

MINUTES



OF THE MEETING OF COUNCIL

Held on Tuesday 15 December 2020

**At 6.30 PM in the
Mount Alexander Shire Council Chamber,
Civic Centre and Zoom Video Conference Call.**

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ACKNOWLEDGEMENT OF COUNTRY

To start the official proceedings

I would like to acknowledge that we are meeting on Jaara country of which the members and elders of the Jaara Jaara community and their forebears have been custodians for many centuries and have performed age old ceremonies of celebration, initiation and renewal. We acknowledge their living culture and their unique role in the life of this region.

Council Meetings are audio and video recorded and are made available to the public via electronic media including YouTube.

The Local Government Act (the Act), Part 12, Section 395 of the Act states that *'Council meetings may be closed to the public during the prescribed period (1 May 2020 - 1 November 2020), provided it is live streamed and the community have been provided means to submit statements or questions for Council response. This is to ensure Local Government decision-making can continue and remains transparent during the coronavirus pandemic.*

Councillors and council staff are required to continue to act in accordance with the Councillors Code of Conduct and the Local Government Acts 1989 and 2020, local laws and other Acts and policies as prescribed.

Where there are technical difficulties in being able to broadcast the meeting to the public, the meeting will be adjourned for 30 minutes until the issue is resolved or postponed to 6.00 pm, 17 December 2020.

RECOMMENDATION

That Council:

- 1. Closes the Ordinary Meeting of Council 15 December 2020 under the Local Government Act 2020, Part 12, Section 395; and**
- 2. Notes that where there are technical difficulties in being able to broadcast the meeting to the public, the meeting will be adjourned for 30 minutes until the issue is resolved or postponed to 6.00 pm, 17 December 2020.**

MOVED Councillor Henderson

That the recommendation be adopted.

SECONDED Councillor Annear

CARRIED.

1. PRESENT

Councillors: Rosie Annear, Tony Cordy, Matthew Driscoll, Christine Henderson, Stephen Gardner, Bill Maltby and Gary McClure.

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate and Community Services (Lisa Knight), Director Infrastructure and Development (Jess Howard) and Principal Governance Officer (Augustine Sheppard).

2. APOLOGIES/LEAVE OF ABSENCE

Nil.

3. DECLARATIONS OF INTEREST AND CONFLICTS OF INTEREST

Nil.

4. CONFIRMATION OF MINUTES

4.1. Ordinary Meeting of Council - 24 November 2020

The unconfirmed minutes of the Ordinary Meeting of the Mount Alexander Shire Council held at 6.30 pm on 24 November 2020 at the Mount Alexander Shire Civic Centre have been circulated to Councillors.

The unconfirmed minutes have also been posted on the Mount Alexander Shire Council website, pending confirmation at this meeting.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Mount Alexander Shire Council held on 24 November 2020 be confirmed.

MOVED Councillor McClure

That the recommendation be adopted.

SECONDED Councillor Maltby

CARRIED.

5. ACKNOWLEDGEMENTS

Nil.

6. PUBLIC QUESTION TIME

Read by Mayor Cordy.

a. Ms Alice Matthiesson

Does the Planning Department take applications for Minor Works Permits on a trust basis, without checking for accuracy of detail of the provided information, and without checking for Heritage Overlays?

The Minor Works Permit and the applicant's drawing are finally, this week, in the public domain, after 8 months, a denial of Freedom of Information request, and an OVIC judgement.

Neither document is fit for use. The drawing is misleading. The Minor Works Permit is scant on detail and does not mention the Heritage Overlay 668 that should have protected that land, at least triggering a Planning Permit.

Is Council aware that the properties south of the contested fill being 35 Farnsworth and 1 Brown St, are not on the Heritage Overlay and do not fall under the Heritage Act. Also, that there has never been a vehicle service road to the South. These properties have Council approved crossovers and are irrelevant to this process. They appear to be referenced in an attempt to legitimize the applicant's land grab.

Our unique heritage assets in Mt Alexander Shire will vanish under such management. How will Council revise its practices around Heritage Overlays and the checking of information on applications?

The Director Infrastructure and Development responded by advising;

- That some of the matters in question have been covered in correspondence to the residents around the property at Farnsworth Street.
- That minor works permits are assessed by the engineering team as they are about permission to do work in council road reserves. They are not a planning permit and have a separate permit process.
- Council is aware that the properties south of 37 Farnsworth Street are not under the heritage overlay. Minor works permit is about the works in the road reserve and not the bounds of the overlay.
- The minor works process and the questions that have been raised by the community in relation to 37 Farnsworth Street have led the organisation to look at whether there could be improvement to our process. As a result, the minor works permit process is being modified to formalise the internal referral where there is a planning overlay identified or another sensitive land use. This will give everyone comfort that if one of those matters is there it's considered and if an additional planning permit is needed that is also identified. The updated process is to be put in place as soon as possible.

7. PETITIONS AND LETTERS

Nil.

8. COMMITTEE REPORTS

Nil.

9. OFFICER REPORTS

9.1. Our People

9.1.1. ANNUAL PLAN PROGRESS REPORT - 2020/2021 - QUARTER 1

This Report is For Information

Responsible Director: Director Corporate and Community Services, Lisa Knight

Responsible Officer: Executive Manager Corporate Services, Carolyn Ross

Attachments: 1. Annual Plan Progress Report - 2020 2021 - Quarter 1 [9.1.1.1
- 16 pages]

Executive Summary

The Quarter 1 Progress Report to the end of September 2020 provides Councillors with an update on projects in the 2020/2021 Annual Plan.

This report was presented to the Audit and Risk Advisory Committee on 26 November 2020.

RECOMMENDATION

That Council notes the Annual Plan Progress Report 2020/2021 – Quarter 1.

MOVED Councillor Henderson

That the recommendation be adopted.

SECONDED Councillor Driscoll

CARRIED.

Context

The Annual Plan, which was adopted by Council at its Ordinary Meeting on 18 August 2020, outlines the actions for 2020/2021 that will be implemented as priorities from the 2017–2021 Council Plan. The progress report is prepared on a quarterly basis to inform Councillors and the community on progress against agreed actions.

Issues

The Annual Plan Progress Report 2020/2021 – Quarter 1 provides an update on the progress of actions for the period ending 30 September 2020. The report also contains an update on the remaining actions from prior years that were not fully completed and are therefore carried forward.

At the August 2019 Audit and Risk Advisory Committee meeting, it was recommended that an additional column be included to represent the percentage of budget consumed to date. It is noted that this is not a useful indicator for those operating actions that are funded from a combined operating budget that covers many areas. As these actions do not have an individual budget allocation, it is impossible to identify the actual amount of budget consumed.

Finance and Resource Implications

Projects and initiatives contained in the Annual Plan are fully funded in the Budget 2020/2021. Many projects are contained within the Capital Works Program or funded as a one-off initiative. Several programs are also funded from the Operating Budget.

Risk Analysis

Financial risk:

Managing financial risk for the Annual Plan commences by allocating specific or operational funds to resource the delivery of Annual Plan actions. This quarterly Annual Plan report provides information to readers on the organisation's performance for both the achievement of Annual Plan actions as well as the expenditure of allocated budget funds.

Climate Impact Statement

In preparing the Annual Plan, Council can choose to allocate funds to address the impacts of climate change directly or indirectly. In this report, where an Annual Plan action specifically addresses the impacts of climate change, a progress comment has been provided for information.

Alternate Options

There is no legislative requirement for Annual Plan reporting to be undertaken on a quarterly basis, however in the interests of transparency, regular reporting of such information to our community is a good practice.

Communication and Consultation

Some of the individual projects within the Annual Plan involve community consultation or consultation with relevant stakeholders.

Inform:

We will keep our community informed.

Legislation

Local Government Act 1989

Council has adopted a Council Plan for 2017-2021 in accordance with Section 125 of the Local Government Act 1989 (the Act) together with a budget for 2020/2021, in accordance with Section 127 of the Act.

The Council Plan sets out the aspirations of Council and the strategies and objectives to achieve Council's vision for Mount Alexander Shire: innovative, creative, connected. The budget allocates resources to the activities and services that Councillors have identified as important to achieve Council's vision.

The Annual Plan is prepared each year and progress in delivering projects is reported to Councillors and the community each quarter and in the Annual Report in accordance with the Act. The Plan is structured around the pillars included in the Council Plan:

- Our People
- Our Place
- Our Economy

Strategies and Policy Impacts

Council Plan 2017-2021

Attached is a summary, as of 30 September 2020, of actions included in the fourth year of the Council Plan 2017-2021.

Declarations of Conflict of Interest

Under Section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.1.2. COMMUNITY GRANTS RECOMMENDATIONS ROUND 2 2020

This Report is For Decision

Responsible Director: Director Corporate and Community Services, Lisa Knight

Responsible Officer: Social Access and Inclusion Officer, Sarah Gradie

Attachments: 1. CONFIDENTIAL- Community Grants Program- 2020 Round 2-
~ Aug 2020 - [9.1.2.1 - 6 pages]

Executive Summary

The purpose of this report is to provide Councillors with the outcomes of the Community Grants Program 2020 Round 2, and to provide the Officer recommendations for the allocation of funds.

The program received 18 applications comprising of 17 Small Grant applications and 1 Partnerships Grant application.

The assessment process was undertaken by Council Officers with additional assistance provided by a panel of Managers for the assessment of the Partnerships Grant application.

Of the 18 applications received, 16 are recommended for funding, resulting in a total allocation of \$44,588.

RECOMMENDATION

That Council adopts the recommendations for funding of Round 2 of the 2020 Community Grants program for a total allocation of \$44,588.

MOVED Councillor Henderson

That Council adopts the recommendations for funding of Round 2 of the 2020 Community Grants program for a total allocation of \$44,588 with the addition of Community Asset – Shared Space, a joint project between Castlemaine Theatre Company and Castlemaine Rotary.

Councillor McClure declared a conflict of interest with Councillor Henderson's motion and left the Chamber at 6.44 pm

SECONDED Councillor Driscoll

CARRIED.

Context

Council's Community Grants Program seeks to develop partnerships with and within the community by providing financial support for new and emerging projects and initiatives that are consistent with the 2017 – 2021 Council Plan.

The Program is funded by an annual allocation in Council's operating budget. The adopted budget for the 2020/2021 Program was \$100,000, which is split into two Community Grant rounds per year of \$50,000 each.

Issues

The Community Grants Program for 2020 Round 2 received 18 applications requesting a total of \$54,588 from the Community Grants budget of \$50,000.

Of the 18 applications that were assessed, one was seeking funding for projects that did not meet the terms of the Community Grants guidelines. This project is therefore ineligible, as the proposed start and end dates were outside of the funding guidelines.

This resulted in an assessment of 17 eligible applications comprising of 16 Small Grant applications and one Partnership Grant application.

The assessment process was undertaken by a panel of Council Officers, with additional assistance provided from internal subject matter experts. The Partnership Grant was also assessed and reviewed by a panel of Managers.

Of the 17 applications assessed, 16 are recommended for funding, totalling a recommended funding allocation of \$44,588.

The below tables summarise the eligible applications received, the amount sought, the applications recommended for funding and the recommended funding amounts. They also provide a comparison of the Community Grants Program 2020 from Round 1:

Ref	Organisation	Auspice Organisation	Project Title
1	Mirawara Outdoor Experiences Inc.		Shaping our history together, a narrative to stop racism
2	Castlemaine Seed Library	The Growing Abundance Project Inc.	Seed Resilience/Local Seeds Local Connection
3	The Hub Foundation		YIMBY - Yes in My Backyard - Growing Community, Compost and Resilience
4	Mount Alexander Sustainability Group		Growing the Growers- Regenerative Farming Training Program Development
5	Connecting Country (Mount Alexander region) Inc.		Celebrating Landcare: connecting community and landscapes in the Mount Alexander region

Ref	Organisation	Auspice Organisation	Project Title
6	Harcourt Valley Landcare	Landcare Victoria Inc.	Harcourt Valley Landcare Action Plan
7	Friends of Castlemaine Art Museum Inc.		Kitchen Improvement
8	Castlemaine Commons Collective - affiliate of Friends of the Earth	Friends of the Earth	The pandemic story of resilience
9	Renee Dudfield	Punctum Inc.	Sonic Outcrops
10	Newstead Arts Hub	Newstead 2021 Inc.	Engaging community creativity: a dedicated workshop space
11	Maldon Golf Club Inc.		Catering Equipment
12	Harcourt Bowling Club		New stackable and portable tables.
13	Taradale Community Forum Inc.		Connecting Taradale
14	McKenzie Hill Action and Landcare Group		Brochures Promoting Activities of McKenzie Hill Action and Landcare Group
15	Chalice Foundation		Celebration Day for Girls & Fathers Celebrating Daughters
16	North Castlemaine Cricket Club		Defibrillator to strengthen safety within our facility and improve OHS compliance

Community Grants Program 2020 Round 2.

Funding Stream	Eligible Applications Received	Amount Sought	Applications Recommended for Funding	Recommended Allocation of Funds
Small Grants	16	\$44,588	16	\$44,588
Partnership Grants	1	\$10,000	0	0
Total	17	\$54,588	16	\$44,588

Community Grants Program 2020 Round 1.

Funding Stream	Eligible Applications Received	Amount Sought	Applications Recommended for Funding	Recommended Allocation of Funds
Small Grants	20	\$51,633.40	15	\$37,754
Partnership Grants	2	\$20,000.00	1	\$10,000
Total	22	\$71,633.40	16	\$47,754

Each application was assessed against the following criteria:

- 25% - Project alignment with Council plans and strategies (scored 0-5).
- 50% - Benefits of the project to the Mount Alexander Shire community (scored 0-10).
- 25% - Ability to plan and deliver the project within the proposed timeframe (scored 0 -5).

This results in a total assessment score out of 20.

The adopted budget of \$50,000 in the current Community Grant round allows for those that scored 12/20 or above to be recommended for funding.

If the adopted budget was to incorporate applications that scored 11/20, the budget would be overspent by \$4,588 as this would require a total of \$54,588.

A detailed summary of the recommendations is attached which includes:

- Information about the applicants and projects
- Names of partners and auspices
- The assessment score and assessment panel comments
- Conditions that will be placed on the applicant should funding be allocated

The majority of projects requesting funding in the Community Grants Program 2020- Round 2 related to Environment (6) Health and Wellbeing (3) and Arts and Culture (2). Notably of the six environment applications, three of these were for Landcare Groups. The most common project purpose was for the purchase of equipment, with six out of the 18 applications relating to this. .

The table below provides a comparison of the two most common themes that projects related to in this Community Grants round, versus the two previous Rounds:

Community Grants Round	First key theme	Second key theme
2020 Round 2	Environment	Health and Wellbeing
2020 Round 1	Health and wellbeing	Arts and Culture
2019 Round 2	Arts and Culture	Environment

The application process for this funding round introduced three new questions which related to COVID-19, Climate Change and Gender Equity.

In response to the current pandemic, applicants were asked how COVID-19 may impact the outcomes of their project and what measures they will have in place to address any concerns.

To reflect both Council's recent Climate Change Declaration and the new Victorian Gender Equality Act 2020, applicants were also asked to consider and demonstrate how they might address these topics.

Applicants were not assessed on these questions, as the questions were to ignite thought and conversation within the community, and to provide valuable data and insight as to how Council may be able to best support community groups in relation to these topics.

Finance and Resource Implications

The 2020/2021 annual budget, has allocated \$100,000 for the Community Grants program, to be split into two rounds of \$50,000 each per year.

Based on the funding recommendations, the Community Grants Program 2020 Round 2 will be underspent by \$5,412.

This underspend could be allocated to:

1. The delivery of professional development opportunities for the committees or boards of local community organisations in response to the impacts of COVID-19 (e.g. re-examining strategic plans, continuing viability and sustainability, maintaining purpose, adjusting and reinventing service models to the community's needs).
2. Quick Response COVID-19 Grants – one round of 10 x \$500 grants with a focus on viability and sustainability and capacity building. This would result in a \$412 underspend. Alternatively, if the budget was rounded up to \$5,500 this would result in an over spend of \$88 and allow for 11 x \$500 grants to be offered.
3. Roll over the under-spend into the total grant pool for next round, or it could be combined with any underspend in the following round to offer a more substantial Quick Response COVID-19 Grants round in July 2021.

Risk Analysis

Reputation risk:

A risk analysis for the adoption of the Council Officers' recommendations for the Community Grants Program was undertaken with the following risk being identified:

The damage to Council's reputation is low.

There may be some applicants that may voice their disappointment in not receiving funding through the Community Grant program.

To mitigate this risk, Council Officers will provide individual feedback to all unsuccessful applicants and provide them with guidance with any future applications they may submit.

Climate Impact Statement

The adoption of these recommendations will have a positive climate impact as several of the proposed projects intend to deliver favourable environmental and sustainability outcomes.

Alternate Options

Council may propose that a particular project be funded, or not be funded, contrary to the Council Officer recommendations. Amendments to the proposed funding recommendations may undermine the integrity and fairness of the assessment process.

Communication and Consultation

Consultation and promotion undertaken

The Community Grants Program 2020 Round 2 was widely promoted through Council's website and social media, local media and directly to previous grant applicants, not-for-profit service providers, event organisers and other community groups.

Face to face information sessions were not held for this round due to COVID-19 restrictions. Council officers were however available Monday to Friday (9am – 5pm), via phone and email for all enquiries and discussion regarding potential projects and initiatives and to provide tailored advice.

Council officers spoke to a total of 28 community groups or individuals throughout July and August 2020 to discuss potential applications and the application process. The omission of the face to face sessions is not believed to have affected the number of enquiries received.

The additional questions relating to COVID-19, Climate Change and Gender Equity in the application form identified that:

- All applicants had thoroughly considered how to adjust projects to the COVID-19 environment, with many having alternative plans ready to implement if necessary, and demonstrated creative thinking on how to deliver their intended projects.
- All applicants demonstrated a deep understanding and willingness to implement their project under COVID-19 restrictions. Many groups have voluntarily developed a risk assessment.
- Utilising digital platforms to minimise printing, the use of recyclable materials and/or renewable energy, education programs and sustainable practices are some of the ways in which applicants are considering their environmental impact.
- Some applicants showed a deeper understanding of Gender Equity than others. Some responses demonstrated a broader understanding of the concept of diversity by also including how they consider disability, age, sexuality and ethnicity.
- Four out of the 16 eligible applications refer to diversity and inclusion policies that their groups or organisations already have in place.

Inform:

We will keep our community informed.
Council will inform the community of the funded projects.

Legislation

Local Government Act 2020

Strategies and Policy Impacts

Council Plan 2017-2021

Our Economy

- A creative and innovative community.
- Great opportunities for education and technology.

Our People

- A welcoming place for all.
- Improved health and well-being.
- Local services that support the needs of our community.
- Socially connected, safe and inclusive communities.

Our Place

- A clean and green community.
- Well managed assets for now and into the future.
- Well planned for growth.

Declarations of Conflict of Interest

Under section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

Councillor McClure returned to the Chamber at 6.46 pm.

9.2. Our Place

9.2.1. PLANNING APPLICATION PA012/2020 - 83-85 BLAKELEY ROAD CASTLEMAINE

This Report is For Decision

Responsible Director: Director Infrastructure and Development, Jess Howard
Responsible Officer: Senior Statutory Planner, Holly Sawyer
Attachments:

1. Concept part 2 [9.2.1.1 - 1 page]
2. Concept part 3 [9.2.1.2 - 1 page]
3. Concept Part 1 [9.2.1.3 - 1 page]
4. Blakeley Road - proposed subdivision layout [9.2.1.4 - 2 pages]
5. Blakeley Road - floor plan [9.2.1.5 - 1 page]
6. Blakeley Road - elevation plans [9.2.1.6 - 1 page]
7. Blakeley Road - site plans [9.2.1.7 - 12 pages]
8. Aerial map - 83-85 Blakeley Road Castlemaine [9.2.1.8 - 1 page]

Executive Summary

Council has received an application for the use and development of the land for a place of worship and associated car park, two-lot subdivision, removal of native vegetation and the reduction of car parking requirements at 83-85 Blakeley Road Castlemaine. The subject site is located within the Low Density Residential Zone (LDRZ) and is partially affected by the Bushfire Management Overlay (BMO). Planning approval is required for the use and development of the land for a place of worship and to subdivide land under the LDRZ. Planning approval is also required for the subdivision of land under the BMO, for the removal of native vegetation under Clause 52.17 of the Scheme, and for the reduction of car parking requirements under Clause 52.06 of the Scheme. The application seeks to construct the place of worship and associated car park within the southern half of the site and subdivide the northern part as a vacant allotment.

The application is being referred to Council for a decision as the value of the works exceeds \$1 million.

The proposal is being considered as an appropriate outcome subject to conditions relating to the external appearance of the hall, landscaping and traffic management. The proposal is considered to represent an orderly planning outcome as it contributes to social and community infrastructure within the Castlemaine township and any potential amenity and traffic concerns can be addressed through condition requirements.

It is therefore recommended that Council issue a Notice of Decision to Grant a Planning Permit.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for the use and development of the land for a place of worship including associated car park, two-lot subdivision, removal of native vegetation and the reduction of car parking requirements at 83-85 Blakeley Road Castlemaine subject to the following conditions:

AMENDED PLANS

1. Before the development starts or before the plan of subdivision is certified, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the advertised plans but further modified to show:
 - a) A landscaping plan in accordance with condition 37.
 - b) Amended elevation plans and a colour and materials schedule in accordance with the concept designs submitted to Council on 12 November 2020.
 - c) An amended site plan(s) to include fencing details (fencing must be permeable and no higher than 1.8m).
 - d) A Traffic Management Plan that includes the following details:
 - o Proposed access routes to and from the subject land;
 - o Expected frequency of vehicle movements to and from the land;
 - o Site access arrangements to prevent congestion along Blakeley Road and the surrounding road network.
 - e) An Emergency Management Plan that includes the following details:
 - o Details of emergency vehicle access to the site;
 - o Management actions during times of increased bushfire risk.
2. Before any regional/annual event occurs on the land, a patron management plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. All activities forming part of the use must comply with the endorsed plan. The plan must include:
 - a) Staffing and other measures which are designed to ensure the orderly arrival and departure of patrons;
 - b) Staff communication arrangements;
 - c) Measures to control noise emissions from the premises.

GENERAL REQUIREMENTS

3. The layout of the use, development and subdivision as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.
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.
7. The use and development must be managed so that the amenity of the area is not detrimentally affected through the:
 - a) Transport of materials, goods or commodities to or from the land;

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- b) Appearance of any buildings, works or materials;
 - c) Hours of construction activity;
 - d) Inappropriate storage of any works or construction materials;
 - e) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, reflection or glare, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil;
 - f) The presence of vermin; and
 - g) In any other way.

To the satisfaction of the Responsible Authority.

8. No amplified music, announcements or broadcasts are to be audible beyond the property boundary of the land.
9. All security alarms must be of a silent type and be directly connected to a security service to the satisfaction of the Responsible Authority.
10. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the Responsible Authority.
11. Provision must be made on the land for the storage and collection of waste and recycles. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.
12. All buildings must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
13. External lighting must be designed, baffled and located so as to prevent any adverse effect from light spill on adjoining land to the satisfaction of the Responsible Authority.
14. All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.
15. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building unless otherwise agreed in writing by the Responsible Authority.
16. All piping and ducting (excluding down pipes, guttering and rainwater heads) must be concealed from public view to the satisfaction of the Responsible Authority.
17. All areas of disturbed ground must be stabilised and revegetated at the completion of the development to the satisfaction of the Responsible Authority.

RESTRICTIONS ON USE

18. The use must only operate between the following hours unless otherwise agreed in writing by the Responsible Authority:
 - Monday 6:30pm to 8:00pm
 - Tuesday, Wednesday and Thursday 7:15pm to 8:45pm
 - Saturday 10:00am to 11:30am
 - Sunday 8:30am to 6:00pm

All patrons may only enter and exit the site between the above operating hours.
19. A maximum of 5 funerals and/or weddings may occur per calendar year and must only operate between the hours of 9:00am to 4:00pm Monday to Friday.
20. A maximum of 1 regional/annual event may occur per calendar year and must only operate between the hours of 9:00am to 4:00pm Monday to Sunday.

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21. No more than 860 patrons may be permitted on the land for a regional/annual event associated with the place of worship unless otherwise agreed in writing by the Responsible Authority.
 22. No more than 473 patrons may be permitted on the land for general operation of the place of worship unless otherwise agreed in writing by the Responsible Authority.
 23. No more than 300 patrons may be permitted on the land for a wedding or funeral associated with the place of worship unless otherwise agreed in writing by the Responsible Authority.

TELECOMMUNICATIONS REQUIREMENTS

24. 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
 - 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.
25. Before the issue of a Statement of Compliance 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.

