



# Minutes

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Council Meeting held at 12.30 PM on Monday 1 May 2023 in the Perry Room, St Arnaud Town Hall.

## **Present**

Cr Kevin Erwin (Mayor)  
Cr Lauren Dempsey  
Cr Murray Emerson  
Cr Trevor Gready  
Cr Rob Haswell  
Cr Karen Hyslop  
Cr Eddy Ostarcevic PhD

Mr Brent McAllister, Chief Executive Officer  
Mr Vaughan Williams, Director Corporate and Community Services  
Mr David George, Acting Director Infrastructure and Amenity

## **Affirmation**

We recognise the traditional owners of the land.  
We are inspired by the early pioneers and by those who gave their lives for our country.  
We now ask God's blessing on our deliberations  
and on our commitment to build a better lifestyle and environment.

Confirmed at the meeting of Council on Monday 5 June 2023.

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**1. Apologies**

Nil

**2. Confirmation of Minutes**

Council Meeting held on Monday, 3 April 2023.

**RESOLUTION**

**That the minutes as listed, copies of which have been circulated, be confirmed and adopted.**

**Moved: Cr Rob Haswell**  
**Seconded: Cr Karen Hyslop**

**Carried**

**3. Matters Arising from the Minutes**

Nil

**4. Presentations/Awards**

Nil

## **5. Presentation of Petitions and Joint Letters**

### **5.1. Bunbury Street, Glenorchy Speed Limit Petition**

**Author/Position:** Mary Scully, Manager Governance

#### **Purpose**

To receive a petition to Council to reduce the speed limit on Bunbury Street Glenorchy from 60kph to 50kph.

#### **Summary**

A petition has been received asking that Council change the speed limit on Bunbury Street, Glenorchy from 60kph to 50kph and for speed limit signs to be installed in Forest and Arapiles Streets as a minimum.

#### **Recommendation**

**A Council decision is required in line with the Council's Governance Rules.**

### **RESOLUTION**

**That the petition be received and lay on the table until the next Council meeting.**

**Moved:** Cr Lauren Dempsey

**Seconded:** Cr Karen Hyslop

**Carried**



## **Background/Rationale**

Council received a petition on 29 March from 24 members of the Glenorchy community, asking that Council consider reducing the speed limit on Bunbury Street, Glenorchy from 60kph to 50kph.

*To whom it may concern*

*Glenorchy Needs to Slow Down*

*As the Northern Grampians Shire Council will be aware, Glenorchy is a very small town with a population of around 120 to 130 people. Our town has a few streets, with the main one being Bunbury St. The speed limit is set at 60kmph, but it NEEDS to slow to 50kmph.*

*Glenorchy has a mix of ages from little kid to much older adult. We are all out on the road often at some point, whether it be the kids walking to catch the school bus, the little kids getting about on their bikes, people walking their dog or even just putting out the bins. Many chats are had at roadside. People are out on the roads 7 days of the week.*

*Many times, it can be dangerous with the amount of traffic Glenorchy has. We get the usual everyday locals & people who travel through daily. We also get a lot of big trucks, which include semis. When the Western Hwy is cut in this area, we mostly get the traffic diverted through here - that is a lot of traffic. We also get the tourists in holiday time. Overall, Glenorchy gets a lot of vehicles travelling through &/or around it.*

*The difference of 10kmph is huge when we talk about a vehicle of any size having to stop quickly. Our roads in town are not wide enough for 2 larger vehicles to safely pass one another without having to move into the gravel. A car or truck has better control at 50kmph than at 60kmph in these situations, especially if they have to stop suddenly.*

*The difference of 10kmph could be the difference of someone keeping their life.*

*Please change the speed limit of Glenorchy from 60kmph to 50kmph.*

*When cars & trucks are entering Glenorchy from the East end of Bunbury St, by the time they get to a speed sign, they are already almost upon the first 2 homes in the street, 1 being a home of little kids on bikes. A sign showing that a speed limit change is coming up is needed further back so people hopefully start to slow down before they get to the 1st speed sign. Stawell has this, as does many other towns including Great Western.*

*We believe speed signs are also needed in Forest St & Arapiles St - at minimum.*

*Again, we ask Northern Grampians Shire Council to please change our township speed limit from 60kmph to 50kmph.*

*We hope for a response from NGS to our request as quickly as possible.*

## **Legislation, [Council Plan](#), Strategy and Policy Implications**

Governance Rules 2022

Council Plan 2021-25 – Foster a safe community

## **Options**

Council's Governance Rules specify that unless Council determines to consider it as an item of urgent business, no motion (other than a motion to receive the same) may be made on any petition, joint letter, memorial or other like application until the next fixed Council meeting after that at which it has been presented.

If a petition or joint letter relates to an operational matter, Council must refer it to the Chief Executive Officer for consideration.

Where a petition or joint letter has been allowed to lay on the table, the Chief Executive Officer may refer it to the appropriate member of Council staff for a report prior to it being considered by Council, as deemed appropriate by the Chief Executive Officer in their discretion.

**Option 1:**

**That Council determines to consider the item as urgent business with the view to it being referred to the Chief Executive Officer for action as an operational matter.**

**Option 2:**

**That the petition be received and lay on the table until the next Council meeting.**

**Implications**

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications

**Procurement**

Not applicable

**Community Engagement**

Not applicable

**Innovation and Continuous Improvement**

Not applicable

**Collaboration**

Not applicable

**Officer's Declaration of Interest**

All officers providing advice to Council must disclose any interests, including the type of interest.

Mary Scully, Manager Governance

In providing this advice as the author, I have no disclosable interests in this report.

**Attachments**

Nil

## **6. Disclosure of a Conflict of Interest at a Council Meeting**

**A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which he or she-**

- (i) is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or**
  - (ii) intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice-**
    - advising of the conflict of interest;**
    - explaining the nature of the conflict of interest; and**
    - detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the-**
      - name of the other person**
      - nature of the relationship with that other person or the date on receipt, value and type of gift received from the other person; and**
      - nature of that other person's interest in the matter;**
- and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer.**

**The Councillor must, in either event, exclude themselves from the decision-making process, including any discussion or vote on the matter and any action in relation to the matter and leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.**

### **Members of Staff**

**A member of Council staff must disclose any conflict of interest in a matter in respect of which they are preparing or contributing to the preparation of a report for a Council meeting. They must immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer disclosing the conflict of interest and explaining its nature.**

Nil

## 7. Informal Meetings of Councillors

[Brent McAlister, Chief Executive Officer]

Council's Governance Rules require that if there is a meeting of Councillors that-

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, delegated committee meeting or community asset committee meeting

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- tabled at the next convenient Council meeting; and
- recorded in the minutes of that Council meeting.

The records for the period since the last Council Meeting are listed below.

Meeting Date:	Description:	Matters Considered:	Conflict Of Interest Disclosures:		
17/04/2023	Councillor Briefing	8.1 10am Presentation - PassivePlace Project Update	Nil	Nil	Nil
		8.2 11am Presentation - Parks Victoria			
		8.3 Stawell Cemetery Expansion Project			
		8.4 12pm Presentation - Discussion on Legal Matters - PassivePlace			
		8.5 Statutory Planning Continuous Improvement Program			
17/04/2023	Councillor Briefing Councillor and CEO Meeting	1. The St Arnaud NNI West public meeting.	Nil	Nil	Nil
		2. Discussions with senior staff from Thomas Foods.			
03/04/2023	Councillor Briefing	7.1 10.30am Presentation: Australian Energy Market Operator	Nil	Nil	Nil
		7.2 11am Presentation: Sloane Street Project			
		7.3 Navarre Clubroom Upgrade			
		8.1 Council Agenda Review			
03/04/2023	Councillor Briefing Councillor and CEO Meeting	1. Discussion about thanking staff for the Stella Young statue unveiling	Nil	Nil	Nil
		2. Advice about the Bendigo Bank Stawell branch closure			
		3. Advice about setting up a transmission discussion group			
		4. Next steps on the Sloane Street Development			
		5. VLGA workshop learnings			
		6. Banking changes			
27/03/2023	Councillor Briefing Councillor and CEO Meeting	AEMO VNI West Project	Nil	Nil	Nil
27/03/2023	Councillor Briefing	8.1 10.30am Presentation - Stawell Gold Mines	Cr Kevin Erwin	8.5	Yes
		8.2 Library Strategy			
		8.3 Recreation User Fees			
		8.4 12pm Presentation - Frew Foods International			
		8.5 Building Permit Fee Waiver Requests			
		8.6 Halls Gap Hall Lease			
		9.1 C10 2022/23 - Provision of Quarry Projects and Concrete Supplies			

## RESOLUTION

That the report on Informal Meetings of Councillors be approved.

Moved: Cr Murray Emerson

Seconded: Cr Eddy Ostarcevic

Carried

## 8. Items Brought Forward

Nil

## **9. Consideration of Reports of Officers**

### **9.1. Enhance Lifestyles and Community**

#### **9.1.1. Quarterly Council Action Plan Report - Quarter 3**

**Author/Position:** **Brent McAlister, Chief Executive Officer**

#### **Purpose**

To report the progress on the second quarter of the Council Action Plan 2022-23.

#### **Summary**

In order to achieve the goals set out in the Council Plan 2021-25, a Council Action Plan 2022-23 was adopted by Council at its 27 June 2022 Council Meeting.

The action plan outlines the major initiatives that are to be carried out in the second year of the Council Plan. The attached report provides an update on the progress towards achieving the objectives set out in the Council Action Plan 2022-23 for the period ending 31 March 2023.

#### **Recommendation**

**That Council notes the Quarterly Council Action Plan Report and approves the forecast plan.**

#### **RESOLUTION**

**That Council notes the Quarterly Council Action Plan Report and approves the forecast plan.**

**Moved:** **Cr Eddy Ostarcevic**

**Seconded:** **Cr Rob Haswell**

**Carried**

## **Background/Rationale**

Council is required under the *Local Government Act 2020* to prepare a Council Plan containing the strategic objectives of Council, strategies for achieving those objectives and indicators to monitor the achievement of those objectives.

The Council Action Plan 2022-23 supports the Council Plan by providing key actions that Northern Grampians Shire Council is to deliver within the second year to accomplish the strategic objectives outlined in the Council Plan. Quarterly progress updates are provided to Council and the community to give a clear indication as to whether Council's goals and objectives are on track to meet delivery targets.

## **Legislation, Council Plan, Strategy and Policy Implications**

*Local Government Act 2020*

Council Plan 2021

## **Options**

### **Option 1**

That Council notes the Quarterly Council Action Plan Report and approves the forecast plan. **[recommended]**

### **Option 2**

That Council notes the Quarterly Council Action Plan Report with amendments. **[not recommended]**

## **Implications**

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

## **Procurement**

The Council Action Plan includes the expenditure agreed in Council's adopted budget.

## **Community Engagement**

This report is to provide Council and the community with an update of Council's current projects and initiatives and if they are on track for completion.

## **Innovation and Continuous Improvement**

The Quarterly Council Action Plan Report aims to improve transparency and provide clear information to the community.

## **Collaboration**

Any opportunities for collaboration with other councils or public bodies will be considered with each initiative.

## **Officer's Declaration of Interest**

All officers providing advice to Council must disclose any interests, including the type of interest.

Brent McAlister, Chief Executive Officer

In providing this advice as the author, I have no disclosable interests in this report.

## **Attachments**

1. Council Action Plan 2022-23 QTR 3 **[9.1.1.1 - 9 pages]**

## Council Action Plan 2022-23



	Off track
	Monitor
	On track
*	Projects carried forward

Enhance Lifestyles and Community				
Action	Adopted Due Date	Forecast Due Date	Current Status	Comments
<b>Wellness and Welfare</b>				
Develop the Reconciliation Action Plan	Jun-23	Jun-23		Planning and preparation on hold with the delivery date to be reviewed by June 2023.
Develop a Library Strategy	Jun-23	Jun-23		Consultant's report complete.
Redevelop Stawell Library	Mar-23	Jun-23		Project is on track and expected to be finalised by June 2023.
Fit out the St Arnaud Town Hall with Audio-visual Equipment *	Sept-22	Nov-22		Complete.
Renew the St Arnaud Tennis Clubrooms *	Mar-22	Oct-22		Complete.
Support communities to implement Community Plans	Sep-22	Mar-23		Due to resources deployed to community flood recovery efforts, Stuart Mill Community Plan is on hold.
Renew Heritage Trail Signage	Jun-23	Jun-23		Final Heritage photos being sought for St Arnaud trail, Stawell Trail Complete.
Heritage Study Review	Jun-23	Jun-23		Stage 1 Environmental Thematic Review underway. Stage 2 Statement of Significance is unlikely to be delivered before December 2023.
Deliver a Sport and Active Recreation Strategy	Jun-23	Jun-23		Engagement due to commence 3rd Qtr.
Enhance the Lord Nelson Park Sporting Club	Jun-23	Jun-23		Waiting for the club to provide direction on future works.

Deliver the North Park Precinct Skate Park	Mar-23	Jun-23		Works to commence in April 2023.
Deliver Central Park Football Changerooms	Jun-24	Jun-24		Tender for construction works is open. Construction expected to commence in June 2023.
Deliver the North Park Precinct Soccer Lighting	Mar-23	Mar-23		Complete
Deliver a St Arnaud Market Square Performance Space *	Jun-22	Aug-22		Complete.
Install new entrance sign in Queen Mary Gardens *	Jun-22	Jun-23		Quotes have been received and approved by QMG Committee. Possible extension required dependant on materials and contractor availability
Deliver the Lord Nelson Park Sports Oval Lighting Upgrade	Jun-23	Jun-23		Construction Tender Awarded in December. Works expected to be completed by May 2023
Deliver the Age-Friendly Communities Project	Jun-23	Jun-23		Consultant has been appointed and will be completed by 1st Quarter of 2023-24.
Community Care Service Review	Jun-23	Jun-23		Consultant has been appointed and will be completed by 1st Quarter of 2023-24.
Review Immunisation Service	Jun-23	Dec-22		Complete.
Review of the Early Learning Centre	Jun-23	Jun-23		Consultant has been appointed and will be completed by 1st Quarter of 2023-24.
Undertake a Drainage Improvement Works Program	Jun-23	Jun-23		Projects are underway.
Undertake a Kerb and Channel Improvement Program	Jun-23	Jun-23		Projects are underway.
Investigate additional Big Hill precinct lookout upgrades *	Jun-22	Mar-23		Complete.
Support the Great Western Future Committee to deliver the Great Western Future Plan	Jun-23	Jun-23		Officers supporting the Committee with different projects including applying for community grants.
Adopt the Navarre Recreation Reserve Precinct Master Plan *	Jun-22	Mar-23		Master Plan will go to Council for a decision 1 May.
Develop a new Stuart Mill Community Plan *	Jun-22	Mar-23		Due to resources deployed to community flood recovery efforts, Stuart Mill Community Plan is on hold.
Advocate for Central Park Netball Changerooms	Jun-23	Jun-23		Procurement for design completed.



Advocate for Central Park Netball Courts	Jun-23	Jun-23		Procurement for design completed.
Supply and install a Community Notice Board in Navarre *	Jun-22	Sep-22		Complete.
Supply and install a Community Notice Board in Mamoo *	Jun-22	Sep-22		Complete.
Create and publish a new Historical Assets register *	Jun-22	Dec-22		Complete.
Deliver Arts and Culture Action Plan, 2022-25	Jun-23	Jun-23		Complete.
Deliver detailed design for Navarre Recreation Reserve Facility Upgrades	Jun-23	Jun-23		Change in project delivery method. A mix of design & construct, along with renovation will be used to control total expenditure.
<b>Improving Connectivity</b>				
Undertake the Great Western Trail Stage 1 - Trail Delivery	Dec-22	Dec-23		Stage 1 & Stage 2 is close to completion. CHMP works to be finalised before commencement of Stage 3 works.
Undertake a General Local Law Review *	Jun-22	Sep-22		Complete.
Undertake a flood study in Stawell	Jun-24	Jun-24		Multi-year project. Tender to be awarded in May 2023.
Undertake a flood study in Mamoo	Jun-23	Jul-23		Final documentation and flood mapping in progress
Undertake a flood study in St Arnaud *	Jun-22	Dec-22		Complete.
Undertake a Footpath Improvement Program	Jun-23	Jun-23		On track.
Undertake a Major Rural Roads Improvement Program	Jun-23	Jun-23		Salt Creek road construction hasn't commenced due to CHMP delays which is beyond Council's control.
Undertake a Rural Residential Road Improvement Program	Jun-23	Jun-23		On track.
Undertake a Town Road Sealing Improvement Program	Jun-23	Jun-23		On track.
Undertake an Urban Residential Road Improvement Program	Jun-23	Jun-23		On track.
Advocate for funding and delivery of Great Western PPP Football and Netball Clubrooms	Jun-23	Jun-23		Complete.
Deliver Open Space and Active Transport Strategy and Implementation Plan	Jun-23	Jun-23		On track.
<b>Protecting the Natural Environment</b>				
Container Deposit Scheme Implementation	Jun-24	Jun-24		Progress delayed, reliant on State Government implementation.
Establish a Transition Plan for a Glass Recycling Collection Service	Jun-23	Jun-23		On track.

Transfer Station Upgrade - Deliver Glass Bins	Dec-22	Jun-23		Funding approved.
Undertake Food & Green Organic Waste Composting Trial	Jun-23	Jun-24		Trial to conclude in 2024, Staff vacancy & contractor withdrawal has delayed the project initiation.
Deliver Public Place Recycling in high use areas	Dec-22	Jun-23		Staff vacancy has delayed the project. Project now underway.
Implement the Walkers Lake Management Plan - Access, Tracks and Signage	Jun-23	Jun-23		Management Plan adopted in November 2022. Currently procuring: fencing, mapping of EPB and FFG listed species and communities and site plan.
Scope an Energy Efficiency Program	Dec-22	Jun-23		In progress.
Advocate for new and existing spaces for arts and culture activities	Jun-23	Jun-23		On track. Stella Young Memorial and Gatherings 2023 projects funded by State Government.

<b>Boost Economic Growth</b>				
<b>Action</b>	<b>Adopted Due Date</b>	<b>Forecast Due Date</b>	<b>Current Status</b>	<b>Comments</b>
<b>Boosting Tourism</b>				
Deliver a Visitor Servicing and Halls Gap Hub Management	Jun-23	Jun-23		Complete.
Support Visitor Information volunteers at St Arnaud and Stawell	Jun-23	Jun-23		Volunteers have been inducted and servicing the Stawell and St Arnaud Visitor Information Centres underway.
Deliver the Grampians Peaks Trail Halls Gap connection	Jun-23	Jun-23		Parks Victoria led project, stakeholder engagement underway.
Deliver Tourism Events Strategy	Dec-22	Mar-23		Complete.
Support Victoria's Goldfields to be given UNESCO World Heritage status	Jun-23	Jun-23		In progress.
Upgrade the Stawell Caravan Park *	Jun-22	Dec-22		Complete.
Upgrade the St Arnaud Caravan Park *	Jun-22	Sep-22		Complete.
Oversight the Stawell Underground Physics Laboratory (SUPL) *	Jun-22	Aug-22		Complete.
Implement St Arnaud and Stawell Tourism Strategy Action Plans	Jun-23	Jun-23		On track.
<b>Building more Housing</b>				
Investigate Urban Growth opportunities and constraints to accommodate long term housing supply	Jun-23	Jun-23		Technical work underway.
Continue to work with Passive Place on the delivery of the Sloane Street Development	Jun-23	Jun-23		Officers supporting planning requirements and monitoring resource supply and delivery issues.
Deliver Sloane St Trunk Infrastructure, Stawell	Sep-22	Mar-23		On track.

