



Scheduled Meeting of Council

Agenda

Wednesday 23 July 2025
Alexandra Council Chambers
28 Perkins Street
6:00 PM

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1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCILLORS' PLEDGE

1.1 Acknowledgement of Country

The meeting will be opened with the Mayor reading the following on behalf of the Murrindindi Shire Council:

“Murrindindi Shire Council is proud to acknowledge the Taungurung and Wurundjeri people as the traditional custodians of the land we now call Murrindindi Shire.

We pay our respects to their Elders past, present and emerging, who are the keepers of history, traditions, knowledge and culture of this land.”

1.2 Councillors' Pledge

“The Councillors, democratically elected to represent our community as the Murrindindi Shire Council, are committed to working together in the best interests of the people who live in our municipality, those who conduct business here and those who visit.”

2 PROCEDURAL MATTERS

2.1 Privacy Note

This public meeting is being streamed live via our Facebook page and website. A recording of the meeting along with the official Minutes of the meeting will also be published on our website.

2.2 Apologies and Request for Planned Leave

Nil.

2.3 Disclosure of Interest or Conflict of Interest

In accordance with section 130 (1)(a) of the *Local Government Act 2020* Councillors are required to disclose any “conflict of interest” in respect of a matter to be considered at a Council Meeting.

Disclosure must occur immediately before the matter is considered or discussed.

2.4 Confirmation of Minutes

Minutes of the Council Meeting held on 18 June 2025.

RECOMMENDATION

That Council confirm the minutes of the 18 June 2025, Council Meeting.

2.5 Petitions

Petitions received will be tabled at the Scheduled Meeting of Council.

2.6 Community Recognition

Council may suspend standing orders to thank and acknowledge particular community achievements.

2.7 Matters Deferred from Previous Meeting

Council may resolve to defer a matter to a future meeting for consideration for various reasons. Where a matter has been previously deferred it will be tabled for consideration under this section.

2.8 Urgent Business

Council may by resolution admit an item of urgent business only if:

- a. it relates to or arises out of a matter which has arisen since distribution of the Agenda; and
- b. deferring the item until the next Meeting will mean a decision on the item will not have any effect on the matter; or
- c. the item involves a matter of urgency as determined by the Chief Executive Officer; and
- d. it cannot be addressed through an operational service request process.
- e. Provided the matter does not:
 - I. substantially affect the levels of Council service
 - II. commit Council to significant expenditure not included in the adopted budget
 - III. establish or amend Council Policy.

3 PUBLIC PARTICIPATION

3.1 Open Forum

Section 8 of the *Governance Rules 2020* allows for Community Participation in Council Meetings. Open Forum is an opportunity for the general public to present to Council on a matter listed on the Agenda or any other matter.

3.2 Questions of Council

Questions of Council are an opportunity for the general public to submit a question prior to the Scheduled Meeting and receive a response from Council in the Questions of Council time.

4 REPORTS - COMMUNITY & DEVELOPMENT GROUP

4.1 Eildon Key Worker Housing Project – Background, Process and Council's Role

Department	Economic Development
Approved by	Andrew Paxton, Director Community and Development
Presenter	Cr Sandice McAulay
Portfolio	Economic Development
Purpose	For Information
Attachment(s)	Nil

Executive Summary

This report provides an overview of the history, strategic alignment and decision-making process underpinning Council's delivery of the Eildon Key Worker Housing Project, funded through the State Government Regional Worker Accommodation Fund.

This report is presented alongside two separate reports recommending that Council, acting as the responsible authority under the Planning and Environment Act 1987, issue planning permits for the development of 10 Eighth Street and 18 Twenty-First Street, Eildon.

Should Council resolve to grant the planning permits, a third report recommends that Council award the construction contract for the delivery of the housing.

This report provides context for Council's broader role in project delivery, funding, and community engagement.

RECOMMENDATION

That Council note the information in this report, including the timeline and decisions leading to the development of 10 Eighth Street and 18 Twenty-First Street, Eildon, for key worker housing.

Background

2018–2021: Strategic Foundations

- **2018/2019:** The *Recreation and Open Space Strategy* identified an oversupply of open space in Eildon.
- **2020:** The *Eildon Reserves Improvement Plan* was developed following community engagement.
- **2021:** Council secured funding to complete the *Eildon Reserves Detailed Design Project*, including further community engagement.

2022: Funding and Consultation on Land Use

- **Early 2022:** Council submitted grant applications for the redevelopment of Eildon Reserves, resulting in:
 - \$3.5M from the *Regional Tourism Investment Fund (RTIF)* (out of \$4.5M requested)
 - \$600K from *Sport and Recreation Victoria (SRV)*
 - \$400K from the *Local Roads and Community Infrastructure Program (LRCI)*
 - \$136K from *Department of Families, Fairness and Housing (DFFH)*
- Council committed \$1.2M in co-funding, including proceeds from proposed land sales
- **Sept–Oct 2022:** A 7-week community consultation on the proposed land sales:
 - 93 surveys received: 73% opposed the sale of 18 Twenty First Street, 72% opposed the sale of 10 Eighth Street
 - In-person engagement at pop-up events indicated majority support for the proposal.
- **26 October 2022:** A petition with 150 signatures was received opposing the land sales.
- **December 2022:** In response to the mixed and inconclusive results of the initial consultation, Council resolved to extend consultation through a structured deliberative community engagement process.

2023: Deliberative Engagement and Council Resolution

- **Feb–March 2023:** Specialist consultants ran a deliberative panel process

- Council agreed to follow the panel's recommendation on whether to sell the land if supported by more than 80% of participants.
- **22 March 2023:** Council resolved to proceed with the sale of the land and the *Eildon Reserves Redevelopment* within the existing scope and budget as per the recommendation from the deliberative panel
- To enable eventual sale, Council initiated the removal of restrictive covenants from the identified sites
- Legal advice identified the only beneficiaries of the covenant as *Goulburn Murray Water* and *Homes Victoria*, who were notified. Only the beneficiaries have the right to object to the removal of a covenant.

Key Worker Housing Strategy and Eildon Project Strategic Alignment

- The *Key Worker Housing Strategy (KWHS)*, adopted in April 2024, implements actions from the *Housing and Settlement Strategy 2022*.
- KWHS identified priority sites across the Shire for Council-supported housing, including, - 10 Eighth Street and 18 Twenty First Street, Eildon, following community input.

Project Scope and Funding

- The *Project* will deliver 33 bedrooms for key workers on Council-owned land.
- Total project cost is \$6.28M, with funding from the Victorian Government's Regional Worker Accommodation Fund
- Council's co-contribution includes:
 - \$1.4M cash
 - \$780K Land valued
 - \$100K in-kind project management
- The Project budget includes the repayment of \$400K borrowed from Council's Infrastructure Reserve, to fund the Eildon Reserves project. This was originally intended to be repaid from the sale of the land.
- The projected return is approximately \$3M over 10 years at 70% occupancy, plus future land value realisation.

Community Engagement on Design and Layout (Jan–Feb 2025)

Design Preferences

- The community strongly preferred traditional, country-style designs over modern or institutional-looking housing.
- House Concept 5 was selected as the basis for the design brief due to its balance of modern features and alignment with Eildon's character.
- Key features valued included:
 - Verandahs and outdoor living spaces
 - Carports adjacent to homes
 - Green spaces and gardens
 - Light colour tones and natural materials
- The most important factors ranked by respondents were:
 - *Quality*
 - *Value for money*
 - *Use of local suppliers*
 - *Maximising housing for workers and families*

Site Layout Feedback

- Twenty First Street:
 - Option C was the most favoured layout due to its improved flow, safety, and emergency service access.

