of the Register to the subject land pursuant to Section 181 of the Planning and Environment Act 1987.

Engineering Plans, Reports and Requirements

3. ***Prior to the certification of the plan of subdivision for each stage of the development, detailed construction plans must be submitted for the approval of 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 modified to show: -***
 - a) ***All bearings, distances, levels, street names, lot numbers, lot sizes, reserves and easements.***
 - b) ***Road Reserve, carriageway and verge widths.***
 - c) ***Protection measures for existing native vegetation on site.***
 - d) ***Provision of fire hydrants in accordance with CFA requirements***
 - e) ***Drainage design.***
 - f) ***All infrastructure including drainage, concrete footpath, kerb and channel, public lighting and utility services***
 - g) ***The use of recycled materials wherever possible.***
 - h) ***Vehicle crossing for each lot.***
 - i) ***Street tree locations.***
 - j) ***All surface details.***
 - k) ***Proposed court bowls.***
 - l) ***All relevant road signage and line marking.***
 - m) ***Speed limit signs as appropriate.***
 - n) ***Other information relevant to the land such as dams, wells, filled land, creeks and natural water courses etc.***
4. ***Prior to the commencement of works for each stage of the subdivision, 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.***
 - d) ***Measures relating to removal of hazardous or dangerous material from the site, where applicable.***

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9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

- 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.*
5. *Prior to the commencement of works for each stage of the subdivision, 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.*
6. *Prior to the commencement of works for stage 1 of the subdivision, a Traffic Management Strategy and investigation must be submitted as per Clause 9 of the IDM via a qualified engineer, unless otherwise agreed to in writing. The strategy, including the traffic impact assessment report and professional recommendations will be considered as part of the design.*
7. *The final design parameters for the roadways and pathways 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) *Pram crossings must be provided at all intersections to the satisfaction of the responsible authority.*
 - (b) *Include in the design plans recommendations resulting from any required Traffic Impact Assessment.*

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9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

- (c) *Provide temporary turnaround areas for roads terminated at stage boundaries. The size must be sufficient to turn service and emergency vehicles around without reversing. A minimum of 250mm depth of approved crushed rock material is required.*
 - (d) *A pavement design must be submitted for the entire road network by a suitably qualified engineer in accordance with clause 12.7 of the IDM. Irrespective of such design a minimum pavement depth of 250mm must be provided in an approved material. Council requires that the pavement wearing course be in accordance with Clause 12.7.16.*
 - (e) *Design of roads and footpath must be accessible to people with disabilities and include tactile ground surface indicators, and kerb ramps required for the safe movement of people with disabilities as per relevant Australian Standards.*
 - (f) *The Vehicle crossings to the subject allotments from the road must be constructed at a location and of a size and standard satisfactory to the Responsible Authority.*
 - (g) *Subsoil drainage installed for all kerb and channel.*
8. *Prior to the certification of the plan of subdivision for stage 1, a Stormwater Impact Assessment Report [SIAR] and/ or Stormwater Management Assessment Report [SMAR] must be submitted to and approved by the responsible authority. This report must be prepared by a suitably qualified person and be in accordance with the requirements of clause 11 of the Infrastructure Design Manual.*
9. *Prior to the certification of the plan of subdivision for stage 1 of the development a detailed design of the proposed wetland drainage treatment, and retention system must be submitted to and approved by the responsible authority.*

Before the certification of the plan of subdivision for each stage, a drainage plan with computations prepared by a suitably qualified person 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 two copies (or as specified) must be provided. The plans must be in accordance with Council's Infrastructure Design Manual and 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.*

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9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

- c) *overland flow paths including proposed developed site levels verses existing site levels of surrounding land to ensure that any major difference in height can be accommodated at the boundary and that there will be no negative impact on the neighbouring property*
- d) *underground pipe drains conveying stormwater to the legal point of discharge for each allotment*
- e) *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;*
- 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 in accordance with clause 20.3.1 of the Infrastructure Design Manual.*
- h) *maintenance schedules for treatment elements.*

Before the issue of statement of compliance for each stage, the works relevant to each stage as shown on the endorsed drainage plan must be completed to the satisfaction of the responsible authority

10. Prior to the commencement of works for each stage of the subdivision, 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.

11. 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.

Landscaping

12. Prior to the commencement of works for Stage 1 of the subdivision a detailed landscape plan for the whole of the site must be prepared. The detailed landscape plan must be to the satisfaction of the responsible authority and must be submitted and assessed against the construction plans by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions must be provided. The landscape plan must show:

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9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

- a) *Landscaping of the retardation basin and its surrounds and other proposed public land within the subdivision.*
 - b) *Additional planting within the Boundary Road South road reserve frontage of the land.*
 - c) *Details of the boundary fencing for the lots backing onto Boundary Road South and abutting the proposed retardation basin and other reserves that includes a range of fencing styles so as not to create a solid fencing treatment along these boundaries.*
 - d) *Details of fencing of the proposed retardation basin.*
 - e) *Provision of a gravel path, avoiding the removal of native vegetation, along the Boundary Road South road reserve frontage of the land.*
 - f) *Detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.*
 - g) *The removal of all existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds,*
 - h) *All trees planted as part of the landscape works shall have a minimum height of 2.0 to 2.5m at the time of planting.*
 - i) *The supply and spread of sufficient topsoil and sub soil if required on the proposed areas of open space to provide a stable, free draining surface and hydro-seeding of proposed grass areas (including within the drainage reserve),*
 - j) *Soil quality and planting techniques in median or verge tree planting zones along arterial roads (including service road nature strips) that will support full growth of medium to large trees.*
 - k) *Mechanisms for the exclusion of vehicles,*
 - l) *All proposed open space, streetscape embellishments such as installation of pathways, garden beds, seating, shelters, picnic facilities, boardwalks, tree planting, signage, drinking fountains, irrigation systems, playgrounds, artwork, retaining walls, protective fencing (temporary and permanent), wetlands and ornamental water bodies (including within the drainage reserve),*
13. *Prior to the issue of a statement of compliance for each stage of the development, all nature strips and public open space must be seeded and fertilised and grass must be established.*
14. *Prior to the issue of a statement of compliance for each stage of the development, all landscaping works (including street trees) shown on the endorsed plan must be carried out and completed to the satisfaction of the responsible authority. The time of planting can be coordinated with Council to increase the survival rate of the street trees.*

9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

15. The landscaping shown on the endorsed plans including street trees must be maintained for a period of twelve months from the date of practical completion of the works to the satisfaction of the responsible authority. Formative pruning must be undertaken to the satisfaction of the Responsible Authority prior to the end of the 12 month period. Any dead, diseased or damaged plants are to be replaced within 12 months of the date of practical completion for the works.