Growing Local Businesses				
Develop a St Arnaud Structure Plan	Dec-22	Apr-23		Scope expanded to include additional technical reports and support future implementation. Further round of engagement underway.
Deliver 'Live the Grampians Way' campaign	Dec-22	Dec-22		Complete.
Investigate retail options in Marnoo	Dec-22	Dec-22		Complete.
Review the Northern Grampians Shire Council Stawell Aerodrome Master Plan	Dec-22	Mar-23		Draft being finalised.
Develop a Priority Investment Prospectus	Dec-22	Dec-22		Regional Tourism Investment Prospectus complete and adopted by Council. Development of a brief to update the 2018 Investment Prospectus underway.
Advocate for funding for the Halls Gap Laneway expansion project	Jun-23	Jun-23		Grant unsuccessful.
Advocate for funding the Halls Gap Heath Street Bridge	Jun-23	Jun-23		Grant application successful for detailed design.
Undertake Heath St Bridge detailed design	Jun-23	Nov-23		Consultant has been selected. Initial design works in progress.
Advocate for an outer township gateway at the proposed London Road intersection, Stawell	Jun-23	Jun-23		Western Hwy Duplication Section 3 advocacy underway.
Upgrade B-Double routes	Jun-23	Jun-23		21-22 works are complete. Baldwin Plains Road is depended on grant funding.
Undertake a Bridges and Major Culvert renewal program	Jun-23	Jun-23		Due to prolong wet weather and delays from external consultants, final program delivery will be delayed.
Deliver Renewable Energy Transition Action Plan	Mar-23	Mar-23		Draft out for public comment. Project paused while power transmission plays out
Establish land use precincts along the Western Highway, Stawell	Jun-23	Jun-23		Support granted from the Departments Planning Hub, to prepare amendment documents.
Revitalise and reactivate retail opportunities in Stawell and St Arnaud *	Jun-22	Jun-23		On track.
Advocate for funding to develop a Halls Gap Structure Plan	Jun-23	Jun-23		Project on hold
Stawell Airport Redevelopment - Apron Extension, Tie Downs, Fencing and Taxiway upgrades *	Jun-22	May-23		Complete.

Deliver Stawell Airport Runway Lighting Upgrade	Mar-23	Mar-23		Sourcing quote for the install of lighting. Possible extension required.
Advocate to State and Commonwealth Governments for the implementation of key recommendations in the Wimmera Southern Mallee Regional Digital Plan *	Jun-22	Jun-23		Supporting telecommunications services with multiple avenues for improved connectivity.
Deliver a feasible study for value-add opportunities to agriculture	Jun-23	Jun-23		Planning and preparation underway.

Provide Sustainable Infrastructure				
Action	Adopted Due Date	Forecast Due Date	Current Status	Comments
<b>Being a better Council</b>				
Develop an Asset Plan *	Jun-22	Sep-22		Complete.
Undertake a Quarry Resource Material Review	Jun-23	Jun-23		Looking to expand the scope of the project and continue in to 2023/24.
Undertake a Stawell Cemetery Improvement Program - Stage 1 Expansion	Dec-22	Jun-23		Master Plan underway. Delivery due to finish in 2023/24.
Undertake a Stawell Cemetery Improvement Program - Water supply renewal	Dec-22	Jun-23		Master Plan underway. Delivery due to finish in 2023/24.
Stawell Pound Update Works *	Jun-22	Dec-22		Complete.
Undertake a Road Resealing Program	Mar-23	Mar-23		On track to be completed.
Undertake a Road Resheeting Program	Mar-23	Jun-23		On track to complete roads by end of financial year.
Undertake a Structural Assessment of the St Amaud Pool	Sep-22	Jun-23		Structural assessment in progress.
Bridge and Major Culvert Condition Assessment	Mar-23	Mar-23		Works in progress.
Deliver North Park Master Plan	Dec-22	Dec-22		Complete.

Improve Organisational Effectiveness				
Action	Adopted Due Date	Forecast Due Date	Current Status	Comments
<b>Being a better Council</b>				
Improve water quality and capacity at Mooney Dams, Stawell	Jun-23	Jun-23		Parks Victoria carrying out remediation plan, delays expected.
Implement a new records management system	Jun-23	Jun-23		System design in progress implementation underway.
Review and update Enterprise Resource Planning (ERP) software	Jun-23	Jun-23		Vendors have been appointed. Implementation in progress.
Implement elementTIME	Dec-22	Dec-22		Complete.
Implement VPDSF Protective Data Security Plan *	Jun-23	Jun-23		On track.
Reduce Red Tape, Website/Communication Review	Dec-22	Jun-23		Delays due to staff vacancy, project now in progress.
Reduce Red Tape, Pre-Application Review	Dec-22	Jun-23		Delays due to staff vacancy, project now in progress.
Reduce Red Tape, Referral Advice Review	Jun-23	Jun-23		On track.
Plant & Equipment Review	Dec-22	Jun-23		Planning and preparation underway for later in the year.
Review Naturestrip Management Plan	Sep-22	Mar-23		Expanded scope to includes community engagement, delaying final adoption.

## 9.2. Boost Economic Growth

### 9.2.1. Planning Permit Application 5.2022.14.1 - 56 D'Arcy Street, Stawell

**Author/Position:** Jade Erwin, Senior Planning Officer

#### **Purpose**

To make a decision on Planning Permit Application 5.2022.14.1 for the development of 14 dwellings, a 14 lot subdivision and associated works at 56 D'Arcy Street, Stawell.

#### **Summary**

Statutory Planning have received an application for a Planning Permit 5.2022.14.1 for the development of fourteen (14) dwellings and a fourteen (14) lot subdivision on land at 56 D'Arcy Street, Stawell.

*Note: The application was originally for the development of 16 dwellings, a 16 lot subdivision and a dispensation of five car parking spaces but has been reduced by two dwellings and had the car parking modified to address some of the concerns raised by the objectors.*

Twelve (12) objections have been received and the application must therefore be determined at a Council Meeting as per the *Planning Delegation Policy 2020*. The key issues raised in the objections can be summarised as follows:

- Neighbourhood character and the density of the development
- Waste collection
- Traffic and car parking
- Noise and amenity concerns
- Socio-economic status of future occupants

Planning officers have assessed the application against the relevant policies contained in the Northern Grampians Planning Scheme which seek to balance the need for more diverse and affordable housing with the need to protect residential amenity and neighbourhood character.

#### **Recommendation**

**That Council supports the officer's recommendation and determines to issue a Notice of Decision to Issue a Planning Permit for the development of 14 dwellings and a 14 lot subdivision at 56 D'Arcy Street, Stawell subject to the conditions contained in the attached Planning Report.**

## **RESOLUTION**

**That Council supports the officer's recommendation and determines to issue a Notice of Decision to Issue a Planning Permit for the development of 14 dwellings and a 14 lot subdivision at 56 D'Arcy Street, Stawell subject to the conditions contained in the attached Planning Report.**

**Moved:** Cr Karen Hyslop  
**Seconded:** Cr Rob Haswell

**Carried**



## **Background/Rationale**

A detailed Planning Assessment Report (attachment) assessing the application against all relevant requirements of the Northern Grampians Planning Scheme. Detailed plans of the proposed development are provided as Attachment 2.

### *Economic and Community Futures comments:*

Northern Grampians Housing Needs and Residential Land Supply Assessment Report 2018, Wimmera Development Association Housing Review (2020) and the Opportunities Pyrenees Ararat and Northern Grampians (OPAN) Housing Demand Assessment (Remplan, 2021), report that housing is constantly raised by community groups and businesses throughout the region as a significant issue to be addressed if emerging economic development opportunities are to be realised. Engagement undertaken as part of the Northern Grampians Economic Development Strategy 2021-31 found that employers greatest challenge to attracting and securing employees is associated with housing.

All recent housing investigations found that existing housing stock is often the wrong mix for ageing populations, not conducive to attracting small households, and in many cases, vacant dwellings are not even available to the market.

Demand for new dwellings also exists in the region, largely to:

- Age profile - servicing the needs of the existing population that is ageing and transitioning to smaller households. Housing stock is often the wrong mix for ageing populations and not conducive to attracting new residents.
- Consumer demand for a mix of housing from both infill and Greenfield developments to cater towards a diverse range of needs
- Temporary migration levels: Over 300 overseas workers arriving at the Northern Grampians, Ararat and Pyrenees between 2011 and 2016. Between 2011 and 2016, of the 708 people that moved into Northern Grampians Shire with jobs, 37.1% moved from overseas
- The region has several planned business expansions. It is estimated that there are 300-500 jobs to fill across the region in the next five years.
- Rental properties are limited, and informal rental still dominates in the Wimmera Southern Mallee. 21% of properties in Northern Grampians Shire are rented – 2nd highest in Wimmera Southern Mallee.

## **Legislation, Council Plan, Strategy and Policy Implications**

*Planning and Environment Act 1987*

*Planning and Environment Regulations 2015*

Northern Grampians Planning Scheme

Stawell Structure Plan

## **Options**

### **Option 1**

That Council supports the officer's recommendation and determines to issue a Notice of Decision to Issue a Planning Permit for the development of 14 dwellings and a 14 lot subdivision at 56 D'Arcy Street, Stawell subject to the conditions contained in the attached Planning Report (attachment). **[recommended]**

### **Option 2**

That Council determines to issue a Notice of Refusal to Issue the Planning Permit for the development of 14 dwellings and a 14 lot subdivision at 56 D'Arcy Street, Stawell. **[not recommended]**

### **Option 3**

That Council determines to issue a Notice of Decision to Issue the Permit subject to changes/modification to the conditions contained in the attached Planning Report. **[not recommended]**

### **Implications**

The subject matter has not raised any issues relating to sustainability issues (economic, social, environmental or climate change) or heritage/cultural, human rights/gender equality, privacy, risk management, budgetary and asset management implications. Amenity impacts have been considered and are addressed in the attached report

### **Procurement**

Not applicable.

### **Community Engagement**

Public Notice of the Application was given via direct letters to surrounding properties and a sign being placed on the land. A consultation meeting with the objectors as well as an opportunity for objectors to attend the Councillor Briefing has been undertaken.

### **Innovation and Continuous Improvement**

The subject matter of the report does not raise any implications regarding innovation or improvements.

### **Collaboration**

Internal and external referrals were sent to the following agencies:

- GWM Water
- Powercor
- Downer Utilities
- Wimmera CMA
- CFA
- Council's Infrastructure team
- Council's Economic Development team
- Council's Waste Department

### **Officer's Declaration of Interest**

Jade Erwin, Senior Planning Officer

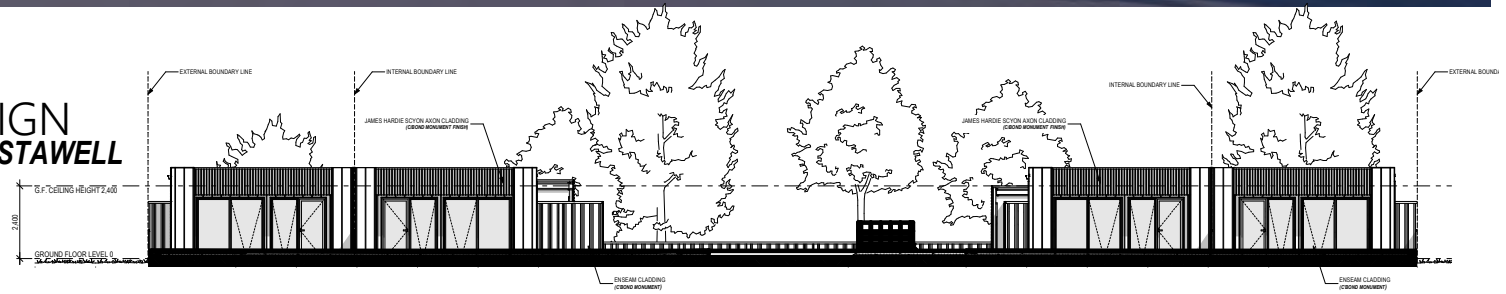
In providing this advice as the author, I have no disclosable interests in this report.

### **Attachments**

1. Amended Plans 56 Darcy Street Stawell [9.2.1.1 - 18 pages]
2. 5.2022.14.1 Assessment Report [9.2.1.2 - 35 pages]



**PROPOSED DESIGN**  
**LOT 18 DARCY STREET, STAWELL**







**CONTEXT PLAN**

SCALE:1:300

DATE	AMENDMENT	STATUS
26/7/22	REWORK - LAYOUT MODIFIED AND STAGING PLAN ADDED	RWK14
1/8/22	REWORK - CHANGED LAYOUT TO REV 12 PLANS WITH REDUCTION OF 2 LOTS	RWK15
2/8/22	REWORK - INCEPTION PLANNING NOTES	RWK16
26/8/22	REWORK - REDUCTION IN LOTS - PLANNING UPDATED	RWK17
21/3/23	REWORK - SITE AMENDED TO ALLOW FOR ADDITIONAL CARPARKS	RWK22
4/4/23	REWORK - PLANNING UPDATED	RWK23

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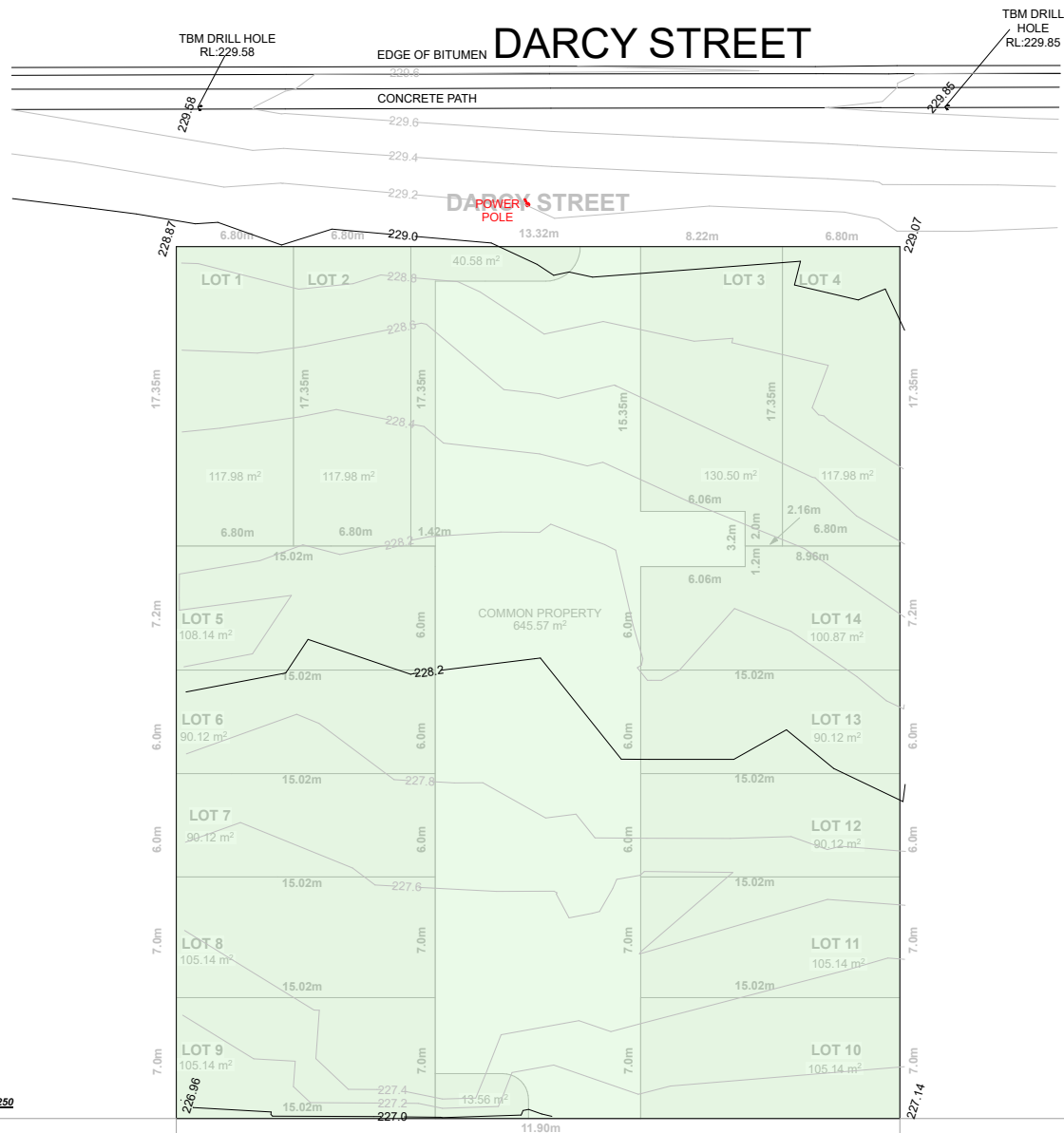
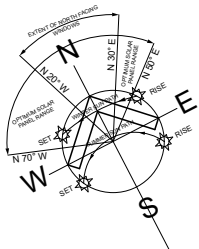
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**CONTEXT PLAN**

SCALE:1:2000

PLANNING ISSUE				PROPOSED RESIDENCE FOR ELMSTONE PROPERTY GROUP AT NO. 56, DARCY STREET , STAWELL	
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## FEATURE SURVEY

SCALE 1:250

DATE	AMENDMENT	STATUS
26/7/22	REWORK - LAYOUT MODIFIED AND STAGING PLAN ADDED	RWK14
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21/3/23	REWORK - SITE AMENDED TO ALLOW FOR ADDITIONAL CARPARKS	RWK22
4/4/23	REWORK - PLANNING UPDATED	RWK23