- However, concerns remained about parking adequacy and the placement of Unit 1.
- Eighth Street:
 - Concerns were raised on all three layout options, particularly regarding road width, emergency access, and density.
 - Option C was selected as the basis for final design due to its greenery preservation and functional layout, despite ongoing concerns.

2024–2025: Council Adoption, Rezoning and Tender Process

- **11 December 2024:** Council formally resolved to use the two sites in Eildon for Key Worker Housing, with its proposed funding structure.
- **Early 2025:** Ministerial approval granted for rezoning and removal of covenants:
 - 10 Eighth Street rezoned from *Public Park and Recreation Zone* to *General Residential Zone*.
 - Covenants removed from all three relevant parcels with support from beneficiaries.
- **May 2025:** Tender advertised for housing construction, open throughout the month.
- **May 2025:** Planning permit applications submitted by Council's consultant on behalf of the Project Delivery team, for the subdivision and construction of houses.

This application aligns with the Council's *Housing and Settlement Strategy 2022*, aiming to increase housing supply for key workers in Eildon, a township facing housing shortages due to its tourism and service demands.

Discussion

Providing housing for key workers is a clearly identified need in Council's adopted strategies, ensuring a diverse accommodation mix that supports the essential workforce across the Shire.

Key worker housing is defined in the Housing and Settlement Strategy as:

Housing to support workers across the broader public sector; support / ancillary workers in healthcare, education, and emergency services; workers who support the labour force (e.g., childcare, and aged care workers and, low paid workers who are important for local economies, such as hospitality and retail workers.)

More broadly the concept also relates to 'housing where it is needed', taking into account localised demand and future workforce needs. For example, key workers in Eildon would be different from those in Yea or Alexandra.

Appropriate provision of key worker housing underpins the local economy, aligns with Council's growth strategies and contributes to social cohesion by enabling diverse demographic groups to live and work within their communities.

Council's Key Worker Housing Strategy was developed to guide how Council can support the delivery of such housing on suitable public land. Other key stakeholders were engaged in the development of the Strategy.

The Key Worker Housing Strategy, stemming from the Housing and Settlement Strategy adopted in 2024, identified priority locations for new housing across the Shire. Two Eildon sites, originally earmarked for sale for housing to support the Eildon Reserves Redevelopment, were selected instead to host key worker housing following successful grant funding through the Regional Worker Accommodation Fund.

Council submitted an Expression of Interest in early 2024 and secured funding in October to deliver 33 bedrooms of accommodation at 10 Eighth and 18 Twenty-First Streets in Eildon.

Community consultation, undertaken in January and February 2025, strongly influenced the layout and the built form design of the housing. These insights have shaped the tender process and planning permit application. The community expressed a clear preference for free-standing dwellings in a landscaped setting, suitable for families and key workers.

This outcome is particularly significant in light of recent changes to State planning controls in the General Residential Zone, which now enable significantly denser development, including buildings of up to four storeys, reduced setbacks, and higher site coverage, with large single dwellings now permit exempt. Had Council sold the land on the open market, a much more intensive development could have occurred. Instead, the broader community has welcomed Council's decision to retain the land and deliver modest-scale housing that reflects the character of the surrounding area. Loan Street in Yea provides an example of how changes to planning controls could otherwise facilitate denser development, including multi-storey dwellings on small lots.

Under the Regional Worker Accommodation Grant Council must ensure the properties are used for key workers for a minimum of five years.

This initiative reflects Council's leadership in addressing regional workforce housing needs, balancing strategic, financial, and community considerations to support economic development and liveability.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to "deliver efficient, sustainable land use planning outcomes to enhance liveability, protect our unique rural character and natural beauty, and to enable growth".

This report supports the *Council Plan 2021-2025 Growth and Opportunity* strategy to "boost local investment and employment opportunities through activities that encourage businesses, social enterprise, and industry sectors to thrive and grow".

Relevant Legislation

NIL

Financial and Risk Implications

The 2025/26 Council Budget includes provision for the following commitments:

Type	Amount	Source	Status
Co-contribution	\$1,500,000	Borrowings	In 2025/26 Budget
Eildon Reserves Redevelopment	\$400,000	Council's Infrastructure Reserve	Previously Approved
Total Council Commitment	\$1,900,000		

Borrowings and reserve funds are factored into the project's financial model and will be repaid through rental income and future land sales. Interest will be charged on reserve funds usage and recovered in full.

The amendment to rezone land and remove the covenant on the Eildon Reserve was approved by the Minister in March 2025.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community, Stakeholder and Communication Consultation

Extensive community engagement and consultation has occurred throughout the various stages of this project.

From the initial identification of the surplus recreational land in Eildon, through the options to release funding for the Eildon Reserve Redevelopment and subsequent decision to retain the land and for Council to retain control over any developed.

The sale and use of the two sites were originally tested through an extensive community panel process. The panel overwhelmingly supported the sale and strongly favoured the land being used for housing.

The community panel was later invited and briefed on the project concept including on the revised funding arrangement under the Regional Worker Accommodation Fund.

Further community consultation took place on the proposed housing design and configuration of the sites. An Engagement Report documents this process and shows how the feedback influenced the planning application and tender.

4.2 Planning Application - 18 Twenty First Street Eildon

Department	Development Services
Approved by	Andrew Paxton, Director Community & Development
Presenter	Cr Sandice McAulay
Portfolio	Economic Development
Purpose	For Discussion
Attachment(s)	<ol style="list-style-type: none"> 1. 18 Twenty First Street Eildon - Application Form [4.2.1 - 4 pages] 2. 18 Twenty First Street Eildon - Planning Report - Final [4.2.2 - 47 pages] 3. 18 Twenty First Street Eildon - Development Plans [4.2.3 - 11 pages] 4. 18 Twenty First Street Eildon - Proposed Plan of Subdivision [4.2.4 - 2 pages] 5. 18 Twenty First Street Eildon - Traffic advice [4.2.5 - 10 pages] 6. 18 Twenty First Street Eildon - Bushfire Advice [4.2.6 - 16 pages] 7. 18 Twenty First Street Eildon - Ausnet Response [4.2.7 - 2 pages] 8. 18 Twenty First Street Eildon - CFA Response [4.2.8 - 1 page] 9. 18 Twenty First Street Eildon - GVW Response [4.2.9 - 3 pages] 10. CONFIDENTIAL REDACTED - 18 Twenty First Street Eildon - Submission of Support [4.2.10 - 1 page] 11. CONFIDENTIAL REDACTED - 18 Twenty First Street Eildon - Objections Combined [4.2.11 - 8 pages]
Land	18 Twenty-First Street Eildon
Proposal	Six lot subdivision of land and development of six dwellings.
Applicant	Navy Blue Planning on behalf of Murrindindi Shire Council
Zone	General Residential Zone
Overlay	Nil
Permit Triggers	Clause 32.08-3 – Subdivision of land in the General Residential Zone
Clause 32.08-7	Construction of two or more dwellings on land in a General Residential Zone

Locality Plan

The Subject site and surrounds are shown in Figures 1 and 2.