ENGINEERING REQUIREMENTS

26. Before the development starts, detailed construction plans 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 construction plans must be drawn to scale with dimensions and must include:
 - Crossovers
 - Driveway(s)
 - Car parking areas
 - Underground drains
 - Any road upgrades to Blakeley Road (as required).
27. Before the use starts, all works shown on the endorsed detailed construction plans must be carried out and completed to the satisfaction of the Responsible Authority.
28. Before the development starts, a Construction Management Plan must be submitted to, and be to the satisfaction of, the Responsible Authority. The Construction Management Plan will then be endorsed and form part of the planning permit. The Construction Management Plan must include details of:
 - a) Traffic management
 - b) Environmental issues

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- c) Dust control
 - d) Soil erosion
 - e) Mud on roads
 - f) Warning signs
 - g) Storage areas
 - h) Proposed hours of construction
 - i) Proposed parking and standing locations for construction vehicles and construction workers vehicles
 - j) A liaison officer for contact by residents and the responsible authority in the event of relevant queries or problems experienced
 - k) A 24-hour emergency contact number
 - l) Where access to the site for construction vehicle traffic will occur and
 - m) Vegetation protection zones for vegetation on the land to be retained.

CAR PARKING AREA

- 29. Before the use starts, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) Fully constructed;
 - b) Properly formed to such levels that may be used in accordance with the plans;
 - c) Surfaces with an all-weather surface or seal coat (as appropriate);
 - d) Drained and maintained in a continuously usable condition;
 - e) Line marked to indicate each car space, loading bay and/or access lane;
 - f) Clearly marked to show the direction of traffic along access lanes and driveways.

All to the satisfaction of the Responsible Authority.

- 30. Car spaces, access lanes and driveways must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.
- 31. All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.
- 32. No fewer than 138 car parking spaces must be provided on the land to the satisfaction of the Responsible Authority.
- 33. Before the use starts, protective kerbs to prevent damage to fences or landscaped areas must be provided to the satisfaction of the Responsible Authority.

DRAINAGE REQUIREMENTS

- 34. The development and subdivision must be drained to the satisfaction of the Responsible Authority.
- 35. The discharge of water from the land must be controlled around its limits to prevent any discharge onto any adjoining property or streets other than by means of an approved drainage system discharged to an approved outlet in a street or to an underground pipe drain to the satisfaction of the Responsible Authority.

NO DAMAGE TO COUNCIL INFRASTRUCTURE

- 36. Any road(s), footpath(s) and/or other infrastructure damaged as a result of the construction works (including but not limited to trenching and excavation for utility

service connections, movement of vehicles and the likes), must be reinstated to the satisfaction of the Responsible Authority and at the cost of the permit holder.

LANDSCAPING REQUIREMENTS

37. Before the development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan(s) will be endorsed and will then form part of the permit. The landscape plan must be prepared by a person suitably qualified or experienced in landscape design and must be drawn to scale with dimensions and three copies must be provided. The landscape plan must show:
- a) The locations of all landscaping works to be provided on the land;
 - b) The locations of any trees to be retained or removed from the land (including details of species and size);
 - c) A detailed schedule of all proposed trees, shrubs and groundcovers (must include at least 75% native species), including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
 - d) Details of the proposed surface finishes of pathways and driveways;
 - e) Details of the irrigation system to be used on land following completion of the landscaping works;
 - f) The provision of at least 1 canopy tree per six car parking spaces (this can be provided within tree diamonds or another appropriate treatment);
 - g) The provision of screening vegetation between the proposed car parking area and Blakeley Road;
 - h) The provision of screening vegetation between the proposed car parking area and the southern boundary of the land.
 - i) The provision of screening vegetation between the proposed car parking area and the northern boundary of proposed lot 2.
38. Before the use starts, all landscaping works as shown on the endorsed plan(s) must be carried out and completed to the satisfaction of the Responsible Authority. When the landscaping works have been completed, written confirmation must be provided to the satisfaction of the Responsible Authority that landscaping of the land has been undertaken in accordance with the endorsed landscaping plans.
39. The landscaping is to be maintained from practical completion of the landscaping. Any dead, diseased or damaged plants or landscaped areas are to be replaced to the satisfaction of the Responsible Authority.
40. Any weed infestations resulting from soil disturbance and/or the importation of sand, gravel or other material must be controlled during the construction period to ensure that there is no weed spread outside of the subject site to the satisfaction of the Responsible Authority.
41. Before the use starts, all noxious weeds on the land must be eradicated to the satisfaction of the Responsible Authority. Weed management must not detrimentally impact any native vegetation identified to be retained.

TREE PROTECTION

42. Before the works start, a vegetation retention plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The vegetation retention plan must be drawn to scale with dimensions and must include:

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- a) Details of all native vegetation to be retained on the land;
 - b) Details of measures to protect vegetation during construction (including Tree Protection Zones and fencing).
43. Before works start, a tree protection fence must be erected around all of the trees nominated for retention on the endorsed plan to define a Tree Protection Zone. The Tree Protection Zone must be erected at a radius of 12 times the diameter at breast height (DBH) to a maximum of 15 metres but no less than 2 metres from the base of the trunk. The fence must be constructed of star pickets/chain mesh/or similar to the satisfaction of the Responsible Authority. The tree protection fence(s) must remain in place until the completion of the development unless otherwise agreed in writing by the Responsible Authority.
44. No vehicular or pedestrian access, trenching, storage of materials or equipment or soil excavation is to occur within the vegetation protection area unless otherwise agreed in writing by the Responsible Authority.

NATIVE VEGETATION REMOVAL

45. Before any works start on the site, the permit holder must advise all persons undertaking any works, including vegetation removal, on site of all relevant permit conditions and associated statutory requirements or approvals.
46. The native vegetation permitted to be cleared, deemed lost, destroyed or lopped under this permit is 0.031 hectares of native vegetation.
47. To offset the removal of 0.031 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) A general offset of 0.023 general habitat units:
 - i. Located within the North Central Catchment Management Authority boundary or Mount Alexander municipal area
 - ii. With a minimum strategic biodiversity value of 0.416.
48. Before any native vegetation is removed, evidence that the offset required by this permit has been secured must be provided to the satisfaction of the Responsible Authority. This evidence must be one or both of the following:
- a) An established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year active management actions and ongoing management of the site; and/or
 - b) Credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
49. A copy of the offset evidence will be endorsed by the Responsible Authority and form part of the permit.
50. Where the offset includes a first party offset(s), 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 a statutory authority.
- #### GOULBURN MURRAY WATER
51. Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.
52. All construction and ongoing activities must be in accordance with sediment control principles outlined in EPA Publication 275, *Construction Techniques for Sediment Pollution Control* (May 1991).

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53. A Plan of Subdivision must be provided for Certification showing building exclusion zones at least 30m from the waterway on either side (including the dam on the waterway).
 54. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
 55. All stormwater discharged from the site must be directed to Council's legal point of discharge. No stormwater is to be directly discharged to any waterways. All stormwater must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

VICROADS

56. Prior to the development hereby approved by this permit commences use, the following must be completed on the Midland Highway at the Sawmill Road intersection, to the satisfaction of and at no cost to the Department of Transport (Head, Transport for Victoria):
 - a) A Rural Channelised right turn lane treatment (type "CHR") must be provided in accordance with Figure A 30 of the AUSTROADS publication "Guide to Road Design Part 4: Intersections and Crossings – General" -2017.
 - b) A sealed Rural Auxiliary left turn lane treatment (type "AUL") with full depth sealed shoulder must be provided in accordance with Figure 8.4 of the AUSTROADS publication, "Guide to Road Design - Part 4A: Unsignalised and Signalised Intersections " – 2017.
 - c) A detailed functional layout (including lighting layout) using a SIDRA analysis (electronic copy must be provided) to determine storage length of the right turning lane, must be submitted to Head, Transport for Victoria (Head, TfV) for its written approval.
 - d) Subsequent to the written approval of detailed functional layout, works associated with the above intersection must be designed to a standard approved in writing by Head, Transport for Victoria (Head, TfV) prior to the commencement of construction within the declared road reserve.
 - e) A detailed engineering layout (including lighting layout) in conjunction with a 'Detailed Design Stage' Road Safety Audit (RSA) must be submitted to Head, Transport for Victoria (Head, TfV) for its satisfaction and its written approval. The RSA must be undertaken by an independent Head, Transport for Victoria (Head, TfV)'s pre-qualified audit team and be conducted in accordance with Austroads – Road Safety Audit (Second Edition, 2002).
57. A Traffic Management Plan with a Risk Management Plan must be prepared, using Head, Transport for Victoria (Head, TfV)'s prequalified contractors/consultants to the written satisfaction of Head, TfV and implemented at no cost to Head, TfV, for any larger events (for more than 473 patrons).

PERMIT EXPIRY

58. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit;
 - b) The development is not completed within four years of the date of this permit;
 - c) The use is not started within four years of the date of this permit;
 - d) The use is discontinued for a period of two years;
 - e) The plan of subdivision is not certified within two years of the date of this permit;

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- f) The registration of the relevant stage of subdivision is not completed within five years from the date of certification of the plan of subdivision;
 - g) The vegetation removal works are not started within two years of the date of this permit; or
 - h) The vegetation removal works are not completed within three months of the date the works started.

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

PERMIT NOTES:

VICROADS

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

- Right Turn Lane,
- Left turn Lane; and
- Any other works in the arterial road reserve

Please forward details marked attention to Steven Attard on: nr.mailbox@roads.vic.gov.au

MOVED Councillor Annear

That Council issue a Notice of Refusal for the use and development of the land for a place of worship and associated car park, two-lot subdivision, removal of native vegetation and the reduction of car parking requirements on the following grounds:

- 1. The scale of the use and development of the place of worship is out of character within the context of the site and surrounds and would pose detrimental amenity impacts to the residential properties within the surrounding area.**
- 2. The proposed operating hours are inappropriate within the context of the site and surrounds based on their early and late nature and would impact on the amenity of surrounding residential properties.**
- 3. The proposed built form of the proposed place of worship does not represent a good urban design outcome due to the structure's lack of street integration and visual interest due to its location at the rear of the site and bulky design. Therefore, the proposal is inconsistent with Clause 15.01-2S which requires built form to respond and contribute to the context of the surround area and minimise detrimental impacts on neighbouring properties, the public realm and natural environment.**
- 4. The location of the proposed car park to the front of the building will result in detrimental visual bulking and restrict the ability to provide sufficient landscape buffers. Therefore, the proposed car park does not meet the requirements of Clause 18.02-4S, which seeks to ensure that car parking areas achieve a high standard of urban design and protect the amenity of the surrounding area.**
- 5. The proposal reduction of car parking requirements does not represent an orderly planning outcome pursuant to Clause 52.06-10 and Clause 18.02-4S due to an inadequate supply of car parking in the context of the expected patron numbers.**
- 6. The proposal has not adequately addresses traffic issues associated with the proposal and would impact on the amenity of the locality due to increased noise, light spill, and disturbance to dwellings pursuant to Clause 52.06-10.**
- 7. Traffic safety along Blakely Road and Sawmill Road has not been addressed by the application, and the expected traffic generation would detrimentally impact on the role and function of the surrounding road network through road congestion associated with the proposed car parking area pursuant to Clause 52.06-10 and Clause 18.02-4S.**
- 8. The application does not include the implementation of any measures to address the identified bushfire risk associated with the site pursuant to Clause 13.02-1S.**

SECONDED Councillor Gardner

CARRIED.

Councillor Henderson called for a division.

The Mayor noted that there is no division, the motion was carried unanimously.

Summary

Application details:	Use and development of the land for a place of assembly and associated car park, two-lot subdivision, removal of native vegetation and reduction of car parking requirements
Application No:	PA012/2020
Applicant:	Castlemaine Gospel Trust c/- The Planning Professionals
Land:	83-85 Blakeley Road Castlemaine Lot 2 on Plan of Subdivision 804722D Vol 12049 Fol 886
Zoning:	Low Density Residential Zone
Overlays:	Bushfire Management Overlay
Triggers:	Clause 32.03-1 Clause 32.03-3 Clause 32.03-4 Clause 44.06-2 Clause 52.06-3 Clause 52.17-1
Notice:	Yes, via letters to adjoining and surrounding landowners and occupiers and a notice in the Midland Express
Referrals:	Country Fire Authority Goulburn Murray Water Council's Infrastructure Unit Powercor Head, Transport for Victoria (VicRoads)
No. of Objections:	Four
Consultation Meeting:	No
Key Considerations:	Use of the land for a place of worship. Amenity and traffic. Loss of habitat and vegetation. Urban design and built form. Bushfire risk. Subdivision pattern and layout. Reduction of car parking requirements.
Conclusion:	Issue a Notice of Decision to Grant a Permit

Context

The purpose of this report is to enable Council to make a determination on an application for the use and development of the land for a place of assembly and associated car park, two-lot subdivision, removal of native vegetation and reduction of car parking requirements at 83-85 Blakeley Road Castlemaine. The application has been referred to Council for a decision because the cost of works is valued over \$1 million.

The application was lodged on 20 January 2020 and proposes to use and develop the land for a place of assembly and associated car park, two-lot subdivision, removal of native vegetation and reduction of car parking requirements. The details of the proposal are as follows:

Place of Worship

The proposed place of worship is seeking to utilise the southern half of the subject site and will consist of a main building (the 'hall') and car parking area. The proposed hall is sought to be located a minimum of 89.23 metres from the eastern boundary (Blakeley Road), with the building itself to measure 34.69 metres in length and 21.65 metres in width. The hall will have a maximum height of 8.13 metres, with a wall height of 4.12 metres. The hall will have a gable style roof, with the external building materials to include brickwork and rendering to the walls and corrugated iron roofing. A roof overhang is to be provided to the southern and western elevations to provide shelter to the external doorways.

The use of the place of worship will contain the following operation hours and patron numbers:

Day	Type of Service	Service Duration	Typical operating hours	Typical attendees	Maximum attendees	Frequency
Monday	Prayer Meeting	1.5 hours	6.30pm - 8.00pm	50	Up to 100	Weekly
Tuesday	Bible teaching	1.5 hours	7.15pm - 8.45pm	100	Up to 200	Weekly
Wednesday	Bible teaching	1.5 hours	7.15pm - 8.45pm	400	Up to 473	Fortnightly
Thursday	Bible teaching	1.5 hours	7.15pm - 8.45pm	400	Up to 473	Fortnightly
Friday	-	-	-	-	-	-
Saturday	Bible teaching	1.5 hours	10.00am - 11.30am	400	Up to 473	Weekly
Sunday	Communan Service	2 hours	5.30 am - 7.30 am	50	Up to 100	Weekly
	Bible teaching	2 hours	11.00am - 1.00pm	400	Up to 473	Weekly
	Preaching	2 hours	4.00pm - 6.00pm	100	300	Weekly

In addition to the above weekly events, there are also a number of annual events that the proposal is seeking to include within the application:

Day	Type of service	Service duration	Typical operating hours	Typical attendees	Maximum Attendees	Frequency
Weekdays	Funeral or Wedding	2 hours	9.00am - 4.00pm	Varies	300	Maximum of 5 events per year
Monday - Sunday	Bible teaching, regional event	1 - 4 hours	9.00am - 4.00pm	Varies	860	1 event annually

Based on the above, the maximum patron number applicable for the purpose of this assessment is 860 persons. The proposed place of worship is not seeking to be available for public bookings, nor would there be amplified music played in association with the proposed use.

Car park

A total of 138 car parking spaces are sought to be provided on the site. An additional 22 tandem spaces will be available for annual events, although due to the traffic management implications associated with those spaces, for the purposes of this assessment, 138 spaces are sought to be provided. The car park is proposed to be located between the proposed hall and Blakeley Road.

Two-lot subdivision

The application is also seeking to subdivide the land into two lots. Proposed lot 1 is sought to be vacant and contain a land area of 1.38 hectares. Proposed lot 2 is to contain the place of worship and associated car park and cover a land area of 1.198 hectares.

Removal of native vegetation

One native, remnant tree is sought to be removed for the proposed hall. Two large remnant trees are sought to be retained within the proposed car parking area. The proposed vegetation removal equates to 0.031 hectares of native vegetation and is not located within a mapped endangered Ecological Vegetation Class. The tree proposed to be removed is classified as a small, scattered tree.

Reduction of car parking requirements

Whilst the application is seeking to provide 138 car parking spaces, the required number of spaces for 860 patrons is 258 spaces (based on a rate of 0.3 spaces to each patron as per Clause 52.06-5). Therefore, a reduction of 120 spaces is sought.

Site and Surrounds Description

The subject site is located at 83-85 Blakeley Road Castlemaine, which is found on the western side of Blakeley Road. The subject site contains a land area of 2.778 hectares and is roughly square in shape. The site contains a 125.65 metres frontage to Blakeley Road (eastern boundary) and a maximum lot depth of 186.82 metres. The rear (western) boundary is adjacent to the Melbourne-Bendigo rail line. The site is currently vacant of structures, although the western half of the site contains remnant native vegetation and a dam within the centre of the site. There is also a power supply easement that traverses the southern part of the site. The subject site is located within the Low Density Residential Zone and is partially affected by the Bushfire Management Overlay within the north-eastern corner of the site.

The subject site is located within a mixed-use area that predominantly consists of rural residential properties. Adjoining properties to the north and south are located within common zoning, although land to the east of Blakeley Road is located within the Rural Living Zone. These properties have a variety of lot sizes and shapes, although are generally used for lifestyle purposes. There is a motor garage located to the south of the subject site which is also located within the Low Density Residential Zone, and a place of worship to the south-east of the subject site within the Rural Living Zone. Land further south along Blakeley Road is located within the General Residential Zone and consists of standard residential allotments with detached single dwellings on their respective lots. Access to the subject site can be obtained via the Midland Highway and Sawmill Road to the north and via Myring Street to the south.

An aerial map of the site and surrounds is included as an attachment to this report.

It should be noted that there is a current planning permit (PA027/2019) on the site for a two-lot subdivision, which is in the process of being finalised and will result in the creation of an additional lot within the north-eastern corner of the site.

Outstanding objections to the application

Following advertisement of the application in accordance with Sections 52(1)(a) and 52(1)(d) of the Planning and Environment Act 1987, four objection(s) were received.

Traffic implications along Blakeley Road, particularly on Sawmill Road (one-way overpass) and Damascus Lane (blind corner) for road safety and traffic volume.

The application was referred to Transport for Victoria/VicRoads, who requested that the permit holder provide a traffic management plan and complete upgrade works to the Sawmill Road intersection with on the Midland Highway to ensure that the level of expected traffic can safely manoeuvre through that intersection. In relation to the blind corner at Damascus Lane, it is not considered that the proposal will increase any existing risk.

Amenity impacts resulting from traffic (noise, light spill, etc).

VicRoads have requested the submission of a traffic management plan and it is recommended that a patron management plan be submitted as part of conditional consent to ensure that patron movements during regional events do not impact on the amenity and safety of the surrounding area.

The intent of the Low Density Residential Zone is for residential purposes and is unsuited to a place of worship.

The purpose of the LDRZ does not explicitly state that it allows for a limited range of non-residential land uses (religious, educational and other community uses) like the General Residential Zone and Township Zone. Although, the LDRZ is nested within the Residential Zones under Clause 32 of the Scheme with the General Residential Zone and Township Zone, therefore, it can be assumed that as the use of the land for a place of worship is not prohibited under the LDRZ that the land use can be appropriate in certain contexts. The subject site is located adjacent to the Melbourne-Bendigo rail line, a motor garage and another place of worship. Therefore, the site is effectively located within a pocket of the surrounding rural residential area that consists of non-residential land uses that may already have noise and visual impacts on the character of the surrounding area. Given the location context of the subject site, it is reasonable to conclude that the southern half of the subject site is an appropriate location for the proposed place of worship.

Proposed scale of place of worship is excessive and inappropriate for a rural residential area.

The proposed annual events will include quite a high maximum patronage. Although, the application is only seeking to hold those larger gatherings once a year. The general operation (weekly/fortnightly) will only have a maximum patronage of 473 persons for bible teachings, which are only run for a maximum of two hours at a time. As there will not be a constant presence of 473 persons on the site, the scale of the place of worship is not considered to be detrimental to the rural residential character of the surrounding area. Further, as discussed above, the proposal is located within a small bubble of non-residential land uses, which will limit any impacts on residential properties as the proposal seeks to co-locate with other land uses that may pose amenity impacts (noise, light, etc).

The Castlemaine Rod Shop (located to the south) and Church of Christ (located to the south-east) are of a much smaller scale and are not comparable to the scale of this proposal.

The use of the land for a garage is considered to pose a much higher risk of amenity impacts given the nature of the activities undertaken at such a site. Whilst the scale may not be so high in terms of patronage at any one time, the activities undertaken there in terms of noise, odour and light would be more likely to impact on residential properties within the surrounding area than the proposed place of worship. The proposal is not seeking to include any broadcasted announcements or music and with the latest operating hour being 8:45pm on some weekdays, any external lighting can be controlled through standard conditions to ensure that it is baffled and directed so as to ensure no adverse amenity impacts to surrounding properties.

Parking overflow onto Blakeley Road due to proposed reduction of car parking requirements.

The proposed car parking reduction is based on the maximum patronage for annual events. The regular patron attendance on a weekly basis is proposed to be up to 473 persons. Based on the car parking space rate requirement under Clause 52.06 of the Scheme, this would require 141.9 car parking spaces. As the proposal is seeking to provide 138 car parking spaces on site, this is considered to be appropriate in terms of the general use of the land. In relation to car parking requirements for the annual events which would require the provision of 258 car parking spaces, the proposal has sought to provide 22 tandem spaces (which would require traffic management to ensure safe usage) and the use of shuttle buses to reduce requirement for additional car parking spaces. This is considered to be an appropriate response to the requested reduction and will encourage the use of more sustainable transport modes (carpooling, etc). Although, to ensure the safe and efficient management of the car park during peak periods, it is recommended that a patron management plan be required prior to the use of the land for an annual event to ensure that patrons are able to enter and leave the site appropriately.

The application does not address the area of Aboriginal Cultural Heritage Sensitivity that affects part of the site.

Pursuant to requirements of the Aboriginal Cultural Heritage Regulations, as the proposed works are located outside of the sensitive area, a mandatory Cultural Heritage Management Plan was not required to be provided.

There is existing planning compliance on the site due to vegetation clearing and earthworks that will result in adverse ecological impacts.

The proposal cannot be judged on previous compliance issues relating to the site. It is acknowledged that there has been previous vegetation removal, although the proposed removal of one tree is not considered to be detrimental to biodiversity on the site and surrounds. The application has sought to retain two remnant trees within the proposed car parking area, which is considered to be an appropriate response.

The proposal will impact on habitat for kangaroos.

The subject site was not identified as an area of significant habitat as part of their native vegetation assessment. Further, the zoning allows for this type of development, therefore, the presence of kangaroos is not considered to be sufficient to refuse the application outright. The surrounding area has already been largely developed; therefore, it would be inappropriate to restrict the ability to use and develop the site based on this ground.

The "largess" of the hall and car park will result in light pollution and is inconsistent with the character of the surrounding area (visual impact).

The applicant has provided some concept renderings (attached) with amended colours and materials to soften the appearance of the hall. These are considered to be a more appropriate design response and provide a more positive urban design outcome in the context to the rural landscape character of the site and surrounds. In relation to light pollution, standard conditions can be included to ensure that light is baffled and directed to ensure no adverse amenity impacts on surround properties.

Bushfire risk associated with the site.

The subject site is only partially affected by the Bushfire Management Overlay but is entirely located within a Bushfire Prone Area. The proposal sought to locate the place of worship outside of the part of the site affected by the Bushfire Management Overlay which is considered to be an appropriate response. The application was also referred to the CFA who did not object to the proposal. Further, the subject site is considered to be appropriately located to allow for access away from the site to the north and south in emergency situations.

Locating the car park to the front of the hall is a poor urban design and streetscape outcome, with landscaping setbacks not considered sufficient to effectively screen the development from Blakeley Road.

It is acknowledged that there are urban design implications with locating parking facilities to the front of the premises. This issue was discussed with the permit applicant who sought to locate the hall further from the property boundary to ensure that the use did not adversely impact on the amenity of the surrounding area and to facilitate greater landscaping opportunities for screening purposes within the car parking area.

Loss of privacy to surrounding residential properties.

As discussed above, it is recommended that a landscaping plan for the provision of buffer vegetation and trees within the car parking area be provided to soften the appearance of the development from the public realm and to provide a degree of privacy screening. Therefore, it is not considered that the proposal will result in an adverse loss of privacy.

Other Issues

LDRZ

The proposed use and development of the land for a place of worship under the LDRZ is considered to be an appropriate outcome for a number of reasons. Firstly, the proposal provides an additional community service to the surrounding area, which is considered to provide social benefit to the community. Secondly, as discussed above, the proposed hall is sought to be located within the southern half of the subject site, which is outside of the part of the site affected by the Bushfire Management Overlay and is closer to the existing non-residential use cluster adjacent to the site. Thirdly, the scale of the proposal can be managed through appropriate conditions to ensure that there are no adverse amenity impacts such as noise, light and traffic. Concerns regarding the visual impact of the built form and impacts on privacy can be addressed through condition requirements for landscaping. Further, the permit applicant has supplied concept renderings with an alternative colour and materials schedule which is considered to be a more appropriate response to the rural character of the

surrounding area. Therefore, it is considered that the proposal is a positive planning outcome subject to conditions.

Further to the above, in relation to operating hours, most of the proposed operating hours are considered to be acceptable within a residential context. Although, the proposed opening hour of 5:30 on a Sunday is not considered to be appropriate. The early start time would likely result in adverse amenity impacts to surrounding residences. Therefore, it is recommended that an alternative start time of 8:30am on Sundays be included on any issued permit. This is considered to be a more appropriate start time and is consistent with the Sunday service times of the place of worship adjacent to the start (10:30am according to their website).