ORIGINAL PAPER SIZE: A3



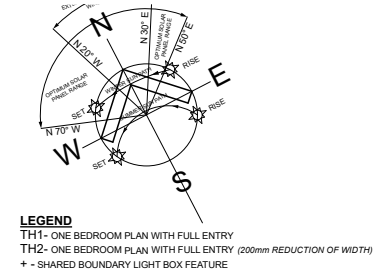
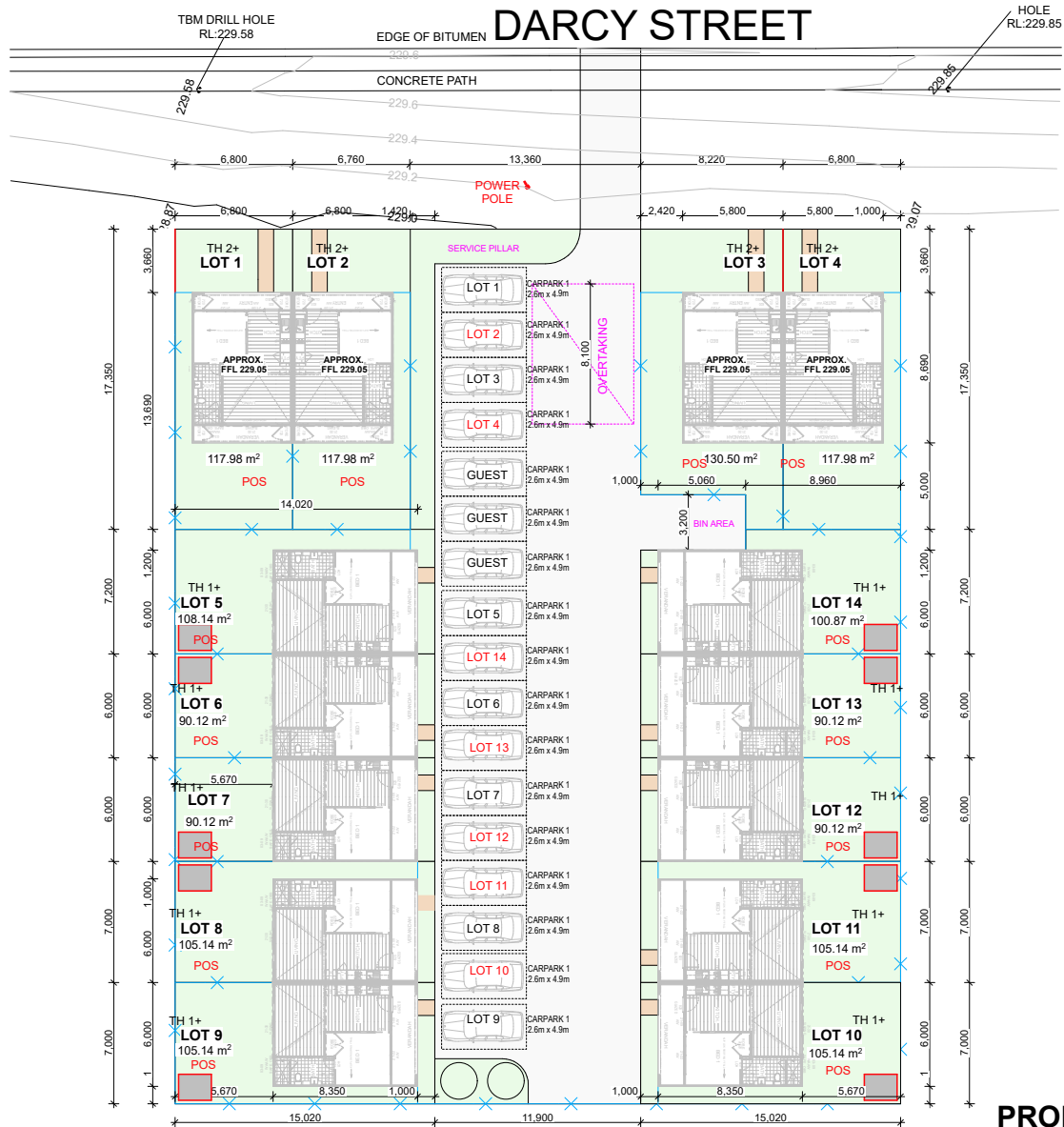
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Lot number	Size in m2	House area	Concrete	site coverage percentage
1	117.98	50.1	0	42%
2	117.98	50.1	0	42%
3	130.5	50.1	0	38%
4	117.98	50.1	0	42%
5	108.14	50.1	0	46%
6	90.12	50.1	0	56%
7	90.12	50.1	0	56%
8	105.14	50.1	0	48%
9	105.14	50.1	0	48%
10	105.14	50.1	0	48%
11	105.14	50.1	0	48%
12	90.12	50.1	0	56%
13	90.12	50.1	0	56%
14	100.87	50.1	0	50%

Lot number	Size in m2	total building area	hard surface area	site coverage percentage
full site	2120	701.4	1293.56	33%

DATE	AMENDMENT	STATUS
26/7/22	REWORK - LAYOUT MODIFIED AND STAGING PLAN ADDED	RWK14
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4/4/23	REWORK - PLANNING UPDATED	RWK23

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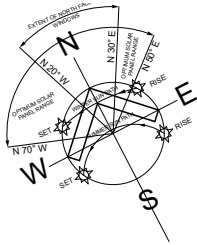
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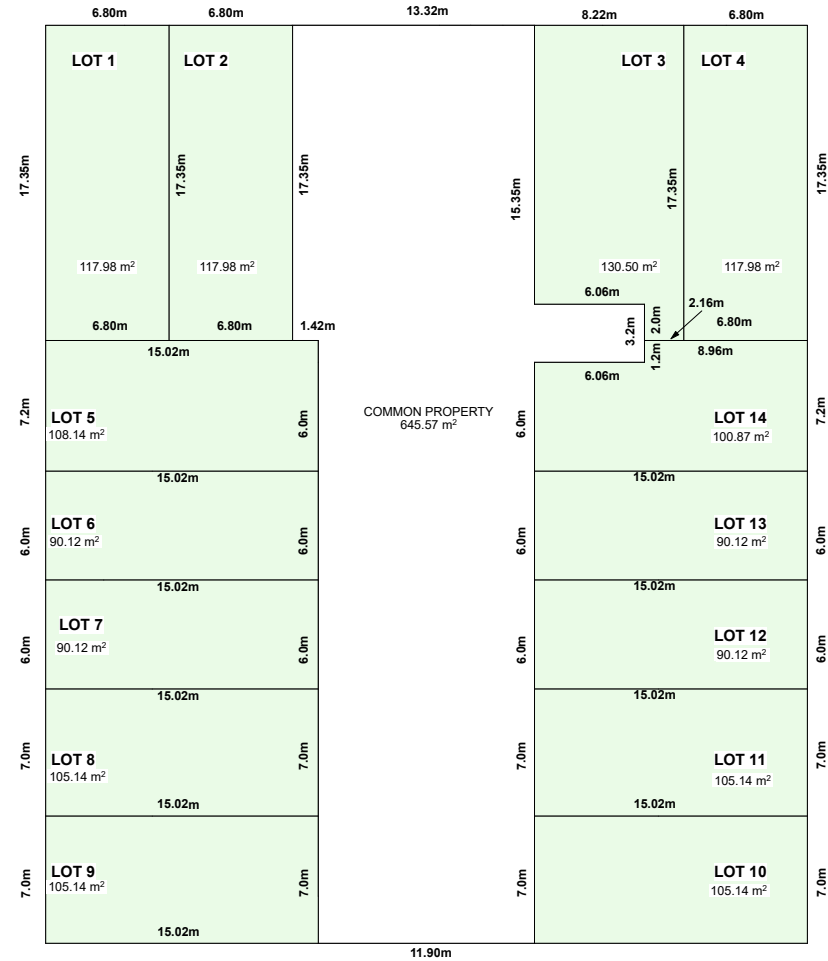
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## DARCY STREET



## PLAN OF SUBDIVISION

SCALE 1:250

DATE	AMENDMENT	STATUS
26/7/22	REWORK - LAYOUT MODIFIED AND STAGING PLAN ADDED	RWK14
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4/4/23	REWORK - PLANNING UPDATED	RWK23

ORIGINAL PAPER SIZE: A3



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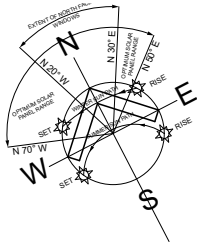
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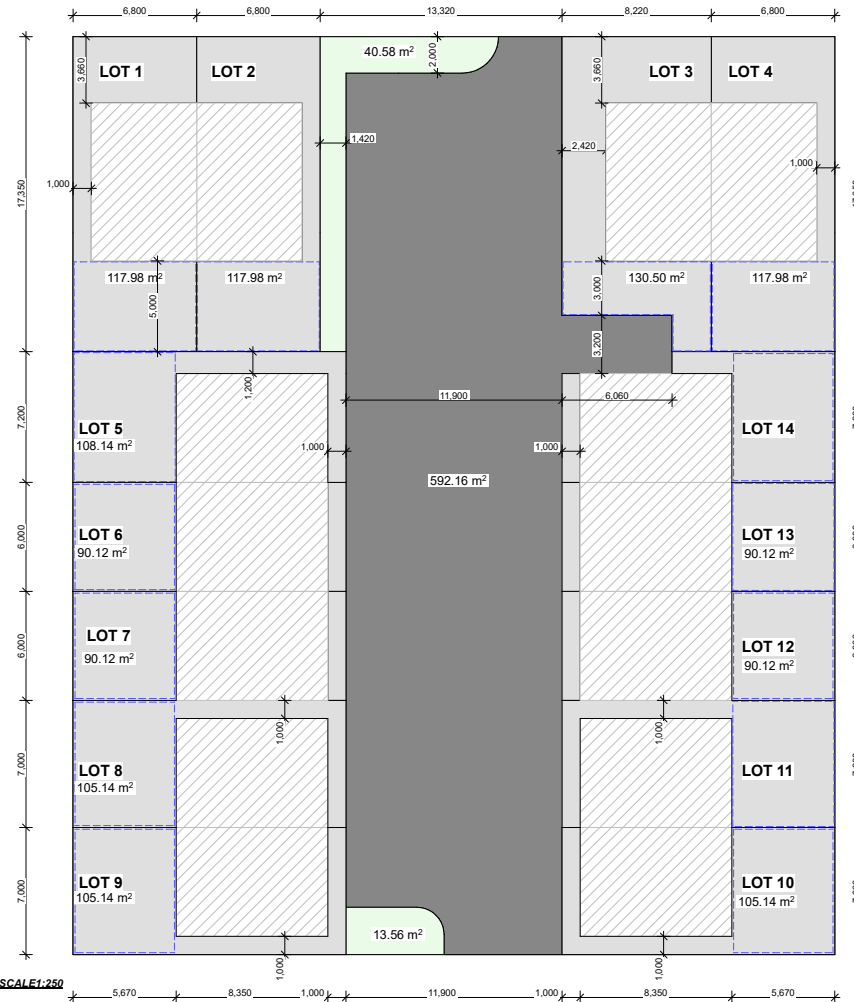
LEGEND	
HOUSE AREA	
POS	
SPOS	
HARD SURFACE	

Lot number	Size in m2	House area	Concrete	POS	SPOS	Garden area	Permeability	site coverage percentage	Garden area percentage
1	117.98	50.1	0	67.58	34	67.88	58%	42%	58%
2	117.98	50.1	0	67.58	34	67.88	58%	42%	58%
3	130.5	50.1	0	80.4	28.98	80.4	62%	38%	62%
4	117.98	50.1	0	67.58	34	67.88	58%	42%	58%
5	108.14	50.1	0	58.04	40.82	58.04	54%	46%	54%
6	90.12	50.1	0	40.02	34.02	40.02	44%	56%	44%
7	90.12	50.1	0	40.02	34.02	40.02	44%	56%	44%
8	105.14	50.1	0	55.04	36.69	55.04	52%	48%	52%
9	105.14	50.1	0	55.04	36.69	55.04	52%	48%	52%
10	105.14	50.1	0	55.04	36.69	55.04	52%	48%	52%
11	105.14	50.1	0	55.04	36.69	55.04	52%	48%	52%
12	90.12	50.1	0	40.02	34.02	40.02	44%	56%	44%
13	90.12	50.1	0	40.02	34.02	40.02	44%	56%	44%
14	100.87	50.1	0	50.77	40.82	50.77	50%	50%	50%

Lot number	Size in m2	total building area	hard surface area	Garden area	Permeability	site coverage percentage	Garden area percentage
full site	2120	701.4	1293.56	827.23	39%	33%	39%

## GARDEN AREA PLAN

SCALE: 250



DATE	AMENDMENT	STATUS
26/7/22	REWORK - LAYOUT MODIFIED AND STAGING PLAN ADDED	RWK14
1/8/22	REWORK - CHANGED LAYOUT TO REV 12 PLANS WITH REDUCTION OF 3 LOTS	RWK15
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4/4/23	REWORK - PLANNING UPDATED	RWK23

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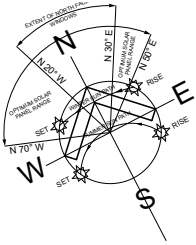
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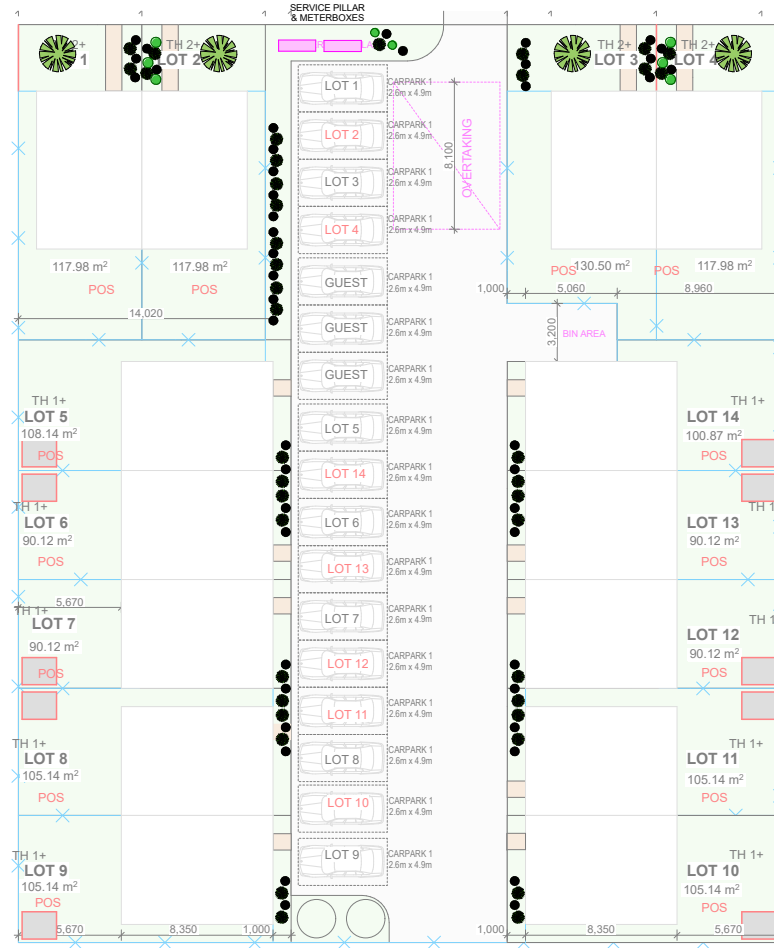


#### LEGEND

TH1- ONE BEDROOM PLAN WITH FULL ENTRY  
TH2- ONE BEDROOM PLAN WITH FULL ENTRY (200mm REDUCTION OF WIDTH)  
+ - SHARED BOUNDARY LIGHT BOX FEATURE

#### LEGEND

- DENOTES EXTENTS OF DROUGHT RESISTANT SEEDED LAWN
- DENOTES EXTENTS OF OWNER CORP. MANAGED GARDENS
- DENOTES EXTENTS OF GRAVEL
- DENOTES EXTENTS OF CONCRETE AREA
- DENOTES EXTENTS OF GARDEN PATHWAYS
- DENOTES EXTENTS OF 1.8m HIGH C/BOND FENCING
- DENOTES EXTENTS OF 0.9m HIGH C/BOND FENCING
- POS DENOTES EXTENTS OF PRIVATE OPEN SPACE
- DENOTES PROPOSED LOCATION OF 4 x 1.657m<sup>2</sup> BUILT IN STORAGE (650mm W x 1,000 L X 2,400mm HIGH)
- LOCATION OF GROUP LETTERBOX/ SERVICE PILLARS
- PROPOSED LOCATION OF RAINWATER TANKS REFER TO STORM REPORT FOR CAPACITY



LANDSCAPE LEGEND					
	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
		ANIGOZANTHOS FLAVIDUS	KANGAROO PAW	1m H x 1m W	35
		CORREA DUSKY BELLS	NATIVE FUCHSIA	0.1m H x 0.4m W	10
		EUCALYPT FORRESTIANA	FUCHSIA GUM	5m H x 3m W	4
		FESTURCA GLAUCA	BLUE FRESCUE	1m H x 1m W	40

## LANDSCAPING PLAN

SCALE 1:250

DATE	AMENDMENT	STATUS
26/7/22	REWORK - LAYOUT MODIFIED AND STAGING PLAN ADDED	RWK14
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26/8/22	REWORK - REDUCTION IN LOTS - PLANNING UPDATED	RWK17
21/3/23	REWORK - SITE AMENDED TO ALLOW FOR ADDITIONAL CARPARKS	RWK22
4/4/23	REWORK - PLANNING UPDATED	RWK23

ORIGINAL PAPER SIZE: A3



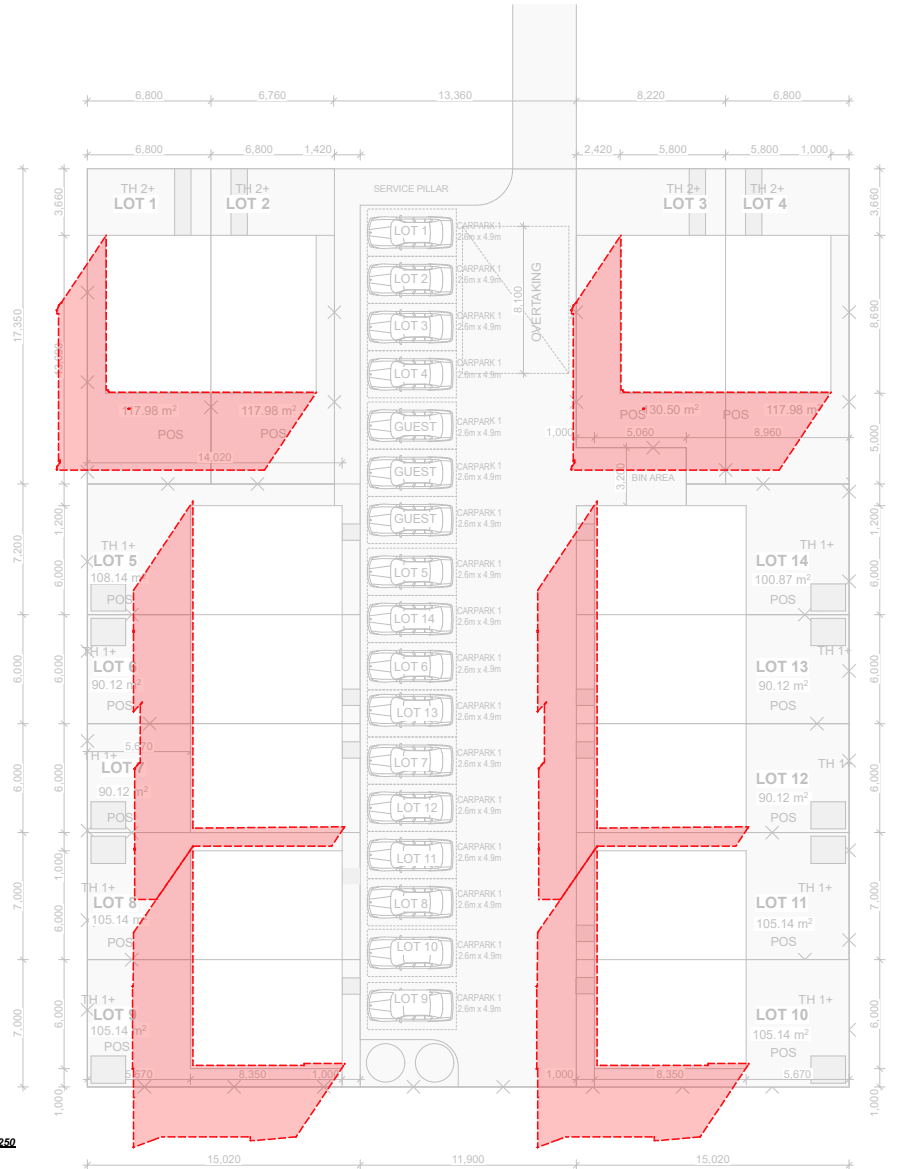
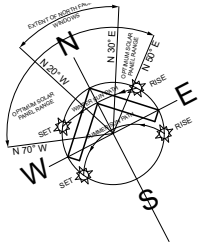
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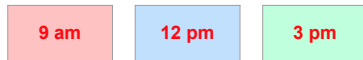
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OVERSHADOWING ON 22<sup>ND</sup> OF SEPTEMBER



**OVERSHADOWING 9AM**

SCALE 1:250

DATE	AMENDMENT	STATUS
26/7/22	REWORK - LAYOUT MODIFIED AND STAGING PLAN ADDED	RWK14
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28/8/22	REWORK - REDUCTION IN LOTS - PLANNING UPDATED	RWK17
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4/4/23	REWORK - PLANNING UPDATED	RWK23