Figure 1 – Subject Site

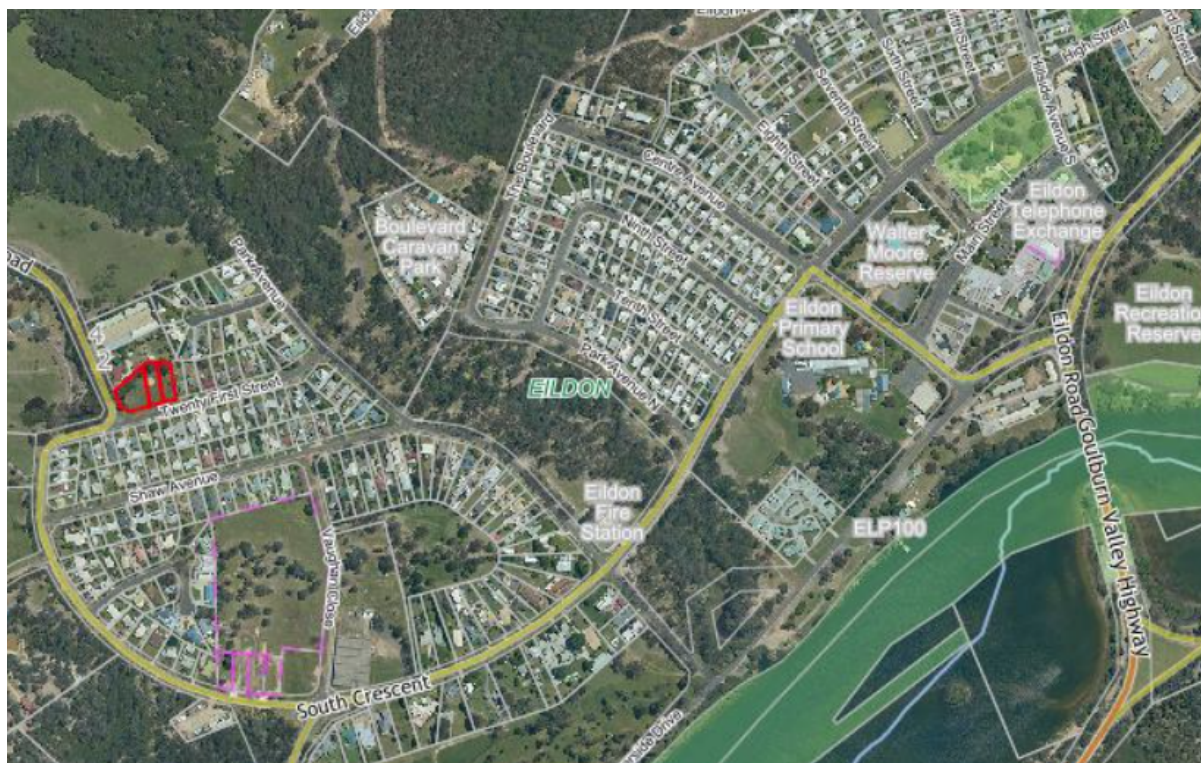


Figure 2 – Locality Map

Executive Summary

This application is for the development of land for six dwellings and a six-lot subdivision

The land is in the General Residential Zone and is not affected by any overlays.

The six dwellings and subsequent subdivision, to create one dwelling per lot is part of a larger project by the permit applicant to deliver housing for key workers in the Eildon Township.

The application was advertised to adjoining landowners and all properties on Twenty First Street. Additionally, a notice was displayed on site as well as a notice in the Alexandra Standard. 4 objections have been received by 9 July 2025. One submission of support has also been received.

The objections raise issues in relation to the loss of public open space, traffic impacts and car parking.

The application has been referred to CFA, Goulburn Valley Water and Ausnet who have consented to the proposal subject to conditions.

Additionally, the application has been referred internally to Council's Engineering unit who has consented to the proposal with conditions.

It is considered overall that the proposal is consistent with the Murrindindi Planning Scheme.

The proposal provides for additional residential lots in an area where development is supported at a strategic level. This report recommends that a notice of decision to grant a permit be issued in accordance with the recommendation detailed in the report.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Permit, under delegation for the development of land for six dwellings and a six-lot subdivision of land at 18 Twenty First Street Eildon, subject to the following conditions:

Plan Conditions

1. Prior to the commencement of any buildings or works plans shall be submitted and approved by the Responsible Authority. Such plans must be generally in accordance with the plans submitted with the application, but modified as follows:
 - a. Full elevation and floor plans of the development which include materials and colours and are consistent with Clause 55 of the Murrindindi Planning Scheme to the satisfaction of the Responsible Authority
 - b. Reorientation of boundary between lots 1 and 2 to allow for larger corner allotment to improve consistency with existing neighbourhood character
 - c. The provision of canopy trees in accordance with Clause 55.02-7 of the Murrindindi Planning Scheme to the satisfaction of the Responsible Authority
 - d. Location of letter boxes and internal lighting
 - e. Location of bin storage areas
 - f. External domestic storage areas consistent with Clause 55.03-11 of the Murrindindi Planning Scheme to the satisfaction of the Responsible Authority

When approved these plans shall be endorsed and form part of this permit.

2. Before the development hereby permitted commences, a landscape plan prepared by a suitably qualified (or experienced) landscape designer to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The landscaping plan must be generally in accordance with the landscape concept plan lodged with the application. The plan must show:
 - a. The area or areas set aside for landscaping;

- b. A schedule of all proposed trees, shrubs/small trees and ground cover taking into account the Firewise plant selection tool available on the CFA website for gardens in a high bushfire risk area;
 - c. The location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material;
 - d. All existing trees to be retained on the subject land;
 - e. Paving, retaining walls, fence design details and other landscape works including areas of cut and fill;
 - f. Appropriate irrigation systems;
3. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plan shall not be altered or modified without the consent in writing of the Responsible Authority.
4. Unless otherwise agreed in writing by the Responsible Authority, the landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose and any landscaping must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
5. Prior to the occupation of the dwellings, all planting in accordance with the landscape plan required under condition 2 must be completed unless with the prior written consent of the Responsible Authority.

Amenity Conditions

6. The development hereby permitted shall not cause nuisance or injury to, or prejudicially affect the amenity of the locality, by reason of the transportation of materials, goods and commodities to and from the land, the appearance of any building, works, or materials on the land, the emission of noise, vibration, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water, waste products, grit, oil or the presence of vermin or otherwise.
7. The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.
8. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
9. All new powerlines within the subdivision must be underground.

Public Open Space Contribution

10. Pursuant to Section 18 of the Subdivision Act 1988, the applicant must pay to the Responsible Authority a sum equivalent to 5% of the site value of all land in the subdivision for Public Open Space. This payment shall be made prior to the issue of a Statement of Compliance and may be adjusted in accordance with Section 19 of the Subdivision Act 1988.

Engineering Conditions

Plans

11. Prior to the commencement of any works, a suitably prepared engineering plan detailing the proposed driveway, earthworks and drainage, including the erosion

and sediment control measures must be submitted to the Responsible Authority and receive its endorsement.

12. Prior to the issue of a Statement of Compliance, the developer must construct the building and crossovers in accordance with approved construction drawings.
13. Prior to the occupation of the permitted development the construction of all civil works within the site, and any other required drainage measures, including detention system, must be constructed/installed to drain all impervious areas, to the satisfaction of the Responsible Authority.

Access

14. Prior to the issuing Statement of Compliance, any new or otherwise sealed vehicular entrance/s to the subdivision from Twenty-First Street from must be constructed or upgraded at applicant's expense to provide ingress and egress to the site at a location, size and standard satisfactory to the Responsible Authority. Refer to Council's Infrastructure Design Manual Section 12.9.1 – Industrial Vehicle Crossings and standard drawing SD 250.
15. An application for consent to work is required to be made prior to commencing any works on the road reserve and must comply with the requirements of the Road Management Act 2004 and associated Regulations.
16. Before a Statement of Compliance is issued or use/occupation of the development, the common property within the development shall be constructed, and drained to the satisfaction of the Responsible Authority. The common property must allow for vehicles to enter and exit the road in a forward direction and must be demonstrated using swept path analysis.