Subdivision

The proposed two-lot subdivision is considered to be an appropriate response as the subdivision will allow for one lot for the place of worship and a vacant lot. Both proposed lots are in excess of the 2000m² lot minimum within the LDRZ for lots connected to reticulated sewerage. The proposed subdivision boundary has also been plotted to avoid impacting on vegetation within the patch located within the western half of the site. Therefore, it is considered that the proposed subdivision is an orderly planning outcome.

Vegetation removal

The relevant State and Local planning policies seek to protect native vegetation and ensure that the loss of native vegetation does not result in a net loss of biodiversity. It is acknowledged that there has been previous vegetation removal on the land, although the proposed removal of one native tree for the construction of the hall is not considered to result in a net loss of biodiversity. The loss of this tree will require an offset to ensure that the biodiversity value of the vegetation is regained, which can be dealt with through standard conditions. Further, the application has designed the proposed car park to ensure the retention of two native scattered trees and the proposed subdivision has also been designed to avoid consequential vegetation loss. This is considered to be an appropriate response to the policy objectives for avoiding and minimising vegetation loss.

Finance and Resource Implications

Cost of appeal to the Victorian Civil and Administrative Tribunal.

Alternate Options

Council could issue a Notice of Refusal, although the abovementioned concerns are considered to mostly be able to be addressed through conditional consent to the application.

Communication and Consultation

Advertising

Notice of the application was given in accordance with Sections 52(1)(a) and 52(1)(d) of the Planning and Environment Act 1987 to owners and occupiers of adjoining land and. A notice was also placed in the Midland Express.

Applicant-Objector Consultation

An applicant-objector meeting will be convened on 1 December 2020.

External Referrals

Goulburn Murray Water do not object to the issue of a permit subject to the following conditions:

- Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.
- All construction and ongoing activities must be in accordance with sediment control principles outlined in EPA Publication 275, Construction Techniques for Sediment Pollution Control (May 1991).
- A Plan of Subdivision must be provided for Certification showing building exclusion zones at least 30 metres from the waterway on either side (including the dam on the waterway).
- Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
- All stormwater discharged from the site must be directed to Council's legal point of discharge. No stormwater is to be directly discharged to any waterways. All stormwater must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

VicRoads do not object to the issue of a permit subject to the following conditions:

- Prior to the development hereby approved by this permit commences use, the following must be completed on the Midland Highway at the Sawmill Road intersection, to the satisfaction of and at no cost to the Department of Transport (Head, Transport for Victoria):
 - a. A Rural Channelised right turn lane treatment (type "CHR") must be provided in accordance with Figure A 30 of the AUSTRROADS publication "Guide to Road Design Part 4: Intersections and Crossings – General" -2017.
 - b. A sealed Rural Auxiliary left turn lane treatment (type "AUL") with full depth sealed shoulder must be provided in accordance with Figure 8.4 of the AUSTRROADS publication, "Guide to Road Design - Part 4A: Unsignalised and Signalised Intersections " – 2017.
 - c. A detailed functional layout (including lighting layout) using a SIDRA analysis (electronic copy must be provided) to determine storage length of the right turning lane, must be submitted to Head, Transport for Victoria (Head, TfV) for its written approval.
 - d. Subsequent to the written approval of detailed functional layout, works associated with the above intersection must be designed to a standard approved in writing by Head, Transport for Victoria (Head, TfV) prior to the commencement of construction within the declared road reserve.
 - e. A detailed engineering layout (including lighting layout) in conjunction with a 'Detailed Design Stage' Road Safety Audit (RSA) must be submitted to Head, Transport for Victoria (Head, TfV) for its satisfaction and its written approval. The RSA must be undertaken by an independent Head, Transport for Victoria (Head, TfV)'s pre-qualified audit team and be conducted in accordance with Austroads – Road Safety Audit (Second Edition, 2002).
- A Traffic Management Plan with a Risk Management Plan must be prepared, using Head, Transport for Victoria (Head, TfV)'s prequalified contractors/consultants to the written satisfaction of Head, TfV and implemented at no cost to Head, TfV, for any larger events (for more than 473 patrons).

NOTES

- Separate consent for 'works within the road reserve' and the specifications of these works may be required under the Road Management Act 2004. For the purposes of this application the works will include provision of:
 - Right Turn Lane
 - Left turn Lane
 - Any other works in the arterial road reserve
- Please forward details marked attention to Steven Attard on: nr.mailbox@roads.vic.gov.au

The CFA do not object to the issue of a permit and did not request any conditions be included on the issued permit. Standard bushfire conditions should be included on any issued permit.

The application was also referred to Powercor for comments and/or conditions relating to the electricity transmission easement on the site. No response was provided.

Internal Referrals

- Council's Infrastructure Unit did not provide a response.

Legislation

Planning and Environment Act 1987

Subdivision Act 1988

Strategy and Policy Impacts

State Planning Policy Framework (SPPF)

Clause 12.01-1S (Protection of biodiversity)

The objective of this policy is to assist the protection and conservation of Victoria's biodiversity. Strategies of this policy include assisting in the identification, protection and management of important areas of biodiversity.

Clause 12.01-2S (Native vegetation management)

The objective of this policy is to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Clause 13.02-1S (Bushfire planning)

The objective of this policy is to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. Strategies of this policy include directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.

Clause 15.01-1S (Urban design)

The objective of this policy is to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 15.01-2S (Building design)

The objective of this policy is to achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Clause 15.01-6S (Design for rural areas)

The objective of this policy is to ensure development respects valued areas of rural character.

Clause 18.02-3S (Road system)

The objective of this policy is to manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.

Local Planning Policy Framework (LPPF)

Clause 21.04-1 (Biodiversity)

The objective of this policy is to identify and protect remnant native vegetation on privately owned land.

Clause 21.05-4 (Noise and air)

The objective of this policy is to ensure that noise and air emissions do not affect the amenity of sensitive uses.

Clause 21.05-5 (Bushfire)

The objective of this policy is to minimise the risk of bushfire to life and property.

Clause 21.11 (Infrastructure)

The objective of this policy is to provide infrastructure to meet the needs of the Shire's communities.

Zoning

Clause 32.03 (Low Density Residential Zone)

The subject site is located within the Low Density Residential Zone pursuant to Clause 32.03 of the Mount Alexander Planning Scheme. The purpose of this zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

Pursuant to Clause 32.03-1, a planning permit is required for the use of the land for a place of assembly. Further, the buildings and works for a place of assembly also require a planning permit pursuant to Clause 32.03-4.

A planning permit is also required for the subdivision of land pursuant to Clause 32.03-3.

Overlays

Clause 44.06 (Bushfire Management Overlay)

The subject site is partially affected by the Bushfire Management Overlay pursuant to Clause 44.06 of the Scheme. The purpose of this overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.

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- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
 - To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
 - To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

Pursuant to Clause 44.06-2, a planning permit is required to subdivide land. As the proposed place of worship is located outside of the part of the site affected by this overlay, a planning permit is not required for that part of the application.

Particular provisions

Clause 52.06 (Car parking)

This provision is relevant to this application and has the following purpose:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Pursuant to Clause 52.06-5, a total of 258 car parking spaces are required for a maximum patronage of 860 persons. As the application is only seeking to provide 138 car parking spaces, planning approval is required for the reduction of car parking requirements pursuant to Clause 52.06-3.

Clause 52.17 (Native vegetation)

This provision is relevant to this application and has the following purpose:

- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):
 1. Avoid the removal, destruction or lopping of native vegetation.
 2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
 3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.
- To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Pursuant to Clause 52.17-1, a planning permit is required to remove native vegetation.

Clause 53.01 (Public open space contribution and subdivision)

A person who proposes to subdivide land must make a contribution to Council for public open space, unless a contribution was made previously on the land or the subdivision is exempt under Clause 53.01-1. The copy of title submitted with the application was inspected and it was found that a previous public open space contribution has been made on the site, therefore, an additional contribution cannot be requested for the proposed subdivision.

Clause 53.02 (Bushfire planning)

This provision is relevant to this application and has the following purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.
- To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.
- To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

An application to subdivide land within the Bushfire Management Overlay must meet the requirements of this provision. A Bushfire Management Statement and Bushfire Management Plan was provided for the proposed subdivision, which the CFA considered to be satisfactory and meet the requirements of this provision.

General provisions

Clause 65 – Decision guidelines

Clause 65.01 and Clause 65.02 of the Scheme include a number of decision guidelines that should be included as part of an assessment for the use, development and subdivision of the land.

Declarations of Conflict of Interest

Under Section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.2.2.PA 158/2019- USE AND DEVELOPMENT OF A RENEWABLE ENERGY FACILITY (SOLAR FARM, ENERGY STORAGE) AND UTILITY INSTALLATION, REMOVAL OF NATIVE VEGETATION AND BUSINESS IDENTIFICATION SIGNAGE AT 333 HOKINS ROAD RAVENSWOOD SOUTH

This Report is For Decision

Responsible Director: Director Infrastructure and Development, Jess Howard
Responsible Officer: Coordinator Statutory Planning, Louise Johnston
Attachments: 1. AERIAL SITE PLAN SOLAR FARM [9.2.2.1 - 1 page]
2. 1614 001 [9.2.2.2 - 5 pages]

Executive Summary

Council has received a planning permit application (PA158/2019) proposing the the use and development of a renewable energy facility (solar farm and energy store), utility installation, removal of native vegetation and business identification signage at 333 Hokins Road and Reids Lane, Ravenswood South.

Notice of the application has resulted in seven objections and one letter of support. The application has been assessed against the policy and specific controls of the Mount Alexander planning scheme.

The proposal requires a balancing exercise to resolve policy tensions that exist between the encouragement for solar energy facilities which because of their land area requirements are dependent on available agricultural land, and the retention and protection of productive agricultural land. The report demonstrates that the application should be supported as the land can support the establishment of a renewable facility at this location, through its siting and design, whilst minimising and managing its impact on the amenity of the area.

The recommendation is to issue a Notice of Decision to grant a planning permit.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for the use and development of a renewable energy facility (solar farm and energy store), utility installation, removal of native vegetation and business identification signage at 333 Hokins Road and Reids Lane, Ravenswood South subject to the following conditions:

1. AMENDED PLANS REQUIRED

- 1.1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:**
- a) Detail plans of the Battery Energy Storage System (BESS) sheds including materials and finishes.**
 - b) Detail of the proposed signage, including size (not to exceed 3m² in size) and location.**
 - c) All solar panels and buildings set back at least 30 metres from waterways or drainage lines.**

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- d) Any noise attenuation measures to inverters/BESS or changes required to their locations to meet noise requirements under condition 10.
 - e) A construction management plan as required by condition 3.1.
 - f) An Environmental Operations Management Plan as required by condition 7.1.
 - g) A Construction Environmental Management Plan including a Wildlife Salvage plan as required by condition 13.2.
 - h) A Stormwater management plan as required by condition 19.3
 - i) Evidence of compliance with conditions 19.4 & 19.5 below regarding any infrastructure sited outside of all defined flow paths & constructed to a minimum of 300 millimetres above the applicable 1% AEP flood level.
 - j) A site management plan as required by condition 19.8.
 - k) A Traffic Management Plan as required by condition 20.1.

2. LAYOUT NOT ALTERED

- 2.1. The use and development as specified and shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.

3. CONSTRUCTION MANAGEMENT PLAN

- 3.1. Prior to commencement of works, a Construction Management Plan (CMP) must be submitted to, and approved by, the responsible authority. When approved, the CMP will be endorsed and will then form part of the permit. During the construction phase all measures identified in the endorsed CMP must be implemented to the satisfaction of the responsible authority. The CMP must include:

- a) Measures to control erosion and sediment and sediment laden water runoff including the design details of structures. The sediment control measures must be consistent with EPA Publication 275 Construction Techniques for Sediment Pollution Control 1991 (as amended);
- b) measures to retain dust, mud, silt and debris on site, both during and after the construction phase;
- c) measures to prevent mud, dirt and other debris from being transported from the site onto adjacent roads;
- d) proposed hours of construction;
- e) locations of any construction wastes storage and the method of disposal, equipment, machinery and/or earth storage/stockpiling during construction;
- f) proposed parking and standing locations for construction vehicles and construction workers vehicles;
- g) the estimated number of workers expected to work on the site at any time;
- h) a communication strategy for advising the responsible authority, local business owners and residents in the vicinity of the development of key stages/events (including their timing and duration) in the construction program of the development;
- i) a liaison officer for contact by residents and the responsible authority in the event of relevant queries or problems experienced;

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- j) a 24-hour emergency contact number
 - k) heavy vehicle movements
 - l) construction times
 - m) details of a site contact/site manager
 - n) where access to the site for construction vehicle traffic will occur
 - o) tree protection zones where required for the retained perimeter screen planting
 - p) the location of trenching works, boring, and pits associated with the provision of services
 - q) the location of any temporary buildings or yards
 - r) the location and details of temporary fencing works
 - s) measures to ensure that the land can be used for agricultural use in the future, including protection of topsoil and avoiding soil compaction by vehicles and equipment
 - t) details of how the construction phase will comply with EPA Publication 1254, Noise Control Guidelines, 2008; and EPA Publication 275, Construction Techniques for Sediment Pollution Control and EPA Publication 480, Environmental Guidelines for Major Construction Sites
 - u) Strategies for programming construction activities to avoid conflict with school bus routes and livestock movement along local roads.
- 3.2. Pre and post construction condition surveys of the local road network are to be undertaken as part of the Construction Management Plan.
- 3.3. The surveys must note and record (using appropriate visual imagery);
- a) the condition of the pavement and shoulders;
 - b) any failed, weak, damaged, worn or notable areas of pavement or shoulder;
 - c) any areas where the condition of shoulders are considered inadequate; and
 - d) any culverts or waterway/creek crossings.
- 3.4. Pre and post inspection reports are to be submitted to the responsible authority for its approval.
- 3.5. Baseline road condition established at pre inspection must be maintained throughout the construction period by the applicant.
- 3.6. The applicant must manage all roads used for access to the level of service as defined by the responsible authorities asset management plan for the duration of the construction period.
- 3.7. Any damage to local infrastructure caused by or exacerbated by construction traffic must be repaired by the permit holder to the satisfaction of and at no cost to the responsible authority.
- 3.8. During the construction phase all measures identified in the endorsed construction management plan must be implemented to the satisfaction of the responsible authority.
4. **DECOMMISSIONING AND REHABILITATION PLAN**

4.1. By no later than 12 months before the solar energy and battery storage facility permanently cease operating, a decommissioning management plan (DMP) prepared by a suitably qualified person must be submitted to the satisfaction of the responsible authority. When approved, the DMP will be endorsed and will then form part of the permit. The DMP must include but is not limited to:

- a) identification of structures to be removed, including but not limited to all solar panels, substation, buildings (if they are not useful for ongoing use) and electrical infrastructure, when and how they will be removed;**
- b) details of how the land will be rehabilitated after any structures are removed to allow the land to be used for agricultural purposes (or proposed alternative use);**
- c) identification of materials to be recycled;**
- d) identification of the person(s) and/or bodies to be responsible for the implementation of DMP;**
- e) Within 12 months of the endorsement of the decommissioning management plan, or the ending of the use, whichever is the later, the decommissioning must be completed in accordance with the approved DMP, to satisfaction of the responsible authority.**

5. GENERAL AMENITY CONDITIONS

5.1. The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the responsible authority, adversely affect the amenity of the locality. 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;**
- c) emission of noise, glint and glare, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;**
- d) presence of vermin.**

6. BUILDINGS

6.1. Before the operation of the solar energy facility commences, all buildings and works as shown on the endorsed plans must be constructed in accordance with the endorsed plans to the satisfaction of the responsible authority. Any metal cladding proposed to be used in the construction of any building and infrastructure approved by this permit, must be:

- a) galvanized or natural colour bonded metal cladding; and/or**
- b) treated metal cladding painted in muted tones, provided such painting is completed prior to the occupation of the building approved by this permit,**
- c) To the satisfaction of the responsible authority.**
- d) External cladding of any building must be maintained and kept in good condition at all times to the satisfaction of the responsible authority.**
- e) Maintenance of all buildings, surrounds, storage and parking areas within the site must be carried out in such a manner to render the site in**

a neat, tidy and clean condition at all times so as to not adversely affect the amenity of the locality to the satisfaction of the responsible authority.

7. ENVIRONMENTAL AND OPERATIONS MANAGEMENT PLAN

- 7.1. Prior to the commencement of the use, an Environmental and Operations Management Plan (EOMP) must be prepared, approved and implemented to the satisfaction of the responsible authority. The EOMP must include:**
- 7.2. Overall environmental objectives for the operation and use of the solar energy and energy storage facility and techniques for their achievement to include:**
- a) day to day management requirements for the use**
 - b) ground maintenance**
 - c) measures to manage the storage of any hazardous or dangerous goods or materials on site during the development or use**
 - d) landscape planting maintenance**
 - e) weed management**
 - f) drainage channel maintenance**
 - g) waste management**
 - h) procedures to ensure that no significant adverse environmental impacts occur as a result of the use**
 - i) proposed noise mitigation measures and monitoring systems, including noise monitoring to ensure the solar energy and energy storage facility complies with EPA noise guidelines**
 - j) identification of possible risks of operational failure and response measures to be implemented**
 - k) actions to control sedimentation in accordance with EPA Publications 275**
 - l) Construction Techniques for Sediment Pollution Control 1991**
 - m) Procedures to manage airborne dust, silt and debris onsite.**
- 7.3. Details of how the operation phase will comply with EPA Publication 1411, Noise from Industry in Regional Victoria, 2011;**
- 7.4. Details of how requirements from condition 16 below, CFA requirements have been achieved and complied with.**
- 7.5. A Pest, Animal and Plant Management Plan (PAPMP) which must include:**
- a) ongoing actions and measures to be undertaken to control pest animals and plants; and**
 - b) a process to inform surrounding property owners of any works that present a risk to their homes or animals;**
- 7.6. A formal Complaint Investigation and Response Plan that shows how any complaint is to be recorded and investigated. Details of the CIRP shall include the nomination of responsibilities to individuals, establishment of reporting protocols and procedures to investigate and report on complaints.**
- 7.7. Contact numbers for the facility, including:**
- a) A liaison officer for contact by residents and the responsible authority in the event of relevant queries or problems experienced**

10.1. Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria {EPA Publication 1411, 2011}.

11. DEPARTMENT OF TRANSPORT

11.1. Reflection of sunlight from the Solar Panels must not be visible from any part of the Calder Freeway to cause dazzle to the traffic on the road.

11.2. Before commencing any work and before engaging any haulage contractor, a detailed Risk Management Plan with a detailed Traffic Management Plan prepared by a VicRoads pre-qualified contractor to the satisfaction of Regional Roads Victoria (RRV)/VicRoads and Greater Bendigo City Council & Mount Alexander Shire Council in their capacity as road authorities under the Road Management Act 2004 for local (public) roads used to transport material to/from and within the vicinity of the solar energy facility.

NOTES

- The proponent is responsible for any damage caused to construction vehicles or other vehicles in the event that the safe and usable quality of any public road and associated infrastructure is degraded or compromised as a result of the development, and that RRV/VicRoads will not accept liability for any such damage.
- No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.
- The provision of a security bond may be required prior to the commencement of works equal to the estimated costs of the rehabilitation/replacement of any infrastructure relating to any arterial road, identified as being at risk to the satisfaction of RRV/VicRoads.

12. DEPARTMENT ENVIRONMENT LAND WATER

12.1. 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.

Endorsed plans

12.2. Before works start, a Construction Environmental Management Plan (CEMP) and Wildlife Salvage Plan (can form part of the CEMP) for the construction (and operation (use as required)) of the solar farm development to the satisfaction of the Department of Environment, Land, Water and Planning, must be submitted to and approved by the responsible authority. When approved, the plan is to be endorsed and will then form part of the permit. The solar farm development must be conducted in accordance with the endorsed plan. The CEMP is to include but is not limited to:

- a) Overview of construction methods including management zones and construction zones, site preparation, access, construction activities, schedule and timing of works, and contractor briefing Environmental considerations; management of and/or mitigation of impacts on:
 - surface water pollution
 - erosion and sediment

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- waterway crossings
 - terrestrial ecology
 - soil drift

Protection of retained native vegetation

- 12.3. Before works start, a native vegetation protection fence must be erected to protect all native vegetation to be retained within 15 metres of the works area.
- 12.4. This fence must be erected to delineate the works area as described in Appendix C – Updated Application Plans prepared by FRV dated 20 June 2020 as part of the Response to Further Information Planning Permit Application No. PA158/2019, 333 Hokins Road and Reids Lane, Ravenswood South prepared by AECOM for Mount Alexander Shire Council dated 21 August 2019.
- 12.5. This fence must be erected at:
- A radius of 12 times the diameter of any tree trunk, measured at a height of 1.4 metres above ground level, to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
 - To protect patch(es) of native vegetation not containing trees at a minimum distance of 2 metres from any retained native vegetation.
- 12.6. The fence must be constructed of star pickets and paraweb or similar to the satisfaction of the Department of Environment, Land, Water and Planning. The protection fence must remain in place until all works are completed to the satisfaction of the department.
- 12.7. Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
- vehicular or pedestrian access
 - trenching or soil excavation
 - storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
 - construction of entry and exit pits for underground services
 - any other actions or activities that may result in adverse impacts to retained native vegetation

Native vegetation offsets

- 12.8. Native vegetation removal must be in accordance with the extent specified in the Native Vegetation Removal report ACM_2020_010 dated 1 July 2020. The total area of native vegetation permitted to be removed is 0.472 hectares, comprised of seven (7) large scattered trees.
- 12.9. To offset the removal of 0.472 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- A general offset of 0.104 general habitat units located within the North Central Catchment Management Authority boundary or Mount Alexander municipal district.
 - Have a Strategic Biodiversity Value score of at least 0.376.
 - Provide protection for at least seven (7) large trees.

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- Must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).

Offset evidence

12.10. 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 security agreement signed by both parties, and
- a management plan detailing the 10-year management actions and ongoing management of the site
- to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority.
- Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;

and/or

- credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

Offset evidence

12.11. A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

12.12. 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 loddonmallee.planning@delwp.vic.gov.au.

Development on Crown land

12.13. No infrastructure (including access tracks) can be constructed/modified on Crown land without the department's written consent. The government road under licence cannot be used for any purpose other than the licence purpose (currently grazing) without the departments consent.

12.14. To use Crown land as described in the application, the land owner must submit plans and obtain written consent from the department. Plans must show the location and dimensions of proposed works including: access tracks, electrical cables and fences. The final layout of the facility should not propose any structures such as solar panels or buildings on the government road.

Permit 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 (loddonmallee.environment@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, and quality of vegetation and size of revegetation site. Please visit

<https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.

13. ENVIRONMENTAL HEALTH OFFICER

13.1. Any on-site facilities that produce wastewater must meet the requirements of the Environment Protection Act 1970 part IXB and the Environment Protection Authority's Code of practice – on-site wastewater management 891.4.

14. POWERCOR

14.1. The applicant shall:-

- **Negotiate with Powercor for the connection of the development, to the existing power distribution network.**
- **Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.**
- **Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.**
- **Set aside for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required. Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title byway of a caveat prior to the registration of the plan of subdivision.**
- **Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Power Line" pursuant to Section 88 of the Electricity Industry Act 2000.**
- **Obtain for the use of Powercor Australia Ltd any other easement external to the development.**

15. CFA

15.1. Risk and Emergency Management

- The undertaking of a comprehensive risk management process, as per CFA's Guidelines for Renewable Energy Installations 2018.
- The development of an Emergency Information Book, provided in an Emergency Information Container at site entrances, as per CFA's Guidelines for Renewable Energy Installations 2018.
- If applicable to the installation, adherence to (DR) AS/NZS 5139-2017: Electrical installations – Safety of battery systems for use with power conversion equipment for any battery installations, and CFA's Guidelines for Renewable Energy Installations.
- If applicable to the installation, adherence to dangerous goods storage and handling requirements, as per the dangerous goods regulatory framework and any relevant Australian Standards.

15.2. Access

- A four (4) metre perimeter road should be constructed within the ten (10) metre perimeter Fire Break.
- Roads are to be of all-weather construction and capable of accommodating a vehicles of fifteen (15) tonnes.
- Constructed roads should be a minimum of four (4) metres in trafficable width with a four (4) metre vertical clearance for the width of the formed road surface.
- The average grade should be no more than 1 in 7 (14.4% or 8.1°) with a maximum of no more than 1 in 5 (20% or 11.3°) for no more than fifty (50) metres.
- Dips in the road should have no more than a 1 in 8 (12.5% or 7.1°) entry and exit angle.
- Incorporate passing bays at least every 600 metres which must be at least 20 metres long and have a minimum trafficable width of 6 metres. Where roads are less than 600 metres long, at least one passing bay is to be incorporated.
- Road networks must enable responding emergency services to access all areas of the facility.
- Two but preferably more access points to the site, to ensure safe and efficient access to and egress from areas that may be impacted or involved in fire. The number of access points is to be informed through a risk management process.