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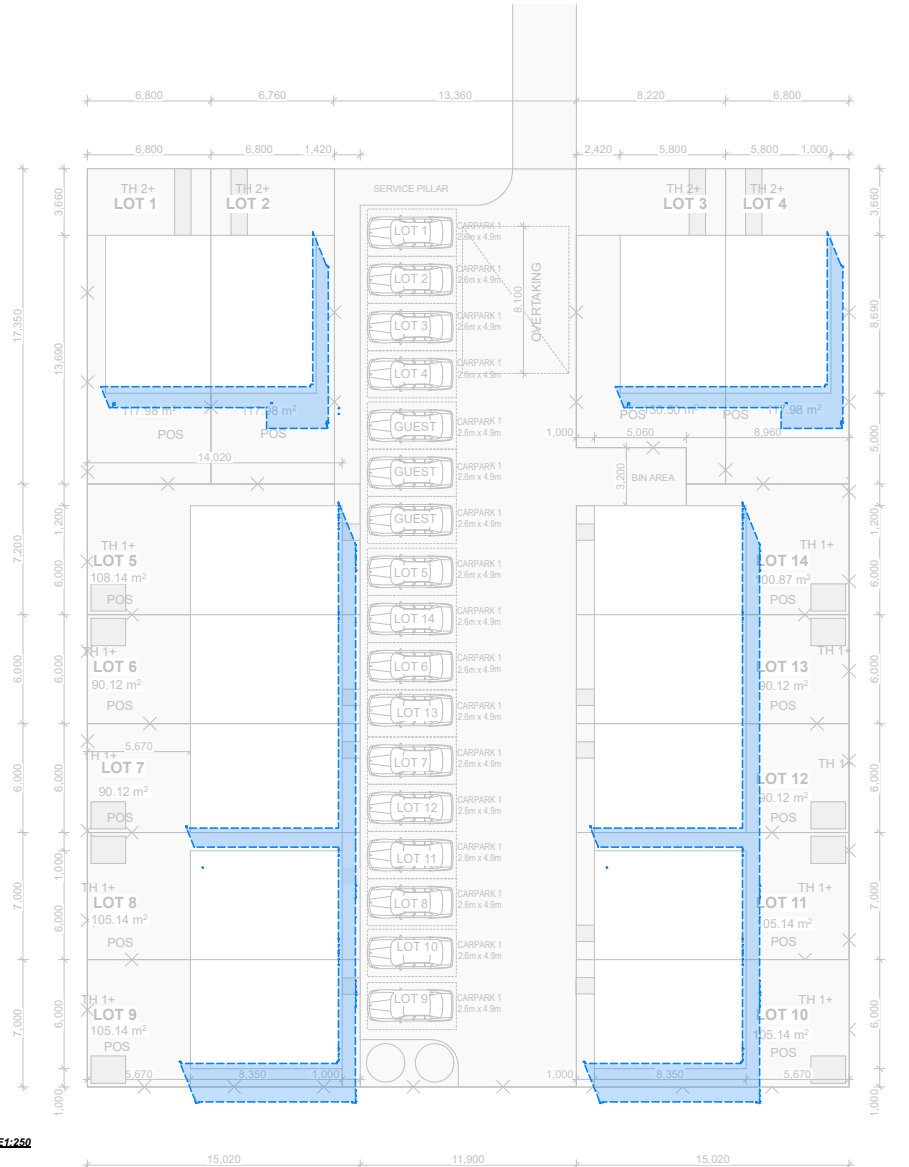
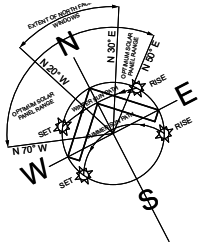
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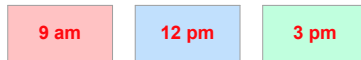
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OVERSHADOWING ON 22<sup>ND</sup> OF SEPTEMBER



**OVERSHADOWING 12PM** SCALE 1:250

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26/7/22	REWORK - LAYOUT MODIFIED AND STAGING PLAN ADDED	RWK14
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4/4/23	REWORK - PLANNING UPDATED	RWK23

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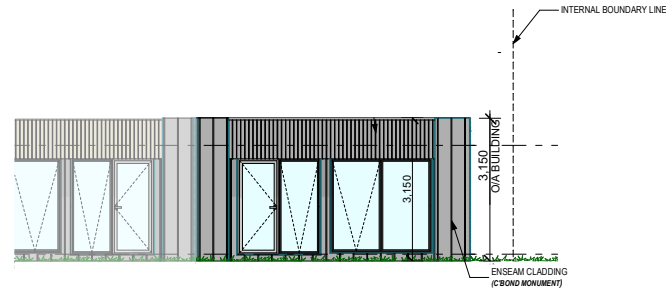


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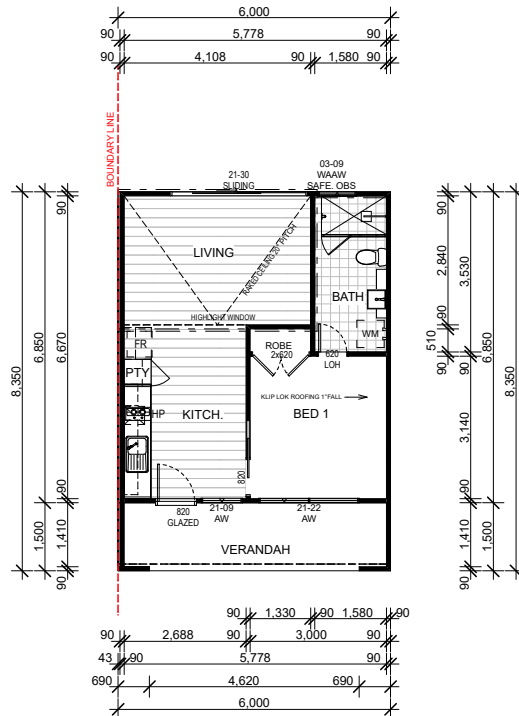
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ENTRY: 9.00m<sup>2</sup>  
TOTAL: 50.10m<sup>2</sup>



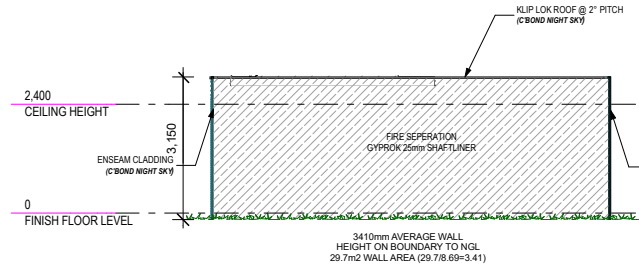
**FRONT ELEVATION** SCALE:1:100



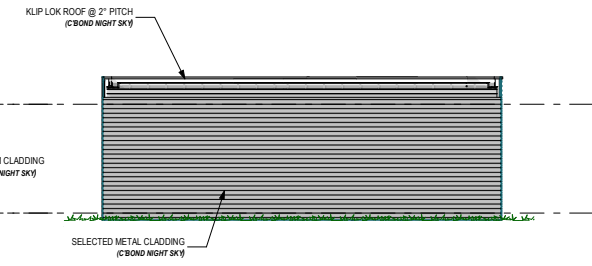
**REAR ELEVATION** SCALE:1:100



**TH1+ FLOOR PLAN** SCALE:1:100



**LEFT ELEVATION** SCALE:1:100



**RIGHT ELEVATION** SCALE:1:100



DATE	AMENDMENT	STATUS
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4/4/23	REWORK - PLANNING UPDATED	RWK23

ORIGINAL PAPER SIZE: A3

**Joshua**  
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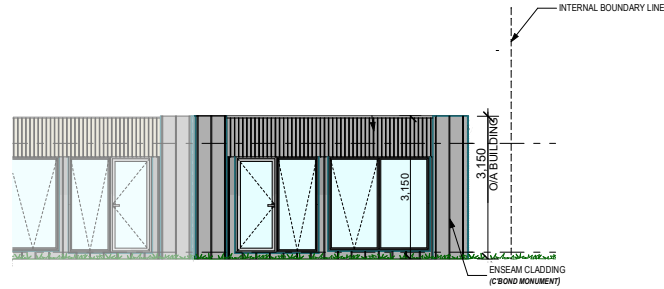
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NO. 56, DARCY STREET,  
STAWELL

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SHEET:  
10 of 17

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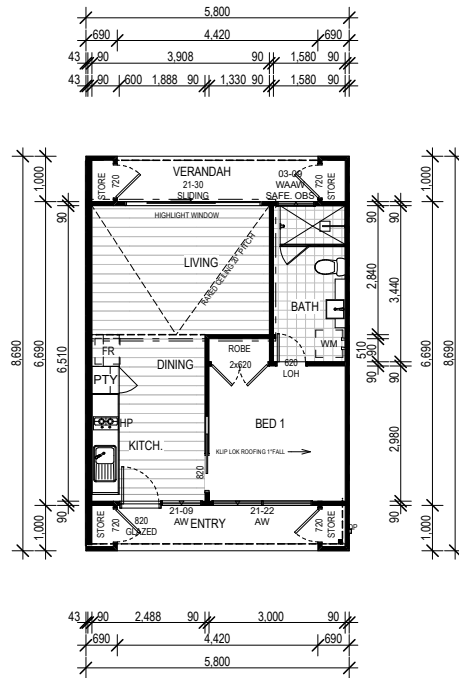
TH2 AREAS:  
GROUND FLOOR: 38.80m<sup>2</sup>  
ENTRY: 5.80m<sup>2</sup>  
VERANDAH: 5.80m<sup>2</sup>  
TOTAL: 50.40m<sup>2</sup>



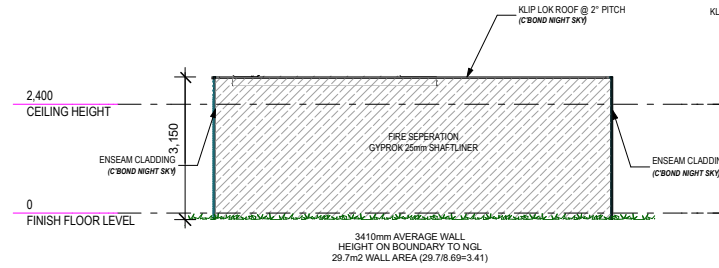
**FRONT ELEVATION** SCALE1:100



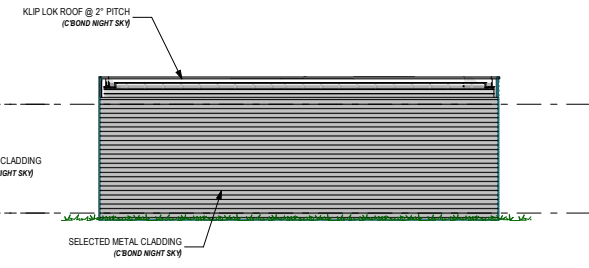
**REAR ELEVATION** SCALE1:100



**TH2+ FLOOR PLAN** SCALE1:100



**LEFT ELEVATION** SCALE1:100



**RIGHT ELEVATION** SCALE1:100



DATE	AMENDMENT	STATUS
26/7/22	REWORK - LAYOUT MODIFIED AND STAGING PLAN ADDED	RWK14
1/8/22	REWORK - CHANGED LAYOUT TO REV 12 PLANS WITH REDUCTION OF 2 LOTS	RWK15
2/8/22	REWORK - RECEPTION PLANNING NOTES	RWK16
28/8/22	REWORK - REDUCTION IN LOTS - PLANNING UPDATED	RWK17
21/3/23	REWORK - SITE AMENDED TO ALLOW FOR ADDITIONAL CARPARKS	RWK22
4/4/23	REWORK - PLANNING UPDATED	RWK23

ORIGINAL PAPER SIZE: A3

**Joshua**  
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**PLANNING ISSUE**

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JD	6/01/22	####	####

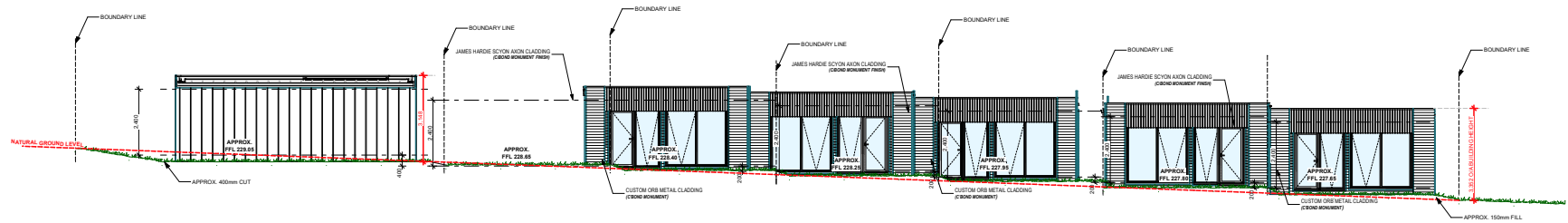
PROPOSED RESIDENCE FOR  
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STAWELL

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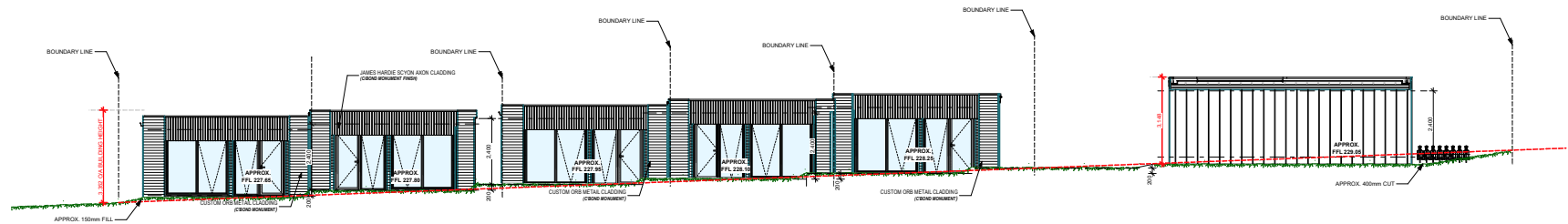
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**INTERNAL LEFT ELEVATION** SCALE: 1:50



**INTERNAL RIGHT ELEVATION** SCALE: 1:50

DATE	AMENDMENT	STATUS
26/7/22	REWORK - LAYOUT MODIFIED AND STAGING PLAN ADDED	RWK14
1/8/22	REWORK - CHANGED LAYOUT TO REV 12 PLANS WITH REDUCTION OF 3 LOTS	RWK15
2/8/22	REWORK - INCEPTION PLANNING NOTES	RWK16
28/8/22	REWORK - REDUCTION IN LOTS - PLANNING UPDATED	RWK17
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**PLANNING ISSUE**

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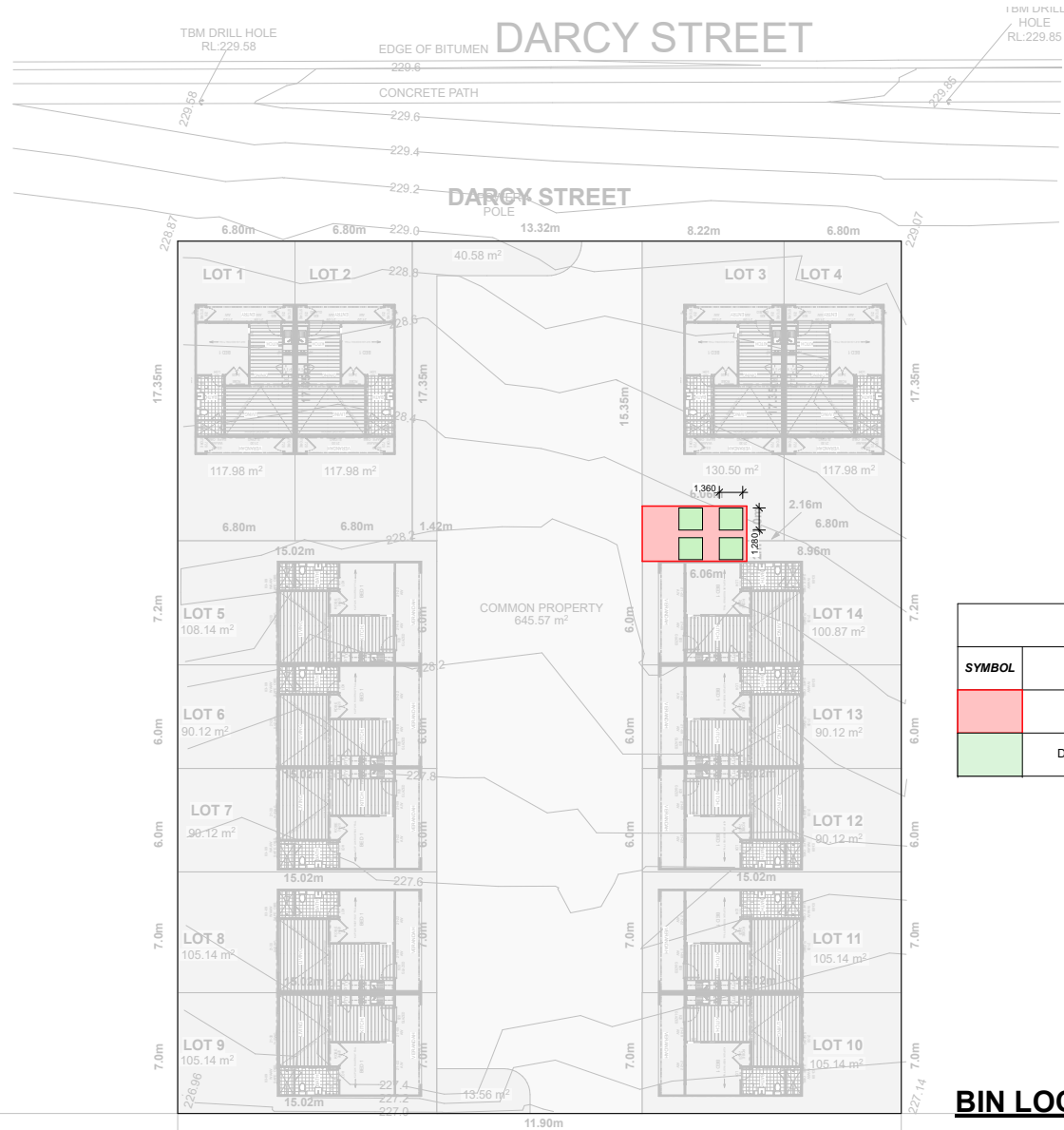
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DATE	AMENDMENT	STATUS
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ORIGINAL PAPER SIZE: A3