Drainage

17. The drainage strategy for the subdivision must be in accordance with the Council's Infrastructure Design Manual (IDM) Section 16 Urban Drainage.
18. Prior to certification of the plan of subdivision or the approval of any construction plans, stormwater management plan including WSUD components must be forwarded to and approved by the Responsible Authority.
19. Each lot shown on the endorsed plan must be independently drained to the satisfaction of the Responsible Authority. Plans and computations must be submitted showing direction of stormwater runoff and a point of discharge for each lot and outfall drainage.
20. Provision of appropriate detention system to ensure that the discharge from the site and the main drainage outfall is kept to predevelopment levels. Relevant computations or any computer modelling results shall be submitted to the Relevant Authority for approval.
21. The plan should also demonstrate the measures taken during the construction phase to control sediments and litter from the site.
22. All stormwater and surface water discharging from the building and works must be conveyed to a point of discharge, approved by the relevant authority. No stormwater discharge from downpipes or overflow from storage tank and surface water shall be directed or caused to be directed in a concentrated form that will

cause erosion and or adverse effects within the site or to adjoining land or properties.

Ausnet Conditions

23. The applicant must –

- Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
- Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.

Goulburn Valley Water Conditions

- 24. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;**
- 25. Provision of one water tapping per Lot and/or in Common Property with manifold meter assembly to service each Lot at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;**
- 26. Provision of separate manifolded water supply meters to each tenement within the development, located at the property boundary and to the satisfaction of Goulburn Valley Region Water Corporation;**
- 27. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;**
- 28. Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;**
- 29. All structures must be constructed clear of any proposed easement in favour of the Corporation, and one metre laterally clear of proposed Corporation assets. In addition, structure foundations must be appropriate to not impose loads onto Corporation assets and comply with Corporation requirements;**
- 30. Provision of sewerage connection points and/or combined sewer drains with an inspection opening to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;**
- 31. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation. All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services department;**

- 32. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed gravity sewer mains located within private property;**
- 33. A notation is to be placed on the plan of subdivision to note that pursuant to Section 12(2) of the Subdivision Act 1988, there exists "implied easements" over all of the allotments and the common property within the development; Alternatively, the developer is to provide a two metre wide sewerage easement over the common portion of the house connection drain, in favour of the benefiting land, to the satisfaction of the Goulburn Valley Region Water Corporation;**
- 34. Pursuant to Section 36 of the Subdivision Act 1988, if the Corporation considers that, for the economical and efficient subdivision and servicing of the land covered by the Application for Permit, it requires the owner of the land to acquire an easement over other land in the vicinity. That is, any land through which a sewerage extension servicing the development is to be located, easements shall be created in favour of the Corporation;**
- 35. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request;**
- 36. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act 1988.**

Permit Expiry

- 37. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:**
 - a. The development is not started within 2 years of the issued date of this permit.**
 - b. The development is not completed within 4 years of the issued date of this permit.**
 - c. The plan of subdivision has not been certified under the Subdivision Act 1988 within 2 years of the issued date of this permit.**
 - d. A statement of compliance is not issued within 5 years of the date of certification.**

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

The Land and Surrounds

The subject site contains three parcels of land with a total area of approximately 3400 square metres.

The land has frontage to Twenty First Street and Skyline Road, however is only accessible from Twenty First Street.

The land is currently a public reserve with limited play equipment and vegetation along the property boundaries. The site is generally flat.

The site is located on the western edge of the existing urban area of Eildon. Land to the south and east of the site is developed with standard residential lots containing a single dwelling each while land to the west is in the Rural Living Zone which is also largely developed and used for residential purposes.

The site is located approximately 1.8 kilometres from the central retail area of Eildon via the existing road network, however, is less distance on foot. The nearest public open space to the site is the Lower Pondage Area which is approximately 800m from the site.

Background

Amendment C77

Amendment C77 rezoned part of the land at 10 Eighth Street, Eildon from Public Park and Recreation Zone (PPRZ) to General Residential Zone, Schedule 1 (GRZ1 – Murrindindi General Residential Area) and removes restrictive covenants from the titles of land at 10 Eighth Street and part of 18 Twenty First Street, Eildon to facilitate the use and development of the affected land for key worker housing.

The amendment was required to allow the land to be used and developed to provide for housing within the township of Eildon as a priority identified within Council's Housing and Settlement Strategy (2022). Council has received funding from the Victorian Government Regional Worker Accommodation Fund to build key worker housing on the sites, and the amendment was necessary to enable the project to progress.

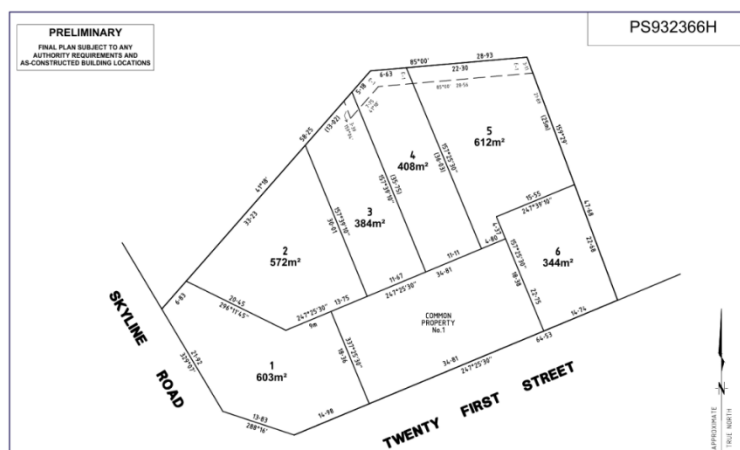
Proposal

The application proposes to construct six dwellings and to subdivide the land into six lots.

Subdivision

The application proposes an eight-lot subdivision of the land with common property. Access to all lots will be provided by a common property driveway which will also include space for two visitor car parking spaces. The subdivision will be configured as follows:

- Lot 1 – 603 square metres
- Lot 2 - 572 square metres
- Lot 3 - 384 square metres
- Lot 4 - 408 square metres
- Lot 5 - 612 square metres
- Lot 6 - 344 square metres



Development

The proposal is to build one dwelling on each lot. These dwellings will be either free-standing or semi-detached, with two or three bedrooms. Lot 1 and Lot 6 will be developed with 2-bedroom dwellings with the remaining lots to contain a 3-bedroom dwelling each. They will be built using modular construction, which allows for faster building times while still providing high-quality, permanent housing. These dwellings are not temporary or movable.

Vehicle access will be from Twenty First Street, with a shared driveway connecting all houses. The internal road layout has been designed to allow safe and efficient vehicle movement.

- Each 3-bedroom house will have 2 parking spaces.
- Each 2-bedroom house will have 1 parking space.
- 2 visitor parking spaces will also be provided.

This parking arrangement slightly exceeds the minimum requirements set out in Clause 52.06 of the Murrindindi Planning Scheme. A traffic engineering assessment has been completed by Traffix Group and is attached to this report.

Each dwelling will have its own bins stored on-site. Waste collection will follow the submitted Waste Management Plan which is attached to this report.