Construction of Works

16. Before the Statement of Compliance is issued for each stage of the subdivision, the owner must construct and complete road works, drainage and other civil works, in accordance with endorsed plans and specifications approved by the responsible authority and in accordance with the Infrastructure Design Manual; including the following:

- a) Road works, drainage and other civil works to be constructed must include:**
- b) Street and drainage in accordance with the approved construction drawings.**
- c) Fully sealed pavement with kerb and channel and vehicle crossings.**
- d) Landscaping in accordance with the approved landscape plans.**
- e) Pedestrian paths in accordance with the approved plans.**
- f) Planting of street trees or as otherwise agreed in writing by the responsible authority.**
- g) Underground drainage.**
- h) Footpaths.**
- i) Underground conduits for water, gas, electricity and telephone.**
- j) Intersection and traffic control/mitigation measures.**
- k) Street lighting and signage.**
- l) High stability permanent survey marks.**
- m) Installation of a street name plate sign.**

to the satisfaction of the responsible authority.

Prior to Statement of Compliance for Stage 1 the proposed retardation and stormwater treatment basin must be constructed in accordance with the endorsed civil plans and to the satisfaction of responsible authority, unless otherwise agreed to in writing.

Other matters

17. Before a Statement of Compliance for each stage is issued under the Subdivision Act 1988 the owner must provide to the satisfaction of the responsible authority

- a) a water supply/tapping (including a water meter) to each area of parkland/reserve in the subdivision;**
- b) an assets statement for each street;**
- c) a valuation for land within each road reserve;**

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9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

- d) *full set of 'as constructed' digitised construction plans in PDF and Cad format for landscaping, roads and drainage (CD or other format as appropriate);*
- e) *in addition to condition (d) above, an electronic copy on CD a Survey enhanced "as constructed" GIS data for the drainage information component of the subdivision, in accordance with the current version of D-SPEC and CCTV;*
- f) *a certified plan showing the extent and depth of fill in excess of 300 mm placed on any of the allotments;*
- g) *street name plates;*
- h) *issue of a Preliminary Acceptance Certificate by Council's Development Engineers section for the acceptance of street construction, site grading, landscaping etc*
- i) *fencing of all land abutting Public Open Space;*
- j) *fire plugs in accordance with the Country Fire Authority requirements, at the subdivider's expense; and*
- k) *a bond to the value of 5% of the cost of works shall be submitted to Council for the maintenance of the street and drainage construction for the duration of the 12 month maintenance period;*
- l) *a bond to the value of 5% of the cost of works shall be submitted to Council for the maintenance period of 24 months for the street trees planted within the development;*
- m) *wetland and quality treatment works must be maintained for a minimum of 12 months of maintenance period;*
- n) *the developer must submit a comprehensive operational documentation and manual for treatment devices of wetland prior to commencement of maintenance period.*

to the satisfaction of the responsible authority.

Street Addressing

- 18. Prior to the Certification of each stage of the subdivision, the owner must complete and duly sign a Statutory Declaration agreeing to the Allocation of Street names & numbers.**

Fees and bonds

- 19. Prior to the issue of statement of compliance for each stage of the subdivision, a maintenance bond to the value of 5% of the actual cost of road and drainage works must be paid to the Responsible Authority.**
- 20. Prior to the issue of a statement of compliance for each stage of the subdivision payment must be made to the Responsible Authority of a supervision fee up to 2.5% of the actual cost of roads and drainage works, the amount to be determined by the Responsible Authority (the permit holder must submit a copy of the road and drainage Construction Contract Schedule, for verification of the amount by Council.**

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9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

- 21. Prior to the issue of a statement of compliance for each stage of the subdivision payment must be made to the Responsible Authority of an engineering design checking fee of up to 0.75% of the value of documented works, the amount to be determined by the Responsible Authority.*

Street lighting

- 22. Prior to the issue of a statement of compliance for each stage of the subdivision, public street lighting must be provided to streets, footpaths and public open spaces designed in accordance with relevant Australian Standards relevant Council Policy, the IDM and to the satisfaction of the responsible Authority (category P4 unless otherwise directed).*

Site Management and Amenity

- 23. 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)*
- 24. 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.*
- 25. 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.*
- 26. The approved SEMP must be implemented to the satisfaction of the Responsible Authority.*
- 27. 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.*

VB

9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

Telecommunications

28. The owner of the land must enter into an agreement with:

- **A telecommunications network or service provider for the provision of telecommunications services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and**
- **A suitably qualified person for the provision of fibre ready telecommunications 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.**

29. 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 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 suitable qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Telecommunications 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.**

Public Open Space

30. Pursuant to Section 18 of the Subdivision Act 1988, the applicant must pay to the Responsible Authority a sum equivalent to 5% of the site value of all land in the subdivision for Public Open Space unless otherwise agreed to in writing. This payment shall be made prior to the issue of a statement of compliance for stage 1 of the subdivision and may be adjusted in accordance with Section 19 of the Subdivision Act 1988.

Ausnet Electricity Service Pty Ltd

31. The applicant must –

- a) **Enter in an agreement with Ausnet Electricity Service Pty Ltd for supply of electricity to each lot on the endorsed plan.**
- b) **Enter into an agreement with Ausnet Electricity Service Pty Ltd for the rearrangement of the existing electricity supply system.**
- c) **Enter into an agreement with Ausnet Electricity Service Pty Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by Ausnet Electricity Service Pty Ltd.**

9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

- d) *Provide easements satisfactory to Ausnet Electricity Service Pty Ltd for the purpose of "Power Line" in the favour of "Ausnet Electricity Service Pty Ltd" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing Ausnet Electricity Service Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.*
- e) *Obtain for the use of Ausnet Electricity Service Pty Ltd any other easement required to service the lots.*
- f) *Adjust the position of any existing Ausnet Electricity Service Pty Ltd easement to accord with the position of the electricity line(s) as determined by survey.*
- g) *Set aside on the plan of subdivision Reserves for the use of Ausnet Electricity Service Pty Ltd for electric substations.*
- h) *Provide survey plans for any electric substations required by Ausnet Electricity Service Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. Ausnet Electricity Service Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.*
- i) *Provide to Ausnet Electricity Service Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.*
- j) *Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by Ausnet Electricity Service Pty Ltd. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.*
- k) *Ensure that all necessary auditing is completed to the satisfaction of Ausnet Electricity Service Pty Ltd to allow the new network assets to be safely connected to the distribution network.*

Goulburn Valley Region Water Authority

32. *The permit holder must arrange:*

- a) *Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;*
- b) *Provision of a reticulated water supply and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation. (The works may include, but not be limited to downstream augmentation works, the construction of a water booster pumping station, storage or tanks and trunk mains);*

WB

9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

- c) *Provision of one water tapping per Lot at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;*
- d) *Any existing water service that crosses any of the proposed allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only, including notification of the proposed lot to be serviced by the existing water meter, to the satisfaction of the Goulburn Valley Region Water Corporation;*
- e) *Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;*
- f) *Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation; (The works may include, but not be limited to the construction of a sewerage pumping station, rising mains and gravity mains);*
- g) *Reserves for sewerage pump stations to be in favour of the Goulburn Valley Region Water Corporation. The reserve must be adequately sized to enable unrestricted access to the sewage pump station for operation and maintenance purposes. The reserve must not be encumbered by any easements;*
- h) *Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;*
- i) *Pursuant to Section 36 of the Subdivision Act, if the Corporation considers that, for the economical and efficient subdivision and servicing of the land covered by the Application for Permit, it requires the owner of the land to acquire an easement over other land in the vicinity. That is, any land not owned by the Developer through which a sewerage extension servicing the development is to be located, easements shall be created in favour of the Corporation;*
- j) *The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request;*
- k) *The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.*