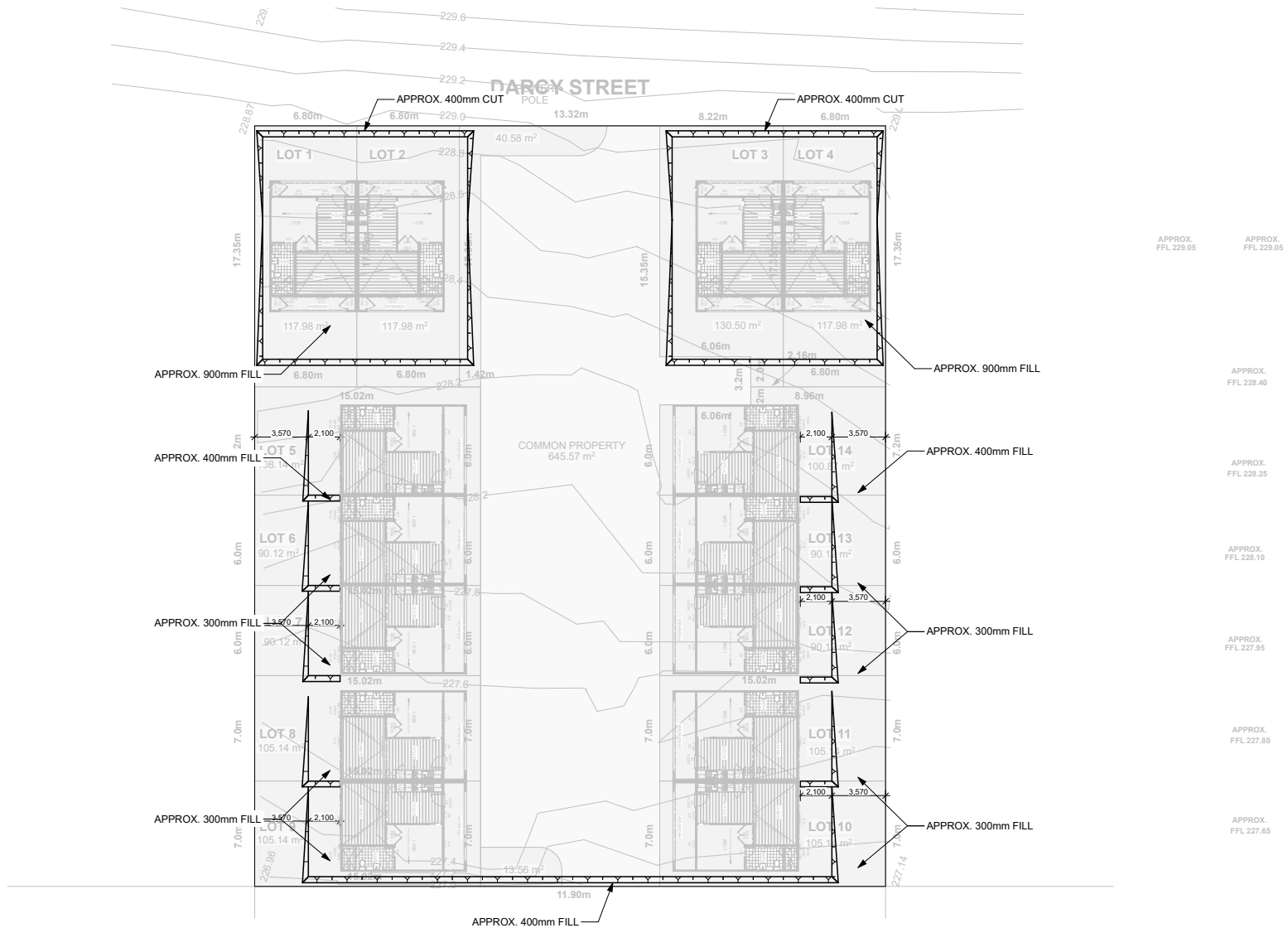
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**SITE BATTER PLAN** SCALE: 1:250

DATE	AMENDMENT	STATUS
26/7/22	REWORK - LAYOUT MODIFIED AND STAGING PLAN ADDED	RWK14
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ORIGINAL PAPER SIZE: A3



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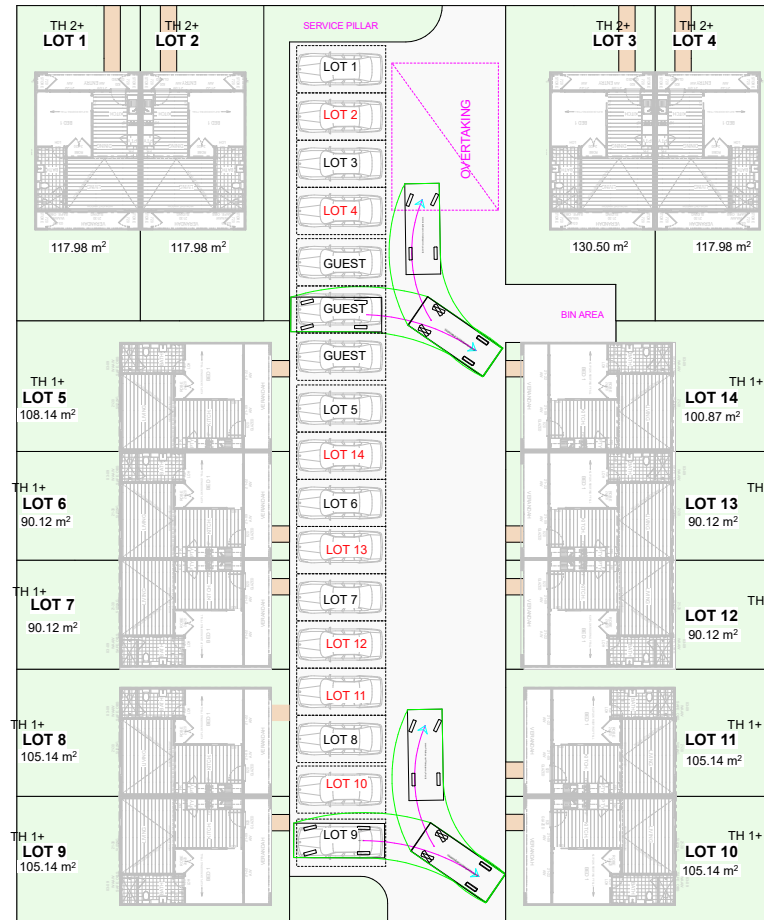
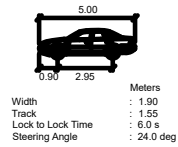
PLANNING ISSUE

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## SWEPT PATH PLAN

SCALE 1:250

DATE	AMENDMENT	STATUS
26/7/22	REWORK - LAYOUT MODIFIED AND STAGING PLAN ADDED	RWK14
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## PLANNING PERMIT APPLICATION NO. 5.2022.14.1

101047

1016826

Planning Permit Application Fee. \$4802.10

ASSESSMENT REPORT:	
No. of stat days at time of Council Meeting:	25 days (application amended 6 <sup>th</sup> April 2023)
Officer Direct or Indirect Conflict of Interest	No Council officers involved in the preparation or review of this report have any direct or indirect interest in the matter to which this report relates, in accordance with Section 80 (C) of the Local Government Act.

APPLICATION DETAILS:	
Applicant:	Elmstone Investments Pty Ltd
Application Received:	24/02/2022
Proposal for "The Permit Allows":	Development of 14 Dwellings, Subdivision of land into 14 Lots and Associated Works
Property Address:	56 D'Arcy Street STAWELL 3380
Legal Description:	CA: 18 PSH: STAWELL SEC: 16 Stawell
Land Area:	2120 sqm
Existing Use:	Vacant land
Zone:	General Residential Zone (GRZ1)
Adjoining Zones:	General Residential Zone (GRZ1)
Overlays:	None
Easements:	No easements on title
Covenants or Restrictions:	No covenants or Section 173 Agreement registered on title.
CHMP required:	No. The area is not in an area of cultural heritage sensitivity.
Is the site located in a Special Water Supply Catchment ?	Yes
Permit Triggers:	<ul style="list-style-type: none"> <li>Clause 32.08 (GRZ1) A permit is required to subdivide land and to construct more than a single dwelling on the land.</li> </ul>

## **PROPOSAL**

The proposal comprises the development of 14 dwellings, a 14 lot subdivision and associated works at 56 D'Arcy Street, Stawell

*Note: The application was originally for the development of 16 dwellings, a 16 lot subdivision and a dispensation of five car parking spaces, but has been reduced by two dwellings and had the car parking modified to address the concerns raised by the objectors.*

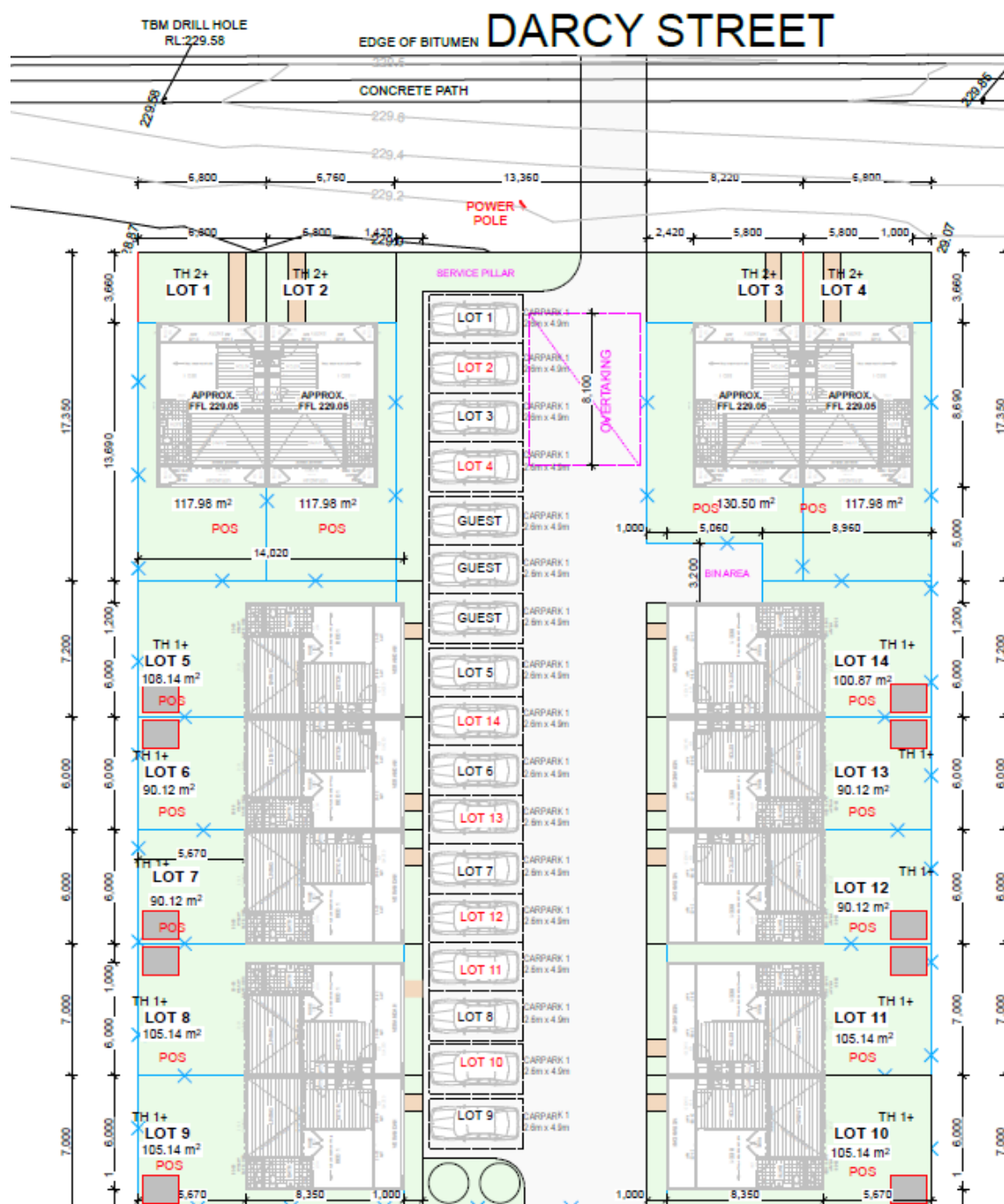
Key details of the proposal are as follows:

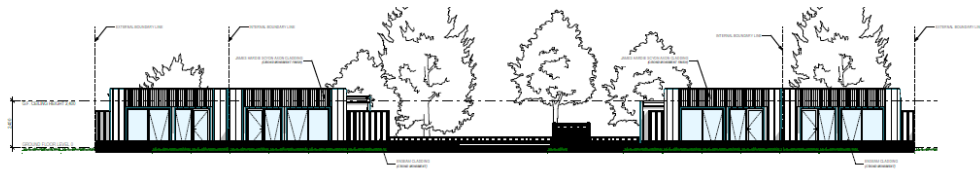
- All dwellings are single storey in height, with low skillion roofing and a maximum building height of approximately 3.4m.
- All dwellings contain a single bedroom, combined bathroom/laundry, and combined kitchen/meals/living area.
- Four dwellings are oriented to front onto D'Arcy Street, arranged in two attached pairs, with a front setback of approximately 5.0m (3.7m to the verandah) from D'Arcy Street.
- Vehicle access to the site is via one crossover to D'Arcy Street which leads to a central shared accessway.
- The central accessway includes a vehicle passing bay at the site entrance, along with room for service and metre boxes.
- The ten rear dwellings are laid out in split terraced form, with five dwellings on the western side and five dwellings on the eastern side, oriented towards the central driveway.
- Each dwelling will have access to an uncovered car parking space (one space serving each dwelling).
- Three visitor car parking spaces are proposed.
- The built form adopts a contemporary design approach, comprising skillion roofing and finishes including enseam cladding (colorbond 'night sky') and glazing.
- Lot sizes range from 90.12sqm to 130.5sqm, with 645.6sqm dedicated as common property.
- Garden area comprising 39% of the total site area is provided, exceeding the required 35%.
- A communal bin storage area is provided within the shared accessway area.

Refer to detailed plans below for further information









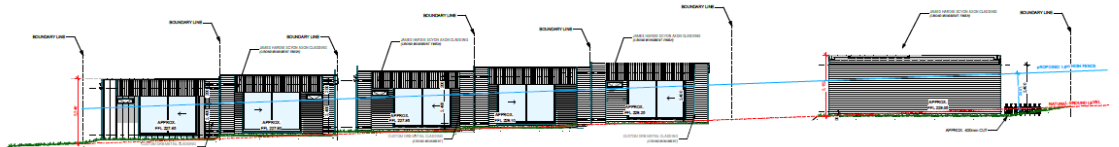
**FRONT ELEVATION**

SCALE 1:150



**REAR ELEVATION**

SCALE 1:150



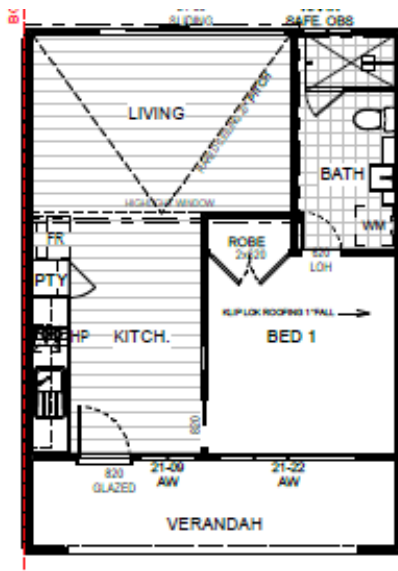
**LEFT ELEVATION**

SCALE 1:150



**RIGHT ELEVATION**

SCALE 1:150





## **SITE AND SURROUNDING AREA**

The subject site is located on the southern side of D'Arcy Street, approximately 90m east of its intersection with Seaby Street. The rectangular shaped site measures approximately 2120sqm in size and is currently vacant, with some old shedding having recently been removed from the site. The site has also recently been cleared of vegetation. There is a fall of approximately 2m across the site to the rear.

The surrounding area is predominantly a residential area and the majority of properties in the street are rectangular in shape and measure between 900-1100sqm in size. Some limited infill development has occurred in the surrounding area, for example at 45a Cooper Street which has been subdivided to create an approx. 400sqm parcel of land. Housing stock in the surrounding area is predominantly single storey, brick veneer or weatherboard construction with tiled roofing. Land to the east of the site is vacant and contains a number of trees.

The site has good access to community facilities, being located only 1km south of the Stawell CBD and within 400m of the nearest kindergarten (Marrang Kindergarten) and school (Stawell West Primary School), and within 500m of the nearest public park (Taylors Gully). Public transport is readily accessible to the site via the bus service which travels along Cooper Street and Seaby Street, with the nearest bus-stop within 200m of the site.

D'Arcy Street is a fully constructed road with concrete kerb, channel and footpaths on both sides. Overhead powerlines are located along the southern side of the road. The road reserve is approximately 29m wide with the road itself being approximately 9m wide.

An aerial map is provided below. The subject site is outlined in orange.



## **PERMIT HISTORY**

No record exists for any approved planning permit for the site.

## **REFERRALS**

The following **external** referrals were undertaken:

<b>Authority</b>	<b>Advice/ Response/Conditions</b>	<b>Report Response</b>
<b>Section 55 Referrals:</b>		
Powercor.	No objection subject to conditions.	Noted. Conditions will be placed on permit.
GWM Water	No objection subject to conditions.	Noted. Conditions will be placed on permit.
Downer Utilities	No response received.	Noted. Considered to indicate no concerns. Standard conditions will be placed on the permit.

<b>Authority</b>	<b>Advice/ Response/Conditions</b>	<b>Report Response</b>
<b>Section 52 Referrals:</b>		
CFA	No objection.	Noted. No concerns or conditions required. A fire hydrant is located directly opposite the site.
Wimmera CMA	Wimmera CMA understands the allotment is zoned General Residential Zone - Schedule 1 in the Northern Grampians Shire Council planning scheme. We advise the allotment is not likely to be subject to flooding during 1% Annual Exceedance Probability (AEP) event. Based on the information provided, Wimmera CMA does not object to the granting of a permit.	Noted. No concerns or conditions required.

The application was referred internally and comments received as below:

<b>Internal Council Referrals</b>	<b>Advice/ Response/Conditions</b>	<b>Report Response</b>
Infrastructure	No objection subject to conditions.	Noted. Conditions will be placed on permit.
Economic Development	There are no comments.	Noted. No concerns or conditions required.
Waste Department	Consideration required for waste services involvement to determine best model of waste management be applied	Noted. Permit conditions will require a detailed waste management plan be provided.

#### **PUBLIC NOTIFICATION**

The application was required to be advertised pursuant to Section 52 of the Planning and Environment Act 1987.

The following forms of advertising were undertaken:

- Notices sent to owners and occupiers of surrounding land;
- One sign was placed on the land;

#### **OBJECTIONS**

Council has received twelve objections in response to advertising (one objection has been withdrawn).

The key issues raised in the objections can be summarised as follows:

- The proposal doesn't respect the existing character of the neighbourhood
- Density of development is excessive and resembles a 'motel'
- Concerns regarding waste collection
- Increased traffic along the road
- Concerns regarding lack of adequate car parking being provided
- Noise from additional residents and traffic
- Socio-economic status of future occupants

## **MEDIATION**

As a result of the objections, the applicant has amended the design and reduced the total number of dwellings and lots from 16 down to 14. Amended plans were provided and circulated to the objectors. One objection has been withdrawn as a result of the amendments, however the remaining objectors continue to have concerns regarding the proposal. A consultation meeting was held between the objectors, Council staff and the permit applicant on 17<sup>th</sup> April to discuss the concerns in further detail, however no further objections were withdrawn as a result of this meeting.