Cultural Heritage Management Plan

The land is not in an area of cultural heritage sensitivity. As such a Cultural Heritage Management Plan is not required.

Community and Stakeholder Consultation

Notice of the application was provided in accordance with the requirements of the Planning and Environment Act 1987 in the form of letters to adjoining and nearby neighbours, a sign onsite and a notice in the Alexandra Standard. The notice period ran up to 9 July 2025 however submissions can be made right up to the point where a decision is made.

At the time on writing this report 4 submissions were received, objecting to the proposal as well as two submissions of support. The objections related to:

- Traffic impacts
- Loss of parkland which is used by community cannot be reversed
- Inadequate car parking
- Lack of transparency in relation to removal of covenant
- Quality of proposed houses
- Development and subdivision is not consistent with character of the area
- Increase in noise
- Traffic impacts
- Loss of privacy
- Inconvenience of construction period
- Proposal is inconsistent with previous petitions to protect parkland
- Development not required
- Lack of clarity in relation to definition of 'key worker'
- Impact on property values
- Loss of parkland which is used by community
- Number of people on site will be disruptive to the community.
- Site should be retained as public open space or be developed in accordance with the outcomes of the deliberative panel process in 2022

Referrals

The application was referred to Goulburn Valley Water, Ausnet and CFA and internally to the engineering and assets departments. All referrals have consented with conditions to be included within the permit.

Planning Policy

The proposal has been assessed against state, regional and municipal Planning Policy Framework (PPF) contained in the Murrindindi Planning Scheme. Overall, it is considered to be consistent with the objectives and strategies of this framework as discussed below.

Clause 02 – Municipal Planning Strategy

Clause 02.03 - Strategic Directions

The established townships and settlements offer a significant opportunity to expand in locations with infrastructure and leisure facilities, where natural environment is protected and where a high level of community safety is facilitated.

Alexandra, Yea, Eildon and Marysville are fully serviced with a range of community and physical services, including reticulated water, drainage and sewerage. These towns play a significant role as service centres to surrounding areas, contributing to the economic and social vitality of the municipality. All of these towns have potential for further residential expansion with Yea and Alexandra having potential for significant growth. The service centre and tourism role played by Marysville is being re-established as the town rebuilds following the 2009 bushfires.

Council seeks to develop its established townships and settlements by:

- Supporting each township as the focus of residential, commercial, community and service hub for its surrounding area.
- Concentrating development in locations free from environmental constraints, where environmental values are protected and the level of community safety is improved.
- Support the function and residential growth of smaller townships and settlements.

Housing

The established townships and settlements offer a significant opportunity to expand and provide living opportunities in locations with infrastructure and leisure facilities, where natural environment is protected and where a high level of community safety is facilitated.

Council seeks to manage the development of its towns by (as relevant):

- Promoting and facilitate further residential development and housing diversity in established townships to meet the needs of the community, including affordable housing, public housing and aged care accommodation.
- Supporting residential growth that is sustainable.

Economic Development

Murrindindi Shire has a diverse economy, with key economic sectors being:

- Agriculture, aquaculture, horticulture and viticulture.
- Tourism, hospitality and conferencing.
- Manufacturing and engineering.
- Retail and trade services.
- Education, including outdoor education.
- Health care and social services.
- Forestry and timber processing.

The key commercial areas are Alexandra, Yea, Kinglake, Eildon and Marysville, with strong business activity also in the small townships.

The houseboat industry services sector provides long term employment and future growth opportunities for Eildon. Alexandra and Yea are the prime industrial areas in the municipality, both having land for lighter industrial uses or for industries that require larger areas and buffers from other land uses. Kinglake Ranges, Eildon and Narbethong have existing industrial areas to cater for some local industrial and service needs.

There is a diverse and skilled workforce within the Murrindindi Shire that is available for existing industry sectors and for new and expanded businesses. The ageing population and loss of young people from the Municipality needs to be addressed to maintain the available skilled workforce.

The natural and built attractions in the municipality contribute significantly towards its character and appeal and form the basis for an active tourism industry and the municipal economy.

This includes high amenity rural and natural landscapes, diverse public land and forests, rivers, heritage and attractive townships. The region's environmental assets, particularly the National and State Parks, Lake Mountain Alpine Resort, Lake Eildon, the Goulburn River, and the Great Victorian Rail Trail offer opportunities for a broad range of outdoor pursuits.

In promoting economic development, Council supports (as relevant):

- Encouraging business expansion, investment and employment.
- Facilitating the development of Eildon and Marysville townships as all year round residential, commercial and tourism destinations.
- Facilitating development of new tourism accommodation options and conference centres.

Clause 15.01-3S- Subdivision Design

The objective of the framework is to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

The proposed subdivision design aligns with the framework and provides for diverse housing opportunities that are within the existing township boundary. The layout will also limit the necessity for vehicles to reverse onto the existing road network in accordance with the requirements of Council's Engineering unit.

Clause 16.01-2L - Residential Development in Serviced and Non-Serviced Towns.

The objective of this Clause is to locate housing in serviced towns that offer a range of community and physical services.

The strategies of the policy for serviced towns are to:

1. Facilitate residential expansion in established, serviced townships that have potential for further growth, in particular Yea and Alexandra.
2. Encourage a diversity of housing including higher density housing, retirement villages and residential aged care facilities.
3. Encourage housing in well serviced areas to maximise infrastructure provision.
4. Facilitate housing in locations that ensure a high level of community safety, particularly from bushfire.

The proposed subdivision is appropriately located within the township of Eildon to comply with all the objectives and strategies in this policy. The subject land is located within walking distance to the main street and services. Furthermore, the proposed lot sizes will provide a diversity of housing than what currently exists in the immediate surroundings.

Clause 32.08 - General Residential Zone

The purpose of the zone is:

- 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.

The schedule to the zone does not provide any specific neighbourhood character objectives for this area (Eildon).

The proposed subdivision will provide an opportunity for future development of diverse housing types in a location that offers good access to services and transport. The lot layout and design of the dwellings and subdivision provides good pedestrian and vehicular access to and from the site.

All applications for subdivision in the General Residential Zone must meet the relevant objectives of Clause 56, Residential Subdivision, and should meet all relevant standards. Clause 56 is discussed in detail later in this report.

All applications for the development of two or more dwellings on land in the General Residential Zone must meet the relevant objectives of Clause 55, Two or more dwellings on a lot and residential buildings, and should meet all relevant standards. Clause 55 is discussed in detail later in this report.

Clause 52.02 - Easements, Restrictions and Reserves

The Purpose of this provision is:

- To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

The removal of the reserve status of this land has been approved through amendment C77 and is not required to be further considered as part of this application.

Clause 52.06 - Car Parking

The purpose of this clause is:

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

Pursuant to clause 52.06-5 of the Murrindindi Planning Scheme, car parking is required to be provided at the following rates:

- Dwelling (1-2 bedrooms) - 1 space
- Dwelling (3 or more bedrooms) - 2 spaces
- 1 visitor space for every 5 dwellings on land developed with multiple dwellings

Car Parking has been provided in accordance with the requirements of Clause 52.06 of the Murrindindi Planning Scheme.

Clause 53.01 - Public Open Space Contribution and Subdivision

The proposal for subdivision does not include any land specifically set aside for public open

space.

The proposal for subdivision does not include any land specifically set aside for public open space and therefore the applicant will be required to make a financial contribution being a 5% of the value of the land. This is consistent with Council's Public Open Space Contributions Policy (Adopted December 2022).