9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

Department of Transport

33. Approval is subject to the following conditions:

- a) **Only two accesses will be permitted from the subject land to Mansfield Road located at Subdivisional Road and Lot 3.**
- b) **Unless otherwise agreed in writing by the Head, Transport for Victoria prior to the certification of the plan of subdivision, a Functional Layout Plan must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must show the following:**
 - **Urban Basic Right-turn Treatment (BAR).**
 - **Urban basic left-turn treatment (BAL).**
- c) **Unless otherwise agreed in writing by the Head, Transport for Victoria prior to the release of a statement of compliance, the following roadworks on Mansfield Road must be completed at no cost to and to the satisfaction of the Head, Transport for Victoria:**
 - **Urban Basic Right-turn Treatment (BAR).**
 - **Urban basic left-turn treatment (BAL).**
 - **Any other works required.**

Planning Note

Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act 2004. For the purposes of this application the works will include provision of:

- **Urban Basic Right-turn Treatment (BAR)**
- **Urban basic left-turn treatment (BAL)**
- **Any other works required.**

Department of Land Water and Planning

34. Approval is subject to the following conditions:

- a) **Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.**
- b) **Except with the written consent of Strathbogie Shire, within the tree protection zone of all retained trees, the following are prohibited:**
 - **Vehicular or pedestrian access**
 - **Trenching or soil excavation**
 - **Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.**
 - **Entry and exit pits for underground services**
 - **Any other actions or activities that may result in adverse impacts to retained native vegetation.**

UB

9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

- c) *To offset the removal of 0.595 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the "Guidelines for the removal, destruction or lopping of native vegetation" (DELWP 2017) as specified below:*
- *A general offset of 0.123 general habitat units located within the Goulburn Broken Catchment Management Authority area or Strathbogrie Shire municipal district*
 - *With a minimum strategic biodiversity score of at least 0.300.*
 - *The offset secured must provide protection of at least 8 large trees.*
- d) *Before any vegetation is removed and prior to Statement of Compliance, evidence that the required offset has been secured must be provided to the satisfaction of Strathbogrie Shire. This evidence is one or both of the following*
- *An established first party offset site including a security agreement signed by both parties and a management plan detailing the 10-year management actions and ongoing management of the site or*
 - *Credit extract(s) allocated to the permit from the Native Vegetation Credit Register.*

Goulburn Murray Water

35. Approval is subject to the following conditions:

- a) *Each lot of the subdivision must be provided with connection to the reticulated sewerage system in accordance with the requirements of Goulburn Valley Water.*
- b) *Prior to the Statement of Compliance being issued, any on-site wastewater systems must be decommissioned to the satisfaction of council's Environmental Health Department.*
- c) *All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority. Stormwater discharged from the subdivision must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions.*
- d) *All works within the subdivision must be done in accordance with EPA Publication 960 "Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites", September 2004.*

W

- 9.1.1 Planning Permit Application No. P2020-163 - A Staged Multi Lot Residential Subdivision, access to the Principal Road Network (TRZ2) and Removal of Native Vegetation ~ 45-85 Boundary Road South, Euroa VIC 3666 (cont.)

Expiry

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

- (a) the subdivision is not started (certification of the first stage of the subdivision) within two (2) years of the date of this permit;**
- (b) the subdivision is not completed (Statement of Compliance of the final stage of the subdivision) within five (5) years of the date of Certification of the final stage of the subdivision under the Subdivision Act 1988.**

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.**

54-21/22 **CARRIED**

UB

9.1.2 Planning Permit Application No. P2021-126 - Native Vegetation Removal ~ Junction of Harrys Creek Road and Bonnie Doon Road, Marraweeny VIC 3669

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is to remove native vegetation at the junction of Harrys Creek Road and Bonnie Doon Road to enable the upgrade of the road at the junction. The total number of trees proposed to be removed has been minimised through the three-step approach as required by the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation (DELWP 2017)* and results in a required removal of 15 trees and understorey. This will be offset with the offset located within the catchment area or within the municipality itself. There was no planning permit required for the actual road works.
- The application was notified to those adjacent and nearby owners and occupiers. Two objections have been received to council and after a comprehensive response from Council's Asset Planning Department, one objection has been withdrawn.
- The application has not been assessed within the sixty-day timeframe due to consultation with the objectors and bringing the proposal to Council.
- 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.

MOVED: COUNCILLOR HOURIGAN

SECONDED: COUNCILLOR RAEBURN

That Council

- 1. Having caused notice of Planning Application No. P2021-126 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 52.17 of the Strathbogie Planning Scheme in respect of the land known as The Junction at Harrys Creek Road and Bonnie Doon Road, Marraweeny VIC 3669, for Native Vegetation Removal, in accordance with endorsed plans, subject to the following conditions:***

Conditions:

Endorsed Report/Plans:

- 1. The removal of vegetation must be carried out as shown in the endorsed plans/s / report and must not be altered without the prior written consent of the Responsible Authority.***

9.1.2 Planning Permit Application No. P2021-126 - Native Vegetation Removal ~
Junction of Harrys Creek Road and Bonnie Doon Road, Marraweeny VIC 3669
(cont.)

No additional native vegetation removal:

2. *The removal of native vegetation must only occur to the extent permitted as shown on the endorsed plan/s / report (whether or not to comply with any statute, statutory rule or regulations or for any other reason), except with the formal written consent of the Responsible Authority.*
3. *The removal must not cause damage to other native vegetation to be retained and to drainage lines, waterways and/or watercourses.*

Retention and use of coarse woody debris:

4. *Large limbs and trunks over 250mm diameter and stumps of trees approved for removal must be retained as logs to create habitat and dispersed throughout the offset area or at another location by written agreement with and to the satisfaction of the Responsible Authority.*

Department of Environment, Land, Water and Planning:

Notification of permit conditions

5. *Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.*

Protection of native vegetation to be retained

6. *Before works start, a plan to the satisfaction of the Strathbogie Shire Council, identifying all native vegetation to be retained and describing the measures to be used to protect the identified vegetation during construction, must be prepared and submitted to an approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. All works constructed or carried out must be in accordance with this plan.*

Except with the written consent of the Strathbogie Shire Council, within the are of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited –

- a)vehicular or pedestrian access*
- b)trenching or soil excavation*
- c)storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products*
- d)entry and exit pits for the provision of underground services*
- e)any other actions or activities that may result in adverse impacts to retained native vegetation.*

Native vegetation permitted to be removed, destroyed or lopped

7. *The total area of native vegetation permitted to be removed is 0.102 hectares comprised of*
 - a) *Two large trees.*

VB

9.1.2 Planning Permit Application No. P2021-126 - Native Vegetation Removal ~
Junction of Harrys Creek Road and Bonnie Doon Road, Marraweeny VIC 3669
(cont.)