15.3. Water Supply

- On-site water supply is an important part of the fire suppression system which will assist in the safe, effective and timely fire suppression activities of responding brigades. Static water storage tank installations are to comply with AS 2419.1 and the following conditions:
 - The static water storage tank shall be of not less than 45,000 litres effective capacity.
 - The static water storage tank(s) must be an above-ground water tank constructed of concrete or steel. The location and number of tanks

should be determined as part of the site's risk management process and in consultation with a CFA delegated officer.

- The static storage tanks shall be capable of being completely refilled automatically or manually within 24 hours.
- The hard-suction point shall be provided, with a 150mm full bore isolation valve equipped with a Storz connection, sized to comply with the required suction hydraulic performance. Adapters that may be required to match the connection are 125mm, 100mm, 90mm, 75mm, 65mm Storz tree adapters with a matching blank end cap to be provided.
- The hard-suction point shall be positioned within 4 metres to a hardstand area and provide clear access for fire personnel.
- An all-weather road access and hardstand shall be provided to the hard-suction point. The hardstand shall be maintained to a minimum of 15 tonne GVM, 8 metres long and 6 metres wide or to the satisfaction of the relevant fire authority.
- The road access and hardstand shall be kept clear at all times.
- The hard-suction point shall be protected from mechanical damage (i.e., bollards) where necessary.
- Where the access road has one entrance, a 10 metre radius-turning circle shall be provided at the tank.
- An external water level indicator is to be provided to the tank and be visible from the hardstand area.
- Signage shall be fixed to each tank.

15.4. Fuel/Vegetation Management

- Grass is to be maintained at below 100mm in height during the declared Fire Danger Period.
- A fire break area of ten (10) metres width is to be maintained around the perimeter of the facilities, electricity compounds and substations. This area is to be of non-combustible mulch or mineral earth.
- The fire break area must commence from the boundary of the facility or from the vegetation screening (landscape buffer) inside the property boundary.
- The fire break must be constructed using either mineral earth or non-combustible mulch such as crushed rock.
- The fire break must be vegetation-free at all times.
- No obstructions are to be within fire break area (e.g., no stored materials of any kind).
- Adhere to restrictions and guidance during the Fire Danger Period, days of high fire danger and Total Fire Ban days (refer to www.cfa.vic.gov.au).
- All plant and heavy equipment is to carry at least a 9-litre water stored-pressure fire extinguisher with a minimum rating of 3A, or firefighting equipment as a minimum when on-site during the Fire Danger Period.
- There is to be no long grass or deep leaf litter in areas where plant and heavy equipment will be working.

15.5. Conditions Specific to Solar Installations

- **Solar facilities are to have a 6 metre separation between solar panel banks/rows. Where this cannot be achieved, advice is to be sought from CFA's State Infrastructure and Dangerous Goods Unit (sidgu@cfa.vic.gov.au).**
- **Solar farm operators must provide specifications for safe operating conditions for temperature and the safety issues related to electricity generation, including isolation and shut-down procedures, if solar panels are involved in fire. This information must be provided within the content of the Emergency Information Book at the main entrance of the facility.**
- **Solar arrays are to have grass or other vegetation maintained to 100mm under the array installation or mineral earth or non-combustible mulch such as stone.**
- **Where practicable, solar energy installations can be sited on grazed paddocks. In this case, vegetation is to be managed as per the requirements of this guideline, or as informed through a risk management process.**

15.6. Conditions Specific to Battery Installations

- **Containers/infrastructure for battery installations are to be located so as to be directly accessible to emergency responders (e.g., provided with a suitable access road). Adequate ventilation of the battery container/storage area is to be provided where required under (DR) AS/NZS 5139-2017; the manufacturer's requirements and/or SDS for battery storage.**
- **Containers/infrastructure for battery installations are to be provided with appropriate spill containment/bunding that includes provision for fire water runoff. Battery installations that contain dangerous goods may have to comply with the requirements of the Dangerous Goods Act 1985; the Dangerous Goods (Storage and Handling) Regulations 2012; and relevant Australian Standards.**
- **Battery storage manufacturers must provide specifications for safe operating conditions for temperature and the effects on battery storage if involved in fire. This information must be provided within the content of the Emergency Information Book at the main entrance of the facility.**
- **Battery installations are to be kept free of extraneous materials and combustible materials of all kinds. Regular inspections and housekeeping is to be conducted to ensure materials do not accumulate.**
- **Battery installations are to be serviced/maintained as per the manufacturer's requirements.**
- **Containers/infrastructure for battery installations must be clear of vegetation for ten (10) metres on all sides, including grass. CFA requires non-combustible mulch such as stone or mineral earth within this ten (10) metre area.**

16. GOULBURN MURRAY WATER (GMW)

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

16.2. No buildings or solar panels are to be constructed within 30 metres of any waterways measured from the inside top edge of the bank.

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- 16.3. If applicable, all wastewater generated from the site office or other facilities on the site must be treated and disposed of using an EPA approved system, installed, operated and maintained in compliance with the relevant EPA Code of Practice and Certificate of Approval.
 - 16.4. If applicable, the associated wastewater disposal area must be located in accordance with Table 5 of the EPA Code of Practice – Onsite Wastewater Management, Publication 891.4, July 2016, from any waterways, drainage lines, dams or bores.
 - 16.5. If applicable, the wastewater disposal area must be kept free of buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away.

Planning Note:

- GMW advises for the purposes of solar farm applications, solar panels are not treated as buildings. Where applicable, GMW will refer specially to either buildings or solar panels.
- Applications for a Waterway Determination can be made to Goulburn Murray Water's Diversion Operations on 1800 013 357.
- For works on waterways, it is recommended that applicant contact the relevant Catchment Management Authority as a licence may be required to undertake these works.
- The subject property is located within an area of Cultural Heritage Sensitivity. Should the activity associated with proposed development require a Cultural Heritage Management Plan (CHMP), planning permits, licences and work authorities cannot be issued unless a CHMP has been approved for the activity.

17. CULTURAL HERITAGE

- 17.1. The recommendations of the approved Cultural Heritage Management Plan No 16376 must be adhered to under the Aboriginal Heritage Act 2006 and subject to the management conditions, 1-11 listed in the plan starting on page 9-13.

18. NORTH CENTRAL CATCHMENT MANAGEMENT AUTHORITY (NCCMA)

- 18.1. All buildings, works and solar panels (excluding any approved crossings and fencing) must be set back a minimum 30 metres from the top of bank of the designated waterway that traverse property.
- 18.2. The proposed development must maintain all existing flow paths on the site. Prior to commencement of works, details of any proposed earthworks to level or alter the topography of flood prone land must be provided to the North Central CMA and the Responsible Authority for approval.
- 18.3. Prior to the commencement of works a stormwater management plan must be submitted to the responsible authority and North Central CMA for approval.
- 18.4. Any infrastructure such as site offices, inverter power control units, battery energy storage systems and substation infrastructure (excluding solar panels) must be sited outside of all defined flow paths
- 18.5. Any infrastructure such as site offices, inverter power control units, battery energy storage systems and substation infrastructure must be constructed a minimum of 300 millimetres above the applicable 1% AEP flood level.

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- 18.6. The solar panels must be constructed so that the underside of the panels are a minimum of 300 millimetres above the applicable 1% AEP flood level when in a horizontal position.
 - 18.7. Fencing within the defined flood extent (areas exceeding 100 millimetres) must be of an open style construction up to the 1% AEP flood level to allow the passage of flood waters through the site. Fencing crossing the designated waterways and their tributaries must be designed to facilitate flows and not obstruct flood flows. Prior to the commencement of works, plans of the proposed fencing style must be submitted to the North Central CMA and Responsible Authority for approval.
 - 18.8. Prior to the commencement of works a site management plan which details any waterway crossings and how sediment movement into waterways will be minimised must be submitted to the North Central CMA and Responsible Authority for comment and approval. Additionally, prior to the commencement of works a separate works on waterway permit for any works within the bed and banks of any designated waterway must be obtained directly from the North Central CMA.

19. GAS EASEMENT

- 19.1. Prior to the development commencing, and to inform detailed design, the developer must conduct electrical hazard studies in accordance with (the requirements of) Australian Standard 4853-2012 Electrical Hazards on Metallic Pipelines (for Low Frequency Induction and Earth Potential Rise). The developer must address any relevant requirements and any recommendations and/or actions must be implemented to the satisfaction of the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).
- 19.2. Buildings, structures, roadway, pavement, pipeline, cable, fence or any other improvement on or under the land within the gas transmission pipeline easement must not be constructed without prior consent in writing from the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd). No structure or vegetation will be permitted on the easement that prohibits maintenance of line of sight along the pipeline easement.
- 19.3. Prior to the commencement of any works within the gas transmission pipeline easement, the proponent must enter a Third Party Works Authorisation agreement with the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd). Works within the easement must comply with any conditions attached to a third party works approval.
- 19.4. No civil infrastructure providing for water, sewer, electric, telecommunications and other like services will be accepted within the gas pipeline easement, other than service crossings to the satisfaction of the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).
- 19.5. Details of any additional fill proposed to be placed on the APA VTS gas transmission pipeline easement must be clearly shown on plans and be to the satisfaction of the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).
- 19.6. No buildings are to be constructed on the APA VTS gas transmission pipeline easement.

PERMIT NOTES

If you are planning on undertaking any physical works on property containing or proximate to a pipeline, or are seeking details on the physical location of a pipeline,

please contact Dial Before you Dig on 1100, or APA directly on
APAprotection@apa.com.au

An early works agreement from APA is required for any assessments/approvals that require greater than 1 day's assessment or supervision. Lead in times for agreements can be up to 12 weeks. Please contact APA at APAprotection@apa.com.au or 1800 103 452 to discuss the issue.

Where access to the pipeline will not be readily available because of the proposed development e.g. significantly obstructed by pavement etc an assessment of the condition of the pipeline coating will be required prior to development commencing. Any re-coating works required as a result of this assessment or due to future inaccessibility will be at the developer's expense and to the satisfaction of the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).

20. INFRASTRUCTURE

Traffic and Access

20.1. Prior to the commencement of works, a Traffic Management Plan (TMP) must be prepared for the construction of the use and submitted to, approved by, and be implemented to the satisfaction of the responsible authority. The TMP must include but not be limited to the following:

- a) Measures required for the protection of private, Council and VicRoads assets (streets, footpaths, laneways and reserves).**
- b) Heavy vehicle movements where access to the site for construction vehicle traffic will occur.**
- c) Measures regarding the use of the emergency access to the site, as depicted on the endorsed plans, from Reids Lane, Ravenswood.**
- d) Measures to ensure conflicts between cyclists and construction activities are managed.**
- e) Details of any road or lane closures and crane operations.**
- f) Deliveries to and from the site for all commercial vehicles, including waste collection, must only take place between 7am and 6pm Monday to Friday. No deliveries to or from the site, including waste collection, must take place on weekends or public holidays unless otherwise agreed in writing by the responsible authority.**
- g) Access to and egress from the site for all commercial vehicles, including waste collection, must only be from the proposed 'access point' on Reids Lane, Ravenswood depicted in the endorsed plans.**
- h) Pre and post construction condition surveys of all Council-managed roads on designated delivery routes must be carried out. The surveys must note and record (using appropriate visual imagery):**
 - i. the condition of the pavement and shoulders;**
 - ii. any failed, weak, damaged, worn or notable areas of pavement or shoulder;**
 - iii. any areas where the condition of shoulders are considered inadequate; and**
 - iv. any bridges, culverts or waterway/creek crossings.**
- i) Reports on the results of the pre and post construction surveys carried out must be submitted to the responsible authority for approval. Pre-inspection reports must be submitted prior to the commencement of**

construction works. Post-inspections report must be submitted within 3 months of the completion of construction works.

- j) **Baseline road conditions established by the pre-inspection survey must be maintained throughout the construction period.**
- k) **Any damage to local infrastructure (i.e. Council assets roads, table drains etc.) caused by or exacerbated by construction traffic must be repaired by the owner/occupier to the satisfaction of and at no cost to the responsible authority.**
- l) **Before the use begins, the applicant or owner must construct any traffic management works identified in the Traffic Management Plan. The cost of such works shall be fully met by the owner. Any changes proposed to works in this report must be referred to the responsible authority for approval prior to substitution.**
- m) **Prior to construction commencing, vehicle crossings as shown on the endorsed plan must be constructed and sealed to the standards of Council's Infrastructure Design Manual, and to the satisfaction of the responsible authority. The final location of the crossings are to be generally in accordance with the endorsed plans and approved by the responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works .**
- n) **Primary access and egress from the property must only be from Reids Lane, as depicted in the endorsed plan. Vehicle access and egress from the property must take place in a forward direction at all times.**
- o) **All loading and unloading of vehicles must at all times be undertaken within the curtilage of the site, unless otherwise agreed in writing by the responsible authority.**

20.2. Prior to the commencement of the use, vehicle access ways, parking areas and manoeuvring areas as shown on the endorsed plan(s) must be constructed to an all- weather standard, drained to prevent diversion of flood or drainage waters, and be maintained to the satisfaction of the responsible authority. Any security gate, barrier or similar device controlling vehicle access to the premises must be located a minimum of six metres inside the property to allow vehicles to steer clear of pavements and footpaths.

- a) **All vehicular entrances to the site from the road must be constructed at a location and of a size and standard satisfactory to the responsible authority. The vehicle crossing(s) must be constructed at the owner's expense to provide ingress and egress to the site to the satisfaction of the responsible authority.**

Engineering Plans

20.3. Prior to the commencement of any construction works associated with the development a stormwater management must be submitted to Council for consent. Then detailed access and drainage plans with computations to the satisfaction of the responsible authority must be submitted to and approved. When approved, the plans will be endorsed and will then form part of the permit. The information submitted must show any relevant details listed in the council's Infrastructure Design Manual (IDM) and be designed in accordance with the requirements of that manual, including;

- a) **Details and computations of how the works on the land are to be drained including drains conveying stormwater to the legal point of discharge.**

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- b) Details of how the drainage design allows for the continuation of existing overland flow paths across the land & how integrated water management objectives will be met.
 - c) Documentation demonstrating approval from the relevant authority for the legal point of discharge.
 - d) Details of the main entrance to site from Reids Lane to the standard shown in the IDM (SD265). Construction of this entrance must be completed to the satisfaction of the responsible authority prior to commencing internal works or receiving heavy vehicles.
 - e) Carparking areas, circulation lanes and access shall be designed and constructed in accordance with AustRoads Publication 'Guide to Traffic Engineering Practice: Part 11 Parking,' 'Australian Standard AS2890.1-2004 (Off Street Parking)' & 'AS2890.6 (Off Street Parking for People with Disabilities).
 - f) Details of the Hokins street & Reids Lane intersection upgrade to service B-double.
 - g) Details of how any lighting within the site is designed, baffled and located to effectively illuminate all pertinent public areas, without spilling onto the road reserve or adjoining land, and must be connected to a time clock switch or other approved system to the satisfaction of the responsible authority.
 - h) Details on how noise emitted from the land during the operation of the facility will not exceed the recommended levels set out in EPA Publication 1411 Noise from Industry in Regional Victoria, 2011 as amended and replaced.
 - i) Details of the boundary fencing of the land.

20.4. Before the operation of the solar energy facility commences all buildings and works as shown on the endorsed plans must be constructed in accordance with the endorsed plans to the satisfaction of the responsible authority.

Consent for constructions

20.5. Prior to the commencement of any works on the road reserve the owner/applicant must submit a Minor Works in a Road Reserve application and be issued a permit to occupy the road for works.

Access & Parking

20.6. All parking spaces and internal roads must be designed to allow all vehicles to drive forward both when entering and leaving the property.

20.7. The access and parking areas must be constructed and drained to prevent diversion of flood or drainage waters, and well maintained to the satisfaction of the responsible authority.

20.8. Parking spaces, access lanes and driveways must be kept available for these purposes at all times.

21. PROVISION OF EMERGENCY INFORMATION

21.1. Prior to the commencement of the use and development, an Emergency Information Container must be provided at the Reids Lane entrance to the site and any other emergency access point to the site, each containing an emergency information book consisting of:

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- a) A description of the premises, its infrastructure and operations;
 - b) Site plans that include the layout of the entire site, including buildings, internal roads, infrastructure, fire protection systems and equipment, dangerous goods storage areas, drains and isolation valves, neighbours and the direction of north;
 - c) Up-to-date contact details for site personnel, regulatory authorities and site neighbours;
 - d) A manifest of dangerous goods (if required) as per Schedule 3 of the Dangerous Goods (Storage and Handling) Regulations 2012;
 - e) Safety Data Sheets for all dangerous goods stored on-site; and
 - f) Procedures for management of emergencies, including evacuation, containment of spills and leaks, and fire procedures.

21.2. The Emergency Information Container must be:

- a) Painted red and marked 'EMERGENCY INFORMATION' in white contrasting lettering not less than 25mm high.
- b) Located at all vehicle access points to the facility, installed at a height of 1.2 metres - 1.5 metres.
- c) Accessible with a fire brigade standard '003' key.

22. PERMIT EXPIRY – TIME FOR STARTING AND COMPLETION

22.1. This permit will expire if any of the following circumstances apply:

- The permitted development is not started within three years of the date of this permit;
- The development is not completed within four years of that date;
- The permitted use is not started within two years of the completion of the development; and
- The use is discontinued for a period of two years.

22.2. The responsible authority may extend these periods if a request is made in writing by the owner or the occupier of the land to which the permit applies:

- Before the permit expires; or
- Within six months of the permit expiring, if:
 - The development has not been started; or
 - The development is complete but the use has not started;
 - Or the use has been discontinued for a period of two years.
- Within twelve months of the permit expiring if the development commenced in accordance with the permit before it expired

MOVED Councillor Maltby

That the recommendation be adopted.

SECONDED Councillor McClure

CARRIED.

Summary

Application details:	Use and development of a renewable energy facility (solar farm) utility installation, removal of native vegetation and business identification signage
Application No:	PA 158/2019
Applicant:	AECOM Australia Pty Ltd on behalf of FRV Services Australia Pty Ltd
Land:	333 Hokins Road & Reids Lane, Ravenswood South
Zoning:	Farming Zone
Overlays:	Part BMO
Triggers:	Clause 35.07-1 - use Clause 35.07-4 - Buildings and works 52.05-14 – Signage 52.17 – native vegetation removal
Notice:	Notices to adjoining and adjacent landowners, notices in both the 'Midland Express' and 'Tarrengower Times' newspapers.
Referrals:	DELWP, GMW, NCCMA, EPA, CFA, Powercor, VIC ROADS, Council's EHO and Infrastructure Department
Objections	Seven objections, one letter of support
Consultation Meeting:	No
Key Considerations:	Loss of agricultural land, protection of native vegetation and rural landscapes, encouragement of renewable energy facilities.
Conclusion:	Issue a Notice of Decision to grant a permit.

Context

The purpose of this report is to enable Council to make a determination on an application for the use and development of a renewable energy facility (solar farm and energy store), utility installation, removal of native vegetation and business identification signage at 333 Hokins Road and Reids Lane, Ravenswood South. The application has been referred to Council for a decision because there are more than five objections to the application and the cost of the project is greater than one million dollars.

The application was lodged on 7 June, 2019 and proposes the use and development of the land as a Renewable Energy Facility (solar farm and energy storage) and utility installation (land used to transmit, distribute or store power, including battery storage), removal of native vegetation and business identification signage. A number of specialists reports have been submitted with the application including:

- Landscape Plan prepared by AECOM,
- Glint and Glare Report prepared by AECOM (dated 06 June 2019),
- Preliminary Environmental Management Plan prepared by AECOM (dated 05 June 2019),
- Preliminary Surface Water Study prepared by AECOM (dated 03 June 2019),
- Traffic Impact Assessment prepared by AECOM (dated 05 June 2019),
- Detailed Ecological Assessment and Native Vegetation Removal Report, prepared by AECOM dated January, 2020,
- Hydrology Analysis prepared by Sense Hawk (21 January 2020)

The solar farm would have an installed capacity of approximately 63 megawatts and will be developed using solar photovoltaic (PV) panels and a single axis tracking system. Approximately 3,240 trackers with 60 solar photovoltaic (PV) panels/ modules are to be installed, as well as a substation and other associated infrastructure including a 20MW/20MRhr Battery Energy Storage System (BESS).

The panels will run north/south and be mounted on a single axis horizontal tracking system that allows each panel to track the path of the sun from east to west. Each row of panels will be at least 6 metres apart. The solar panels, including the mounting structures, will be a maximum height of 4 metres.

The buildings and works associated with the development of the solar facility will be as follows:

- Two metre high perimeter security fencing around the solar farm
- A temporary compound during construction and site office
- Connection to the existing electricity supply along Reids Lane
- inverter transformer station (power blocks) / PV plant substation / Battery Storage (BESS)
- Single axis tracking solar panels and associated framework
- Onsite cabling between solar panels and inverters
- Landscaping Buffers
- Access to Reids Lane.

The temporary compound area during construction is proposed to be located within the south eastern portion of the site which would include construction worker parking area, temporary site office, laydown area and storage of construction materials.

Inverter Transformer Stations (Power Blocks) will be located along the proposed access corridors throughout the PV module arrays. Ten (10) power blocks are proposed. The power blocks will convert the Direct Current (DC) to Alternating Current (AC) and the transformers will step up the voltage from Low Voltage to a Medium or High Voltage as required by the

electricity grid connection. Each unit will be approximately to 6 metres long by 2.59 metres wide and approximately 2.48 metres high.

The PV plant substation will be located in the south-eastern portion of the site, accessed via a proposed internal access road connected to Reids Lane to the east. The substation will include a total area of approximately 0.5 hectares. The substation will achieve a maximum equipment height of approximately 18.77 metres, excluding equipment antennae. Overhead lines will connect with an existing Powercor Line located east of the site within the existing Reids Lane road reserve.

The BESS would consist of batteries located adjacent to the substation. The BESS is required to enable the storage and distribution of energy beyond daylight hours. The batteries are proposed to be located within a shed, in enclosures similar to shipping containers or suitably designed freestanding/outdoor rated enclosures. All energy storage systems consist of batteries, a power conversion system, control system and balance of plant (transformers, switchgear, cables and miscellaneous equipment).

The nearest grid transmission proximate to the subject site is located within the Reids Lane road reserve, running along the eastern boundary of the land. This transmission line has sufficient capacity for the Project, with power generated by the Project to be connected to the line via new overhead lines connected to the proposed plant substation.

The application includes a Traffic Impact Assessment (TIA) for the Project. The report summarises the road network and intersections and existing traffic conditions. The report assesses the proposed traffic conditions, vehicle access, traffic routes, traffic generation impacts and potential mitigation measures to inform the development of a traffic management plan (TMP). The TIA finds that there is unlikely to be a material traffic impact on the local road network during the construction of the proposed Ravenswood Solar Farm. The TIA identifies the following:

- Temporary construction signage would be required on Hokins Road during the construction period to alert road users of increased traffic to manage opposing vehicles passing on the one lane, two-way road. Any formal widening of Hokins Road is likely to result in vegetation removal.
- The intersection turning radius at Hokins Road and Reids Lane needs to be reviewed in detailed design to cater for construction vehicles.
- During operation the Ravenswood Solar Farm is anticipated to generate traffic movements of around 1-3 vehicles per day.
- No traffic impacts due to the construction of the Ravenswood Solar Farm, as traffic volumes are negligible given the rural nature of the local road network.
- A Traffic Management Plan should be developed following planning approval.

Primary access to the site is from Reids Lane, connecting with internal access roads measuring 4 metres in width throughout the site. Parking will be accommodated on-site during construction and operation as follows:

- During construction, designated parking areas will be established on site, with a main car park located at an administration area.
- A parking area containing six spaces will be provided next to the control building during ongoing operation of the solar farm

Anticipated Vehicle Movements During Construction:

Vehicle type	Construction timeframe:0-6 months	Construction timeframe: 6-12 months
Full time workers	Up to 100	Up to 200
Heavy	Up to 20 movements per day (10 deliveries)	Up to 30 movements per day (15 deliveries)
Light	Up to 20 movements per day (10 deliveries)	Up to 30 movements per day (15 deliveries)
Total	Up to 150 vehicle movements per day	Up to 290 vehicle movements

Landscaping of the site includes a 10 metre wide landscaping screen along sections of the sites northern boundary comprising indigenous vegetation currently found at the site, including trees, shrubs, grasses and grass covers. During landscaping works, trees at varying installation sizes and stages of maturity will be planted to provide immediate screening upon completion of landscaping works.

Business identification signage is proposed at the entrance point on Reids Lane. Details of the sign and its location would be to the satisfaction of the Responsible Authority.

A total of seven scattered native trees are proposed to be removed to accommodate the panels on the land at this location.

The footprint of the proposed development will cover an area of approximately 263 hectares out of the 323 hectare property. The minimum distance from property boundary to the arrays would be 31.3 metres up to 60.5 metres for the northern, southern and western setbacks.

The solar farm is anticipated to operate for approximately 37 to 42 years. A minimal number of personnel would be required for the operation and maintenance of the Project (equivalent to three full time employees).

Operational activities are expected to include remote monitoring of equipment daily, full servicing of power conversion units and switchyard equipment on a quarterly basis and cleaning of the solar panels at regular intervals depending on how the system performs benchmarked to weather conditions. It is expected that the solar panels would need cleaning on average four times during any calendar year. Operations personnel will also be responsible for land management including weed control, fire hazard reduction and site security. There will be no storage of hazardous or dangerous goods or materials on site during the operation of the Project.