Clause 55 – Two or more dwellings on a lot and Residential Buildings

Purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage residential development that provides reasonable standards of amenity for existing and new residents.
- To encourage residential development that responds to the site and the surrounding area.

Clause 55.02-1 Street Setback Objective

- To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.

All dwellings are proposed to be accessed from the common property driveway. This ensures the front of the site remains open to the existing Twenty First Street frontage

Clause 55.02-2 – Building Height Objective

- To ensure that the height of buildings respond to the existing or preferred neighbourhood character.

All proposed dwellings are single storey which is consistent with the character of the area.

Clause 55.02-3 – Side and rear setback objective

- To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

All buildings are set back at least 1m from the proposed subdivision boundaries as required by this clause of the Murrindindi Planning Scheme. All buildings are further setback from the existing property boundaries.

Clause 55.02-4 – Walls on boundaries objectives

- To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.

No walls on boundaries are proposed.

Clause 55.02-5 – Site coverage objective

- To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.

The proposed development has a total area of 24.68% site coverage and 60.6% overall permeability, well below the maximum requirements set out in the standards applicable to this objective.

Clause 55.02-6 – Access objective

- To ensure the number and design of vehicle crossovers responds to the neighbourhood character.

Two vehicular access points are proposed to the site from Twenty First Street. This access will be constructed in accordance with the requirements of Council's Engineering Unit.

Clause 55.02-7 Tree Canopy objectives

- To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings on the streetscape.
- To preserve existing canopy cover and support the provision of new canopy cover.
- To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.

This provision requires that 20% of the site contains canopy trees. This has not been provided for in the submitted plans however it is considered that the site lends itself to additional planting works. Should a permit issue, it would be appropriate to require amended plans showing additional plantings on the site to meet the objective of this clause.

Clause 55.02-8 – Front fences objective

- To encourage front fence design that responds to the existing or preferred neighbourhood character.

No front fencing is proposed.

Clause 55.03-1 – Dwelling diversity objective

- To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

This provision is not applicable as the application proposes less than 10 dwellings.

Clause 55.03-2 – Parking location objective

- To minimise the impact of vehicular noise within developments on residents.

Shared parking and accessways are appropriately located away from habitable room windows in accordance with the standard and objective of this clause.

Clause 55.03-3 – Street integration objective

- To integrate the layout of development with the street to support the safety and amenity of residents.

The development has been designed to appropriately integrate with the street while providing appropriate surveillance over the existing streetscape and proposed shared accessways. Detailed plans showing the location of letterboxes and internal lighting will be required if a permit is issued.

Clause 55.03-4 Entry objectives

- To provide each dwelling, apartment development or residential building with its own sense of identity.
- To provide entries with weather protection, safe design, natural light and ventilation.

Entrances to all dwellings are clearly defined and visible from the proposed common property.

Clause 55.03-5 – Private open space objectives

- To provide adequate private open space for the reasonable recreation and service needs of residents.

It is considered that the proposed development is consistent with the objective of this clause.

Clause 55.03-6 Solar access to open space objective

- To allow solar access into the secluded private open space of new dwellings and residential buildings.

The proposed dwellings have been designed to appropriately address this objective of the Murrindindi Planning Scheme

Clause 55.03-7 Functional layout objective

- To ensure dwellings provide functional areas that meet the needs of residents.

The objectives of this clause can be accommodated by the proposal. Should a permit issue, prior to the endorsement of any plans, this will need to be clearly shown.

Clause 55.03-8 – Room depth objective

- To allow adequate daylight into single aspect habitable rooms.

The objectives of this clause can be accommodated by the proposal. Should a permit issue, prior to the endorsement of any plans, this will need to be clearly shown.

Clause 55.03-9 – Daylight to new window objective

- To allow adequate daylight into new habitable room windows.
- All new habitable room windows will have access to daylight.

All new habitable room windows will have access to daylight.

Clause 55.03-10 Natural ventilation objectives

- To encourage natural ventilation of dwellings.
- To allow occupants to effectively manage natural ventilation of dwellings.

The proposed dwellings will be able to be 'opened up' appropriately to allow for natural ventilation rather than relying solely or heavily on air conditioning or other mechanical equipment to improve the liveability of the proposed dwellings.

Clause 55.03-11 Storage objective

- To provide adequate storage facilities for each dwelling.

External storage facilities have not been shown on the plans however it is considered that this can be accommodated. Should a permit issue, amended plans showing external storage in accordance with Clause 55.03-11 of the Murrindindi Planning Scheme to the satisfaction of the Responsible Authority will be required.

Clause 55.03-12 Accessibility for apartment developments objective

- To ensure the design of dwellings meets the needs of people with limited mobility.

The standard contained within this provision relates to apartment developments only.

Clause 55.04-1 Daylight to existing windows objective

- To allow adequate daylight into existing habitable room windows.

The proposed dwellings are appropriately setback from the existing site boundaries to not impact on existing light levels within dwellings on adjoining properties.

Clause 55.04-2 Existing north-facing windows objective

- To allow adequate solar access to existing north-facing habitable room windows.

The proposed dwellings are appropriately setback from the existing site boundaries to not impact on existing light levels within dwellings on adjoining properties.

Clause 55.04-3 – Overshadowing secluded open space objective

- To ensure buildings do not significantly overshadow existing secluded private open space.

The proposed dwellings are appropriately setback from the existing site boundaries to not impact on existing secluded open space on adjoining properties.

Clause 55.04-4 Overlooking objective

- To limit views into existing secluded private open space and habitable room windows.

The proposed dwellings are appropriately setback from the existing site boundaries to not create unwanted views into adjoining secluded private open space.

Clause 55.04-5 Internal views objective

- To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

The siting of the dwellings has been designed to ensure views into open space and habitable rooms is limited.

Clause 55.05-1 Permeability and stormwater management objective

- To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.
- To facilitate on-site stormwater infiltration.
- To encourage stormwater management that maximises the retention and reuse of stormwater.
- To contribute to urban cooling.

Stormwater and drainage associated with this development will be constructed in accordance with the requirements of Council's Engineering Unit.

Clause 55.05-2 Overshadowing domestic solar energy systems objective

- To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.

It is unlikely that the proposed development will impact on any existing or future solar energy systems on adjoining properties.

Clause 55.05-3 Rooftop solar energy generation area objective

- To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

Rooftop solar energy systems can be appropriately accommodated on the proposed dwellings should future owners require this however this has not been proposed as part of this application. Should future owners or tenants of the buildings wish to do this, a planning permit would not be required.

Clause 55.05-4 Solar protection to new north-facing windows objective

- To encourage external shading of north facing windows to minimise summer heat gain.

Amended plans appropriately demonstrating compliance with this objective should be required by condition on any permit issued.

Clause 55.05-5 Waste and recycling objectives

- To ensure dwellings are designed to facilitate waste recycling.
- To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.
- To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.

Amended plans appropriately demonstrating compliance with this objective should be required by condition on any permit issued.

Clause 55.05-6 Noise impacts objective

- To minimise the impact of mechanical plant noise located in the development.

The proposed dwellings are appropriately set back from boundaries and each other to minimise the impact of any mechanical equipment (such as air conditioners, hot water services etc).

Clause 55.05-7 Energy efficiency for apartment developments objectives

- To achieve energy efficient dwellings and buildings.
- To ensure dwellings achieve adequate thermal efficiency.

This will be addressed at the time that a building permit is issued.

Clause 56 – Residential Subdivision

Clause 56 of the Murrindindi Planning Scheme sets out the State Government planning provisions relating to residential subdivision. Under these provisions a subdivision:

- Must meet all of the objectives; and
- Should meet all of the standards.