Native vegetation offsets

8. ***To offset the removal of 0.102 hectares of native vegetation, the permit holder must secure a native vegetation offset(s) in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017):***
 - a) ***A general offset of 0.067 general habitat units;***
 - i. ***located within the Goulburn Broken Catchment Management Authority boundary or Strathbogie Shire Council municipal district;***
 - ii. ***with a Strategic Biodiversity Value score of at least 0.560; and***
 - iii. ***provide protection for at least two large trees.***
9. ***Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be an established first party offset site. This must include:***
 - a) ***An established first party offset including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site; and / or***
 - b) ***Credit extracts allocated to the permit from the Native Vegetation Credit Register.***
10. ***A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at p&a.north@delwp.vic.gov.au.***
11. ***Where the offset includes a first party offset the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year the landowner must provide a report at the reasonable request of the statutory authority.***

Expiry:

12. ***This permit will expire if one of the following circumstances applies:***
 - a) ***The removal of the native vegetation is not started within two years of the issue date of this permit.***
 - b) ***The removal of the native vegetation is not completed within four years of the issue date of this permit.***
- In accordance with Section 69 of the Planning and Environment Act 1987 an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.***

LB

9.1.2 Planning Permit Application No. P2021-126 - Native Vegetation Removal ~
Junction of Harrys Creek Road and Bonnie Doon Road, Marraweeny VIC 3669
(cont.)

Planning Notes

Department of Environment, Land, Water and Planning Notes

- *The department advises that works or other activities on public land, which may affect protected native plants, will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee (FFG) Act 1988. All native vegetation likely to be affected should be checked against the Protected Flora List (DELWP 2017) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DELWP office (p&a.north@delwp.vic.gov.au).*
- *Offset requirements are determined in accordance with DELWP (2017) Guidelines for the removal, destruction or lopping of native vegetation. Proposed offset sites must meet eligibility requirements including land use, bushfire risk, quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.*
- *As the application may seek to remove several hollow bearing trees, it is recommended that care is taken to ensure the minimum amount of disturbance to local native fauna species as possible.*
- *DELWP supports advice presented in the Flora and Fauna Assessment Report from the applicant specifically 5.2.1 Vegetation Clearing Protocol and 5.2.2 Hollow bearing Tree Management.*
- *The following steps should be taken if any fauna is observed within the construction area –*
 - i. Cease all works in the vicinity of the fauna*
 - ii. Allow fauna to leave the area without intervention*
 - iii. If the fauna does not leave the area then it should be captured by a qualified and licensed ecologist (Wildlife Act 1975 Authorisation) and relocated offsite within suitable habitat*
 - iv. Relocated FFG-listed fauna is to be reported to DELWP*
 - v. Identified fauna are to be safely relocated using approved methodologies prior to the removal of habitat.*

55-21/22

CARRIED

VB

9.1.3 Planning Permit Application No. P2021-165 - Six Lot Subdivision ~ 280-282 High Street, Nagambie VIC 3608

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is to subdivide this commercial zoned land into six lots each having access from Goulburn Street. This site is located within the main commercial area of Nagambie and faces Lake Nagambie. This site is located at the intersection of Goulburn and High Streets and also interfaces with residential development on the other side of Goulburn Street in a residential zone.
- The application was advertised, and one objection was received. A key concern was the potential impact of vehicle traffic entering and exiting the site from Goulburn Street on dwellings located directly across Goulburn Street.
- Council officers met with the objector outside the site to discuss concerns. The provision of vehicle access through the site from Goulburn to High Street was discussed with the Department of Transport (DoT) to try and minimise any commercial activity impact on residents in Goulburn Street. DoT was not supportive of this proposal requiring all vehicles to enter and exit the land from Goulburn Street. Further detail is contained within the attached Officer Report.
- The application has not been assessed within the statutory timeframe to give consideration to the matters raised by the objector and the timing of the Council Meeting.
- The proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework and the Purpose and Decision Guidelines of the Zone.
- It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

MOVED: COUNCILLOR ANDREWS

SECONDED: COUNCILLOR RAEBURN

That Council

- 1. Having caused notice of Planning Application No. P2021-165 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 34.01 of the Strathbogie Planning Scheme in respect of the land known as (L1 TP123345 V9939 F713 Parish of Tabilk), 280-282 High Street, Nagambie VIC 3608, for the Six Lot Subdivision, in accordance with endorsed plans, subject to the following conditions:***



9.1.3 Planning Permit Application No. P2021-165 - Six Lot Subdivision ~ 280-282 High Street, Nagambie VIC 3608 (cont.)

Conditions:

Endorsed Plan Subdivision:

1. *The subdivision must be carried out in accordance with the endorsed plans and permit. The endorsed plans or permit can only be altered or modified with the prior written consent of the Responsible Authority.*

General Amenity:

2. *The subdivision 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;*
 - d) *presence of vermin; and*
 - e) *others as appropriate.*

Telecommunications:

3. *The owner of the land must enter into an agreement with:*
 - *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*
 - *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.*
4. *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 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.*

UB

9.1.3 Planning Permit Application No. P2021-165 - Six Lot Subdivision ~ 280-282 High Street, Nagambie VIC 3608 (cont.)

Public Open Space Contribution:

5. *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.

Street Numbering:

6. *Prior to certification of the plan of subdivision, the owner must complete and duly sign a Statutory Declaration agreeing to the allocation of street numbers.*

Engineering Conditions:

Drainage Discharge Plan

7. *Prior to certification 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 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.*
8. *Prior to 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.*

Urban Vehicle Crossing Requirements

9. *Prior to issue of Statement of Compliance, vehicular crossings shall be constructed 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);*

9.1.3 Planning Permit Application No. P2021-165 - Six Lot Subdivision ~ 280-282 High Street, Naqambie VIC 3608 (cont.)

- 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.

Council Assets

- 10. *Before the subdivision works commence, 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.*
- 11. *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: -*
 - 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)*

AusNet Services Conditions:

12. The applicant must –

- *Enter into an agreement with AusNet Electricity Services Pty Ltd for supply of electricity to each lot on the endorsed plan.*
- *Enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.*
- *Rearrange, to the satisfaction of AusNet Electricity Services Pty Ltd, any existing private electric lines that cross boundaries of the proposed lots to supply existing installations. Such lines shall be constructed with underground cables.*

Goulburn Valley Region Water Corporation Conditions:

- 13. *Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment.*
- 14. *Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.*

VB

9.1.3 Planning Permit Application No. P2021-165 - Six Lot Subdivision ~ 280-282 High Street, Naqambie VIC 3608 (cont.)

- 15. Any existing water service that crosses any of the proposed allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only, including notification of the proposed lot to be serviced by the existing water metre, to the satisfaction of the Goulburn Valley Region Water Corporation.*
- 16. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment.*
- 17. Provision of combined sewer drains with an inspection opening to each allotment within the development, at the developer's expense, in accordance with the standards of construction adopted by and to the satisfaction of Goulburn Valley Region Water Corporation. In the case of a multi-tenement development the works required are to be carried out in accordance with AS3500.2 – Sanitary plumbing and drainage – and include disconnection of any existing house connection drain to the satisfaction of the Corporation's Property Services Section.*
- 18. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property.*
- 19. A notation is to be placed on the plan of subdivision to note that pursuant to Section 12(2) of the Subdivision Act 1988, there exists "implied easements" over all of the allotments and the common property within the development.*
- 20. Alternatively, the developer is to provide a two metre wide sewerage easement over the common portion of the house connection drain, in favour of the benefiting land, to the satisfaction of the Goulburn Valley Region Water Corporation.*
- 21. The operator under this permit shall be obliged to enter into an agreement with Goulburn Valley Water Corporation relating to the design and construction of any sewerage or water works required. The form of such agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the agreement will be provided on request.*
- 22. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.*

Department of Transport Conditions:

- 23. No access will be permitted from the subject land to High Street. Access will only be permitted via Goulburn Street.*

WB

9.1.3 Planning Permit Application No. P2021-165 - Six Lot Subdivision ~ 280-282 High Street, Nagambie VIC 3608 (cont.)

24. Prior to the release of statement of compliance, the existing access to High Street must be removed and the area must be reinstated to the satisfaction of and at no cost to Head, Transport for Victoria.