The subject site comprises two land parcels, at No.333 Hokins Road and Reids Lane, in Ravenswood South, comprising an area of approximately 323.3 hectares. An unused government road (approximately 20 metres wide) runs north/south through the two parcels in the middle of the site. The Department of Environment, Land, Water and Planning (DELWP) has been informed of the proposal and the applicant is currently in the process of obtaining the Public Land Manager's Consent for the use of Crown Land via a licensing agreement.

The site is formally known as Lot 2 on Plan of Subdivision 516392 and Lots 3, 4 and 5 on Plan of Subdivision 607736. The site is irregular in shape and consists of gently undulating, open farm land. Covenant J416151 affects the Reids lane title, Lots 3, 4 & 5 of PS 607736.

The covenant relates to an existing gas pipeline running north/south through the site along the western boundary adjoining the unused road. The proposed works would not contravene this covenant. There is a Section 173 agreement registered on Lot 2 PS 516392, the title that forms part of 333 Hokins Road. The Section 173 agreement relates to road construction requirements if a dwelling was to be constructed on this site.

The subject site features a frontage to Reids Lane to the east, which also provides primary vehicle access for the solar farm, through an existing channel crossing. Key local roads within the subject site context include the following:

- Reids Lane abuts the site's eastern boundary. This local road comprises a single carriageway and is unsealed and provides primary vehicle access to the site.
- Hokins Road is located approximately 920 metres north of the subject site. This road is a sealed road with single carriageway, providing primary vehicle access to property's north of the subject site.
- Mt Gaspard Road is located within the Farm Zone, running parallel with the subject site's southern boundary approximately 300 metres to the south. This single carriageway connects Reids Lane to the Calder Freeway.

Vegetation on the site includes scattered trees across the site and native vegetation patches surrounding the drainage lines. The site contains approximately eight existing dams and is traversed by the Cominis Channel near the east boundary. There are two drainage lines that begin at a confluence along the western boundary of the site and split towards the north and south, running for approximately 1.3 kilometres. The subject site is currently used for agricultural purposes and is predominantly cleared for cropping and grazing. The site does not contain any existing built form. Land surrounding the subject site generally comprises agricultural land uses with associated residential dwellings, farm related infrastructure, vegetation and waterways, comprising a mixture of lot sizes. The nearest dwelling is approximately 1.3 km east of the subject site, located on Mt Gaspard Road.

The nearest township is Harcourt, approximately 14 kilometres to the east. Castlemaine is located approximately 20 kilometres south east of the subject site. As above, access to the site is via Reids Lane which has access to Hokins Road, northern boundary with the City of Greater Bendigo and direct access to the Calder Highway.

The land is located within the Farming Zone (FZ) and is partly affected by the Bushfire Management Overlay (BMO). A planning permit is required for use and development under the farming zone provisions. A planning permit is not triggered for buildings and works under the BMO.

A Cultural Heritage Plan has been prepared and approved as triggered by the Aboriginal Heritage Act 2006 as the development is considered high impact and the site is partly located within a sensitive area as defined within the Aboriginal Cultural Heritage Regulations. Any permit issued will include reference to the approved plan and its recommendations and conditions. The CHMP was approved by DDWCAC on 13 August 2020 and includes 11 conditions to be complied with.

Outstanding objections to the application

Following advertisement of the application in accordance with Sections 52(1)(a) and 52(1)(d) of the Planning and Environment Act 1987, seven objection(s) and one letter of support has been received. Below is a summary of the objections received.

Loss of Agricultural land

The proposal requires a balancing exercise to resolve policy tensions that exist between the encouragement for solar energy facilities which because of their land area requirements are

dependent on available agricultural land, and the retention and protection of productive agricultural land. This issue is discussed below in the report.

Native vegetation removal

The application has followed the native vegetation framework when assessing applications for native vegetation removal. The application has avoided and minimised native vegetation removal, with the application seeking the removal of seven (7) scattered trees.

Wildlife Management

Objectors raised concerns regarding wildlife management during construction and operation. The design and layout of the facility outlines that the proposal avoids removal of native vegetation which is potentially habitat for native fauna. The Vegetation Statement, submitted with the application and assessed by DELWP confirms that most threatened flora species listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) or *Flora and Fauna Guarantee Act 1988* are considered to have low or no potential to be present at the Subject Site. No additional referrals were required under Commonwealth or Victorian legislation relating to impacts to native fauna. Any permit issued would require a wildlife management plan that would seek to managing native wildlife populations during construction and operation.

Visual and amenity impacts

The Plans provided with the proposal responds to the subject site's surrounding context by incorporating landscape screening at key interfaces and generous offsets to side boundaries. All buildings and works have been sited with generous setbacks to boundaries meeting the recommended in DELWP's Solar Energy Facilities Design and Development Guideline of 30 metres. In addition, the Glint and Glare Assessment demonstrates that the proposal will not result in hazardous glare impacts to nearby sensitive receptors. The visual and amenity issues are discussed below in the report.

Project Decommissioning

Concern has been raised regarding the responsibility for and the process covering the project's decommissioning. The applicant is required for ongoing maintenance of the solar farm and for its decommissioning at the completion of its lease. If a permit is issued, a condition would be included requiring the provision of further details regarding the decommissioning and rehabilitation of the site to its original state.

Weed management

Concerns regarding the potential introduction of weed species to the Subject Site have been raised as an issue. Weed management and control would be required over the site in the form of a weed management condition, if a permit was to issue.

Noise

Concerns have been raised regarding potential noise emissions from the site during Project construction and operation. The application plans show generous offsets from noise emitting equipment to the site boundaries and it is noted that this equipment will be well offset from sensitive receptors. Any noise levels from the site would need to comply with the EPA noise standards. Construction noise would be managed in accordance with the CEMP.

Traffic Impacts

Potential traffic impacts to livestock during construction has been raised as an issue.

The inclusion of a suitably worded permit condition requiring the preparation of a Traffic Management Plan as part of the CMP is considered appropriate, which should include consultation with local farmers regarding livestock movement during construction.

Fencing

Concerns have been raised regarding the proposed security fence design, specifically requesting that:

- Maximum fence height should not exceed three metres
- Barbed wire should not be included in fence design
- Fencing should not resemble that of an 'industrial area'
- Boundary fencing should be relocated inside landscape screening so that views of the fence are filtered through vegetation where possible
- Final fence design should have consideration for wildlife management.

These matters have been addressed as follows:

- Maximum fence height does not exceed 2.1 metres, as shown on the Plans
- Fence design is in accordance with the requirements of Australian Standard AS 1725 and is required to restrict access to an electrical installation in accordance with Victorian electrical safety laws for public safety
- Fence design has been amended with the removal of barbed wire toppers to reduce potential harm to wildlife and reduce its industrial appearance
- Fence materiality will comprise uncoated chain wire which is considered to integrate better with the existing landscape than alternative materials, such as black or green plastic-coated wire
- Wildlife management details would be included in a wildlife management plan as a condition on any permit issued.

Issues

Consistency with State Policy Directions

The Victorian Government's objective is to accelerate the development of well-sited and well-designed renewable energy generation facilities in Victoria, to reduce emissions, create jobs and put downward pressure on energy prices, while meeting legislated generation targets. The Renewable Energy (Jobs and Investment) Act 2017 supports a target of 25% renewable energy generation by 2020 and 40% by 2025. In 2018, the Victorian Government announced a commitment to increasing the target to 50% by 2030. The benefits of encouraging renewable energy are significant. With respect to this proposal the benefits include producing enough clean, zero-emission electricity to power approximately 40,000 houses across Victoria each year.

The proposal will contribute to the achievement of Government's renewable energy targets. This will include 20 per cent for large scale solar power. The VRET policy also encourages investment in energy storage and new energy technologies. The VRET is supported by Victoria's Renewable Energy Action Plan.

Whilst the actions are directed at Government, the present application is considered to be consistent with the Plan to the extent that the purpose of the plan is to encourage renewable energy generation. The present proposal is also consistent with Action17 under the Plan which supports energy storage that integrates with renewable generation. In this regard, the battery storage proposed in conjunction with this solar energy facility is consistent with this action which is directed (among other things) at improving grid reliability and lowering prices by allowing low-cost power to be stored for times of high-cost and high demand.

The Solar Energy Facilities Design and Development Guidelines (Draft Guidelines) were finalised by the State Government in August 2019 and contain 'best-practice' guidance for proponents for the design, construction and operation of solar energy facilities. The Draft Guidelines further develop the policy guidance provided in Clause 53.13 of the Planning Scheme. The draft solar energy facility guidelines require that proposals for the development of solar energy facilities to reflect the Victorian Government's key policy directions for Renewable Energy, Water, Regional development and agriculture, and Biodiversity. It is considered that the proposed use and development is generally consistent with these directions.

In relation to water, the proposal does not raise any issues as far as Victoria's water policy is concerned, and Goulburn Murray Water and NCCMA have not raised any concerns about the proposal. In relation to biodiversity, the proposal responds well to the site's environmental features, including its landscape, biodiversity, native vegetation, river corridors and waterways by:

- Excluding significant native vegetation patches or areas of cultural heritage sensitivity from the areas to be developed.
- Minimising the tree removal to seven scattered trees.
- Providing for planting of native vegetation to offset the removal of scattered trees, ensuring that there is no net loss to the contribution made by native vegetation to Victoria's biodiversity.
- Providing a 10-metre-wide native planting screen along the northern boundary to minimise the Project's visual impact to dwellings to the north.

In relation to regional development and agriculture, the subject site is not identified as an area of agricultural significance in the Loddon Mallee South Regional Growth Plan. The Growth Plan encourages alternative energy development in the region.

Policy context, zone and overlays

Renewable energy has strong state legislative and policy support, along with very strong statements of policy support for renewable energy in the planning scheme at Clauses 19.01-2S and 53.13. State Planning Policy seek to encourage renewable energy facilities in suitable locations that do not result in unacceptable impacts on high quality agricultural land, visual or other amenity, environmental, landscape or cultural values or create incompatible land uses.

The proposed development and use of this site as a renewable energy facility (solar farm) is considered to align with the outcomes and objectives of policies for renewable energy in the planning scheme as:

- The subject site is not identified as an area of agricultural significance in the Loddon Mallee South Regional Growth Plan;
- The subject site was chosen due to the levels of solar exposure (estimated to be approximately 16.8 megajoules per square metre on average per month);
- Low impacts to public safety and amenity risks as the location contains a relatively small population;
- The generally flat topography combined with an easily accessible, largely clear site is likely to lead to expedited construction and ease of maintenance over time;
- The proximity to appropriate voltage powerlines and road access avoiding the need to include additional transmission infrastructure as part of this proposal;
- The low levels of native vegetation removal required in accordance with an avoid and minimise approach;
- Negligible impacts on existing heritage areas near the subject site;

-
- Having regard to the general nature of the proposed use, the proposal is unlikely to adversely impact on the capacity of surrounding agricultural land to continue to be used for that purpose;
 - It is of some relevance that the proposal will not permanently or irretrievably remove the site from agricultural production. Upon decommissioning of the use, the site is capable of being of being restored to agricultural use.

The subject site is located within the Farming Zone, in which a renewable energy facility is a discretionary use under the provisions of the Farming Zone. The land has been used for cropping and/or grazing. Although the use will remove the land from agricultural purposes for an extended period of time, the land is not designated as 'Strategic Agricultural Land' in the Loddon South Regional Growth Plan. As already noted, some loss of agricultural land has to be expected given the scale of solar energy facilities and their locational requirements.

In relation to the Farming Zone decision guidelines, it is considered that:

General Issues

- The proposed solar energy facility has policy support at State level. The relevant policies were noted above.
- The land (including its size and location close to Bendigo and Castlemaine) is suitable for the proposed use and development of a solar energy facility.
- The proposed use and development is generally compatible with adjoining and nearby rural land uses. There are a limited number of dwellings in the area that the facility would impact on their existing view outlook. This is discussed under the amenity impacts in the report.
- The proposed use and development makes good use of existing infrastructure and services, being easily accessed by the Calder Highway and well located in relation to the electricity grid which the facility will need to connect to.

Agricultural issues and the impacts from non-agricultural uses

- The use and development will not prevent the ongoing use of surrounding land for agricultural purposes.

Environmental issues

- The use and development will result in the protection and enhancement of the flora and fauna on the site through excluding significant native vegetation patches or areas of cultural heritage sensitivity from the areas to be developed, minimising tree removal and additional vegetation buffers along sections of the northern boundary.

Design and siting issues

- The siting and location of the solar farm excludes areas of significant vegetation, waterways and areas of cultural heritage sensitivity.
- The project is proposed to occupy 263 hectares out of the 323 hectare site. The solar panels are proposed to have a minimum 30 metre setback to all boundaries
- Screening with indigenous vegetation along key interfaces will assist in minimising the views of the arrays from outside of the site to existing dwellings in the area.

Loss of Agricultural land

All Victorian planning schemes contain strategies to protect agricultural land. The relevant policies (Clause 14.01 – Agriculture: Protection of agricultural land) have been noted earlier in this assessment, and are reinforced by the Farming Zone purposes and decision guidelines. Responsible Authorities are required to have regard to the agricultural quality of

the proposed site, including whether it is strategically significant agricultural land, and the potential impact of permanently removing the land from agricultural production.

The DELWP Solar Energy Facilities design and development guidelines provide responsible authorities with guidance on avoiding loss of high value agricultural land. Agricultural land may be considered to be high value and of strategically important due to a combination of features such as high-quality soils, good rainfall, access to water, resilience to climate change, infrastructure investment and integration with industry.

Key policy measures include:

- Protecting strategically important agricultural and primary production land from incompatible land use.
- Protecting productive agricultural land that is of strategic significance to a local area or in a regional context.
- Avoiding the loss of productive agricultural land without considering the impact of the loss on the agricultural sector and its consequential effect on other sectors.
- The potential loss of reliable, accessible water (such as irrigated areas) and its impact at a local or regional scale.
- Whether the land has specifically been set aside or defined for agricultural use and development in a planning scheme or other strategic document.
- Whether the proposed solar energy facility can co-locate with other agricultural activity, to help diversify farm' income without reducing productivity.

Council's Rural Land Study (2014) provides guidance for future planning in the Shire's rural areas. Clause 21.06 (protection of agricultural land) of the Scheme provides local content to support state planning policy at Clause 14.01, indicates the "best quality agricultural land in the Shire is rated 'moderate' and acknowledges that the largest areas of moderate quality land exist in the north west of the Shire. It observes that the groundwater in the Mid Loddon Groundwater Management Area in the north west of the Shire is a valuable agricultural resource of regional significance. A strategy to protect the land and water resources relied upon by agriculture is to discourage non-agricultural uses within the Farming Zone in:

- The Mid-Loddon Groundwater Management Area; and
- The Harcourt irrigation area.

The Project site was identified as being of 'moderate' agricultural quality (Class 3). With regard to land attributes, the subject land can be said to have versatile soils that are suitable for a range of cropping, horticulture and pasture purposes. The project site is located outside of the Mid-Loddon Groundwater Management Area and outside of the Harcourt irrigation area.

With regard to economic (structural) attributes, the land is of a size which favours sustainable agricultural production, but is not in an area with any particular advantages in terms of matters such as access to post-gate processing and value adding, industry clusters, or access to markets. Similarly, this area does not attract any significant government investment targeted at food production and other agricultural economic development, and does not enjoy any particular advantages as far as commodity market trends.

The guidelines note that in most rural areas, renewable energy generation such as solar energy facilities can effectively co-exist with agricultural production. It also notes that solar energy facilities can contribute to the rural economy and support farm incomes by providing property owners with a diversified revenue stream.

In essence, in terms of the agricultural value of the subject land, the issue is whether the use and development of the land for the purpose of a renewable energy facility (solar farm) will

result in an unacceptable impact on agricultural production in the region and with minimal impact on the amenity of the area.

The subject land is acknowledged as being locally productive farming land, but is not identified as being strategically significant agricultural land in the Loddon Mallee South Regional Growth Plan.

The report notes that the subject land can ultimately be rehabilitated to its original condition at the end of the project when all the above ground infrastructure is removed, and that this would allow cropping, sheep grazing or other farming activities to recommence.

Council officers accept that the agriculture land and the current land-use and productivity has value and, that value may be increased with additional investment into the land. Council must also accept that alternative uses for agricultural land can be proposed and must make a decision on the application before it. The loss of this site in the regional context is considered acceptable. This does not set a precedent for other sites and the loss of additional land (where any proposal must be considered on its merits).

The proposal requires a balancing exercise to resolve policy tensions that exist between the encouragement for solar energy facilities which because of their land area requirements are dependent on available agricultural land, and the retention and protection of productive agricultural land.

This view and position was expressed in a VCAT decision '[Croke vs Moira VCAT 112 dated 23 January, 2019](#), an application for a renewable energy facility in the Farming Zone. Members Hewet & Bennett concluded the following regarding conflicting policy with the planning scheme which applies to the current application:

“The loss of agricultural land is an inevitable consequence of the encouragement for renewable energy facilities. This represents one of the costs associated with the pursuit of renewable energy, but we must weigh that cost against the benefits associated with encouraging renewable energy to arrive at a conclusion about whether the proposal delivers a net community benefit. Clause 71.02-3 of the Planning Scheme requires us to resolve the policy tensions such as those arising in this case by balancing conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations”.

Another decision of the Tribunal, regarding a proposed Solar Farm, Bookaar Renewables Pty Ltd v Corangamite SC VCAT 1244 (15 August, 2019), Members Dwyer & Baird stated in relation to balancing of conflicting objectives (loss of agricultural land vs planning policy support for renewable energy facilities) would unlikely lead to the refusal of a permit for a solar energy facility as:

“At a State level, there is strong planning policy support for renewable energy facilities, in appropriate locations and subject to site suitability. A solar energy facility, by its nature, needs to be located on rural land proximate to the existing electricity network. Here, a 220kV transmission line, with spare connection capacity, traverses the land. Although the 588ha of land proposed for the solar energy facility is productive, its agricultural attributes and potential are not of such significance that it should be precluded from consideration for a renewable energy facility as a matter of principle. It is not irrigated land or very high quality agricultural land.”

The recent panel decision from the Baringhup Solar Farm Panel Report, dated 5 September, 2019 made the following conclusions in relation to agricultural impacts and loss of agricultural land noting that the site of the Baringhup Solar Farm was located within the 'Mid Loddon Ground Water Management Area', an area recognised by the planning scheme at Clause

21.06-1 as a valuable agricultural resource of regional significance. The panel concluded that:

- The Project meets the decision guidelines of Clause 35.07-6 Farming Zone as the subject land is not permanently lost to agricultural uses and will not adversely affect land used for agricultural purposes.
- The Project meets the objectives of Clause 14.01-1S Protection of agricultural land:
 - The subject land is not of strategic significance in a local or regional context. • The overall economic impact is offset by the additional income generated by the Project and the employment of staff for operations and maintenance as well as the initial construction of the Project.
 - Offsite impacts related to construction, operation and decommissioning of the Project can be appropriately managed via permit conditions.

Visual amenity

The application supporting material includes a Landscape Assessment and a Glint and Glare report which includes the visual impact implications from observations points surrounding the site.

The proposal has considered amenity impacts to nearby properties by maximising screening at key interfaces and utilising the land's natural topography to obscure views to the site. A minimum 30 metre setback is provided to all boundaries. Trackers have been distributed throughout the site to leverage existing pockets of vegetation, carefully managing the extent of development to be obscured from view when viewed from nearby dwellings or roads.

The provision of a 10 metre wide landscape screen along sections of the northern boundary would assist to filter and obscure views to the development from dwellings and vantage points north of the property. This design inclusion was informed by stakeholder engagement, which identified a likelihood of a new dwelling to be developed north-east of the site and for existing dwellings to overlook the Project. The screen will comprise a diverse arrangement of native vegetation already present at the site and would incorporate vegetation of varying heights to provide an effective screen.

Existing vegetation at the eastern portion of the site, adjacent to the Cominis Channel, will assist in filtering views to the development. Equally, dense native vegetation at the western interface will obscure views to future development from that aspect. Proposed trackers are laid out to leverage existing vegetation throughout the subject site and broader surrounds as natural screening. Particular consideration has been taken to ensure that the proposal does not culminate in inappropriate visual impacts when viewed from Mt Gaspard Road to the south.

The proposal did include an artist's impression of the potential view from the residence at 1632 Mt Gaspard Road, Walmer. This artist's impression was prepared in response to concerns from the owner-occupants at this residence. The artist's impression demonstrates that the proposed visual impact will occur exclusively to a portion of the residence's 180-degree views of the surrounding valley. Within this context, the solar farm will form a mosaic of natural features, agricultural assets, built form and infrastructure. It is noted that this property is located approximately 1.6km south of the subject site.

The Glint and Glare assessment recommends overall that it is not anticipated that glare mitigation will be necessary, based on the conclusion that there is no predicted glare at any of the 36 observation points.

The Civil Aviation Safety Regulations require that air traffic control towers are protected from glare. Through consultation with Air Services Australia (ASA) and the Civil Aviation Safety Authority (CASA), AECOM has been advised that there are no rules or regulations guiding

the assessment of such glare. CASA therefore recommends that proponents of solar PV systems within or near airports follow the guidelines issued by the US Federal Aviation Administration (FAA) when making their assessments. The FAA recommends that any proposed solar farms that are below the direct approach paths to an airport (aligned with a runway) and within a distance of around 5 nautical miles (approximately 10km) from a runway end should be referred for a specific assessment by the relevant authorities.

It is noted that the proposed Ravenswood Solar Farm is more than 20km from the nearest airstrip (Bendigo Airport is approximately 23km to the north east). Therefore it is considered unlikely that the solar farm will create any significant glare issues for pilots on approach to or on departure from the nearest airstrips. Accordingly, it is not deemed necessary to perform a specific assessment of aircraft flight paths in this study.

Overall, it is considered that the proposal responds appropriately to its interfaces and to views from nearby properties, while responding to the site's topographical, ecological and cultural heritage conditions to provide a built form response that complements the existing features at the site, preserving those elements which contribute to the wider context's environmental values.

Siting and design

The proposal has been purposely sited and designed to ensure the renewable energy facility will not detract from the existing natural elements that contribute to the area's regional character and existing amenity. This has been achieved by:

- The proposed PV tracker layout seeks to minimise native vegetation removal to the minimum extent possible, while still delivering the requisite degree of solar energy generation, resulting in the removal of 7 scattered trees over the entire site.
- Through these measures, significant pockets of a native vegetation adjacent to the Cominis Channel and the site's existing drainage areas are to be retained, preserving the subject site's existing contribution to the broader contexts landscape context.
- The proposal responds to the site's potential for cultural heritage significance by locating the primary components of renewable energy facility development outside of the identified culture heritage sensitivity area proximate to the Cominis Channel. A Cultural Heritage Management Plan has been prepared.

Heat Island Effect

Expert evidence about "heat island effect" was considered at the Panel Hearings in relation to the Shepparton solar facility application nos. 2017-162, 2017-274, 2017-301 and 2017-344 (Panel report dated 23 July 2018).

The term "heat island effect" is generally used to describe increased temperatures in urban areas compared to surrounding rural areas, and the evidence presented at the Shepparton hearings addressed whether a similar effect is caused by PV farms (the photovoltaic heat island (PVHI) effect). The Panel accepted there is sufficient scientific evidence to determine that no proposed solar energy facility will increase temperature beyond 30 metres.

Based on the tested evidence presented at the Shepparton hearings, and having regard to the siting of the proposed solar panels in relation to property boundaries, all being set back a minimum of 30 metres, it is considered there will be no adverse heat island effects on adjoining properties as a result of the proposed development. This is consistent with the guidance provided in the Solar Design Guidelines.

Noise, Light and other potential amenity impacts

The solar farm may generate low levels of noise, but this is unlikely to affect the amenity of the area given the distances between the solar farm and sensitive uses (dwellings in the surrounding Farming Zone).

The Panel for the Shepparton solar facility and other recent decisions from VCAT in relation to Solar Farms concluded that solar energy facilities are expected to comply with relevant Environment Protection Authority noise guidelines, and recommended a permit condition which references the EPA Publication 1411 Noise from Industry in Regional Victoria, 2011 for the operational phase and EPA Publication 1254, Noise Control Guidelines, 2011 for the construction phase to clarify which guidelines need to be met. It is recommended that a permit condition to this effect also be included in the permit for the present application.

Lighting

The applicant advises that no continuous night time lighting will be installed. However lighting would be available at each inverter station and the substation for maintenance or emergency purposes. There would also be security lighting at the operation and maintenance building near the entry to the site.

Concerns about night-time lighting are addressed by a permit condition requiring any site lighting to be baffled to prevent light spillage beyond the site. It is considered the landscape buffers will also mitigate against night-time lighting.

Electromagnetic interference (EMI)

Objections have raised concerns about the potential for EMI. The Applicant advises the EMI risk will be negligible because all EMI sources (the inverter stations) are placed at a sufficient distance (greater than 30 metres) from the boundaries. In addition the cumulative effects of the proposed solar farm will not exceed safe limits for Human Exposure to EMI and a requirement to meet the relevant standard is included in recommended conditions. Council Officers are not aware of any evidence of solar farms impacting on radio or television reception.