If Council is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Clause 56.03-5 Neighbourhood Character objective

- To design subdivisions that respond to neighbourhood character.

The subdivision has generally been designed with larger lots along the road frontages and smaller lots within site away from the roads to retain the character of the street. It is considered however that the open space is large for proposed Lot 2 given this application also includes development. It is considered appropriate Lot 2 and Lot 1 be realigned to provide for a larger corner lot to improve the consistency of the development with the existing character of the area.

Clause 56.04-1 Lot Diversity and Distribution objectives

- To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.
- To provide higher housing densities within walking distance of activity centres.
- To achieve increased housing densities in designated growth areas.
- To provide a range of lot sizes to suit a variety of dwelling and household types.

The proposed subdivision is set on one of the larger lots in the area and provides diversity in the size of the lots, albeit the surrounding properties. The slightly smaller lot sizes will allow for appropriate diversity of development in the future, catering for smaller single dwellings, units and higher density housing. The application also proposes development of the land with a dwelling on each lot. None of the proposed dwellings are considered to be large in size and can be accommodated within each of the lots as demonstrated previously in this report.

Clause 56.04-2 Lot Area and Building Envelopes objective

- To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

There are no allotments under 300m² and it has been demonstrated previously in this report that all proposed lots are capable of development.

Clause 56.04-3 Solar Orientation of Lots objective

- To provide good solar orientation of lots and solar access for future dwellings.

All of the proposed lots are orientated to provide adequate solar access to the lots and also take into account the relationship of neighbouring dwellings.

Clause 56.04-4 Street Orientation objective

- To provide a lot layout that contributes to community social interaction, personal safety and property security.

The proposal provides for an open area of common property at the front of the site which is consistent with the existing presentation of the site to Twenty First Street.

Clause 56.04-5 Common Area objective

- To identify common areas and the purpose for which the area is commonly held.
- To ensure the provision of common area is appropriate and that necessary management arrangements are in place.
- To maintain direct public access throughout the neighbourhood street network.

The application provides for common property at the front of the site. This will be open to Twenty First Street.

Clause 56.05-1 Integrated Urban Landscape objectives

- To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.
- To incorporate natural and cultural features in the design of streets and public open space where appropriate.
- To protect and enhance native habitat and discourage the planting and spread of noxious weeds.
- To provide for integrated water management systems and contribute to drinking water conservation.

Landscaping along the proposed street network should be required as part of any permit issued which include the provision of street trees along the new road. The application also proposes the retention of large trees within the site.

Clause 56.06-7 Neighbourhood Street Network Detail objective

- To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

The proposed common property driveway will be to a standard that will be approved by the Responsible Authority in accordance with the relevant standards of the Infrastructure Design Manual (IDM).

Clause 56.06-8 Lot Access objective

- To provide for safe vehicle access between roads and lots.

The road shown within the proposed Plan of Subdivision shows appropriate road access to each lot within the subdivision in accordance with access management requirements of the roads authority. The road and construction of crossovers will meet the requirements of the relevant road authority and Council standards.

Clause 56.07-1 Drinking Water Supply objective

- To reduce the use of drinking water.
- To provide an adequate, cost-effective supply of drinking water.

Lot sizes allow for water tanks to be located on each lot if required however are within the supply area of Goulburn Valley Water who have consented to the proposal subject to a number of conditions.

Clause 56.07-2 Reused and Recycled Water objective

- To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Lot sizes allow for water tanks to be located on each lot if required.

Clause 56.07-3 Wastewater Management objective

- To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Reticulated sewerage infrastructure will be provided to the boundary of all lots within the subdivision.

Clause 56.07-4 Stormwater Management objective

- To minimise damage to properties and inconvenience to residents from stormwater.
- To ensure that the street operates adequately during major storm events and provides for public safety.
- To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
- To encourage stormwater management that maximises the retention and reuse of stormwater.
- To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

The stormwater management system/drainage system will be developed to connect to the existing system within and adjacent to the site. A drainage system will be designed to ensure there are no detrimental impacts within the immediate area.

Clause 56.08-1 Site Management objective

- To protect drainage infrastructure and receiving waters from sedimentation and contamination.

- To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.
- To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable

Relevant conditions requiring a construction management plan can be included in any planning permit issued.

Clause 56.09-1 Shared Trenching objective

- To maximise the opportunities for shared trenching.
- To minimise constraints on landscaping within street reserves.

Reticulated services will be provided in shared trenching where deemed appropriate by the relevant authorities.

Clause 56.09-2 Electricity and Telecommunication objective

- To provide public utilities to each lot in a timely, efficient and cost effective manner.
- To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Electricity will be provided to the boundary of each lot within the subdivision and located underground. Telecommunication systems will be supplied to the boundary of each lot within the subdivision and are to be located underground. Gas is not currently available to the site.

Clause 56.09-3 Fire Hydrants objective

- To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Not applicable to this application.

Clause 56.09-4 Public Lighting objective

- To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.
- To provide pedestrians with a sense of personal safety at night.
- To contribute to reducing greenhouse gas emissions and to saving energy.

Street lighting will be consistent with Council's and Australian street lighting standards. Public lighting will be in accordance with relevant Australian Standards.

Clause 65.01 - Approval of an Application or Plan

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.

- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

Clause 65.02 - Approval of an Application to Subdivide Land

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any owners corporation.
- The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.
- The impact the development will have on the current and future development and operation of the transport system.

Discussion - Submissions

A response to the issues raised by the objectors is set out below:

- Lack of transparency in relation to removal of covenant

Through amendment C77 a covenant was removed from the land. This amendment was considered by the Department of Transport and Planning under Section 20(4) of the Planning and Environment Act 1987

- Quality of proposed houses

The proposed dwellings will be of modular construction. While they are manufactured off site, once built, they are no more movable than more traditionally constructed houses. Any dwelling constructed will be required to meet the requirements of the relevant building code.

- Development and subdivision is not consistent with character of the area

There is currently no recognised character statement for the Eildon Township. Medium density development is not common within the town and there are only three other developments of this nature within the township area. Despite not being common, medium density development close to existing town centres and services is encouraged by State government policy as well as Council's Housing and Settlement Strategy.

- Increase in noise

Officers acknowledge that an increase in density will increase noise levels. The increase in noise will be from other residential uses and is managed through EPA guidelines.

- Traffic impacts

A traffic management plan has been prepared and reviewed by Council's engineering unit. This report was prepared independently and has considered that the additional traffic generated by this development can be contained within the existing road network.

- Loss of privacy

The application has been considered against the provisions of Clause 55 and 56 of the Murrindindi Planning Scheme as detailed above.

- Inconvenience of construction period

The management of the site and impact on surrounding area during construction of a development will be managed through a construction management plan which will be required to be endorsed prior to the commencement of any buildings and works.

- Proposal is inconsistent with previous petitions to protect parkland

Officers must consider any application received.

- Development not required

Council's Statutory Planning Unit is unable to consider the demand for a development.

- Lack of clarity in relation to definition of 'key worker'

This application is for the consideration of eight dwellings. Council's Statutory Planning Unit is unable to consider the type of occupant in any proposed residential development.

- Impact on property values

While loss of property value is a common concern for neighbours, it is not a planning consideration.

- Loss of parkland which is used by community

The land is currently used as open space by our community. The location of the proposal is set amongst a number of existing dwellings, however, is located close to the existing redeveloped open space provided within the centre of the Eildon Township.