Expiry of a permit – subdivision:

25. This permit will expire if:

- a) The plan of subdivision is not certified within two years from the date of this permit; or***
- b) The subdivision is not completed within five years from the date of certification of the plan of subdivision.***

The Responsible Authority may extend the time at part (a) if a request is made in writing before the permit expires or within six months afterwards.

Planning Notes

- This proposal has not been assessed against Clause 56.**
- 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.**

56-21/22 **CARRIED**

UB

9.1.4 Planning Permit Application No. P2021-080 - Use and Development for a Dwelling and Shed ~ 340 Polly McQuinns Road, Strathbogie VIC 3666

7.15 pm – Cr Raeburn left the meeting due to declaring a general conflict of interest.

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is to use and develop the land for a dwelling with associated outbuilding. The dwelling is proposed on a small lot measuring approximately 29 hectares, in a farming area of minimum lot size 40 hectares. This site is not identified within the Rural Residential Strategy 2004. The applicant has provided a Farm Plan that proposes grazing of animals for meat production for human consumption. The proposed farming activity is considered to not require a dwelling given that there is stock grazed on similar lot sizes without a dwelling, as can be common practice in farming areas. The site is located to the south of the shire in the Strathbogie Ranges, along Polly McQuinns Road. This area is known as being very attractive to visitors and there is demand for rural lifestyle development in this location due to the attractive features and accessibility. The subject site is located amongst seven large, productive farms, ranging in size from 41 hectares to 173 hectares, which support the economy and employment in the Shire. There are three smaller sites close to the subject site. The proposal also assessed the erosion risk associated with the site.
- This proposal was notified to surrounding owners and occupiers and three objections have been received. The objections were passed to the applicant and no response has been received which addresses matters raised. The objectors have been corresponded with.
- The application was referred to Agriculture Victoria who consider that this type of grazing operation can be carried out without the need for a dwelling.
- The application has not been assessed within the sixty-day timeframe due to the need for the item to be heard before Council.
- The proposal, having been assessed against the planning scheme, is not weighted in favour of support, failing to meet the Purpose and Decision Guidelines of the Farming Zone and gain support from the planning policy.
- It is recommended that Council resolve to issue a Notice of Decision to Refuse to Grant a Permit in accordance with the Officer's recommendation.

The applicant addressed the meeting.

MOVED: COUNCILLOR HAYES-BURKE

SECONDED: COUNCILLOR DICKINSON

That Council:

1. ***Having caused notice of Planning Application No. P2021-080 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 Refuse to Grant a Permit under the provisions of the Strathbogie Planning Scheme in respect of the land known as (L1 TP402189 V6480 F876) 340 Polly McQuinns Road, Strathbogie VIC 3666, for the Use and Development for a Dwelling and Shed for the following reasons:***

9.1.4 Planning Permit Application No. P2021-080 - Use and Development for a Dwelling and Shed ~ 340 Polly McQuinns Road, Strathbogie VIC 3666 (cont.)

- a. *The proposal does not support the Purpose of the Farming Zone and does not weight in favour of support when assessed against the appropriate decision guidelines of the Farming Zone.*
- b. *The proposal, when assessed against the policy throughout the Strathbogie Planning Scheme, is not weighted in favour of support. The relevant policy that provides direction, and which does not weight in favour of support are –*
 - Clause 11 Settlement*
 - Clause 11.01 Victoria*
 - Clause 11.02 Managing Growth*
 - Clause 14 Natural Resource Management*
 - Clause 14.01-1S Protection of Agricultural Land*
 - Clause 21.01 Municipal Profile*
 - Clause 21.01 Sustainable Settlement*
 - Clause 21.02-3 Rural Residential*
 - Clause 21.02-4 Rural Zones*
 - Clause 21.06-2 Adapting and Diversifying Agriculture*
 - Clause 22.01 Housing and House Lot Excision in the Farming Zone.*

57-21/22 **CARRIED**

7.24 pm – Cr Raeburn returned to the meeting

UB

9.1.5 Planning Permit Application No. P2021-153 - Two Lot Subdivision adjacent to a road in a Transport Zone 2 ~ 43-45 Tarcombe Street, Euroa VIC 3666

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is for the subdivision of the land into two lots. This site contains the historic building that was once the Euroa Inn and this will be retained on Lot 1, with vehicle access from Gobur Street. Lot 2 will be a vacant lot and will retain the existing access from Tarcombe Street. Any future development on this lot will be controlled by the Heritage Overlay and will be assessed accordingly at that stage.
- The application was advertised by way of notice to adjoining and nearby owners and occupiers, placed on Council's website, and a sign placed on the land. One objection has been received. Conversation was had with the objector about the concerns raised and, as appropriate and relevant, are addressed in the conditions below.
- The application has not been assessed within the statutory timeframe given the objection and the timing of the Council Meeting.
- 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 Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

The applicant addressed the meeting.

***MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR ANDREWS***

That Council

- 1. Having caused notice of Planning Application No. P2021-153 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 32.08 GRZ, Clause 43.01 HO, Clause 44.03 FO, Clause 44.04 LSIO and Clause 52.29 of the Strathbogie Planning Scheme in respect of the land known as (V10600 F246 CA 9 SEC 1 Parish of Euroa), 43-45 Tarcombe Street, Euroa VIC 3666, for a Two Lot Subdivision adjacent to a road in a Transport Zone 2, in accordance with endorsed plans, subject to the following conditions:***

Conditions:

Endorsed Plans

- 1. The subdivision must be in accordance with the endorsed plans and permit. These endorsed plans or permit 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. P2021-153 - Two Lot Subdivision adjacent to a road in a Transport Zone 2 ~ 43-45 Tarcombe Street, Euroa VIC 3666 (cont.)

Subdivision Conditions

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*
 - 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*
 - b) *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.*
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.*

General amenity provision

7. *The use and 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;*

VB

9.1.5 Planning Permit Application No. P2021-153 - Two Lot Subdivision adjacent to a road in a Transport Zone 2 ~ 43-45 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.*

Removal of Infrastructure

- 8. *Prior to issue of Statement of Compliance all the remaining infrastructure on Lot 2 must be removed to the satisfaction of the Responsible Authority.*

Street numbering

- 9. *Prior to the Certification of the plan of subdivision, the owner must complete and duly sign a Statutory Declaration agreeing to the Allocation of Street numbers.*

Engineering Conditions

Stormwater

- 10. *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.*

50

9.1.5 Planning Permit Application No. P2021-153 - Two Lot Subdivision adjacent to a road in a Transport Zone 2 ~ 43-45 Tarcombe Street, Euroa VIC 3666 (cont.)