## **ASSESSMENT**

The principal issues can be summarised as follows:

## **STRATEGIC JUSTIFICATION**

The proposal generally complies with state and local planning policies, including the following provisions (as selected relevant):

- *Clause 02.03-1 'Settlement' aims to encourage the growth of Stawell as the shire's largest town and to encourage residential development within current township boundaries and particularly within the respective township centre and in proximity to the town sewerage scheme.*
- *Clause 02.03-6 'Housing' specifies that housing within the townships of the shire has traditionally comprised single dwellings on large lots. With a trend towards an ageing population, the household make-up and size are expected to also change. This is expected to result in a need for a greater diversity of housing to accommodate a changing population demographic. There is a mismatch between the changing structure of households and the available housing stock. This policy aims to:*
  - *Increase the diversity of housing styles and living opportunities throughout the municipality to ensure the attractiveness of the municipality as a place to live, work and invest.*
  - *Ensure the provision of a range of lot sizes and housing types in response to changes in family structure and an ageing population.*
  - *Accommodate additional residential growth in Stawell.*
  - *Encourage innovative forms of residential development such as those based on recreation and open space areas in suitable locations.*
- *Clause 11.02-1S 'Supply of urban land' aims to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses. Planning for urban growth should consider:*
  - *Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
  - *Neighbourhood character and landscape considerations.*
- *Clause 15.01-5S 'Neighbourhood character' aims to recognise, support and protect neighbourhood character, cultural identity, and sense of place.*

- *Clause 16.01-1S 'Housing supply aims to facilitate well-located, integrated and diverse housing that meets community needs.*
- *Clause 16.01-2S 'Housing affordability' aims to deliver more affordable housing closer to jobs, transport and services.*

The Stawell Structure Plan has also recently been prepared and whilst not incorporated into the planning scheme has been adopted by Council. This Structure Plan states that (as selected relevant):

- *Significant deficiencies in both supply and diversity of housing were repeatedly raised. Residents noted a lack of rental vacancies, low-cost housing, and downsizing options. It was also highlighted that there are minimal houses for sale, and no construction or subdivision activity due to existing constraints.*
- *It has been repeatedly raised throughout this project that Stawell currently lacks a sufficient supply and diversity of housing. This is one of the key issues facing Stawell. The housing market is not currently providing for a range of housing that responds to the diverse needs of the existing community and prospective future residents. Limited greenfield and infill development has occurred in recent years.*

#### **Economic Development and Community Futures Department Comments**

Recent housing demand and supply investigation highlight the significant housing challenges and need for greater housing diversity in Northern Grampians. Jobs pipeline and housing demand and supply data shows that should current trends continue, businesses in Northern Grampians will not meet their workforce needs.

Housing demand is estimated to be 88 new dwellings per annum to 2030 based on traditional forecasting, however the projected job pipeline numbers produce estimates of 317 dwellings per annum.

*Wimmera Development Association Housing review (2020) and Opportunities Pyrenees Ararat and Northern Grampians (OPAN) Housing Demand Assessment (Remplan, 2021), report that the region has many new economic development projects in the pipeline (for example, in agribusiness, food processing, mining, renewable energies, tourism and health services) and that more aggressive growth targets should be adopted by Councils to ensure housing is not an inhibitor.*

*Northern Grampians Housing Needs and Residential Land Supply Assessment Report, 2018, Wimmera Development Association Housing review (2020) and the Opportunities Pyrenees Ararat and Northern Grampians (OPAN) Housing Demand Assessment (Remplan, 2021), show that report that housing is constantly raised by community groups and businesses throughout the region as a significant issue to be addressed, if emerging economic development opportunities are to be realised. Engagement undertaken as part of the Northern Grampians Economic Development Strategy, 2021-31 also found that employers greatest challenge to attracting and securing employees, is associated with housing.*

All recent housing investigations found that existing housing stock is often the wrong mix for ageing populations, not conducive to attracting small households, and in many cases, vacant dwellings are not even available to the market.

Demand for new dwellings also exists in the region, largely to:

- Age profile - servicing the needs of the existing population that is aging and transitioning to smaller households. Housing stock is often the wrong mix for ageing populations and not conducive to attracting new residents.
- Consumer demand for a mix of housing from both infill and Greenfield developments to cater towards a diverse range of needs
- Temporary migration levels: Over 300 overseas workers arriving at the NG, Ararat and Pyrenees between 2011 and 2016. Between 2011 and 2016, of the 708 people that moved into NGSC with jobs, 37.1% moved from overseas
- The region has several planned business expansions. It is estimated that there are 300-500 jobs to fill across the region in the next five years.
- Rental properties are limited, and informal rental still dominates in the WSM. 21% of properties in NGSC are rented – 2nd highest in WSM

In addition to the key drivers above, the region has experienced modest population growth. The 2021 census showed that population change was underestimated, 2016-2021 NGS population grew by nearly 1%, despite being forecasted to decline by .07%)

- St Arnaud grew by 1.1% (+125)
- Great Western grew by 1.22% (+25)
- Stawell grew by 0.62% (+188)
- Halls Gap experienced the greatest % increase in NGS and 2nd most across the WSM at 2.86% (+65)

### **Planning Officer Comments**

As highlighted in the policies above, state and local planning policy as well as Council's adopted Stawell Structure Plan expressly supports urban consolidation through the provision of medium density housing. Urban consolidation facilitates the efficient use of existing infrastructure and services, as well as provides much needed diversity and affordability to the housing market.

Unlike many areas of residential land, there are no vegetation or bushfire controls which affect the subject site, and the land is vacant, unconstrained and has access to all required utilities. Therefore, there is strong policy support at state and local level for higher density residential development at the subject site.

### **Neighbourhood Character**

Firstly, as detailed above it is acknowledged that the subject site is well suited to higher density residential development and that infill development of the kind proposed is acceptable as a matter of policy. However, planning policies also require development to respect the neighbourhood character values evident in the street. Specifically, Clause 15.01-5S '*Neighbourhood character*' aims to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Objectors have raised concerns that the proposal is not in keeping with the neighbourhood character. It is acknowledged that the land is located within an attractive residential area and that residents currently value their existing high levels of amenity.

While there can be a tension in planning policy between urban consolidation objectives and the desire to respect residential amenity and neighbourhood character, Council will ensure that the type, scale and design of development and the impacts on existing amenity are addressed. Whilst the proposed development brings a density of housing not evident in the streetscape, the development has been carefully designed to minimize impacts on surrounding properties and respect the neighbourhood character as evidenced through the following design elements:

- The building is setback from all side and rear boundaries, with no walls built on the boundary, to respect the existing spacing between buildings within the street and minimise impacts on adjoining properties.
- The total building height has been kept very low and discreet, at only 3.4m which is well within the allowable 11m maximum height limit set out in the General Residential Zone provisions. This low building height will ensure no overlooking or overshadowing onto adjoining properties and will enable the development to nestle into the environment.
- The development has a 33% building coverage, well within the 60% allowable building coverage set out under Clause 55.
- Importantly, car parking and access will not dominate the streetscape. Only one crossover is proposed, representing less than 10 percent of the street frontage and in keeping with the neighbourhood character.
- The proposal has been designed to utilize a range of contemporary materials, including enseam cladding in the colour 'monument' and extensive areas of glazing. Whilst this not in keeping with the typical building materials found in the street, the frontage has been designed to create a high quality, attractive façade, and will be softened by the provision of landscaping which will be required to be provided by way of permit conditions.

As set out in VCAT decision *Tsalanidis v Bayside CC & Ors* [2012] "The notion of respectful development does not mean that new development must be the same as what already exists. This is made clear in the Practice Note 'Understanding Neighbourhood Character' which says: Respecting character does not mean preventing change. The neighbourhood character standard is not intended to result in the replication of existing building stock or stop change. The discussion in the Practice Note goes on to say: Neighbourhood character is one of many objectives that must be met. Some areas will see significant changes as a result of new social and economic conditions, changing housing preferences and explicit housing policies. In these areas, it is important that respecting character is not taken too literally, as a new character will emerge in response to these new social and economic conditions.' It is in this context, that the objectives of the scheme which call for development which is respectful of the neighbourhood character must embrace the outcome envisaged by other planning policies such as those which clearly encourage more intense development and increased densities in this location."

In summary, the proposal clearly represents an intensification of development on the subject land, and is a departure from the more traditional single-dwelling-on-a-spacious-lot that the objectors prefer and appreciate about this area of Stawell. However, more intense development is supported by planning policy and on balance it is considered that the proposal, with its landscaping, height, site coverage and built form represents an acceptable design response with regards to neighbourhood character.

#### Amenity Impacts

The subject site and the abutting properties are in a residential zone; the amenity impacts from the site will be residential in nature, which given the General Residential Zoning of the land is expected and must be anticipated by neighbouring residents. There will be change with any intensification of land,

however this change is not considered unacceptable given the residential zoning of the subject land and neighbouring land.

#### Traffic, vehicle movement, on-street car parking and safety of road network

Objectors raised concerns regarding the increase in traffic, concerns about excessive on-street car parking and the safety of the road network as a result of this application. In order to assess the capacity of the existing road, Clause 56.06-8 has been utilised which describes different road hierarchy levels and the traffic volume these roads are capable of safely accommodating. D'Arcy Street is a fully constructed road with concrete kerb, channel and footpaths on both sides. The road reserve is approximately 29m wide with the road formation (carriageway width) being approximately 9m wide. This road appears to best fit within Access Street- Level 2, given the width of carriageway and width of road verges. An Access Street- Level 2 is a street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated. This level of road is considered capable of accommodating 2000-3000 vehicle movements per day (vpd). Assuming a standard rate of approximately 10 vpd per dwelling, as this section of D'Arcy Street currently contains 10 dwellings, this equates to approximately 100 vpd for the street. The additional dwellings are expected to increase this to 240 vpd, well within the total vpd this level of road (Access Street- Level 2) is capable of accommodating, which is 2000-3000vpd.

It is also noted that the application was referred to Council's Infrastructure Team to provide expert advice regarding the impact on the road network. Council's Infrastructure Team do not object to the proposal and consider the road suitably constructed to accommodate the increase in traffic.

Concerns have been raised that cars will park on the street and clog up the roadside, which would impact on neighbouring properties, including one which operates a home-based business. In relation to on-street car parking, it is acknowledged that vehicles can and do park lawfully along the side of public roads. Nonetheless, the proposed development contains sufficient car parking spaces, including visitor parking spaces on-site (as required under Clause 52.06) and no removal of on-street car parking spaces is proposed (as the site will retain only a single crossover to maximise retention of on-street parking). Therefore it is not expected that on-street parking will be significantly affected by the proposed additional dwellings.

#### Socio-economic concerns

Objectors have raised concerns regarding the future use of the properties for potential rental or public housing and the potential associated issues. This is not a relevant planning consideration and planning cannot discriminate against potential demographic groups who may occupy the buildings. This is set out clearly in VCAT case *Nunan & Edwards vs Ballarat CC (2014)* where it was held "*The broader question as to whether these properties are rented out or owner-occupied and the associated social impacts (whether real or perceived) is not a relevant consideration of this Tribunal.*".

## **ZONE**

#### General Residential Zone

The site is located within the General Residential Zone (GRZ1) and the purpose of this zone is to:

- 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.

Under the provisions of this zone, a planning permit is required to construct the dwellings and to subdivide the land.

This zone stipulates a maximum build height of 11m, to which the development complies.

This zone also requires a mandatory garden area provision of 35%. A garden area plan has been provided which shows a 39% garden area provision, again compliant with the requirements of this zone.

The proposal generally accords with the purpose and decision guidelines of this zone. This zone stipulates that an application for multiple dwellings on a lot must be assessed against the Rescode design standards at Clause 55 and 56. A detailed Clause 55 and 56 assessment is contained later in this report.

## **OVERLAYS**

The site is not affected by any overlays.

## **PARTICULAR PROVISIONS**

### Clause 52.06 'Car Parking'

Clause 52.06 requires car parking be provided at the following ratio:

- One space for each one or two bedroom dwelling
- One visitor space for every five dwellings

All 14 dwellings contain only one bedroom and therefore each require a single car parking space to be provided. An un-covered car parking space is provided on-site for each dwelling, which complies with the above requirements. Two visitor car parking spaces are required and the amended plans contain three visitor car parking spaces, exceeding this requirement. Car parking spaces comply with the design standards at Clause 52.06-9 which require a width of 2.6m length of 4.9m and accessway width of 6.4m. The proposal therefore complies with the car parking requirements set out in the Northern Grampian Planning Scheme.

### Clause 52.17 'Native Vegetation'

As the lot size is under 4000sqm, no planning permit is required to remove any native vegetation from the land and no permit is triggered under the provisions of this clause.

### Clause 53.01 'Public Open Space'

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). A public open space contribution is required for the proposed fourteen lot subdivision. A five percent public open space contribution will be requested as a condition on the permit.

### Clause 55 'Rescode'

Clause 55 sets a framework for assessment, and it cannot be expected that all proposals will satisfy all Standards. The assessment therefore should focus on whether the objectives are met. As stated in VCAT case *Paul Shaw & Associates Pty Ltd v Maroondah CC* [2011] *"Where minor 'non-compliances' are proposed with one or more Standards and their net affect has no adverse impact on third parties, such 'non-compliances' may be inconsequential relative to the overall outcome."*

The purpose of Clause 55 *Two or more dwellings on a lot and Residential Buildings* is to:

- achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character
- encourage residential development that provides reasonable standards of amenity for existing and new residents
- encourage residential development that is responsive to the site and neighbourhood

A detailed assessment of the proposal against the Rescode requirements are below:

#### **ATTACHMENT – CLAUSE 55 ASSESSMENT**

<b>55.02-1 Neighbourhood character objective</b>	<b>Standard B1</b>	<b>Met</b>	<b>Comments</b>
<i>To ensure that the design respects the existing neighbourhood character or contributes to neighbourhood character.</i>  <i>To ensure that development responds to the features of the site and the surrounding area</i>	<i>The design response must be appropriate to the neighbourhood and the site.</i> <i>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site</i>	Yes	Refer to comments earlier in this report regarding the proposals compliance with neighbourhood character.
<b>55.02-2 Residential policy objective</b>	<b>Standard B3</b>	<b>Met</b>	<b>Comments</b>
<i>To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i>	<i>An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i>	Yes	Refer to policy discussion earlier in this report

<i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services</i>			
<b>55.02-3 Dwelling diversity objective</b>	<b>Standard B3</b>	<b>Met</b>	<b>Comments</b>
<i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</i>	<p><i>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</i></p> <ul style="list-style-type: none"> <li><i>Dwellings with a different number of bedrooms.</i></li> <li><i>At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</i></li> </ul>	Partial	All dwellings contains ground level facilities so are suitable for those with disabilities. However, all dwellings are single bedroom only. Whilst this does not provide a variety of dwelling types <i>within</i> the development site, it is noted that this form of housing is rare in Stawell's overall housing market and the development will, as a whole, provide variety in the larger housing market of Stawell.
<b>55.02-4 Infrastructure objective</b>	<b>Standard B4</b>	<b>Met</b>	<b>Comments</b>
<p><i>To ensure development is provided with appropriate utility services and infrastructure.</i></p> <p><i>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</i></p>	<i>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</i>	Yes	Provision has been made for services and the application has been approved by Powercor and GWM Water.
	<i>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</i>	Yes	
	<i>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</i>	Yes	
<b>55.02-4 Integration with the street objective</b>	<b>Standard B5</b>	<b>Met</b>	<b>Comments</b>
<i>To integrate the layout of development with the street</i>	<i>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</i>	Yes	The development has been oriented to D'Arcy Street and high front fencing is not proposed. The site will link into the existing footpath network.
	<i>Development should be oriented to front existing and proposed streets</i>	Yes	

	<i>High fencing in front of dwellings should be avoided if practicable</i>	Yes	
	<i>Development next to existing public open space should be laid out to complement the open space.</i>	NA	

55.03-1 Street setback objective	Standard B6	Met	Comments															
<i>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site</i>	<div><p><i>Walls of buildings should be set back from streets the distance specified in Table B1 below.</i></p><table><thead><tr><th>Development context</th><th>Minimum setback from front street (metres)</th><th>Minimum setback from a side street (metres)</th></tr></thead><tbody><tr><td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td><td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td><td>Not applicable</td></tr><tr><td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td><td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td><td>Not applicable</td></tr><tr><td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td><td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td><td>Not applicable</td></tr><tr><td>The site is on a corner.</td><td><p>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</p><p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</p></td><td><p>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</p><p>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</p></td></tr></tbody></table><p><i>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</i></p></div>	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)	There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable	There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable	There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Not applicable	The site is on a corner.	<p>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</p> <p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</p>	<p>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</p> <p>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</p>	No	The front setback, excluding the verandah which is an allowable encroachment, is approximately 5m. The standard requires a setback of 9m due to the large setback of the abutting property at 54 D’Arcy Street. The variation to the standard is considered acceptable given that there are several buildings with similar, close setbacks to the street including the sheds on the corner of Darcy and Seaby Street, one of which has a 0m setback and the other a 1-2m setback, and the dwelling at 61 Darcy Street, opposite the site, which has a front setback of approximately 4.5m. The variation to the setback is therefore compatible with the neighbourhood character which contains a variety of front setbacks.
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)																
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable																
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable																
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The site is on a corner.	<p>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</p> <p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</p>	<p>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</p> <p>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</p>																
55.03-2 Building height objective	Standard B7	Met	Comments															
<i>To ensure that the height of buildings respects the existing or preferred neighbourhood character</i>	<div><p><i>The maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</i></p><p><i>Changes of building height between existing buildings and new buildings should be graduated.</i></p></div>	Yes	Building height is approximately 3.4m.															
		NA																

<b>55.03-3 Site coverage objective</b>	<b>Standard B8</b>	<b>Met</b>	<b>Comments</b>
<i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site</i>	<i>The site area covered by buildings should not exceed 60 per cent</i>	Yes	Site coverage is 33%
<b>55.03-4 Permeability objective</b>	<b>Standard B9</b>	<b>Met</b>	<b>Comments</b>
<i>To reduce the impact of increased stormwater run-off on the drainage system To facilitate on-site stormwater infiltration</i>	<i>The site area covered by the pervious surfaces should be at least 20% of the site</i>	Yes	Site permeability is 39%. A stormwater management plan has been provided.
	<i>The stormwater management system should be designed to:</i> <ul style="list-style-type: none"> <li><i>Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</i></li> <li><i>Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</i></li> </ul>	Yes	
<b>55.03-5 Energy efficiency objective</b>	<b>Standard B10</b>	<b>Met</b>	<b>Comments</b>
<i>To achieve and protect energy efficient dwellings and residential buildings</i>  <i>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy</i>	<i>Buildings should be:</i> <ul style="list-style-type: none"> <li><i>Orientated to make appropriate use of solar energy</i></li> <li><i>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced</i></li> </ul>	Yes	The development has been oriented as far as practical to maximise energy efficiency. Private open space areas for the majority of the development have access to northern sunlight. Buildings will be required to comply with the energy efficiency standards under the building code. The development does not overshadow any solar panels on neighbouring properties.
	<i>Living areas and private open space should be located on the north side of the development if practicable</i>	Partial	
	<i>Developments should be designed so that solar access to north-facing windows is maximised</i>	Partial	

	<i>Developments should be sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged</i>	NA	
<b>55.03-6 Open space objective</b>	<b>Standard B11</b>	<b>Met</b>	<b>Comments</b>
<i>To integrate the layout of the development with any public and communal open space provided in or adjacent to the development</i>	<i>If any public or communal open space is provided on site, it should:</i> <ul style="list-style-type: none"> <li>• <i>Be substantially fronted by dwellings, where appropriate</i></li> <li>• <i>Provide outlook for as many dwellings as practicable</i></li> <li>• <i>Be designed to protect any natural features on the site</i></li> <li>• <i>Be accessible and useable</i></li> </ul>	NA	N/A
<b>55.03-7 Safety objective</b>	<b>Standard B12</b>	<b>Met</b>	<b>Comments</b>
<i>To ensure the layout of development provides for the safety and security of residents and property</i>	<i>Entrances to dwellings should not be obscured or isolated from the street and internal accessways</i>	Yes	Dwelling entries are clear and visible and suitable on-site lighting will be provided by way of permit conditions.
	<i>Planting which creates unsafe spaces along streets and accessways should be avoided</i>	Yes	
	<i>Developments should be designed to provided good lighting, visibility and surveillance of car parks and internal accessways</i>	Yes	
	<i>Private spaces within developments should be protected from inappropriate use as public thoroughfares</i>	Yes	
<b>55.03-8 Landscaping objective</b>	<b>Standard B13</b>	<b>Met</b>	<b>Comments</b>
<i>To encourage development that respects the landscape character of the neighbourhood</i>  <i>To encourage development that maintains and enhances habitat for plants and animals in</i>	<i>The landscape layout and design should:</i> <ul style="list-style-type: none"> <li>• <i>Protect any predominant landscape features of the neighbourhood</i></li> <li>• <i>Take into account the soil type and drainage patterns of the site</i></li> <li>• <i>Allow for intended vegetation growth and structural protection of buildings</i></li> <li>• <i>In locations of habitat importance, maintain existing habitat and</i></li> </ul>	Yes	A detailed landscape plan will be required by way of permit condition and will require the planting of canopy trees in the common property. Landscaping of the rear yards of four of the dwellings will be required to be low maintenance due to lack of through access and this will also be addressed by conditions.

locations of habitat importance	provide for new habitat for plants and animals		
To provide appropriate landscaping	<ul style="list-style-type: none"> <li>Provide a safe, attractive and functional environment for residents</li> </ul>		
To encourage the retention of mature vegetation on the site	Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood	Yes	
	Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made	Yes	
	The landscape design should specify landscape themes, vegetation (location and species), paving and lighting	NA	
<b>55.03-9 Access objective</b>	<b>Standard B14</b>	<b>Met</b>	<b>Comments</b>
To ensure the number and design of vehicle crossovers respects the neighbourhood character	The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> <li>33% of the street frontage, or</li> <li>if the width of the street frontage is less than 20m, 40% of the street frontage</li> </ul>	Yes	The accessway complies with these requirements and doesn't exceed 33% of the street frontage.
	No more than one single-width crossover should be provided for each dwelling fronting a street	Yes	
	The location of crossovers should maximize the retention of on-street car parking spaces	Yes	
	The number of access point to a road in a Road Zone should be minimised	NA	
	Developments must provide access for service, emergency and delivery vehicles	Yes	
<b>55.03-10 Parking location objective</b>	<b>Standard B15</b>	<b>Met</b>	<b>Comments</b>
To provide convenient parking for resident and visitor vehicles	Car parking facilities should: <ul style="list-style-type: none"> <li>Be reasonably close and convenient to dwellings and residential buildings</li> <li>Be secure</li> <li>Be well ventilated if enclosed</li> </ul>	Yes	Car parking spaces are reasonably close to their associated dwellings, and are ventilated. Appropriate lighting will enhance security.