Finance and Resource Implications

Cost of potential appeal to the Victorian Civil and Administrative Tribunal.

Alternate Options

Council could choose to issue a Notice of Decision to refuse a permit. For the reasons outlined in this report, this is not recommended by Council officers.

Communication and Consultation

Advertising

Notice of the application was given in accordance with Sections 52(1)(a) and 52(1)(d) of the Planning and Environment Act 1987 to owners and occupiers of adjoining land and notices were placed in 'The Midland Express' & 'Tarrengower Times' newspapers and as a result, eight submissions have been received including one letter of support.

Applicant community consultation

Early in the concept design phase, the applicant engaged a dedicated community engagement specialist to identify and facilitate engagement with neighbours and residents in close proximity to the subject site. In November 2018, FRV wrote to eight residential

properties identified as proximate and adjacent to the site. Landowners were provided with an outline of proposed plans for the Ravenswood Solar Farm and invited to contact the Project Manager to engage in further discussions or to raise concerns.

Following this notification, FRV and its engagement specialist undertook ‘kitchen table’ meetings – at the request of landowners.

The outcomes of these stakeholder meetings, where relevant to this planning permit application, are summarised below:

Address	Stakeholder meeting date	Summary of issues
Lot 2 Reids Lane, Ravenswood	4 February 2019	Wildlife corridor along existing creek line should be maintained. 200 metre setback between panels and planned residence is sought. Potential for erosion impacts to waterways during project construction should be addressed. Potential for heat cell effect. Queried plans for emergency access to site. Plans for further consultation with neighbours and wider community. Queried plans to extend to other properties.
1632 Mt Gaspard Road, Ravenswood	8 March 2019	Environmental and cultural studies should be undertaken. <ul style="list-style-type: none"> • Bushfire risk and mitigation should be considered • Glare impacts should be considered. • Impacts to views should be considered. • Queried timing for construction works and site access
39 Bissill Road, Ravenswood 39 Bissill Road, Ravenswood	8 March 2019	Capacity for additional solar farm development should be considered.
462 Hokins Road, Ravenswood	4 February 2019	Vegetation screen should be provided at northern boundary. Road reserves crossing 462 Hokins Road should be limited

Key issues raised during this period of consultation –and that directly relate to the Planning Assessment process – are as follows:

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- Neighbours wish to see evidence of appropriate specialist technical reports to inform their understanding of how key concerns will be managed or mitigated;
 - Visual impact and change to the existing view shed – neighbours wish for the project to incorporate vegetation screening to soften views to the solar farm where practicable, especially potential for direct views from residential buildings;
 - Development should be appropriately setback from neighbour boundaries, key interfaces and sensitive areas;
 - Preference for use of existing overhead transmission lines;
 - Need for bushfire management protocols in construction and operations;

External Referrals

- Goulburn Murray Water – conditional consent
- DELWP – conditional consent
- EPA – recommended conditions.
- CFA – conditional consent
- DOT – conditional consent (formerly Vic Roads)
- NCCMA – conditional consent

Internal Referrals

- Council's EHO – conditional consent
- Council's Infrastructure Unit – conditional consent

Legislation

Planning and Environment Act 1987

Strategy and Policy Impacts

Council Plan 2017-2021

The Mount Alexander Shire Council Plan 2017-2021 puts a focus on people, place and economy. Specifically, the plan seeks to create:

- *Socially connected, safe and inclusive communities.*
- *A clean and green community.*
- *A creative and innovative economy.*

Strategies in place to achieve this include:

- *Recognise, support and celebrate our local indigenous culture past and present.*
- *Protect and enhance the natural environment.*
- *Reduce carbon emissions and manage impact of climate change.*
- *Support business growth and local employment.*
- *Help to grow tourism to the shire.*

State Planning Policy Framework (SPPF)

Clause 11.01R - Loddon Mallee South Regional Growth Plan, Victorian Government (2014) & Clause 11.01-1S-Settlement.

The *Loddon Mallee South Regional Growth Plan* (RGP) is identified as Clause 11.01-1R of the Scheme as a key policy guideline for the Loddon Mallee South Region, which includes the project area. The RGP acknowledges that this region has outpaced the rest of regional

Victoria in economic growth and recognises the importance of population driven sectors such as healthcare, construction, education and retail trade.

The RGP highlights that growing populations and increasing energy demands create opportunities for carbon market initiatives and energy generation, which should be carefully considered alongside Council land use policies.

Among other things, the Growth Plan supports the development of emerging and potential growth sectors including renewable energy. Section 14.1 (Water, energy and utilities) of the Growth Plan notes that the traditional electricity network is capable of accommodating projected growth for the region, and that there are significant opportunities to produce energy through alternative methods, such as renewable energy. It further notes that initiatives to support energy generation in the region should be pursued.

Clause 12.01-2S Native Vegetation Management

This policy aims to *'ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.'* In order to achieve this the three-step approach of the *Guidelines for the removal, destruction or lopping of native vegetation* (the Guidelines) (DELWP), (2017) should be applied:

- *Avoid the removal, destruction or lopping of native vegetation*
- *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided*
- *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove destroy or lop native vegetation.*

Clause 12.03-1S -River Corridors, Waterways, Lakes and Wetlands

This policy seeks to *'protect and enhance river corridors, waterways, lakes and wetlands.'* Strategies that are relevant to this project include to:

- *Protect the environmental, cultural and landscape values of all water bodies and wetlands.*
- *Ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands.*
- *Ensure development is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways and adjacent to lakes and wetlands.*

Ensure development does not compromise bank stability, increase erosion or impact on a water body or wetland's natural capacity to manage flood flow.'

The application would achieve the above objectives of these policies as the number of trees required to be removed has decreased from fourteen (14) at the time of the original planning permit application to seven (7). Additionally, the plans include a revised Reids Lane vehicle access which mitigates native vegetation removal required at the previous location through provision of a new internal access route, one through an existing access way that avoids native vegetation patches and a mapped wetland within the Subject Site.

A Hydrology Assessment has been prepared to understand potential impacts to water bodies and wetlands at the subject site. The Hydrology Assessment found that the proposed works will not cause detrimental impacts to flow paths at the site and recommended the inclusion of open style fencing at one location on the western boundary, where security fencing was

previously proposed, in order to accommodate a 1% AEP flood event. This requirement would be included as a condition if a permit was to issue.

Clause 13.02-1S - Bushfire planning

This policy must be applied to all planning and decision making under the Planning and Environment Act 1987 relating to land that is:

- Within a designated bushfire prone area;
- Subject to a Bushfire Management Overlay; or
- Proposed to be used or developed in a way that may create a bushfire hazard.

(The subject land is partly located within a BMO and is located within a designated bushfire prone area). The objective is 'To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life'.

The strategies include the following related to bushfire hazard identification and assessment:

- Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.
- Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.

There is also a strategy relating to use and development control in a Bushfire Prone Area which requires that bushfire risk should be considered when assessing planning applications for a range of listed uses and development which will result in people congregating in large numbers (and which is therefore not applicable to the proposal solar farm). The application has been referred to the CFA who have provided conditional consent to the application.

Clause 14.01-1S – Sustainable Agriculture Land Use

The objective is to protect the state's agricultural base by preserving productive farmland. This is supported by a range of strategies including avoiding permanent removal of productive agricultural land, and protecting productive farmland that is of strategic significance in the local or regional context.

The policy seeks to encourage sustainable agricultural land use.

Strategies oriented towards achieving this outcome include the following:

- Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.
- Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.
- Support adaptation of the agricultural sector to respond to the potential risks arising from climate change.
- Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.

Clause 15.02-1S Energy and Resource Efficiency

This policy seeks to 'encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions'. This objective is supported with the following strategies:

-
- *Improve efficiency in energy use through greater use of renewable energy technologies and other energy efficiency upgrades.*
 - *Encourage retention of existing vegetation and planting of new vegetation as part of Development proposals.*

Clause 15.03-2S Aboriginal Cultural Heritage

This policy seeks to 'ensure the protection and conservation of places of Aboriginal cultural heritage significance.' Specific strategies to achieve this include:

- *Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places.*
- *Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006.'*

AECOM was engaged by FRV to undertake a due diligence heritage assessment of the subject site. The purpose of the assessment is to highlight any heritage items or Aboriginal cultural heritage areas and sites of significance recorded either within, or in close proximity to the subject site and recommend the required further heritage work or next steps required prior to the approval of the Project.

The assessment found that:

- There are no known historical items identified within the subject site, therefore no impacts are anticipated.
- Three areas of Aboriginal heritage sensitivity were identified in sections of the subject site and do not appear to be significantly disturbed under the *Australian Heritage Regulations 2007 (r.4)*.
- Three registered Aboriginal heritage sites are located immediately outside of the subject site, the sites are low density artefact scatters located on the western boundary of the subject site and are associated with a track.
- There are no known natural heritage constraints.

A Cultural Heritage Management Plan has been prepared by AECOM in conjunction with the Dja Wurrung Clans Aboriginal Corporation and has been approved on 20 August, 2020.

The proposal therefore achieves a high degree of compliance with the provisions of Clause 15.03-2S (Aboriginal Cultural Heritage) and Clause 22.01 (Heritage) as they relate to the conservation of significant cultural heritage elements.

Clause 17.01-1R (Diversified Economy – Loddon Mallee South)

This policy seeks to:

- Support the ongoing role and contribution of the region's small towns, settlements and nonurban areas through investment and diversification of their economies.
- Support and develop emerging and potential growth sectors such as tourism, renewable energy, resource recovery and other green industries.

Clause 19.01S – Energy Supply

The objective of this clause seeks to facilitate appropriate development of energy supply infrastructure. The Strategies are:

- Support the development of energy facilities in appropriate locations where they take advantage of existing infrastructure and provide benefits to industry and the community.

-
- Support transition to a low-carbon economy with renewable energy and greenhouse emission reductions including geothermal, clean coal processing and carbon capture and storage.
 - Facilitate local energy generation to help diversify the local economy and improve sustainability outcomes.

Clause 19.01-2S Renewable energy

The Objective is to promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met. The Strategies include:

- Facilitate renewable energy development in appropriate locations.
- Consider the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.

Clause 19.01-R -Renewable Energy – Loddon Mallee South

This policy seeks to ‘support and facilitate development in renewable energy, waste to energy, carbon sequestration and other new energy opportunities.’

These policies are to encourage renewable energy facilities in suitable locations that do not result in unacceptable impacts on high quality agricultural land, visual or other amenity, environmental, landscape or cultural values or create incompatible land uses.

Local Planning Policy Framework (LPPF)

Clause 21.02-2 -Planning Vision

This policy identifies that the Shire Council will seek to manage and sensitively develop the built and natural resources of the Shire in ways which are ecologically sustainable to secure an improved economic future, enhance the lifestyle quality of the community and maintain the unique heritage character.

Clause 21.04-3 -Rural and Landscape Character

This policy recognises that the rural appearance and character of the Shire is a strong element of its appeal to residents and visitors’ and seeks to ‘ensure that the use and development of rural land does not detract from the appearance and character of the area.

Clause 21.05-5 Bushfire

This policy seeks to:

- Establish a sound planning framework to respond to bushfire risk.
- Minimise the risk of bushfire to life and property.’

Clause 21.06-1 Protection of Agricultural Land

This policy acknowledges that agriculture is the main rural land use by area across most rural areas of the Shire and seeks to ‘protect land and water resources relied upon by agriculture.

Clause 21.06-2 Sustainable Agricultural Land Use

This policy seeks to:

- Minimise potential amenity impacts between agricultural uses and rural lifestyle or other sensitive uses.
- Diversify the agricultural base of the Shire to increase resilience to change.

Clause 21.06-3 Water

This policy notes that the Shire is located in the catchments of both the Loddon and Campaspe Rivers, with the key challenge being 'developing appropriate strategies and policies to manage on-site wastewater disposal/septic tanks' in accordance with government guidelines. Key objectives are as follow:

- Improve water quality and waterway health in the Shire.
- Increase environmental flows in all streams and watercourses.

Clause 21.07-3 Heritage

This policy identifies that 'the Shire has extensive evidence of Aboriginal occupation and activity throughout the Shire'. The objectives of the Clause seek to:

- Protect and conserve all Aboriginal and non-Aboriginal heritage places.
- Protect significant natural and cultural heritage landscapes.

Zoning

The land is located within the Farming Zone of the Mount Alexander Planning Scheme. The purposes of the Farming Zone include:

- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

A Renewable energy facility (other than Wind energy facility) is a Section 2 use in the Farming Zone and requires a permit. Any facility must meet the requirements of Clause 53.13.

Overlays

Bushfire Management Overlay (BMO)

The subject site is affected by the Building Management Overlay (BMO) which seeks:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

Renewable energy facility is not included within Clause 44.06-2 (Permit requirement) as uses that requires a permit under the BMO.

Particular provisions

Clause 52.05 Signs

Clause 52.05 applies to the development of signage. This clause seeks to achieve the following:

- To regulate the development of land for signs and associated structures.
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of the road.

Clause 35.07-7 specifies that the Farming Zone is in Category 4 – Sensitive areas. In Category 4 – Sensitive Areas, a '*Business identification sign*' is Section 2 (Permit required) and the total display area to each premise must not exceed three square metres.

Clause 52.06 Car Parking

Clause 52.06 seeks to ensure that new land uses incorporate appropriate on-site

Car parking, in line with the following objectives:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

There are no specific car parking requirements for a Renewable energy facility or Utility installation pursuant to Clause 52.06-5 (number of car parking spaces required under Table1). Therefore, car parking provisions must be to the satisfaction of the responsible authority in accordance with Clause 52.06-6 (Number of car parking spaces required for other uses). The traffic impact assessment submitted with the application states that all vehicles associated with the facility during both construction and operational will be provided on the land. The number of parking spaces and location will be included within the Traffic Management plan as part of the construction management plan.

Clause 52.17 Native Vegetation

Clause 52.17 seeks to achieve the following:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines (DELWP, 2017):

- 1) Avoid the removal, destruction or lopping of native vegetation.
- 2) Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.

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- 3) Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

Pursuant to Clause 52.17-1 (Permit requirement), a permit is required to remove, destroy or lop native vegetation. The proposed design outcome has been informed by ongoing ecological investigations undertaken by AECOM, including a detailed Ecological Assessment which provides the following in accordance with Clause 52.17 (Native Vegetation):

- Avoid and minimise statement
- Topographic map
- Concept plan identifying trees to be removed
- Native Vegetation Removal report
- Offset statement provided by Vegetation Link
- Flora and fauna assessment report prepared by AECOM.

The findings and recommendations made in the Vegetation Statement have resulted in the following changes to the application:

- Reduction in the number of trees sought for removal from 14 at the time of the original planning permit application to seven (7).
- Internal road has been removed from travelling through Mapped Wetland 44259. The proposal has been amended such that an alternative internal access track that leverages an existing farm track at the subject site and does not require native vegetation removal.
- In relation to native fauna, the preparation of a wildlife management plan will assist to outline management approaches for project construction and operation and include mitigation measures if threatened species are located during works
- In relation to the crown land and the unused road running through the middle of the site, the Applicant is pursuing a license for crown land use and occupation ancillary to this planning permit application. The Plans confirm that no structures are proposed to be located on the government road. The inclusion of a permit condition requiring that an additional survey is obtained to determine the exact location of the government road prior to works commencing is considered appropriate. The Applicant is currently liaising with DELWP regarding use of the government road and will gain consent prior to commencement of works impacting the road.

DELWP considers that the application has met the three-step approach and is an adequate compromise between meeting the key objectives of the development and minimising the impacts of the proposal on native vegetation and have provided conditional consent to the application.

Clause 53.13 - Renewable Energy Facility

The purpose of this clause is to facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

The clause applies to land used and developed or proposed to be used and developed for a renewable energy facility. The clause sets out the information that must accompany an application for a renewable energy facility, as appropriate. This includes information that identifies the site and its context (Site and Context Analysis), and information that is required as part of the Design Response.

It is considered that the information submitted with the present application is satisfactory in terms of the information requirements under this clause.

The Decision guidelines for this clause require that, before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference.
- The impact of the proposal on significant views, including visual corridors and sightlines.
- The impact of the proposal on the natural environment and natural systems.
- Whether the proposal will require traffic management measures.
- Solar Energy Facilities Design and Development Guideline (Department of Environment, Land, Water and Planning, August 2019).

Solar Energy Facilities – Design and Development Guidelines (July) (2019)

DELWP has released a set of design and development guidelines for solar energy facilities. These outline the assessment and development process for large-scale solar energy facilities in Victoria and provide advice on how potential impacts can be avoided or effectively managed.

The proposal is considered to have appropriately responded to the Solar Energy Facilities – Design and Development Guidelines. The Project has responded to the Guidelines best practice standards for solar development through the following:

- All relevant National and Victorian Legislation along with Victorian Policy in the Loddon Mallee South Regional Growth Plan has been reviewed and have consequently informed the Project's planning and preliminary design process.
- The Project is consistent with the Planning Policy Framework, along with the local planning policy provisions as discussed in this report.
- The Project will benefit from a direct connection to the existing Powercor transmission line directly east of the subject site, within the Reids Lane road reserve, therefore making use of existing network infrastructure.
- The Project's primary intent is to generate electricity from a renewable energy source for export to the transmission network, therefore enhancing Victoria's aim of increased renewable energy consumption.

This Report provides a strategic justification for site selection through consideration of the following:

- The proposed Solar Energy facility and associated Utility installation are permissible under the provisions of the relevant Farming Zone and applicable Bushfire Management Overlay.
- The Project area comprises a relatively minor percentage of the broader context's total productive agricultural land assets, ensuring that the region's total cropping and grazing output will not be detrimentally impacted.
- The design layout seeks to avoid works in areas of Aboriginal cultural heritage sensitivity as much as possible, allowing for the majority of development to occur in non-sensitive areas. Additionally, development will be guided by a (Mandatory) CHMP to ensure that the Project responds well to the region's cultural heritage significance.
- A site response landscape design outcome will preserve visual amenity for residential dwellings within the broader site context, while also upholding the region's established landscape character.
- The development has incorporated best practice ecological methods by seeking to minimise impacts to native vegetation. The proposed removal of 7 scattered trees will be offset with native vegetation planting under the guidance of DELWP.

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- The proposed site layout considers and responds to the Guidelines by incorporating generous setbacks to all native vegetation to be retained, sensitive environmental areas and sensitive land uses. A minimum 30 metre boundary setback is incorporated at all interfaces, also satisfying the requirement for Heat Island Effect mitigation. Additionally, landscape screening is provided at key interfaces to filter views to the Project.
 - The Project responds to and is supported by a suite of technical assessments to provide appropriate outcomes regarding ecology, glint and glare, traffic and surface water.

Declarations of Conflict of Interest

Under Section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.2.3. PLANNING APPLICATION - PA011/2020 - 3 WATSON STREET CASTLEMAINE

This Report is For Decision

Responsible Director: Director Infrastructure and Development, Jess Howard

Responsible Officer: Senior Statutory Planner, Holly Sawyer

Attachments: 1. Aerial map - Watson St [9.2.3.1 - 1 page]
2. Plan of subdivision - Watson St [9.2.3.2 - 1 page]

Executive Summary

Council has received an application to subdivide land into 11 lots at 3 Watson Street Castlemaine. The subject site is located within the General Residential Zone – Schedule 1 and is affected by the Bushfire Management Overlay. Planning approval is required to subdivide land under both the zone and overlay affecting the site.

The application is referred to Council for a decision as the application received more than five objections.

The proposed subdivision is considered to be an appropriate outcome within the context of the site and surrounds as the proposal provides lot diversity within an established residential neighbourhood with good access to services and facilities within the Castlemaine township. The subdivision is considered to be consistent with the lot sizes and subdivision pattern of the surrounding area and is able to address bushfire risk associated with the site.

It is therefore recommended that Council issue a Notice of Decision to Grant a Planning Permit.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for an 11 lot subdivision at 3 Watson Street Castlemaine subject to the following conditions:

1. AMENDED PLANS

1.1. Before the Certification of the Plan of Subdivision under the *Subdivision Act 1988*, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the advertised plans but further modified to show:

- a) A landscaping plan in accordance with condition 34.
- b) A building envelope plan for lots 3 and 4 in accordance with the requirements of Clause 54 of the Mount Alexander Planning Scheme.

2. LAYOUT NOT TO BE ALTERED

2.1. The layout of the subdivision as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.

3. GENERAL REQUIREMENTS

3.1. The owner of the land must enter into agreement 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.

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- 3.2. All existing and proposed easements and site 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.
 - 3.3. 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.
 - 3.4. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988, the existing shed and water tanks must be entirely removed from the subject site, to the satisfaction of the Responsible Authority.
 - 3.5. Any weed infestations resulting from soil disturbance and/or the importation of sand, gravel and other material must be controlled during the construction period to ensure that there is no weed spread external to the land to the satisfaction of the Responsible Authority.
 - 3.6. All areas of disturbed ground must be stabilised and revegetated at the completion of the development to the satisfaction of the Responsible Authority.
 - 3.7. Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters will be permitted on Council property.

4. TELECOMMUNICATIONS

- 4.1. 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;
 - 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.
- 4.2. 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.

5. PUBLIC OPEN SPACE CONTRIBUTION

- 5.1. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the permit holder must pay to the Responsible Authority a cash payment equivalent to 5% of the site value of all the land in the subdivision in lieu of the

provision of land for Public Open Space, unless otherwise agreed in writing by the Responsible Authority.

6. STREET NAMING

- 6.1. Before the plan of subdivision is certified, a layout plan with a street name, in accordance with the naming rules for places in Victoria and a written response provided to justify the choice of names, must be provided to and approved by the Responsible Authority.

7. RESTRICTIONS

- 7.1. Before the plan of subdivision is certified under the *Subdivision Act 1988*, a restriction must be placed on the Plan of Subdivision which provides for the following to the satisfaction of the Responsible Authority:
- a) Any dwelling constructed on Lot 3 must include at least one habitable room window to each street frontage, unless otherwise agreed in writing by the Responsible Authority;
 - b) All garages fronting the proposed or existing road must be setback a minimum of 500mm from the front wall of the dwelling, unless otherwise agreed to in writing by the Responsible Authority;
 - c) All buildings must be located within the building envelopes identified on Lots 3 and 4, unless otherwise agreed to in writing by the Responsible Authority;
 - d) All fencing in front of the front wall of any dwelling must be permeable, unless otherwise agreed to in writing by the Responsible Authority;
 - e) All water tanks (including for firefighting purposes) must be located behind the front wall of any dwelling, unless otherwise agreed to in writing by the Responsible Authority.

8. CONSTRUCTION MANAGEMENT REQUIREMENTS

- 8.1. Before the development starts, a Construction Management Plan must be submitted to, and be to the satisfaction of the Responsible Authority. The Construction Management Plan will then be endorsed and form part of the planning permit. The Construction Management Plan must include details of:
- a) traffic management
 - b) environmental issues
 - c) dust control
 - d) soil erosion
 - e) mud on roads
 - f) warning signs
 - g) a liaison officer for contact by residents and the responsible authority in the event of relevant queries or problems experienced;
 - h) construction plant movement areas
 - i) storage areas

All works must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

9. ENGINEERING REQUIREMENTS

Engineering plans

- 9.1. Before the works start or before the plan of subdivision is certified, detailed access and drainage construction plans 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 engineering plans must accord with the Infrastructure Design Manual.**

Completion of works

- 9.2. Before the issue of a Statement of Compliance under the *Subdivision Act 1988*, all works as shown on the endorsed detailed construction plans must be carried out and completed to the satisfaction of the Responsible Authority.**
- 9.3. At the completion of the works, two sets of 'as constructed' civil plans must be submitted to Council. One in PDF format and the other in an accepted AutoCAD format.**

Drainage

- 9.4. The stormwater management plan must comply with Clause 56.07-4 of the Victorian Planning Provisions. Measures to enhance stormwater discharge quality from the site and protect waterways including the expected discharge quality emanating from the development (output from MUSIC as per Council MUSIC Guidelines) and design calculation summaries of the treatment elements must be provided.**
- 9.5. The drainage system shall be for both major and minor rainfall, with the minor system full piped. Designation of the minor and major flow paths shall be indicated on drainage plans.**
- 9.6. The discharge of water from the land must be controlled around its limits to prevent any discharge onto any adjacent property or streets other than by means of an approved drainage system discharged to an approved outlet in a street or to an underground pipe drain to the satisfaction of the Responsible Authority.**
- 9.7. Prior to the design of any internal drainage system, the permit holder must submit a Property Information Request and be issued a Legal Point of Discharge to discharge stormwater.**
- 9.8. The site stormwater discharge is not to be increased by the proposed development. The drainage system shall include provision of storm water detention system to limit flows downstream from the development to pre-development levels in accordance with the current Australian rainfall and Runoff – Flood Analysis and Design for a 5 year annual recurrence interval (IDM Design standards – Section 19.3 Requirements).**
- 9.9. Provision of cut off drains to protect adjoining properties. Provision is to be made to divert major rainfall (1 in 100 year) storm events away from the building envelopes of Lots within this subdivision and away from adjoining properties.**
- 9.10. Erosion control measures at the point of discharge from the development as applicable to the proposed drainage system.**

Access road

- 9.11. The proposed access road must be constructed to the following minimum standards:**
- a) Minimum carriageway width of 5.5metres;**
 - b) Pavement depth in accordance with subgrade conditions and latest Austroads publications;**

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- c) Pavement type to be either approved Natural Gravel or Fine Crushed Rock;
 - d) All weather access minimum 30mm asphalt seal;
 - e) Provision is to be made for the turning circle/court bowl or Hammerhead treatments at the road end for emergency service vehicles;
 - f) Provisions of culverts and table drains;
 - g) Concrete footpath on one side;
 - h) SM2 kerb or modified SM2;
 - i) Proposed access road longitudinal gradient and grade changes must satisfy IDM and relevant standards.