- 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.

Asset Protection

- 11. 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

- 12. 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:*
- 13. 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.*
- 14. The vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree.*
- 15. 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

- 16. 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.*

VB

9.1.5 Planning Permit Application No. P2021-153 - Two Lot Subdivision adjacent to a road in a Transport Zone 2 ~ 43-45 Tarcombe Street, Euroa VIC 3666 (cont.)

Department of Transport Conditions

- 17. Only one access will be permitted from Lot 2 to Tarcombe Street located at the southern boundary of the subject land as shown on the plan appended to the application.***
- 18. Prior to release of a statement of compliance, the access must be constructed and sealed to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.***

Expiry

Subdivision

- 19. This permit will expire if one of the following circumstances applies:***
 - a) The 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.***

The Responsible Authority may extend the period referred to in (a) if a request is made in writing before the permit expires; or within six months afterwards.

Planning Notes

- Separate consent for works within the road reserve and the specifications of these works may be required under the Road Management Act.***

58-21/22 **CARRIED**

SB

**9.1.6 Planning Applications Received and Planning Applications Determined
- 1 to 28 February 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 period of 1st to 28th February 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 13 new planning applications received and 20 planning permit applications decided upon during the reporting period.

MOVED: COUNCILLOR RAE BURN
SECONDED: COUNCILLOR DICKINSON

That Council:

- 1. Note that there were 13 new planning applications received, and 20 planning permit applications decided on during the period of 1st to 28th February 2022.***
- 2. Note the report.***

59-21/22 CARRIED

UB

9.2 COMMUNITY

9.2.1 Draft Streetscape Plans – Avenel, Euroa, Longwood, Strathbogie and Violet Town

Author: Executive Manager Communications and Engagement

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

In Strathbogie Shire Council's 2020/21 Budget, \$650,000 in funding was allocated to renew and improve streetscapes in Avenel, Euroa, Longwood, Strathbogie, Nagambie and Violet Town.

Effective streetscape design is an integral part of shaping a community's identity, increasing civic pride and improving a sense of well-being and belonging. The purpose of the streetscape renewal plan is to provide a visual guide for future streetscape development, rather than a literal or specific representation of works to be completed.

To ensure community input into the development of the streetscape plans, Council created a planned engagement program and associated communications campaign that aimed to ensure our community was clear on how to have their say and felt confident in the process. The Nagambie Streetscape project is being treated separately to this process as it will form part of the updated Nagambie Growth Management Strategy that will be subject to a future council report.

This plan took a four-stage approach, each building on insights from the previous phase and focusing on delivering what our communities value. It ensured community input into each stage of the planning, from initial brainstorming ideas, confirming the projects objectives and key themes, to feedback on draft designs.

Our engagement approach was flexible and adapted as we moved through the stages and were impacted by coronavirus (COVID-19) restrictions. It ensured quantitative and qualitative engagement techniques were used to gather community feedback.

Council has now completed three of the four stages of our planned community engagement activities, with the fourth stage closing the loop on the engagement process.

Through this feedback we are confident to recommend proceeding with Stage 1 works in Avenel, Euroa and Longwood and to continue working with the Strathbogie and Violet Town communities to ensure satisfaction before works progress. Stage 1 identifies the immediate action, while future stages in all townships will be subject to further community consultation, external grant funding and subject to Council annual budgetary process.

1/16

9.2.1 Draft Streetscape Plans – Avenel, Euroa, Longwood, Strathbogie and Violet Town (cont.)

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR RAEBURN

That Council:

- 1. Adopt Stage 1 of the Avenel, Euroa and Longwood Streetscape Plans as amended to respond to feedback received during the community engagement process.***
- 2. Allocates \$263,000 in funding to proceed with Stage 1 of the Avenel Streetscape Plan. Noting the community-led changes to the draft plan, which include:***
 - a. Change of seating style to enhance the township's heritage theme,***
 - b. The removal of overhead signage; and***
 - c. The addition of a (dog friendly) water fountain.***
- 3. Allocates \$283,000 in funding to proceed with Stage 1 of the Euroa Streetscape Plan. Noting the recommendations in the engagement report, to:***
 - a. Develop species plan in conjunction with the Euroa Garden Club, Euroa Arboretum and Euroa Chamber of Business and Commerce; and***
 - b. Ensure further community engagement before considering future streetscape stages in relation to any changes to car parking.***
- 4. Allocates \$258,000 in funding to proceed with Stage 1 of the Longwood Streetscape Plan noting that option A within the draft plan was the community preference.***
- 5. Does not proceed with the current draft Strathbogie Streetscape Plan and establishes a working group to develop further draft designs for the Strathbogie Streetscape Plan, which would be released for further broad community consultation.***
- 6. Does not proceed with the current draft Violet Town Streetscape Plan and establish a working group to develop further draft designs for the Violet Town Streetscape Plan, which would be released for further broad community consultation.***
- 7. Receives a report at the April 2022 Council Meeting to identify Terms of Reference for streetscape plan working groups in Strathbogie and Violet Town.***

60-21/22 CARRIED

LB

9.3 INFRASTRUCTURE

9.3.1 Tender for Contract No. 21-22-32: Provision of Civil Works Contractors – Panel of Suppliers

Author: Manager Projects Delivery, Project Officer

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has conducted a competitive process for the Provision of Civil Works Contractors – Panel of Suppliers for a six (6) month period, commencing 30 March 2022 until 30 September 2022.

The public tender process for this Panel of Suppliers has been undertaken to meet Council's compliance requirements under Council's Procurement Policy. The Panel of Suppliers will provide Strathbogrie Shire Council a 'go-to-list' of preferred suppliers that meet the required skillset, demonstrated experience and quality management systems, along with valuing and rewarding local content.

Officers will be required to seek quotes from Panel of Supplier members through a further competitive process as projects arise. This process will be in accordance with the purchasing provision in Council's Procurement Policy. Experience tells us that this further competitive process often leads to a reduction in cost from the maximum rates schedule provided when the Panel of Suppliers Arrangement was created.

Where the Panel of Suppliers do not meet the required skillset for a particular project, Council is still able to seek quotations from alternative suppliers to undertake the desired works.

At the closure of the advertising process, four (4) submissions to be considered for inclusion on the Panel were received. These have now been independently assessed and evaluated by a panel of Council Officers, with the results summarised in the tables within this report. It is recommended that a Panel of Suppliers Arrangement be issued to three (3) suppliers.

This report seeks Council's authorisation to constitute this Panel of Suppliers and authorise the Chief Executive Officer to execute the agreements accordingly.

***MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR DICKINSON***

That Council:

- 1. Awards Panel of Supplier Arrangement for Provision of Civil Works Contractors, Contract No. 21/22-32 for a schedule or rates-based contract for the contract term of six (6) months to:***
 - One Stop Civil Pty Ltd***
 - Cleaves Earthmoving & Drainage Pty Ltd***
 - BroMcc Civil Pty Ltd.***

13

9.3.1 Tender for Contract No. 21-22-32: Provision of Civil Works Contractors – Panel of Suppliers (cont.)

MOTION (cont.)

2. ***Authorises the Chief Executive Officer to execute the Panel of Supplier Arrangements by signing and affixing with the Common Seal of Strathbogie Shire Council.***
3. ***Notes that the Contracts will commence on 30 March 2022 and conclude on 30 September 2022.***

61-21/22 **CARRIED**

UB

9.3.2 Tender for Contract No. 21-22-34: Building Maintenance – Panel of Suppliers

Author: Manager Projects Delivery, Project Manager

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has conducted a competitive process for the Provision of Building Maintenance – Panel of Suppliers for a six (6) month period, commencing 30 March 2022 and concluding 30 September 2022.

The public tender process for this Panel of Suppliers has been undertaken to meet Council's compliance requirements under Council's Procurement Policy. The Panel of Suppliers will provide Strathbogie Shire Council a 'go-to-list' of preferred suppliers that meet the required skillset, demonstrated experience and quality management systems, along with valuing and rewarding local content.

Officers will be required to seek quotes from approved Panel of Supplier members through a further competitive process as projects arise. This process will be in accordance with the purchasing provision in Council's Procurement Policy. Experience tells us that this further competitive process often leads to a reduction in cost from the maximum rates schedule provided when the Panel of Suppliers Arrangement was created.

Where the Panel of Suppliers do not meet the required skillset for a particular project, Council is still able to seek quotations from alternative suppliers to undertake the desired works.

At the closure of the advertising process, five (5) submissions to be considered for inclusion on the Panel were received. These have now been independently assessed and evaluated by a panel of Council Officers, with the results summarised in the tables within this report. It is recommended that a Panel of Suppliers Arrangement be issued to four (4) suppliers.

This report seeks Council's authorisation to constitute this Panel of Suppliers and authorise the Chief Executive Officer to execute the agreements accordingly.

***MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR RAEBURN***

That Council:

- 1. Awards Panel of Supplier Arrangement for Building Maintenance Contract 21/22-34 for a schedule or rates-based contract for the contract term of six (6) months to:***
 - Safe Power Safety Systems Knox***
 - Watters Electrical Pty Ltd***
 - BroMcc Civil Pty Ltd***
 - Moretto Building Pty Ltd.***
- 2. Authorises the Chief Executive Officer to execute the Panel of Supplier Arrangements by signing and affixing with the Common Seal of Strathbogie Shire Council.***

9.3.2 Tender for Contract No. 21-22-34: Building Maintenance – Panel of Suppliers (cont.)

MOTION (cont.)

3. ***Notes that the Contracts will commence 30 March 2022 and conclude on 30 September 2022.***

62-21/22 **CARRIED**

VB

9.3.3 Tender for Contract No. 17/18-49: Provision of Arboriculture Services (Panel of Suppliers)
- Contract update

Author: Procurement and Tender Officer

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting 17 December 2019 resolved to award CN 17/18-49 – Provision of Arboriculture Services Contracts to six tenderers for a period of three years with two twelve month options of extensions (five years in total), advise the unsuccessful tenders, and, endorses the signing and sealing of the Contract Documents once received.

In February 2022, Council Officers discovered that whilst Letters of Award were sent out, and the unsuccessful tenderers were advised, the Letters of award were not signed by the delegated authority, and the Contracts were never assembled, and therefore signing and sealing never occurred.

As at 16 February 2022, all successful tenderers had been hand delivered copies of the Contract for signing. Upon return to Council, the Chief Executive Officer will sign and arrange sealing of all Contracts.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR RAEBURN

That Council:

- 1. Notes the administrative oversight to carry out the signing and sealing of Contract Documents as resolved by Council from the Ordinary Council Meeting 17 December 2019;***
- 2. Resolves that all Contract documents for CN 17/18-49 – Provision of Arboriculture Services are to be signed and sealed within three business days of return to Council; and***
- 3. Notes that Officers will commence a public Tender process for a Contract Management System by end of March 2022.***

63-21/22 ***CARRIED***

9.4 CORPORATE

9.4.1 Strathbogie Shire Council Audit and Risk Committee - Unconfirmed Minutes of Meeting held on Friday 10 December 2021

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

This report presents the draft unconfirmed Minutes of the Strathbogie Shire Council Audit and Risk Committee meeting held on Friday 10 December 2021.

Items considered by the Committee at the meeting were:

- Discussion with Municipal Monitor
- Appointment of External Auditor
- Internal Audit Reports
 - Payroll
 - ICT and Regional IT Project
 - Past Issues
 - Internal Audit Program Status Update
 - Industry Update
 - VAGO Oct 21 Sector update
- Tree Management Plan
- Operations Manual
- Events Framework
- Audit Committee Work Plan
- Review of Committee Charter
- Procurement Policy and Reporting
- Workforce Plan
- Investment Policy
- Councillor Expenses
- Key Strategic Indicators – Human Resources
- Risk Management Update
- Internal Auditor Contract

It is recommended that Council notes the unconfirmed minutes of the Audit and Risk Committee meeting held on Friday 10 December 2021.

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR DICKINSON

That Council:

- 1. Notes the Unconfirmed Minutes of the Audit and Risk Committee meeting held on Friday 10 December 2021.***
- 2. Notes that the Unconfirmed Minutes will be signed by the Chair of the Committee, once accepted, at the next Committee meeting, and any substantive changes to the unconfirmed Minutes will be reported to the next Council meeting.***

64-21/22 **CARRIED**

LB

9.4.2 Financial Report to 31 December 2021

Responsible Director: Corporate Operations

EXECUTIVE SUMMARY

The appended December Financial Report compares year-to-date Adopted Budget to Actual December 2021.

The report contains the Operational Performance, Income Statement, Balance Sheet, Cash Flow Statement, and capital performance and other financial data in graphical format.

In relation to the current year the operating surplus for the six months period ending 31 December was \$12,607,913.

As at 31 December 2021, total capital works was \$2,066,230 not including committed works.

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR ANDREWS

That the Financial Report for the six months ended 31 December 2021 be noted.

65-21/22 ***CARRIED***

UB

9.4.3 Instruments of Appointment and Authorisation Update

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

Following recent appointments to vacant positions several changes are required to be made to the following instruments:

- S11 Instrument of Appointment and Authorisation.

The amended authorisations, once approved by Council, will remain in force until the next Delegations and Authorisations update is prepared or following staff position title change/s, and / or staff changes.