<i>To protect residents from vehicular noise within developments</i>	<i>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5m from the windows of habitable rooms. This setback may be reduced to 1m where there is a fence at least 1.5m high or where window sills are at least 1.4m above the accessway</i>	Yes	The shared driveway/carparks are setback 1m from the verandahs, and the verandahs are 1.4m wide, affording a 2.4m setback from windows.
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<b>55.04-1 Side and rear setbacks objective</b>	<b>Standard B17</b>	<b>Met</b>	<b>Comments</b>
<i>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings</i>	<i>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</i>	Yes	All buildings are setback more than 1m from the boundary and are less than 3.6m in height.
	<i>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5m into the setbacks of this standard</i>	Yes	
	<i>Landings having an area of not more than 2sqm and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard</i>	N/A	
<b>55.04-2 Walls on boundaries objective</b>	<b>Standard B18</b>	<b>Met</b>	<b>Comments</b>
<i>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings</i>	<i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length of more than:</i> <ul style="list-style-type: none"> <li>▪ <i>10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</i></li> <li>▪ <i>Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</i></li> </ul>	NA	No walls are built on the boundary.



	<i>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</i>	NA	
	<i>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</i>	NA	
<b>55.04-3 Daylight to existing windows objective</b>	<b>Standard B19</b>	<b>Met</b>	<b>Comments</b>
<i>To allow adequate daylight into existing habitable room windows</i>	<i>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3sqm and minimum dimensions of 1m clear to the sky. The calculation of the area may include land on the abutting lot</i>	Yes	The side setbacks provide for light courts as per the standard.
	<i>Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55° arc from the centre of the existing window. The arc may be swung to within 35° of the plane of the wall containing the existing window Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window Refer to Diagram B2</i>	NA	
<b>55.04-4 North facing windows objective</b>	<b>Standard B20</b>	<b>Met</b>	<b>Comments</b>
<i>To allow adequate solar access to existing north-facing habitable room windows</i>	<i>If a north-facing habitable window of an existing dwelling is within 3m of a boundary on an abutting lot, a building should be setback from the boundary 1m, plus 0.6m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m, for a distance of 3m from the edge of each side of the window.</i>	NA	The buildings are setback 1m from the southern boundary and are less than 3.6m in height.

	<i>A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east. Refer to Diagram B3</i>		
<b>55.04-5 Overshadow open space objective</b>	<b>Standard B21</b>	<b>Met</b>	<b>Comments</b>
<i>To ensure buildings do not significantly overshadow existing secluded private open space</i>	<i>Where sunlight to secluded private open space of an existing dwelling is reduced, at least 75%, or 40sqm with minimum dimension of 3m, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September</i>	Yes	Overshadowing plans have been submitted which demonstrate compliance with the standard.
	<i>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced</i>	Yes	
<b>55.04-6 Overlooking objective</b>	<b>Standard B22</b>	<b>Met</b>	<b>Comments</b>
<i>To limit views into existing secluded private open space and habitable room windows</i>	<i>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45° angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above the floor level</i>	Yes	There will be no overlooking into adjoining properties due to the proposed 1.8m high fencing and single storey building height.
	<i>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</i> <ul style="list-style-type: none"> <li><i>offset a minimum of 1.5m from the edge of one window to the edge of the other</i></li> <li><i>have sill heights of at least 1.7m above floor level</i></li> </ul>	Yes	

	<ul style="list-style-type: none"> <li>have fixed, obscure glazing in any part of the window below 1.7m above floor level</li> <li>have permanently fixed external screens to at least 1.7m above floor level and be no more than 25% transparent</li> </ul>		
	Obscure glazing in any part of the window below 1.7m above floor level may be openable provided that there are no direct views as specified in this standard	NA	
	Screens used to obscure a view should be: <ul style="list-style-type: none"> <li>perforated panels or trellis with a maximum of 25% openings or solid translucent panels</li> <li>permanent, fixed and durable</li> <li>designed and coloured to blend with the development</li> </ul>	NA	
<b>55.04-7 Internal views objective</b>	<b>Standard B23</b>	<b>Met</b>	<b>Comments</b>
To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development	Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development	Yes	There will be no overlooking into adjoining properties due to the proposed 1.8m high fencing and single storey building height
<b>55.04-8 Noise impacts objective</b>	<b>Standard B24</b>	<b>Met</b>	<b>Comments</b>
To contain noise sources in developments that may affect existing dwellings  To protect residents from external noise	Noise sources, such as mechanical plant, should not be located near boundaries of immediately adjacent existing dwellings	NA	All adjoining properties are residential.
	Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties	NA	
	Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms	NA	

<b>55.05-1 Accessibility objective</b>	<b>Standard B25</b>	<b>Met</b>	<b>Comments</b>
<i>To encourage the consideration of the needs of people with limited mobility in the design of developments</i>	<i>The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.</i>	Yes	All dwellings have ground level entries.
<b>55.05-2 Dwelling entry objective</b>	<b>Standard B26</b>	<b>Met</b>	<b>Comments</b>
<i>To provide each dwelling or residential building with its own sense of identity</i>	<i>Entries to dwellings and residential buildings should:</i> <ul style="list-style-type: none"> <li><i>be visible and easily identifiable from streets and other public areas</i></li> <li><i>provide shelter, a sense of personal address and a transitional space around the entry</i></li> </ul>	Yes	A 1.4m wide verandah is provided to each dwelling entry.
<b>55.05-3 Daylight to new windows objective</b>	<b>Standard B27</b>	<b>Met</b>	<b>Comments</b>
<i>To allow adequate daylight into new habitable room windows</i>	<i>A window in a habitable room should be located to face:</i> <ul style="list-style-type: none"> <li><i>an outdoor space or a light court with a minimum area of 3sqm and minimum dimension of 1m clear to the sky, not including land on an abutting lot, or</i></li> <li><i>a verandah provided it is open for at least one third its perimeter, or</i></li> <li><i>a carport provided it has two or more open sides and is open for at least one third of its perimeter</i></li> </ul>	Yes	All windows open into an outdoor space or verandah which is open for one third of its perimeter.
<b>55.05-4 Private open space objective</b>	<b>Standard B28</b>	<b>Met</b>	<b>Comments</b>
<i>To provide adequate private open space for the reasonable recreation and service needs of residents</i>	<i>A dwelling or residential building should have private open space:</i> <ul style="list-style-type: none"> <li><i>an area of 40sqm, with one part secluded at the side or rear with a min area of 25sqm, a min dimension of 3m and convenient access from a living room, or</i></li> <li><i>a balcony of 8sqm with a min width of 1.6m and convenient access from a living room, or</i></li> <li><i>a roof-top area of 10sqm with a min width of 2m and convenient access from a living room</i></li> </ul>	Yes	Each dwelling has access to at least 40sqm of POS which is accessed from the living room, and with a SPOS area of at least 25sqm with a minimum dimension of 3m.

<b>55.05-5 Solar access to open space objective</b>	<b>Standard B29</b>	<b>Met</b>	<b>Comments</b>
<i>To allow solar access into the secluded private open space of new dwellings and residential buildings</i>	<i>The private open space should be located on the north side of the dwelling or residential buildings</i>	NA	The private open space areas are located to allow solar access, noting the constraints of the existing orientation of the land with the road on the northern side. Dwellings 1-4 have SPOS on the southern side of the building, and require a 5m setback. This is met for dwellings 1,2 and 4 but only partially met for dwelling 3. Dwelling 3 is provided with a larger POS area which includes a front and side yard which do have adequate solar access and this is considered acceptable.
	<i>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least <math>(2 + 0.9h)</math> metres, where 'h' is the height of the wall</i> Refer to Diagram B29	Partial	
<b>55.05-6 Storage objective</b>	<b>Standard B30</b>	<b>Met</b>	<b>Comments</b>
<i>To provide adequate storage facilities for each dwelling</i>	<i>Each dwelling should have convenient access to at least 6m<sup>3</sup> of externally accessible, secure storage space</i>	Yes	Storage sheds are shown on the site plan however have been overlooked for the front four dwellings – this will be addressed by way of permit condition.

<b>55.06-1 Design detail objective</b>	<b>Standard B31</b>	<b>Met</b>	<b>Comments</b>
<i>To encourage design detail that respects the existing or preferred neighbourhood character</i>	<i>The design of buildings, including:</i> <ul style="list-style-type: none"> <li><i>• Facade articulation and detailing,</i></li> <li><i>• Window and door proportions,</i></li> <li><i>• Roof form, and</i></li> <li><i>• Verandahs, eaves and parapets,</i></li> </ul> <i>should respect the existing or preferred neighbourhood character.</i>	Yes	The development will be constructed on ensemble cladding and glazing, with acceptable articulation. Refer to comments earlier in the report regarding neighbourhood character.
	<i>Garages and carports should be visually compatible with the</i>	NA	

	<i>development and the existing or preferred neighbourhood character</i>		
<b>55.06-2 Front fences objective</b>	<b>Standard B32</b>	<b>Met</b>	<b>Comments</b>
<i>To encourage front fence design that respects the existing or preferred neighbourhood character</i>	<i>The design of front fences should complement the design of the dwelling and any front fences on adjoining properties</i>	Yes	No high front fencing is proposed.
	<i>A front fence within 3m of a street should not exceed:</i> <ul style="list-style-type: none"> <li>• Streets in a Road Zone – 2m</li> <li>• Other Streets – 1.5m</li> </ul>	Yes	
<b>55.06-3 Common property objective</b>	<b>Standard B33</b>	<b>Met</b>	<b>Comments</b>
<i>To ensure that communal open space, car parking, access lanes and site facilities are practical, attractive and easily maintained To avoid future management difficulties in areas of common ownership</i>	<i>Developments should clearly delineate public, communal and private areas Common property, should be functional and capable of efficient management</i>	Yes	Fencing will clearly delineate the private yards from the common property.
		Yes	
<b>55.06-4 Site service objective</b>	<b>Standard B34</b>	<b>Met</b>	<b>Comments</b>
<i>To ensure that site services can be installed and easily maintained To ensure that site facilities are accessible, adequate and attractive</i>	<i>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically</i>	Yes	Communal waste is proposed which is acceptable given the lower waste generation for a single bedroom dwelling. A detailed waste management plan will be conditioned on the permit. The body corporate will be responsible for moving the bins to kerbside for collection on bin collection day.
	<i>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development</i>	Yes	
	<i>Bin and recycling enclosures should be located for convenient access</i>	Yes	
	<i>Mailboxes should be provided and located for convenient access</i>	Yes	

#### Clause 56 'Residential Subdivision'

Pursuant to Clause 32.08, a 14 lot subdivision requires assessment against the following requirements of Clause 56:

		Objective	
C6	Clause 56.03-5 Neighbourhood Character	Yes, met	As detailed earlier in this report, it is considered that the proposed subdivision adequately responds to the neighbourhood character.
C8	Clause 56.04-2 Lot area and building envelopes	Yes, met	A development plan has been provided with the subdivision demonstrating how the lots can be developed in lieu of building envelopes
C9	Clause 56.04-3 Solar orientation of lots	Meets objective	The lots are appropriately oriented given the site constraints.
C11	Clause 56.04-5 Common area	Yes, met	The common property will be managed by a body corporate.
C21	Clause 56.06-8 Lot access	Yes, met	Each lot has direct access onto either D'Arcy Street or the common property road.
C22	Clause 56.07-1 Drinking water supply	Yes, met	The subject land is situated within the water supply district of GWMWater, who have consented to the proposal subject to conditions requiring water connection be provided to the new lots.
C23	Clause 56.07-2 Reused and recycled water	Yes, met	GWMWater do not mandate the recycling of water for the area within which the subject land is situated.
C24	Clause 56.07-3 Waste water management	Yes, met	The land does have access to reticulated sewerage and the new lots will be connected to sewer in accordance with the requirements of GWM Water.
C25	Clause 56.07-4 Urban run-off management	Yes, met	A Stormwater management plan has been submitted. The application was referred to Council's Infrastructure team to consider the management of stormwater on the land. Council's Infrastructure team have consented to the proposal subject to conditions which will adequately address these requirements.
C26	Clause 56.08-1 Site management	Yes, met	A permit condition will require a construction management plan to manage emissions during site works.
C27	Clause 56.09-1 Shared trenching	Yes, met	Shared trenching will be utilised where possible.
C28	Clause 56.09-2 Electricity, telecommunications and gas	Yes, met	The site is serviced and conditions will ensure connection to required services.

## CLAUSE 65

The application is generally consistent with the decision guidelines of Clause 65.01 – Approval of an application and Clause 65.02 – Approval of an application to subdivide land.

## **CONCLUSION**

The proposal is considered to accord with the relevant decision guidelines of the Northern Grampians Planning Scheme. It is recommended that a Notice of Decision to Grant a Permit is issued subject to the following conditions.

### **Amended Plans**

1. Before the use and/or 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 noted. The plans must be generally in accordance with amended plans submitted 6 April 2023 but modified to the satisfaction of the Responsible Authority to show:
  - (a) Amended landscape plan clearly showing a low maintenance finish (such as astro-turf) into inaccessible rear yards of Dwelling 6, 7, 12 and 13)
  - (b) Provision of side gates in fencing to Dwellings 1, 2, 3, 4, 5, 8, 9, 10, 11 and 14.
  - (c) Details of low level security lighting to proposed common property areas.
  - (d) 6m<sup>3</sup> storage sheds to be provided for dwellings 1-4 in accordance with Standard B30.
  - (e) Amended plan of subdivision incorporating individual car parking spaces into associated lot boundaries, with visitor car parking spaces retained in common property.
  - (f) Amended Stormwater Management Plan, updated to reflect modified development layout.
  - (g) Waste Management Plan in accordance with Condition 6.
  - (h) Construction Management Plan in accordance with Condition 8.

### **Endorsed Plans**

2. All buildings and works must be constructed and or undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority, and must be completed to the satisfaction of the Responsible Authority prior to the occupation of the development. All buildings and works must be located clear of any easements or water and sewer mains unless written approval is provided by the relevant authority. The endorsed plans must not be altered without the written consent of the Responsible Authority.

### **Minimising Glare**

3. The exterior colour and cladding of the building(s) must be non-reflective to the satisfaction of the Responsible Authority.

### **Completion and Maintenance of Landscaping Works**

4. Prior to the use of the site or occupation of the buildings commencing or issue of Statement of Compliance all landscape works forming part of the approved Landscape Plans must be completed to the satisfaction of the Responsible Authority. The landscaping shown on the approved



landscape plan must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

#### **Lighting**

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

#### **Waste Management Plan**

6. Prior to the commencement of works on site, a Waste Management Plan must be prepared to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must detail:
  - (a) The type and size of waste and recyclable materials, bins and containers;
  - (b) The garbage and recycling equipment (e.g., vehicles and lifting equipment) to be used, if any;
  - (c) Details of how communication of waste management plan and waste obligations with future owners/occupiers is to occur.
  - (d) The frequency and timing of waste collection.
  - (e) Clarification as to who is responsible for moving the bins/containers to kerbside for Council collection, and who is responsible for returning them to the bin storage area, as well as details of timing for bin transit.
  - (f) Measures to manage and minimise noise, odour and litter.

Waste management must be undertaken in accordance with the approved Waste Management Plan to the satisfaction of the Responsible Authority.

#### **Section 173 Agreement**

7. Unless otherwise agreed in writing by the Responsible Authority, prior to Statement of Compliance being issued or prior to the Certificate of Occupancy being issued (whichever occurs first) the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning & Environment Act 1987* to provide the following:
  - (a) Refuse must be appropriately stored and removed from the site every two (2) weeks as a minimum in accordance with the endorsed waste management plan forming part of this permit.
  - (b) The Responsible Authority may resolve to release the owner from these obligations if the Responsible Authority is satisfied that an appropriate alternative arrangement can be made.

Prior to Statement of Compliance being issued or prior to Certificate of Occupancy being issued an application must be made to the Register of Titles to register the Section 173 agreement on the title to the land under section 181 of the Act. The responsible authority will not release Statement of Compliance until the agreement has been registered at the titles office and a dealing number assigned confirming that the agreement has been registered.

The Responsible Authority may release the owner from these obligations and/or vary the requirements upon the written request of the owner. The Responsible Authority must be satisfied that the release and/or variation to the agreement will result in a better planning outcome or that the agreement is no longer required.

All costs associated with the preparation, signing, lodgement, registration, amending and ending of the Agreement must be borne by the owner, including all notification costs and legal fees.

### **Construction Management Plan**

8. Prior to the commencement of works, a Construction Management Plan must be prepared to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must detail:
- (a) Hours of demolition and construction.
  - (b) Management of D'Arcy Street to ensure that they are kept free of standing vehicles or any other obstruction, including building materials, equipment, etc. to maintain free vehicle passage to abutting benefitting properties at all times, unless with the written consent of the Responsible Authority.
  - (c) Methods to contain dust, dirt and mud within the site and the method and frequency of clean up procedures, including the management of on-site storage waste construction bins and vehicle washing
  - (d) Management of parking of construction machinery and workers vehicles to prevent adverse impact on nearby properties
  - (e) A liaison officer for contact by the public and the Responsible Authority in the event of relevant queries or problems experienced.