9.12. Apart from the underground stormwater drainage and sewer systems all services are to be located within the road reserves:

- a) Street lighting shall be provided to the requirements and satisfaction of both Powercor and the Responsible Authority.
- b) Street trees are to be provided to the requirements and satisfaction of the Responsible Authority.

Sediment pollution control

9.13. The permit holder must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).

Consent for constructions

9.14. Prior to the commencement of any works on the road reserve, the landowner/permit holder must submit a Minor Works in a Road Reserve application and be issued a permit to occupy the road for works.

9.15. Council is to be paid a fee of 0.75% of the total construction costs for these works for the approval of said plans plus 2.5% for supervision of construction. Said fees to be paid prior to commencement of any road/drainage works.

Easements

9.16. All existing and proposed easements and sites for existing and required utility services must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.

No damage to Council infrastructure

9.17. Infrastructure status:

- a) Prior to the commencement of any works, the permit holder must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. List in the report must be the condition of the kerb and channel, footpath, seal, street lights, signs and other public infrastructure fronting the property.
- b) All existing road reservation assets are to be protected and maintained throughout the works including all utilities and services. And damage is to be restored prior to the issue of a Statement of Compliance.

9.18. Any road(s), footpath(s) or other infrastructure adjacent to the land damaged as a result of the construction works (including but not limited to trenching and

excavation for utility service connections, movement of vehicle and the likes), must be reinstated to the satisfaction of the Responsible Authority and at the cost of the permit holder.

10. LANDSCAPING REQUIREMENTS

10.1. Before the certification of the plan of subdivision under the Subdivision Act 1988, a detailed landscape plan including streetscapes and water retention areas must be submitted to and approved by the Responsible Authority. When approved, the plan(s) will be endorsed and will then form part of the permit. The landscape plan must be prepared by a person suitably qualified or experienced in landscape design and must be drawn to scale with dimensions. The landscape plan must show:

- a) all new plantings including their layout to be provided in any public open space area including streetscapes, parklands, water retention areas, buffer zones, service corridors, and environmental reserves;**
- b) a 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. All species selected must be to the satisfaction of the Responsible Authority;**
- c) details regarding specific planting techniques to be undertaken, such as planting methodology, root barriers, fertilizer, or any other requirements;**
- d) the proposed layout, materials and finishes of paths and areas of pavement;**
- e) detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls, details of drainage infrastructure, utility services, irrigation and water supply infrastructure;**
- f) the removal of all existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds from the land;\mechanisms for the exclusion of vehicles from reserve areas;**
- g) location and details of public lighting;**
- h) fencing details for all allotment boundary fencing abutting a reserve to be transferred to Council; and**
- i) the provision of at least one street tree to each proposed lot fronting the internal proposed road.**

10.2. Before the issue of a Statement of Compliance under the Subdivision Act 1988, all landscaping works shown on the endorsed plan(s) must be carried out and completed to the satisfaction of the Responsible Authority. When the landscaping works have been completed, written confirmation must be provided to the satisfaction of the Responsible Authority that landscaping of the land has been undertaken in accordance with the endorsed landscaping plans.

10.3. The landscaping is to be maintained for a period of 24 months including at least two full summer periods from practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be replaced to the satisfaction of the Responsible Authority.

10.4. Before the issue of a Statement of Compliance under the *Subdivision Act* 1988, any fencing shown on the endorsed landscape plan as abutting a municipal reserve must be constructed at no cost to, and to the satisfaction of, the Responsible Authority.

10.5. All filling on the land must be carried out, supervised, completed and recorded in accordance with AS 3798 – 2007: Guidelines on Earthworks for Commercial and Residential Developments. All fill placed on the land must be certified clean fill as defined by the Environment Protection Authority Victoria and fill must not be accepted from the general public.

11. COLIBAN WATER

11.1. The owner is required to provide reticulated water supply and sewerage services to each of the lots within the subdivision and comply with any requirements arising from any effect of the proposed development on Coliban Water assets.

The existing water mains located within Chapman Street and Nolan Street are required to be linked up.

The reticulated water and sewer mains extensions, including the linkup, must be finalised in accordance with Coliban Water's Developer Installed Works process.

Services are to be provided and, where necessary, including amendments to the services for the existing residence, will be required in accordance with our specifications.

All Coliban Water assets within the subdivision, both existing and proposed, are to be protected by an easement in favour of Coliban Region Water Corporation.

12. DOWNER UTILITIES

12.1. The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the *Subdivision Act 1988*.

13. POWERCOR

13.1. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.

13.2. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.

Note: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the costs of such works generally borne by the applicant.

13.3. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

Note: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

13.4. The applicant shall, when required by the Distributor, set aside areas within the subdivision for the purposes of establishing a substation or substations.

Note: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:

- Reserves established by the applicant in favour of the Distributor.**
- Substation lease at a nominal rental for a period of 30 years with rights to extend the leave for a further 30 years.**
- The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.**

14. GOULBURN MURRAY WATER

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- 14.1. 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.
 - 14.2. Any plan of subdivision lodged for certification must be referred to Goulburn Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act 1988.
 - 14.3. The plan of subdivision must show either building envelopes or building exclusion zones to prevent future buildings from being located within 30 metres of any waterways.
 - 14.4. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of Coliban Water.
 - 14.5. Prior to the issuing of Statement of Compliance, the wastewater management system servicing the existing dwelling must be decommissioned.
 - 14.6. All stormwater discharged from the site must meet the urban runoff objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

15. COUNTRY FIRE AUTHORITY

Bushfire Management Plan

- 15.1. The Bushfire Management Plan (Attachment 3 (3 pages) in BMS (version 3) prepared by Ecology & Heritage Partners, dated 22/9/2020) must be endorsed to form part of the permit, be included as an annexure to the Section 173 Agreement and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

Matters to be set out in Section 173 Agreement

- 15.2. In addition to the requirements of Clause 44.06-5 of the Mount Alexander Planning Scheme, the Section 173 Agreement prepared in accordance with that Clause must also specify:
 - a) Explicitly exclude Lot 1 from the following exemption under Clause 44.06-2 of the Mount Alexander Planning Scheme:
 - i. A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.

16. SECTION 173 AGREEMENT

- 16.1. Before the statement of compliance is issued under the *Subdivision Act 1988* the owner must enter into an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987*. The agreement must:
 - a) State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Mount Alexander Planning Scheme;
 - b) Incorporate the plan approved under condition 52 of this permit;
 - c) State that if a dwelling is constructed on the land without a planning permit that the bushfire mitigation measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis; and
 - d) The matters set out at condition 53 of this permit.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

17. PERMIT EXPIRY

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

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

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

18. STREET LIGHTING

18.1. All street lighting must be designed and baffled to prevent any adverse effect on adjoining land to the satisfaction of Powercor.

19. GOULBURN MURRAY WATER

Notes:

Application must be made to Goulburn Murray Water prior to construction of any dams on the subject land. A licence must be obtained where surface or groundwater supplies are taken and used for commercial irrigation purposes or if a dam is to be constructed on a waterway as defined under the Water Act 1989. Applications can be made by contacting Goulburn Murray Water on 1800 013 357 or by following the link <http://www.g-mwater.com.au/customer-services/forms>

MOVED Councillor McClure

That the recommendation be adopted.

SECONDED Councillor Driscoll

CARRIED.

Summary

Application details:	11 lot subdivision
Application No:	PA011/2020
Applicant:	Terraco
Land:	3 Watson Street Castlemaine Crown Allotment 17 Section D8 Parish of Castlemaine Vol 12147 Fol 140
Zoning:	General Residential Zone – Schedule 1
Overlays:	Bushfire Management Overlay
Triggers:	Clause 32.08-3 Clause 44.06-2
Notice:	Yes, via letters to adjoining and surrounding landowners and occupiers.
Referrals:	GMW CFA Coliban Water Downer Utilities Powercor Council's Infrastructure Unit
No. of Objections:	20
Consultation Meeting:	No
Key Considerations:	Subdivision layout Landscaping Privacy and amenity Drainage Bushfire risk
Conclusion:	Issue a Notice of Decision to Issue a Planning Permit

Context

Proposal

The purpose of this report is to enable Council to make a determination on an application for an 11 lot subdivision at 3 Watson Street Castlemaine. The application has been referred to Council for a decision because 20 objections have been received in response to the application.

The application was lodged on 17 January 2020 and proposes to subdivide the land into 11 lots. The proposed subdivision seeks to create 11 lots, a drainage reserve and a local road. Proposed Lot 1 will be the largest with a land area of 3393m² and will contain the existing dwelling and utilise an existing crossover to Chapmans Road. Lot 2 will also obtain vehicle access from Chapmans Road, with a land area of 676m². Lots 3-11 will front the proposed internal road and contain land areas between 320m² and 1761m². A drainage reserve is proposed to be located within the north-eastern corner of the site, with a land area of 779m². No native vegetation is proposed to be removed as part of the proposal, internal or external to the site.

A copy of the proposed plan of subdivision is included as an attachment to this report.

Site and surrounds description

The subject site is a 1.4 hectare allotment located to the north of Chapmans Road, which currently provides road access to the site. The subject site also has frontage to the unmade portion of the Watson Street road reserve along the northern boundary. The site currently contains a single dwelling and domestic outbuilding, with a number of water tanks. The site contains manicured gardens with no substantial trees present (confirmed by site inspection). The site is relatively flat with a general slope running down into the north-eastern corner.

The site is located on the northern edge of an established residential area located in the south-western portion of the Castlemaine township. The neighbouring area contains a mixed character of general residential development, lower density rural residential development and farming zoned land used for low scale cropping and grazing. There is a variety of land areas within the surrounding area, from 270m² within the GRZ1 to 2.6 hectares within the LDRZ.

The site has good access to the main commercial precinct of the Castlemaine township via Chapmans Road and Reckleben Street. The nearest area of open space is approximately 270 metres away (Lawrence Park Drive).

An aerial image of the site and surrounds is included as an attachment to this report.

Outstanding objections to the application

Following advertisement of the application in accordance with Sections 52(1)(a) and 52(1)(d) of the Planning and Environment Act 1987, 20 objections were received.

Noise and traffic

The application is seeking to construct a local road rather than a common property access way. This is considered to be a more appropriate response to the lot yield sought herein. It is acknowledged that Lots 3-11 will access Chapmans Road via a single entry/exit point, although the traffic generation is not considered to be of a detrimental level. Future residents will be able to use either Chapmans Road or Nolan Street to access to main thoroughfares. Further, Council's Infrastructure Unit did not raise any concerns regarding traffic impacts.

In relation to noise generation, streetscaping and planting along the western boundary will assist in providing a noise and visual buffer to the subdivision.

Lots 3 and 4 should be one lot

It is considered that lots 3 and 4 provide much needed variety within the subdivision pattern within the surrounding area. Further, these lots will exceed 300m² in land area, which is greater than some of the unit developments found to the south of the subject site. As stated by the permit applicant, the average lot size for the subdivision is 950m², which is greater than the average found within the surrounding area (approximately 800m²). Therefore, it is not considered necessary to consolidate Lots 3 and 4 into one lot.

Retention of existing trees along eastern boundary

The permit applicant has indicated that further engineering plans are required to determine whether the existing trees within the south-eastern corner of the site can be retained. Although, they have also stated that they will replace any lost trees as part of a landscaping plan.

5 metre setback between eastern boundary and drainage retention basin and provision of landscaping buffer

Further engineering planning is required to establish whether a 5 metre setback is possible, with the permit applicant indicating that this request is extravagant. The stormwater management plan provided with the application indicated that the drainage basin would be designed to prevent impacts on adjoining properties, with overflow drainage being directed into the unmade road reserve. It is not considered that the drainage function of the reserve will pose any risk to the lot immediately east of the subject site, although it is considered appropriate to require landscaping within the drainage reserve for visual buffer purposes and to assist in the drainage function of the reserve.

Damage to local infrastructure during works

A standard condition should be imposed as part of any issued permit requiring the permit holder to replace or fix any Council infrastructure damaged during works.

Provision of footpaths

The application is seeking to provide a footpath on the western side of the proposed internal road for safe pedestrian access.

Issues

Residential Subdivision (GRZ1)

The proposed subdivision is considered to be an appropriate outcome within the context of the surrounding subdivision pattern and neighbourhood character. The proposed subdivision will provide for infill development within an existing residential neighbourhood. Whilst the subject site does have direct interface with land within the Farming Zone, the subdivision layout has located the drainage reserve and the second largest lot along the northern boundary, which will reduce the likelihood of amenity impacts to future residents within the subject site.

The proposal seeks to create a variety of lot sizes, although the subdivision pattern will be relatively regular and consistent with lot sizes found within the surrounding area. The variety of lot sizes is considered to be an appropriate response for an infill subdivision as it will facilitate a variety of residential development types suitable for different stages of life, which is consistent with the strategies of Clause 21.08-1 of the MSS.

Condition requirements

It is considered appropriate to require a landscaping plan for the proposed road and drainage reserve for beautification and ensuring amenity outcomes for future residents. Further, the provision of street trees and plantings within the drainage reserve will assist with drainage function and water retention.

It is also necessary to include a condition requirement that the existing shed and water tanks within the proposed road and lots must be removed prior to the issue of a Statement of Compliance. Further, standard conditions relating to construction management should also be required to ensure that the amenity of surrounding residents is not detrimentally impacted by works for the subdivision.

To ensure that future built form has a good level of street integration and articulation, it is considered appropriate to require a suitable restriction be placed on title requiring the dwelling on Lot 3 to have at least one habitable room window facing each road frontage and for all Lots to require garages to be set back at least 500mm from the front wall of the dwelling.

Clause 65 – decision guidelines

The following decision guidelines are relevant to this application:

The orderly planning of the area

The proposed subdivision is considered to represent an orderly planning outcome given that the subdivision is generally consistent with the surrounding subdivision pattern and will allow for residential infill development within an appropriate location with sufficient access to services and facilities.

The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard

The subject site is not located within an area that has been identified as being at risk of flood, or erosion hazard. It is recommended that a standard condition for soil stabilisation and a landscaping plan be required to ensure that there is no erosion risk associated with the proposal.

Finance and Resource Implications

Cost of appeal to the Victorian Civil and Administrative Tribunal.

Alternate Options

Council could issue a Notice of Refusal, although the application is considered to be a positive and orderly planning outcome.

Communication and Consultation

Advertising

Notice of the application was given in accordance with Sections 52(1)(a) and 52(1)(d) of the Planning and Environment Act 1987 to owners and occupiers of adjoining land.

Applicant-Objector Consultation

An applicant-objector meeting will be convened on 1 December 2020.

External Referrals

Country Fire Authority

Bushfire Management Plan

The Bushfire Management Plan (Attachment 3 (3 pages) in BMS (version 3) prepared by Ecology & Heritage Partners, dated 22/9/2020) must be endorsed to form part of the permit, be included as an annexure to the Section 173 Agreement and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

Matters to be set out in Section 173 Agreement

In addition to the requirements of Clause 44.06-5 of the Mount Alexander Shire Planning Scheme the Section 173 Agreement prepared in accordance with that clause must also specify:

Explicitly exclude Lot 1 from the following exemption under Clause 44.06-2 of the Mount Alexander Shire Planning Scheme:

- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of clause 44.06-5.

Goulburn Murray Water

- 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.
- Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.
- The Plan of Subdivision must show either building envelopes or building exclusion zones to prevent future buildings from being located within 30 metres of any waterways.
- Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of Coliban Water.
- Prior to the issue of Statement of Compliance, the wastewater management system servicing the existing dwelling must be decommissioned.
- All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

Powercor

- The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
- The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
- The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR). Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
- The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations. Notes: Areas

set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:

- RESERVES established by the applicant in favour of the Distributor.
- SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases.

Downer Utilities

- The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the Subdivision Act 1988.

Coliban Water

- The owner is required to provide reticulated water and sewerage services to each of the lots within the subdivision and comply with any requirements arising from any effect of the proposed development on Coliban Water assets.
- The existing water mains located within Chapman Street and Nolan Street are required to be linked up.
- The reticulated water and sewer mains extensions, including the linkup, must be finalised in accordance with Coliban Water's Developer Installed Works process.
- Services are to be provided and where necessary, including amendments to the services for the existing residence, will be required in accordance with our specifications.
- All Coliban Water assets within the subdivision, both existing and proposed, are to be protected by an easement in favour of Coliban Region Water Corporation.

Internal Referrals

Council's Infrastructure Unit:

Engineering Plans

- Prior to commencement of any construction works associated with the subdivision, detailed access & drainage construction plans must be submitted to and approved by Council. When approved, the plans will be endorsed and form part of the permit. The engineering plans must accord with the Infrastructure Design Manual. All works constructed or carried out must be in accordance with those approved plans and completed to a standard satisfactory to Council prior to the issuing of Statement of Compliance.

Drainage

- The stormwater management plan must comply with clause 56 .07-4 of the Victorian Planning Provisions. 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 as per Council MUSIC Guidelines) and design calculation summaries of the treatment elements must be provided.
- The drainage system shall be for both major and minor rainfall, with the minor system fully piped. Designation of the minor and major flow paths shall be indicated on drainage plans.
- The whole of the subject land, including landscaped and paved areas, must be graded and drained to the satisfaction of the council as the responsible drainage authority so as to prevent the discharge of water from the subject land across any road or onto any adjoining land.

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- Prior to the design of any internal drainage system the owner/applicant must submit a Property Information Request and be issued a Legal Point of Discharge Permit to discharge stormwater.
 - The site stormwater discharge is not to be increased by the proposed development. The drainage system shall include provision of storm water detention system to limit flows downstream from the development to pre-development levels in accordance with the current Australian rainfall and Runoff – Flood Analysis and Design for a 5 year annual recurrence interval (IDM Design standards - Section 19.3 Requirements).
 - Provision of cut off drains to protect adjoining properties. Provision is to be made to divert major rainfall (1 in 100 year) storm events away from the building envelopes of Lots within this subdivision and away from adjoining properties.
 - Erosion control measures at the point of discharge from the development as applicable to the proposed drainage system.

Access Road

- The proposed access road must be constructed to the following minimum standards.
 - Minimum carriageway width of 5.5 metres.
 - Pavement depth in accordance with subgrade conditions and latest Austroads publications;
 - Pavement type to be either approved Natural Gravel or Fine Crushed Rock
 - All weather access minimum 30mm asphalt seal.
 - Provision is to be made for the turning circle/court Bowl or Hammerhead treatments at the road end for emergency service vehicles.
 - Provision of culverts and table drains.
 - Concrete footpath on one side.
 - SM2 kerb or modified SM2.
 - Proposed access road longitudinal gradient and grade changes must satisfy IDM and relevant standards.
- Apart from the underground storm-water drainage and sewer systems all services are to be located within the road reserves:
 - Street lighting shall be provided to the requirements and satisfaction of both Powercor and the Responsible Authority.
 - Street trees are to be provided to the requirements and satisfaction of the Responsible Authority.

Sediment pollution Control

- The developer must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).

Consent for constructions

- Prior to the commencement of any works on the road reserve the owner/applicant must submit a Minor Works in a Road Reserve application and be issued a permit to occupy the road for works.

Infrastructure Status

- Prior to commence any works the owner / applicant must submit to the responsible authority a written report and photos of any prior damage to public infrastructure. List in the report must be the condition of the kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property.

- All existing road reservation assets are to be protected and maintained throughout the works including all utilities and services. Any damage is to be restored prior to issuing of statement of compliance.

Reinstatement works

- Road reserves shall be cleared of all surplus materials including construction materials, left in a neat condition and tidied to their original condition upon completion of the works at each location.

Easements to be created

- Any proposed easements for the site must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.

Statement of Compliance

- Prior to issue of a statement of compliance, vehicle crossover works and drainage works must be installed to the satisfaction of council in accordance with the approved plans.
- At the completion of the works two sets of 'as constructed' civil plans shall be submitted to the council one in pdf format and the other in an accepted AutoCAD format.

Consent for constructions

- Council is to be paid a fee of 0.75% of the total construction costs for these works for the approval of said plans plus 2.5% for supervision of construction. Said fees to be paid prior to commencement of any road/ drainage works.
- Prior to the commencement of any works on the road reserve, the owner/applicant must submit a Minor Works in a Road Reserve application and be issued a permit to occupy the road for works.
- All existing road reservation assets are to be protected and maintained throughout the works including all utilities and services. Any damage is to be restored prior to issuing of statement of compliance.

Legislation

Planning and Environment Act 1987

Subdivision Act 1988

Strategy and Policy Impacts

Municipal Strategic Statement and Planning Policy Framework

Policy:	Objective:
Clause 13.02-1S (Bushfire planning)	<p>This clause is relevant and has the following objective(s):</p> <p>To strengthen the resilience of settlements and communities to bushfire through risk-based</p>

Policy:	Objective:
	planning that prioritises the protection of human life.
Clause 15.01-3S (Subdivision design)	<p>This clause is relevant and has the following objective(s):</p> <p>To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.</p>
Clause 16.01-1S (Housing supply)	<p>This clause is relevant and has the following objective(s):</p> <p>To facilitate well-located, integrated and diverse housing that meets community needs.</p>
Clause 18.02-3S (Road system)	<p>This clause is relevant and has the following objective(s):</p> <p>To manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.</p>
Clause 21.03-2 (Urban consolidation)	<p>This clause is relevant and has the following objectives(s):</p> <p>To encourage the consolidation of the Shire's existing urban areas</p>
Clause 21.05-5 (Bushfire)	<p>This clause is relevant and has the following objective(s):</p> <p>To minimise the risk of bushfire to life and property.</p>
Clause 21.08-1 (Housing location and diversity)	<p>This clause is relevant and has the following objective(s):</p> <p>To provide housing that will accommodate the needs of residents at various stages in their lives.</p>
Clause 21.11 (Infrastructure)	<p>This clause is relevant and has the following objective(s):</p> <p><i>To protect and enhance existing infrastructure assets.</i></p>

Zoning

General Residential Zone – Schedule 1 (GRZ1)

The subject site is located within the GRZ1 pursuant to Clause 32.08 of the Scheme. The purpose of the GRZ1, is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations

Pursuant to Clause 32.08-3, a planning permit is required to subdivide land. The application meets the requirements for garden area provision for lots over and less than 400m² in land area.

Overlays

Bushfire Management Overlay (BMO)

The subject site is affected by the BMO pursuant to Clause 44.06 of the Scheme. The purpose of the BMO is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

Pursuant to Clause 44.06-2, a permit is required to subdivide land.

Particular provisions

Clause 53.01 (Public open space contribution and subdivision)

Pursuant to this clause, a person who proposes to subdivide land must make a contribution to council for public open space, unless an exemption under Clause 53.01-1 is applicable.

As the proposal is seeking to create 11 lots, the subdivision is not exempt from providing a POS contribution. A review of the title plan provided as part of the application indicates that a contribution has not been previously made. Therefore, a 5% POS contribution should be required in this instance as the drainage reserve will be encumbered land not suitable for public use.

Clause 53.02 (Bushfire planning)

This clause is relevant to this application and has the following purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.

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- To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.
 - To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

This clause provides a number of application requirements for residential development within the BMO. The application was accompanied by a Bushfire Management Statement (BMS) that was referred to the CFA who provided conditional consent to the proposal. Therefore, it is considered that the application is consistent with the requirements of this clause.

Clause 56 (Residential subdivision)

This clause is relevant to this application and has the following purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create liveable and sustainable neighbourhoods and urban places with character and identity.
- To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
 - Metropolitan Melbourne growth areas.
 - Infill sites within established residential areas.
 - Regional cities and towns.
- To ensure residential subdivision design appropriately provides for:
 - Policy implementation.
 - Liveable and sustainable communities.
 - Residential lot design.
 - Urban landscape.
 - Access and mobility management.
 - Integrated water management.
 - Site management.
 - Utilities.

The application is generally consistent with the standards and objectives of this clause.

Declarations of Conflict of Interest

Under Section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.3. Our Economy

9.3.1. ANNUAL REPORT 2019/2020

This Report is For Information

Responsible Director: Director Corporate and Community Services, Lisa Knight

Responsible Officers: Acting Manager Communications and Customer Service, Aileen Walsh

Communications Coordinator, Katie Perry

Venues and Events Coordinator, Natalie Parsons

Attachments: 1. Mount Alexander Shire Council Annual Report 2019–2020
FINAL - web [9.3.1.1 - 162 pages]

Executive Summary

The purpose of this paper is to present to Council the 2019/2020 Annual Report for adoption, following submission to the Minister for Local Government of Victoria by 30 November 2020.

RECOMMENDATION

That Council adopts the 2019/2020 Annual Report.

MOVED Councillor Annear

That the recommendation be adopted.

SECONDED Councillor Henderson

CARRIED.