MOVED: COUNCILLOR RAE BURN
SECONDED: COUNCILLOR HAYES-BURKE

That in the exercise of the powers conferred by section 224 of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached instrument of appointment and authorisation (S11), Strathbogie Shire Council (Council) resolves that –

- 1. The members of Council staff referred to in the instruments be appointed and authorised as set out in the instrument.***
- 2. The instrument come into force immediately the Common Seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it.***
- 3. The instrument be signed and sealed by Council under the Strathbogie Shire Council Local Law No. 1 - Use of the Common Seal 2020.***

66-21/22 CARRIED

UB

9.5 GOVERNANCE AND CUSTOMER SERVICE

9.5.1 Local Government Culture Project Submission

Author: Director People & Performance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Local Government Victoria (LGV) has engaged Price Waterhouse Coopers Consulting to address some of the challenges Victorian councils have faced in recent years in relation to the role and behaviour of Councillors. The Consultant's work is supported by a panel of academics.

At the end of December 2021 LGV released the Local Government Culture Project Discussion Paper (the Discussion Paper), which focussed on three themes and asked an array of stakeholders across the State to make submissions in response to a set of questions outlined in the Discussion Paper.

This report seeks endorsement of the submission made to Local Government Victoria in response to the Discussion Paper. Council's aim, in developing its submission, was to reflect on our own experience and the proactive step we took to request the Minister for Local Government to appoint a Municipal Monitor.

Council seeks to offer practical and meaningful suggestions to address some systematic and fundamental flaws in the way that legislation introduced by the State has established current electoral models, roles of councils, mayors and how this can create challenges in relationships between the elected council, council administration and the community.

LGV states that a final report will be presented to the Minister for Local Government after further consultation and workshops. No timeline is provided by LGV around when this may be.

***MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR DICKINSON***

That Council receive and endorse the submission made to Local Government Victoria on 28 February 2022 in response to the Local Government Culture Project Discussion Paper.

67-21/22 CARRIED

LB

9.5.2 Chief Executive Officer Performance Review

8.06 pm – the Chief Executive Officer left the meeting due to declaring a material conflict of interest.

Author: Independent Member of the Chief Executive Officer Employment and Remuneration Committee on behalf of the Mayor

Responsibility: Mayor Binks

EXECUTIVE SUMMARY

Council appointed a Chief Executive Officer (CEO) Employment and Remuneration Committee comprising the Mayor (Cr Binks), Cr Raeburn, Cr Hourigan and the Municipal Monitor (Janet Dore) as the Independent Member to review, discuss and recommend to Council matters required by section 44 of the *Local Government Act 2020* in relation to the CEO.

The Act and Council's policy, the Chief Executive Officer Employment and Remuneration Policy, set the parameters for assessing performance, contractual obligations, and remuneration.

***MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR RAEburn***

That Council:

- 1. Note the recommendations of the Chief Executive Officer Employment and Remuneration Committee following the completion of the annual performance review process.***
- 2. Approve the Key Performance Indicators recommended by the Chief Executive Officer Employment and Remuneration Committee for the period 15 March 2022 to 14 March 2023.***
- 3. After undertaking a benchmarking exercise with like Councils across the state, increase the Chief Executive Officer's remuneration package by the Australian Consumer Price Index, which was 3.5% for the previous twelve months at December 2021, backdated from 12 January 2022.***
- 4. Approve in principle that the Chief Executive Officer's contract be extended for two years from the date of the current contract, to expire on 12 January 2025.***
- 5. Confirm the approval in principle to extend the Chief Executive Officer's contract at its July 2022 meeting.***

68-21/22 ***CARRIED***

8.21 pm – the Chief Executive Officer returned to the meeting

VB

9.5.3 Monthly Performance Report

The March 2022 Monthly Performance Report includes reports as follows:-

- Building Department – February 2022 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) - February 2022
- Customer Enquiry Analysis Report – Report for February 2022
- Waste Management Reporting ~ Year to Date – February 2022
- Actioning of Council Reports Resolutions – Council Meeting 15 February 2022
- Outstanding Actions of Council Resolutions to 28 February 2022
- Review of Council Policies and Adoption of new Policies – February/March 2022
- Records of Informal Council Briefings / Meetings – 1 to 28 February 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.

***MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR RAEburn***

That the report be noted.

69-21/22 ***CARRIED***

10. NOTICES OF MOTION

A Notice of Motion was submitted by Cr David Andrews and Cr Reg Dickinson for listing as Urgent Business. Under Governance Rule 30, a resolution of Council is required to admit the Notice of Motion as Urgent Business

***MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR HOURIGAN***

That the Notice of Motion submitted by Cr David Andrews and Cr Reg Dickinson be admitted as Urgent Business.

70-21/22 CARRIED

11. NOTICES OF RESCISSION

Nil

UB

12. URGENT BUSINESS

12.1 Notice of Motion – Council Meeting Tuesday 15 March 2022 Repair of Foreshore Retaining Wall at Lake Nagambie Lodged by Councillor David Andrews and Councillor Reg Dickinson (Notice of Motion Ref. No: 01/2022)

We, Councillor(s) David Andrews
Councillor(s) Reg Dickinson

Wish to lodge the following Notice of Motion under Governance Rule 35.

The motion we wish to put to Council is:

That Council:

send a letter to the Victorian State Minister for Police and Water, The Honourable Lisa Neville MP, requesting her intervention and direction to the responsible Authorities (Goulburn Murray Water and Goulburn Valley Water) to repair the foreshore retaining wall at Lake Nagambie, in what is referred to as 'the bowl'. This area, where the water meets the land, is at the rear of three businesses in High Street, Nagambie, and is crumbling and in a 'high' state of disrepair. The main concern relates to the Town sewerage, which is within a few metres of the front edge of the foreshore/retaining wall. There is a significant 'risk' of the wall collapsing into the lake, due to its 'poor' condition, and taking the sewerage pipe into the lake with it. This would disperse effluent into the lake and pose a 'high' health risk to the wider community, by polluting the town's drinking water supply. The current wall is unstable and requires urgent attention.

The initial foreshore land is the direct responsibility of Goulburn Murray Water. The sewerage pipe runs along and within this land and is the direct responsibility of Goulburn Valley Water. The two responsible authorities appear to be avoiding responsibility regarding the retaining wall's repair, and a number of years of avoidance and inaction have led us to the current situation.


.....
Councillor David Andrews

 Date 15 March 2022
.....
Councillor Reg Dickinson

VB

- 12.1 Notice of Motion – Council Meeting Tuesday 15 March 2022
Repair of Foreshore Retaining Wall at Lake Nagambie
Lodged by Councillor David Andrews and Councillor Reg Dickinson
(Notice of Motion Ref. No: 01/2022) (cont.)

MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR DICKINSON

1. ***That the Notice of Motion be accepted.***
2. ***That Council write to the Victorian State Minister for Police and Water, The Honourable Lisa Neville MP, requesting her intervention and direction to the responsible Authorities (Goulburn Murray Water and Goulburn Valley Water) to repair the foreshore retaining wall at Lake Nagambie, in what is referred to as 'the bowl'.***

71-21/22 ***CARRIED***

UB

13. CONFIDENTIAL BUSINESS

Nil.

NEXT MEETING

The next monthly Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 19 April 2022, commencing at 6.00 p.m.

It is intended that this meeting be held at the Euroa Community Conference Centre, however, it should be noted that if coronavirus restrictions are in force, the meeting will be held virtually.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.35 P.M.

Confirmed as being a true and accurate record of the Meeting



Chair

19/04/22.
Date