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

### **Internal Access Ways and Car Parking**

9. Prior to the commencement of the use or occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the approved plans must to the satisfaction of the Responsible Authority be constructed of concrete. Car spaces must be maintained and kept available for these purposes at all times.

### **Infrastructure Conditions**

#### *Construction Phase:*

- 10. Soil erosion control measures must be employed throughout the construction stage of the development to control sediment entering the downstream stormwater system to the satisfaction of the Responsible Authority.
- 11. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.
- 12. The applicant must ensure that dust suppression is undertaken in the form of constant water spraying or other natural based proprietary dust suppressant to ensure that dust caused by vehicles moving within the site does not cause a nuisance to surrounding properties to the satisfaction of the Responsible Authority.

#### *Internal Road Infrastructure:*

- 13. Before any road, drainage or landscaping works associated with the development or subdivision works start, detailed construction 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 show 3D contour design levels, relevant cross sections and must include:

- a. Fully sealed pavement details for the access road and parking area within the common property;
- b. Car park dimensions;
- c. Lighting;
- d. Any proposed kerb and channel;
- e. Any proposed concrete footpaths
- f. Underground drains
- g. Vehicle turning templates within the common property to ensure all necessary emergency and service vehicles can maneuver within the site appropriately without having to reverse out of the site.

All works constructed or carried out must be in accordance with those plans.

14. Before the use begins and/or the buildings are occupied, the applicant or owner must construct road works, drainage and other civil works, in accordance with plans and specifications approved by the Responsible Authority and in accordance with the Infrastructure Design Manual.
15. The landowner will be responsible for all ongoing maintenance of all internal infrastructure including the crossover from Darcy Street to the lot boundary

*Entry Works:*

16. Access to the internal common property must be provided from D'Arcy Street with dimensions adequate to accommodate emergency vehicles to the satisfaction of the Responsible Authority.
17. Before the use begins and/or the buildings are occupied the crossover to the common property shall be constructed in accordance with the endorsed plans to the satisfaction of the Responsible Authority, and shall comply with the following:
  - a. standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed and replaced with concrete (reinstate kerb and channel);
  - b. any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense;
  - c. constructed in reinforced concrete
  - d. be the responsibility of the owner to maintain.
18. Prior to commencing any works on the road reserve area, the developer must obtain a Works in Road Reserve Permit from Councils Infrastructure Department. Works must not commence until Councils Infrastructure team has given consent to conduct the works within the road reserve. Note: A copy of this permit can be obtained from Councils website or customer service team

*Line Marking and Signage:*

19. Any existing road line marking, parking, regulatory or advisory signs that are required to be shifted, renewed or altered, plus any new signs or line marking as a result of the development are to be at the owner's cost to the satisfaction of the Responsible Authority.

*General Conditions:*

20. All vehicular common property access roads, loading and unloading areas, car parking bays and entry & exit area to and from the site must be illuminated to the satisfaction of the Responsible Authority

*Stormwater Drainage:*

21. Before any of the development starts, a properly prepared drainage plan with computations to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and contain the 3D design levels. The information and plan must include:
  - a. details of how the works on the land are to be drained and how stormwater will be retarded so discharge from the site meets pre-development flows;
  - b. computations for the proposed drainage as directed by Responsible Authority;
  - c. underground pipe drains and pits conveying stormwater through the site;
  - d. the legal point of discharge for each dwelling/unit
  - e. any easements required on the site for the purpose of stormwater drainage;
  - f. details on stormwater discharge point for the entire site
22. Before the use begins and/or the building(s) is/are occupied or issue of a Statement of Compliance all works constructed or carried out must be in accordance with those plans to the satisfaction of the Responsible Authority

*Councils Existing Assets:*

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

*Emissions and Discharges during Construction:*

24. The developer must restrict emissions and discharges from any construction sites within the land in accordance with the best practice environmental management techniques and guidelines contained in the Environment Protection Authority publications for sediment pollution control and Environmental Guidelines for major construction sites to the satisfaction of the Responsible Authority.

### **Powercor Conditions**

25. This letter shall be supplied to the applicant in its entirety.
26. 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.
27. 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.*

28. 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.*

### **GWM Water Conditions**

29. The owner/applicant must provide individually metered water services to each lot/dwelling in accordance with GWM Water's requirements
30. The owner/applicant must install sewerage mains and associated works to individually serve each lot of the proposed development, at the owners cost, in accordance with GWMWater's specifications and requirements.
31. The owner/applicant must provide individual sewer services to each lot in accordance with GWMWater's requirements
32. The owner/applicant is responsible for verifying the condition of any existing sewer connection point/s to determine their suitability for use.
33. The owner/applicant must provide plans and estimated of all proposed sewerage works prior to commencement for GWMWater's approval
34. The owner/applicant must pay to GWM Water a fee of 3.25% of the total cost of construction (including design and supervision ) for its review of design documentation and supervision of works. This fee relates to checking that the works are designed and constructed in accordance with GWMWater's requirements and does not relieve the developer from ensuring proper design and appropriate supervision.
35. The owner/applicant must provide three meter wide easements in favour of GWMWater over all existing and proposed sewers located within private land.
36. The owner/applicant must provide written notification of commencement of the works to enable GWMWater to organise inspections and coordinate with its staff.
37. The owner/applicant must ensure all infrastructure is tested in accordance with the relevant WSA and GWMWarre Standards. This includes compaction, air and hydrostatic pressure testing as directed by GWMWater.

38. The owner/applicant must provide 'as-constructed' plans and a schedule of final asset cost at the level identified in GMMWaters asset register for all sewerage works upon completion.
39. The plan of subdivision submitted for certification must be referred to GMM Water in accordance with Section 8 of the Subdivision Act.
40. The owner/applicant must provide GMMWater with an updated drainage plan for each lot/dwelling submitted by a qualified plumber

#### **Formal Plan of Subdivision**

41. The formal plan of subdivision lodged for certification must be in accordance with the approved plan and must not be modified except to comply with statutory requirements or with the further written consent of the Responsible Authority.

#### **Public Open Space Monetary Contribution**

42. Prior to the issue of the Statement of Compliance, a monetary contribution of an amount equal to 5% of the current value of all the land within the subdivision shall be paid to the Responsible Authority. If the land is subdivided in stages, the contribution may be paid proportionally to the area of the lots being created.

#### **Provision of Services**

43. 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 approved plan in accordance with the authority's requirements and relevant legislation at the time.
44. 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.
45. 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.

#### **Telecommunications**

46. The owner of the land must enter into an agreement with:
  - (a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - (b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

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:

- (c) 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
- (d) 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.

#### **Completion of Development**

47. Unless otherwise approved in writing by the Responsible Authority, prior to the issue of Statement of Compliance, the development approved by Planning Permit 5.2022.14.1 must be substantially completed, including buildings, landscaping, driveways, fencing, etc to the satisfaction of the Responsible Authority.

#### **Permit Expiry (Development and Subdivision)**

48. This development approved under 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.
49. The subdivision approved under this permit will expire if one of the following circumstances applies:
- a) The subdivision is not certified within two years of the date of this permit;
  - b) Once the plan of subdivision is certified, the Permit will expire five years from the date of certification of the plan of subdivision.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence the development or certify the plan of subdivision) or twelve months after the permit expires (for a request to extend the time to complete the development).

#### **NOTES**

##### **Building Approvals**

This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained. The works hereby approved must accord with the requirements of the *Building Act 1993*, *Building Regulations 2018* and *Building Code of Australia 2014*.

### **9.3. Providing Sustainable Infrastructure**

Nil



## **9.4. Improve Organisational Effectiveness**

### **9.4.1. SGGCP Lease Assignment Report**

**Author/Position:** **Kylie Allen, Risk & Lease Management Officer**

#### **Purpose**

To determine the provision of landlord consent for the transfer the Stawell Grampians Gate Caravan Park section 17D Crown Land lease.

#### **Summary**

Braaaauer Management Pty Ltd as trustee for the Braaaauer Investment Trust is the current leaseholder for the Stawell Grampians Gate Caravan Park located at 2 Burgh Street, Stawell, and has entered into a Sale of Business Contract to BM & LRG Pty Ltd as trustee for Betty and Louise Murray Family Trust and requests landlord consent to transfer the section 17D Crown Land lease for the premises.

Lease provisions require that the tenant must not without the prior written consent of the Landlord and the Minister, assign or transfer the tenant's interest in the land.

#### **Recommendation**

**That Council:**

- 1. gives consent to transfer the Stawell Grampians Gate Caravan Park section 17D Crown Land lease, from Braaaauer Management Pty Ltd as trustee for the Braaaauer Investment Trust to BM & LRG Pty Ltd as trustee for Betty and Louise Murray Family Trust; and**
- 2. authorises the Chief Executive Officer to sign the relevant lease transfer documents as agreed by all parties.**

## **RESOLUTION**

**That Council:**

- 1. gives consent to transfer the Stawell Grampians Gate Caravan Park section 17D Crown Land lease, from Braaaauer Management Pty Ltd as trustee for the Braaaauer Investment Trust to BM & LRG Pty Ltd as trustee for Betty and Louise Murray Family Trust; and**
- 2. authorises the Chief Executive Officer to sign the relevant lease transfer documents as agreed by all parties.**

**Moved:** **Cr Eddy Ostarcevic**

**Seconded:** **Cr Trevor Gready**

**Carried**

## Background/Rationale

Council is the appointed Committee of Management for the Grampians Gate Caravan Park & Recreation Reserve, Gazette No. 0203155, more particularly Crown Land allotment 8-6A PP5730 (part), 9-6A PP5730, 10-6A PP5730, 14-6A PP5730 and 18-6A PP5730 (part) Parish of Stawell, temporarily reserved for Public Recreation & Tourist Camp purposes, and has power to consent to the transfer of the lease as per lease operative provisions as landlord.

Braaaauer Management Pty Ltd as trustee for the Braaaauer Investment Trust entered into a new section 17D Crown Land lease for the Stawell Grampians Gate Caravan Park commencing 1 July 2022 for a five-year term with options of two further five-year terms and one further one-year term. On 4 April 2023, Mann Legal acting on behalf of Braaaauer Management Pty Ltd advised Council their client has entered into a Sale of Business Contract and gave formal written request for consent to transfer this lease to BM & LRG Pty Ltd ACN 663 904 676 as trustee for the Betty and Louise Murray Family Trust. The current tenant is not in breach of this lease at the time of making the consent request.

BM & LRG Pty Ltd ACN 663 904 676 (current registered company) as trustee for the Betty and Louise Murray Family Trust has provided council with planned business developments which are consistent with the lease permitted use being Caravan Park and Camping Ground. These plans included service and infrastructure upgrades to existing and newly developed caravan sites, replacement of exiting cabins, placement of new cabins/glamping tents, construction of recreation facilities and several other upgrades to existing park infrastructure subject to Council approval processes.

The purchaser has provided council with two business and financial references as evidence of it being a respectable, responsible and solvent company having the financial capacity and trading experience necessary to enable the Permitted Use to be successfully undertaken. The references state that the controlling parties of the trust have successfully been in business in excess of 30 years and have a substantial asset base to support this transaction.

The Department of Energy, Environment and Climate Action (DEECA) as owner of the land has been consulted regarding the lease transfer and proposed upgrades to the reserve. The standard DEECA lease transfer template is being used as the instrument of transfer and Ministerial approval of the lease transfer is required as per the lease operative provisions.

## Legislation, Council Plan, Strategy and Policy Implications

*Crown Land (Reserves) Act 1978*

## Options

Gives consent to transfer the Stawell Grampians Gate Caravan Park lease, from Braaaauer Management Pty Ltd as trustee for the Braaaauer Investment Trust to BM & LRG Pty Ltd as trustee for Betty and Louise Murray Family Trust and authorise the Chief Executive Officer to sign the relevant lease transfer documents as agreed by all parties. **[recommended as provision 16.4 of the lease states that landlord will provide consent if conditions as described within this report have been met]**

## Implications

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

## Procurement

Not applicable

## Community Engagement

Not applicable

## Innovation and Continuous Improvement

Not applicable

**Collaboration**

Collaboration with DEECA and all parties to the lease transfer have occurred.

**Officer's Declaration of Interest**

All officers providing advice to Council must disclose any interests, including the type of interest.

Kylie Allen, Risk & Lease Management Officer

In providing this advice as the author, I have no disclosable interests in this report.

**Attachments**

Nil

## 10. Notices of Motion or Rescission

Nil

## 11. Reports from Councillors/Committees

Queen Mary Botanic Garden Advisory Group Annual General Meeting Minutes, 15 February 2023

Queen Mary Botanic Garden Advisory Group Meeting Minutes, 15 February 2023

Cr Gready reported on his attendance at various functions including the Vanuatan Labour Commissioner Visit, transmission forums, ANZAC Day events at Halls Gap, Great Western and Stawell, protest rally, Blue Ribbon Foundation Memorial in Ararat and today's tour of the St Arnaud Town Hall.

Cr Dempsey reported on her attendance at various functions including the Stawell Gift and the VFF transmission line forum in St Arnaud. She said council has made a submission and prepared a media release on the transmission line; the media release is available on council's website for viewing. She reported on the submission to and presence of Cr Ostarcevic at the VEC Electoral Boundary Review Public Hearing that will see the State Government make a change in the ward structure of the shire by late 2024. She attended the SCAN meeting with Crs Ostarcevic and Hyslop which provided an opportunity to listen to the thoughts of community members and look at ways councillors can provide them support. She reported that internally councillors were going through the budget process, she had attended the Citizenship Ceremony for four new Australians, the Stawell ANZAC Day march that has returned to the ceremony and today's councillor and community conversation.

Cr Hyslop reported on her attendance at the NCLLEN Board meeting and said how impressed she is at the volume of activities they undertake. She reported on attending the ANZAC Day event in St Arnaud and today's councillor and community meet and greet which she says was a very positive exercise to be followed by similar activities to meet with the communities in Stawell and St Arnaud.

Cr Emerson reported he had attended 18 meetings in the last month and spoke of the very successful Stawell Gift and the support of the community. He said he had attended a couple of meetings about the monopoly on gas throughout Stawell, St Arnaud, Avoca and Horsham regions; a real concern with ongoing discussion with a group of people trying to get some attention from the government about it. He said from the MAV point of view he has attended a number of meetings but one, in particular, is to try and get recognition for the overhead powerlines going through our shire from State and Federal Governments.

Cr Ostarcevic reported on attending the Kooreh Hall Centenary celebrations. He said his work with the youth conversations is revealing and acknowledged the leadership of the young members. He said the three themes determined are the pump track, the Goldfields Reservoir for fishing and a focus on arts and craft. He spoke of government infrastructure provided for pre-prep, the council's submission to the VEC electoral boundaries review and breakfast at Teddington about decommissioning of the reservoir at Stuart Mill. Other activities included the SCAN meeting and ANZAC Day Dawn Service in St Arnaud and St Arnaud Golf Day.

Cr Erwin reported he had attended all of the events mentioned including the Teddington breakfast. He said he had also attended the CFA presentation of National Emergency Service Medals for the 2019-20 fires including members of the St Arnaud Group. This week he will attend the Grampians Grape Escape this weekend.

## RESOLUTION

**That the reports be received.**

**Moved: Cr Murray Emerson**

**Seconded: Cr Trevor Gready**

**Carried**

## **Queen Mary Botanic Garden Advisory Committee minutes, 15<sup>th</sup> February 2023**

**Present** Dot Baldwin, Marg McCahon, Jo Hamilton, Nola Lloyd, Lyn Box, Ros Small, Deirdre Freeman, Dorothy Patton (Pre)

**Apologies,** Janelle Patching

Marg McCahon Small-moved, seconded Jo Hamilton

**Minutes from previous meeting** true and correct, Ros moved, Lyn seconded .

### **Matters arising previous meeting**

Seats done and dusted.

Watering system still not sure if it's targeting the small, tender new planting.

Plaques – yes we will install, donated by the Friends of Queen Mary gardens 2023, Lyn to investigate with Jenny Bibby.

Sink-nothing has been done as of yet, Jason was not at meeting when this was discussed. Leave until Gala day.

Gala Day 25.03.2023 Friends meeting changed to 15.03.2023 at the gardens in the new section.

Discuss with Jason further information on Palms required and where to plant, number of foxtail and bismark, European fan palm and cycads as options?

Jo will check availability Jo suggested Grass Tree, general discussion about them being stolen as they are quite expensive and slow growing. Perhaps put surveillance camera sign up. Well try one grass tree ad see how it goes.

We don't put pieces in the local paper as it would draw attention to new planting and possible left, perhaps just public things like gala day and working bees.

Put add in North Central news, St Arnaud buy sell and swap, Facebook (Deirdre)

CFA signage discussed still not happy with its positioning in gardens discussed what to do about it i.e. write a letter.

Signage brick wall in new section – put to vote and solid brick wall with sandstone capped voted on, recycled brick, unanimous.

Wisteria planting to remind Jason/Health Pohl about the alterations required to the paving around poles to be able to plant wisteria.

Still happy with working bees 1st Saturday of the month @ 10.00am

Discussion re: relocating mosaic from market square to gardens, deemed not viable and won't happen, too much work and Sally Pritchard said it cannot be moved.

**No other items from previous minutes**      moved   Lyn Box      seconded Deirdre Freeman

## **Business arising**

Nil business arising

## **Gardeners report**

Nil gardeners report

## **Other business**

Next meeting 19<sup>th</sup> April General Meeting

Meeting closed 6.47pm.

**Queen Mary Botanic Garden Advisory Committee minutes, AGM 15<sup>th</sup>  
February 2023**

**Present** Dot Baldwin, Marg McCahon, Joanne Hamilton, Nola Lloyd, Lyn Box, Ros Small, Deirdre Freeman, Dorothy Patton (Pres)

**Apologies,** Janelle Patching

Marg McCahon-moved, seconded Jo Hamilton

**President report was presented.**

**Positions declared open:**

**President -Dorothy Patton, Nominated Ros Small**

**Vice president-Jo Hamilton, Nominated Dorothy Patton**

**Secretary-Janelle Patching, Nominated Lyn Box**

**No business arising from previous AGM**

**Meeting closed 5.40pm**

## 12. Urgent Business

Nil

## 13. Public Question Time

Nil

## 14. Closure of Meeting Pursuant to Section 66(2)(a) of the Local Government Act 2020

A Council or delegated committee may resolve that the meeting be closed to members of the public if it considers it necessary because a circumstance specified below apply:

The circumstances are-

- (a) the meeting is to consider confidential information; or
- (b) security reasons; or
- (c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

If the circumstances specified in subsection (b) or (c) apply, the meeting can only be closed to the public if the Council has made arrangements to enable the proceedings of the meeting to be viewed by members of the public as the meeting is being held.

### 14.1. C14 2022/23 - Stawell Flood Study

## RESOLUTION

That item 14.1 be considered in Closed Council as it deals with confidential information as detailed in section 3(1) of the *Local Government Act 2020*.

Moved: Cr Murray Emerson

Seconded: Cr Rob Haswell

Carried

## RESOLUTION

That the meeting be closed to consider the item listed pursuant to section 66 of the *Local Government Act 2020*.

Moved: Cr Murray Emerson

Seconded: Cr Rob Haswell

Carried

## OPEN COUNCIL

The Chief Executive Officer reported on the item discussed in Closed Council.

14.1 Council has agreed to award contract C14 2022/23 - Stawell Flood Investigation to Water Technology Pty Ltd for their submitted lump sum price, with the addition of the 'golf course' catchment provisional item.



**15. Close**

**There being no further business the Mayor declared the meeting closed at 1.13pm.**

Confirmed

A handwritten signature in black ink, appearing to read 'Kevin Erwin', written in a cursive style.

CR KEVIN ERWIN  
MAYOR

Date: 5 June 2023