Context

The 2019/2020 Annual Report outlines Council's performance for the financial year including progress and delivery of the strategic objectives in the 2017-2021 Council Plan. The report contains statutory information and will include the Financial Statements and Performance Statement.

The full Annual Report was delivered to the Minister for Local Government (the Minister) by 30 November 2020, in accordance with the Local Government Act 1989 (the Act) and the extension authorised by the Minister due to the COVID-19 pandemic.

Issues

The 2019/2020 Annual Report highlights a year of achievements across the Shire, provides an outline of the organisation and the services delivered, and reports on actions completed in the Annual Plan and Budget. It is the third report to measure progress against the strategic goals in the 2017–2021 Council Plan.

Finance and Resource Implications

The Annual Report includes the audited annual Financial Statements and Performance Statement adopted in-principle by Council at the Ordinary Meeting of Council on 15 September 2020. The report of operations includes a financial snapshot which highlights the financial results.

Risk Analysis

The Annual Report is a mandatory report that the organisation collates and communicates to the State Government to meet the legislated timeframe for submission.

As the Report will be submitted to the Minister for Local Government, there is no associated risk regarding compliance of reporting requirements.

Alternate Options

There are no alternate options. The Annual Report is a statutory reporting requirement.

Communication and Consultation

A public notice was advertised in the Midland Express which noted consideration by Council of the 2019/2020 Annual Report. Further notification was made to the public on Council's website on 1 December 2020, 14 days prior to consideration by Council in accordance with the Local Government Act. The public notice advised that copies of the report could be inspected at the Civic Centre (following easing of Covid-19 restrictions), selected community hubs and on Council's website.

Following adoption of the Annual Report by Council, it will be made available on Council's website. The community will be informed through local media and a summary of achievements will be included in the third rates notice instalment reminder distributed to rate payers in February 2021.

Mandatory information collected as part of the Local Government Performance Reporting Framework (LGPRF) will become available to view and compare on the Victorian Government's ['Know Your Council'](#) website.

Legislation

Council has a statutory obligation to prepare an Annual Report in accordance with the Local Government Act 1989. The Annual Report must be lodged with the Minister for Local Government by 30 September each year and be considered at an Ordinary Meeting of Council within 30 days following submission. This year, due to the COVID-19 pandemic, an extension was authorised by the Minister and the Annual Report timing was extended to 30 November 2020.

To comply with transparency principles in the new Local Government Act 2020, the Annual Report went on public display for 14 days from Tuesday 1 December to Monday 14 December 2020, following submission to the Minister.

The Annual Report must include a report of operations and service performance indicators, a governance and management checklist, audited Financial Statements and an audited Performance Statement. While the format of the report of operations is not prescribed, the Act and regulations set out information that must be contained as a minimum.

The development of future annual reports will meet the requirements of the new Local Government Act 2020. The due date for implementation of the Annual Report under the new legislation is Sunday 31 October 2021.

Strategies and Policy Impacts

The Annual Report outlines Council's performance for the 2019/2020 financial year. It includes a report on strategic objectives in the 2017–2021 Council Plan under the pillars of 'Our People, Our Place, Our Economy'. The report includes a summary of annual achievements, actions completed in the Annual Plan, a report on the Annual budget, summary of Council policies and other statutory information.

Declarations of Conflict of Interest

Under section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.3.2.SCHEDULE OF MEETINGS FOR 2021

This Report is For Decision

Responsible Director: Chief Executive Officer, Darren Fuzzard
Responsible Officer: Principal Governance Officer, Augustine Sheppard
Attachments: Nil

Executive Summary

At or before the last Meeting each calendar year, Council must fix the date, time and place of all Council Meetings for the following calendar year.

The schedule of Council Meetings must be posted on the Council website and also be available from Council's Customer Service Centres.

RECOMMENDATION

That Council:

- 1. Adopts the following time, dates and location as the schedule for Meetings of Council in 2021:**
 - **6.30 pm, 16 February 2021, Council Chamber, Lyttleton St, Castlemaine**
 - **6.30 pm, 16 March 2021, Council Chamber, Lyttleton St, Castlemaine**
 - **6.30 pm, 20 April 2021, Council Chamber, Lyttleton St, Castlemaine**
 - **6.30 pm, 18 May 2021, Council Chamber, Lyttleton St, Castlemaine**
 - **6.30 pm, 15 June 2021, Council Chamber, Lyttleton St, Castlemaine**
 - **6.30 pm, 20 July 2021, Council Chamber, Lyttleton St, Castlemaine**
 - **6.30 pm, 17 August 2021, Council Chamber, Lyttleton St, Castlemaine**
 - **6.30 pm, 21 September 2021, Council Chamber, Lyttleton St, Castlemaine**
 - **6.30 pm, 19 October 2021, Council Chamber, Lyttleton St, Castlemaine**
 - **6.30 pm, 16 November 2021, Council Chamber, Lyttleton St, Castlemaine**
 - **6.30 pm, 21 December 2021, Council Chamber, Lyttleton St, Castlemaine**
- 2. Notes that the schedule will be included in Council's column in the Midland Express and on Council's website and available from the Customer Service Desk.**

MOVED Councillor Driscoll

That the recommendation be adopted.

SECONDED Councillor Maltby

CARRIED.

Context

Council's Governance Rules 2020 requires that:

1. *At or before the last Meeting each calendar year, Council must fix the date, time and place of all Council Meetings and any Delegated Committee Meetings for the following calendar year.*
2. *The schedule of Council Meetings must be posted on the Council website and also be available from Council's Customer Service Centres.*
3. *The public must be given at least seven days' notice of all Meetings by notice posted on the Council website.*
4. *The Council, or the CEO, may change the date, time and place of any Council Meeting and must provide as much notice as possible of the change to the public via the Council website.*

Council complies by including the adopted meeting schedule in Council's column in the Midland Express and listing the schedule on Council's website. In addition, Council's weekly column in the Midland Express includes the date and time of the next Council Meeting.

Unscheduled Council Meetings, if called in addition to the scheduled Meetings, notification will also be in accordance with the Governance Rules.

Issues

Council amended the Meeting frequency from twice monthly to monthly at the Ordinary Meeting of Council on 22 November 2016 and brought the meeting time forward from 7.30 pm to 6.30 pm.

The smaller number of Council Meetings has not impacted the ability of Council to conduct its business in a timely fashion, nor has there been an increase in meeting length.

In the past, Council has on occasion conducted meetings in other facilities located throughout the Shire. While this has offered the possibility for new community members to attend meetings, the community response has been very limited and all venues (other than the preferred Council Chamber in Castlemaine) have considerable challenges regarding acoustics. Remaining at the Castlemaine Council Chamber also enables high quality live streaming of the meetings and this has had a very positive response from the community over the past 12 months.

The proposed schedule for 2021 retains the commitment to monthly Council Meetings.

Proposed Ordinary Meeting schedule for 2021:

Date	Time
16 February 2021	6.30 pm
16 March 2021	6.30 pm
20 April 2021	6.30 pm
18 May 2021	6.30 pm
15 June 2021	6.30 pm
20 July 2021	6.30 pm
17 August 2021	6.30 pm

Date	Time
21 September 2021	6.30 pm
19 October 2021	6.30 pm
16 November 2021	6.30 pm
21 December 2021	6.30 pm

Finance and Resource Implications

All costs associated with the operation of Council meetings are included in normal operating budgets.

Risk Analysis

If Council does not adopt a meeting schedule for 2021, it may be non-compliant with Section 9 (2)(l) of the Local Government Act 2020, *the transparency of Council decisions, actions and information is to be ensured.*

Climate Impact Statement

Nil.

Alternate Options

Councillors may wish to amend the Council Meeting dates scheduled for 2021.

Communication and Consultation

Nil.

Legislation

Local Government Act 2020

Strategies and Policy Impacts

Council Plan 2017-2021

Our Economy - An innovation and sustainable organisation.

- Facilitate and support a transparent and innovative culture.

Declarations of Conflict of Interest

Under Section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.3.3.APPOINTMENT OF COUNCILLORS AS REPRESENTATIVES TO COMMITTEES

This Report is For Decision

Responsible Director: Chief Executive Officer, Darren Fuzzard

Responsible Officer: Governance Officer, Gabrielle Turner-Eylander

Attachments: Nil

Executive Summary

The purpose of this report is for Council to consider and determine who it wishes to appoint to various internal and external committees.

RECOMMENDATION

That Council:

- 1. Appoints Mount Alexander Shire Council representatives to the committees as recommended in Table 1: External and Internal Committees;**
- 2. Notes the opportunity to attend the meetings of the Community Asset Committees as shown in Table 2; and**
- 3. Notes that the committees will be formally advised of their representative and details of the appointments will be made available on Council's website.**

MOVED Councillor McClure

That the recommendation be adopted.

SECONDED Councillor Annear

CARRIED.

Context

Council annually considers and appoints delegates and representatives to various committees.

There are three types of committees:

External	Committees formed by other organisations or bodies	These committees require representation by Mount Alexander Shire Council (Mayor, Councillor/s, officers)
Internal	Committees formed by Council	The terms of reference or charter require the Mayor and/or Councillor/s as members.
Community Asset	Community Asset Committees	Council establishes and appoints to Community Asset Committees under Section 65 of the Local Government Act 2020 (the Act).

The representation requirements and the current representatives are outlined in the tables below.

Table 1: External and Internal Committees

Type	Committee	Representation Requirements	Recommended Representative
External	Buda Historic Home and Garden	One Council representative	Councillor Cordy
External	Calder Highway Improvement Committee	One Council representative	Councillor Cordy
External	Central Victorian Greenhouse Alliance	One representative (CEO, Councillor or Staff member)	Director Infrastructure and Development
External	Friends of Lolotoe Friendship Group	One Council representative	Councillor Henderson
External	Goldfields Regional Library Corporation	One Council representative	Councillor Annear
External	Goulburn Murray Water - Cairn Curran Land & On Water	One Council representative	Councillor Gardner

Type	Committee	Representation Requirements	Recommended Representative
	Management Plan Implementation Group		
External	Health Hub Alliance	Mayor and CEO	Councillor Cordy Chief Executive Officer
External	La Larr Ba Gauwa Mountain Bike Park	One Council representative plus one substitute	Councillor Annear Councillor Cordy
External	Loddon Mallee Regional Waste Management Forum	One Council representative plus one substitute	Councillor McClure
External	Municipal Association of Victoria	One Council representative plus one substitute	Councillor Cordy Councillor Annear
External	Northern Victorian Integrated Municipal Emergency Management Plan Committee	One Council representative	Councillor Maltby
External	Rural Councils Victoria	One Council representative	Chief Executive Officer
External	Victorian Local Governance Association	One Council representative	Councillor McClure
External	A House of my own Committee	One Council representative	Councillor McClure
External	Community Transition Plan Steering Committee	One Council representative	Councillor McClure
Internal	Indigenous Roundtable	Mayor and CEO	Councillor Cordy Chief Executive Officer
Internal	LGBTIQ Steering Committee	One Councillor	Councillor Maltby
Internal	Mount Alexander Shire Audit and Risk Advisory Committee	Two Councillors	Councillor Driscoll Councillor Cordy
Internal	Municipal Fire Management Planning Committee	One Council representative	Councillor Maltby

Type	Committee	Representation Requirements	Recommended Representative
Internal	Early Years Steering Committee	One Council representative	Councillor Annear
Internal	Middle Years Steering Committee	One Council representative	Councillor Annear

There is no requirement under the Local Government Act 2020 for Councillors to be appointed the Community Asset Committees shown in Table 2 however, Councillors will be advised of the opportunity to attend such meetings in their ward.

The powers, duties and functions of Community Asset Committees is delegated to its members by the Chief Executive Officer (CEO) under Section 47 of the Act and the CEO must submit an annual report to Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section.

Table 2: Community Asset Committees

Type	Committee
Community Asset	Barfold Hall
Community Asset	Baringhup Community Association
Community Asset	Bill Woodfull Recreation Reserve
Community Asset	Camp Reserve
Community Asset	Campbells Creek Community Centre
Community Asset	Campbells Creek Recreation Reserve
Community Asset	Castlemaine War Memorial Stadium
Community Asset	Elphinstone Community Facilities
Community Asset	Guildford Hall
Community Asset	Guildford Recreation Reserve
Community Asset	John Powell Reserve

Type	Committee
Community Asset	Maldon Community Centre
Community Asset	Metcalfe Hall
Community Asset	Muckleford Community Centre
Community Asset	Newstead Community Centre
Community Asset	Sutton Grange Hall
Community Asset	Taradale Hall
Community Asset	Taradale Recreation Reserve
Community Asset	Wattle Flat Reserve
Community Asset	Wesley Hill Facility

Issues

The committees listed all make critical contributions to the Mount Alexander Shire community. Councillor and/or senior executive representation enables Council's strategic direction to be heard and for Council to obtain important feedback on what is occurring within the committees and how Council may support them.

Finance and Resource Implications

Councillor and senior executive attendance at each of these committees is included in the normal operating budget.

Risk Analysis

Reputational Risk:

There is a potential reputational risk to Council should representatives not be appointed to Committees.

Climate Impact Statement

There are no climate impacts arising from the appointment of Council representatives to Committees.

Alternate Options

Councillors may wish to change the recommended representative or delegates to some or all the Committees.

Communication and Consultation

Inform:

We will keep our community informed.

Committees will be formally advised of their representative and details of the appointments will be available on Council's website.

Legislation

Local Government Act 2020

Strategies and Policy Impacts

Council Plan 2017-2021

Our People - A welcoming place for all.

- Build community resilience by working together with the community and key stake holders to prevent, prepare, respond, and recover from emergencies and manage risk.

Our People - Improved health and well-being.

- Improve health through the use of our public spaces and trails.
- Provide and promote a safe, healthy and engaging environment for volunteers.

Our People - Socially connected, safe and inclusive communities.

- Support the building of social connections in each of towns.

Declarations of Conflict of Interest

Under Section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.3.4.AUDIT AND RISK ADVISORY COMMITTEE MEETING - 26 NOVEMBER 2020

This Report is For Information

Responsible Director: Chief Executive Officer, Darren Fuzzard

Responsible Officer: Executive Manager Business Continuity, Jude Holt

Attachments: 1. Audit and Risk Committee Meeting Minutes 26 November 2020 [9.3.4.1 - 25 pages]

Executive Summary

This report provides Council with a summary of the Audit and Risk Advisory Committee Meeting held on 26 November 2020.

RECOMMENDATION

That Council notes the summary report and minutes of the Audit and Risk Advisory Committee Meeting held on 26 November 2020.

MOVED Councillor Annear

That the recommendation be adopted.

SECONDED Councillor Driscoll

CARRIED.

Context

The Audit and Risk Advisory Committee is created under Section 53 of the Local Government Act 2020. The Committee's Charter governs its activities and states the purpose of the Committee is:

To provide a structured, systematic oversight of Council's governance, risk management and internal control practices. The Committee assists the Council and management by providing advice and guidance on the adequacy of initiatives for:

- *Values and ethics*
- *Governance structure*
- *Risk management*
- *Internal control framework*
- *Oversight of the internal audit activity, external auditors and other providers of assurance*
- *Financial statements, performance and public accountability reporting.*

In broad terms, the Committee reviews each of the items noted above and provides the Council with independent advice and guidance regarding the adequacy and effectiveness of management's practices and potential improvements to those practices.

Issues

A meeting of the Committee was held on 26 November 2020. The Committee welcomed Cr Rosie Annear to the meeting. The meeting agenda included:

- Review of the draft Internal Audit Scope for Leave Management, which was the next scheduled review in the Internal Audit Plan. The review will be undertaken and presented to the Committee at the February 2021 meeting.
- Review of the Internal Audit Report for Archives Management which returned 17 actions for improvement and three items for further consideration. The actions were accepted by the Committee and will be added to the outstanding audit action report for monitoring and completion.
- Presentation of the outstanding audit action list which showed 55 actions at the start of the reporting period, addition of seven actions and one improvement opportunity, and completion of 10 actions, resulting in 53 actions at the end of the reporting period.
- Presentation of the Audit and Risk Advisory Committee Charter for endorsing. The Charter was reviewed to bring it in line with the final sector version. The Committee was also provided with the Annual Workplan. The Workplan aligns to the requirements of the Charter and provides the Committee with a full list of items to be considered throughout the year. The Committee asked for an amendment to the Charter before finalising and providing it to Council for approval. It will be brought back to Council at the first meeting in February 2021.

-
- Presentation of the Auditor-General Victoria's Annual Plan for 2020-2021 and the IBAC Unauthorised Access to Information – Local Government Report for information.
 - Summary of the Risk Management Committee Meeting that was held during the quarter.
 - Presentation of the Strategic Risk Report approved by Council in October, which will be provided to the Committee in February 2021 for review and consideration.
 - Presentation on Council's emergency management framework by the Director Corporate and Community Services and Emergency Management Coordinator.

Finally, the following standing agenda items were provided:

- Finance Report for the Quarter Ended 30 September 2020
- Update on actions in the Fraud and Corruption Control Plan
- Workplace Risk Management Report
- Verbal reports from the Mayor and Chief Executive Officer, with a focus on the current working and sector environment.
- Verbal report from the Chief Executive Officer in relation to the fraud and corruption control program.

Finance and Resource Implications

There are no financial or resource implications from this report.

Risk Analysis

Strategic risk:

The Audit and Risk Advisory Committee is the Council's assurance oversight, which is known as the third line of defense. The first and second line of defense are:

1. Management controls and internal control measures (own and manage the risks).
2. Financial controls, risk management processes, quality controls, security (such as delegations), inspection and compliance (oversee risks).

The three lines of defense are designed to improve the risk management process in the organisation, and the Committee's work is integral to that.

Climate Impact Statement

Climate risk is one of the focus strategic risks of the Council.

Alternate Options

The meeting summary is for information only.

Communication and Consultation

Collaborate:

We will work together with our community to formulate solutions and incorporate our community's advice and recommendations into our decisions to the maximum extent possible.

The Audit and Risk Advisory Committee is a committee of Councillors and Independent Committee Members, some of whom live locally. The Committee provides an external view to the organisation internal audit function, which is an important perspective to provide a broader view.

Legislation

Local Government Act 2020

Section 53(1) of the Local Government Act 2020 states that “A Council must establish an Audit and Risk Committee.”

Strategies and Policy Impacts

Council Plan 2017-2021

Our Economy - An innovation and sustainable organisation.

- Maintain financial sustainability to deliver the Council Plan.

Declarations of Conflict of Interest

Under Section 130 of the Local Government Act 2020, officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, reports that there are no conflicts of interest to be disclosed.

9.3.5. FINANCE REPORT - SEPTEMBER 2020

This Report is For Information

Responsible Director: Director Corporate and Community Services, Lisa Knight

Responsible Officer: Executive Manager Corporate Services, Carolyn Ross

Attachments: 1. Finance Report - September 2020 [9.3.5.1 - 17 pages]

Executive Summary

The purpose of this report is to present the Finance Report for the quarter ended 30 September 2020. This report was presented to the Audit and Risk Advisory Committee on 26 November 2020.

RECOMMENDATION

That Council notes the Finance Report for the three-month period to 30 September 2020.

MOVED Councillor Maltby

That the recommendation be adopted.

SECONDED Councillor Henderson

CARRIED.

Context

Regular review of financial performance and reporting of Council activities provides an overview as to how different programs and projects are being delivered. This reporting assists in monitoring Council's achievement of objectives in the Strategic Resource Plan and Annual Budget whilst ensuring that Council is financially sustainable in the long term.

The Finance Report is presented to Councillors at a Briefing Session and an Ordinary Meeting of Council on a quarterly basis.

The Finance Report presented includes the following information:

- Income Statement
- Balance Sheet
- Statement of Capital Works in Progress
- Investments
- Financial Ratios.

Issues

The Finance Report provides a snapshot of the year-to-date financial performance for the 2020/2021 financial year. The current budget includes the adopted carry forwards budgeted for capital projects, special projects, and operating items.

- Coronavirus (COVID-19)
 - In June 2020, Council adopted a temporary COVID-19 Financial Hardship Policy that offered support for all ratepayers who may be experiencing challenges in paying their rates. The Policy allows all rateable or non-rateable but leviable properties to access support. This is an increased level of support in comparison to our ongoing Financial Hardship Policy which offers support for a ratepayer's principal place of residence only. To date, there are 51 properties (or 0.49% of our rateable assessments) who have sought support from Council in relation to their outstanding rates, with less than 10% of these properties commercial properties.
 - A further review and consideration of the COVID-19 Financial Hardship Policy will be undertaken by Council in early 2021.

Finance and Resource Implications

The Finance Report presented gives a concise summary of the financial performance against budget for the period.

Financial risk:

In developing the Annual Budget, Council is prudently and proactively managing its financial obligations, sustainability, and risk. This quarterly Finance Report provides information to readers on the organisation's performance against budget and, where material variances occur, an explanation is provided.

Climate Impact Statement

In developing the Annual Budget, Council can choose to allocate funds to address the impacts of climate change directly or indirectly. As this report is an overview of Council's financial performance per se, no overall consideration has been given to the impacts of climate change. However, there may be one-off or capital projects that address the impact of climate change. These projects may not be specifically discussed in this report, but they are subject to additional oversight processes within the organisation.

Alternate Options

Nil.

A Finance Report must be presented on a quarterly basis as per the *Local Government Act 2020* (the Act).

Communication and Consultation

Inform:

We will keep our community informed.

Explanations of major variances are provided by Officers responsible for the services and are summarised in the Financial Management Report.

Legislation

Local Government Act 2020

Section 97(1) of the Act requires the Chief Executive Officer to ensure that a quarterly budget report is presented to Council at a Council meeting which is open to the public.

Section 97(2) of the Act states that the quarterly budget report must include:

- a. A comparison of the actual and budgeted results to date.
- b. An explanation of any material variances.
- c. Any other matters as prescribed by the regulations.

As no reporting regulations have been prescribed for the 2020 Act, Officers have continued to use the same format of reporting as in previous quarters.

Strategies and Policy Impacts

Council Plan 2017-2021

Our Economy - An innovation and sustainable organisation.

- Maintain financial sustainability to deliver the Council Plan.

Councillors will promote and ensure responsible financial management by receiving and reviewing quarterly financial reports, using agreed project management processes for large projects, and conducting regular internal audits of Council activities.

Declarations of Conflict of Interest

Under Section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

10. DELEGATES REPORTS

Councillor Annear advised of attending the Goldfields Library Board Annual General Meeting and her appointment to the position of Deputy Chair of the Board

Councillor Henderson advised of attended the unveiling of the Conlans Brother Tribute Sculpture in Taradale

MEETINGS ATTENDED BY CEO AND MAYOR FROM 25 NOVEMBER 2020 TO 15 DECEMBER 2020

MEETING	CEO	MAYOR
Meeting with Head of Government Relations and External Affairs, George Western Foods Ltd regarding matters of common interest to Mount Alexander Shire (David Leathem, Manager Economy and Culture also in attendance)	✓	
Hosted Rural Councils Victoria Committee Members Dinner	✓	
Attended Rural Councils Victoria Committee meeting as Loddon Campaspe's representative (held in Mount Alexander Shire Council Chamber)	✓	
Gold Central Vic FM Interview	✓	
ABC Interview		✓
Meeting with Castlemaine Police Station Commander to discuss matters of interest for Mount Alexander Shire	✓	
Attended Healthy Heart of Victoria Steering Group Meeting	✓	
Attended Newstead Cultural Precinct Roundtable along with Cr Matt Driscoll (Jess Howard, Director Infrastructure and Development and David Leathem, Manager Economy and Culture also in attendance)	✓	
Attended Stanley Park North Playspace Official Opening	✓	✓
Attended meeting with CEO of Castlemaine Health, CEO of CHIRP Community Health and Project Manager to discuss Mount Alexander Health and Wellbeing Hub Project	✓	
Meeting with Maree Edwards MP to discuss matters of common interest for Mount Alexander Shire	✓	✓
Attended Indigenous Roundtable (Mayor Cordy is Co-chair)	✓	✓
Gold Central Vic FM Interview	✓	
Meeting with representatives from Regional Roads Victoria (Department of Transport) regarding Barkers Street pedestrian crossing project with Jess Howard Director Infrastructure and Development also in attendance	✓	

MEETING	CEO	MAYOR
Attended onsite meeting with developer in Harcourt (Jess Howard, Director Infrastructure and Development and David Leathem, Manager Economy and Culture also in attendance)	✓	
Attended Maldon Streetscape Project Sod Turning Event	✓	✓
Attended Implementation Matters Forum hosted by Local Government Victoria		✓
Attended the Bauble Decorating Competition Judging		✓
Gold Central Vic FM Interview	✓	
Attended the Conlan Brothers Tribute Unveiling Event in Taradale	✓	✓

Councillor Driscoll advised that he and Councillor Annear had attended the Castlemaine Health AGM.

Councillor Annear noted that she had also attended the Castlemaine Jazz Festival AGM and the launch of Mount Alexander Cycling and a drop in session Campbells Creek Reserve Master Plan and impressed with the amount of Community members attended.

Mayor advised that he also attended the Campbells Creek Reserve Master Plan drop-in session

11. NOTICES OF MOTION

Nil.

12. URGENT SPECIAL BUSINESS

Nil.

13. CONFIDENTIAL ITEMS

Nil.

14. MEETING CLOSE

Meeting closed at 7.30 pm.