- Number of people on site will be disruptive to the community.

Officers acknowledge that an increase in density will increase noise levels. The increase in noise will be from other residential uses and is managed through EPA guidelines.

- Site should be retained as public open space or be developed in accordance with the outcomes of the deliberative panel process in 2022

Officers note this submission however are required under the Planning and Environment Act 1987 to consider the application before them. It is noted however, that were the land to be subdivided as per the previously endorsed 6 lot subdivision, that the land could be developed for other residential uses up to four storeys, in some instances without a planning permit and/or public notice.

Clause 67 - Land Owned or Permit Required by Responsible Authorities

Section 96(1) of the Planning and Environment Act 1987 requires the following:

- A responsible authority must obtain a permit from the Minister before carrying out any use or development for which a permit is required under the planning scheme for which it is the responsible authority unless the planning scheme exempts the land, use or development from this subsection.

This section of the legislation requires that where Council (as a Responsible Authority) requires a planning permit, this must be sought through the Minister for Planning.

Section 6(2)(ka) of the Planning and Environment Act 1987 allows for a planning scheme to exempt particular application types from the requirements of Section 96(1) or Section 96(2).

At Clause 67.01 of the Victoria Planning Provisions, which form the basis of the Murrindindi Planning Scheme, the following application types are exempt from Section 96(1) and 96(2) of the Planning and Environment Act 1987:

Class 1

Use of land for:

Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

Class 2

Development of land for:

A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

Class 3

Any other use or development.

Section 96 of the Planning and Environment Act 1987 requires that where Council requires a planning permit for the use or development of land, these must be sought through the Minister for Planning. This provision of the Victoria Planning Provisions returns the responsibility for decision making back to Council however there are specific notice provisions required at Clause 62.07 which are specified below:

In accordance with section 52(1)(c) of the Act, notice of an application must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- To which the exemption from notice and review in clause 52.31-2 applies.
- To construct or put up for display a sign.
- To remove, destroy or lop native vegetation under clause 52.17.

If a permit is only required under the Bushfire Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Salinity Management Overlay or Special Building Overlay.

In accordance with section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under clause 52.17 must be given to the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

This does not apply if the application must be referred to the Secretary under section 55 of the Act.

This provision removes Council's discretion to give notice of applications where Council is a permit applicant or landowner. In this instance notice of the application has been given to owners and occupiers of adjoining land.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to "deliver efficient, sustainable land use planning outcomes to enhance liveability, protect our unique rural character and natural beauty, and to enable growth".

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to "provide spaces within our towns that are vibrant, attractive, safe and accessible".

This report supports the *Council Plan 2021-2025 Growth and Opportunity* strategic objective "to prioritise and promote a culture in which the economy, businesses and community can grow and thrive".

This report supports the *Council Plan 2021-2025 Growth and Opportunity* strategy to "boost local investment and employment opportunities through activities that encourage businesses, social enterprise, and industry sectors to thrive and grow".

Relevant Legislation

The proposal is being considered under the provisions of the Murrindindi Planning Scheme and the Planning and Environment Act 1987.

Financial and Risk Implications

There are no financial implications or risks associated with the consideration of this application for a planning permit. Through the statutory planning process objectors have the right to appeal the decision at the Victorian Civil and Administrative Tribunal (VCAT)

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

4.3 Planning Application - 10 Eighth Street Eildon - Eight Dwellings, Eight Lot Subdivision and Vegetation Removal

Department	Development Services
Approved by	Andrew Paxton, Director Community & Development
Presenter	Cr Sandice McAulay
Portfolio	Economic Development
Purpose	For Discussion
Attachment(s)	<ol style="list-style-type: none"> 1. 10 Eighth Street Eildon - Application Form - Planning Permit [4.3.1 - 4 pages] 2. 10 Eighth Street Eildon - Planning Report - Final (005) [4.3.2 - 51 pages] 3. 10 Eighth Street Eildon - Proposed Development Plans [4.3.3 - 11 pages] 4. 10 Eighth Street Eildon - Proposed Plan of Subdivision [4.3.4 - 2 pages] 5. 10 Eighth Street Eildon - Bushfire Management [4.3.5 - 26 pages] 6. 10 Eighth Street Eildon - Traffic Management Plan [4.3.6 - 13 pages] 7. 10 Eighth Street Eildon - Waste Management Plan [4.3.7 - 16 pages] 8. 10 Eighth Street Eildon - Ausnet Conditional Consent [4.3.8 - 3 pages] 9. 10 Eighth Street Eildon - CFA CONDITIONAL CONSENT [4.3.9 - 3 pages] 10. 10 Eighth Street Eildon - GVW Conditional Consent [4.3.10 - 3 pages] 11. CONFIDENTIAL REDACTED - 10 Eighth Street Eildon - Submissions Combined [4.3.11 - 48 pages] 12. CONFIDENTIAL REDACTED - 10 Eighth Street Eildon - Submission of Support [4.3.12 - 1 page]
Land	10 Eighth Street Eildon
Proposal	Development of land for eight dwellings, an eight-lot subdivision, removal of native vegetation
Applicant	Navy Blue Planning on behalf of Murrindindi Shire Council
Zone	General Residential Zone
Overlay	Nil
Permit Triggers	Clause 32.08-3 – Subdivision of land in the General Residential Zone Clause 32.08-7 – Construction of two or more dwellings on land in a General Residential Zone Clause 44.06-2 – Subdivision of land in the Bushfire Management Overlay Clause 44.06-2 – Buildings and works associated with the use of land for Accommodation (Dwelling) Clause 52.17- Removal of Native Vegetation
Locality Plan	The subject site and surrounds are shown in Figures 1 and 2.



Figure 1 – Subject Site



Figure 2 Locality Map

Executive Summary

This application is for the development of land for eight dwellings, an eight-lot subdivision, and removal of native vegetation.

The land is in the General Residential Zone and is affected in part by the Bushfire Management Overlay.

The eight dwellings and subsequent subdivision to create one dwelling per lot is part of a larger project by the permit applicant to deliver housing for key workers in the Eildon Township.

Native vegetation loss is proposed to facilitate the development. This includes the removal of trees as well as consequential loss. Consequential loss refers to the exemption created as a result of the proposal, in particular for lots under 4000 square metres. Lots under this size are exempt from the requirements of the Native Vegetation Framework pursuant to Clause 52.17-6 of the Murrindindi Planning Scheme. While these trees are 'considered lost' as a result of the proposal, the officer recommendation seeks to protect these trees through a Tree Retention Plan to be added to the title of the land.

The application was advertised to adjoining landowners and 11 objections were received by the 9 July. One submission of support has also been received.

The objections raise issues in relation to amenity, loss of public open space, traffic, noise, and questioned the demand for such a development.

The application has been referred to CFA, Goulburn Valley Water and Ausnet who have consented to the proposal subject to conditions.

Additionally, the application has been referred internally to Council's Engineering unit who has consented to the proposal.

It is considered overall that the proposal is consistent with the Murrindindi Planning Scheme.

The proposal provides for additional residential lots in an area where development is supported at a strategic level. This report recommends that a notice of decision to grant a permit be issued in accordance with the recommendation detailed in the report.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a planning permit for the Development of land for Eight (8) dwellings, Eight (8) lot subdivision, removal of native vegetation at 10 Eighth Street Eildon, subject to the following conditions:

Plan Conditions

- 1. Prior to the commencement of any buildings or works plans shall be submitted and approved by the Responsible Authority. Such plans must be generally in accordance with the plans submitted with the application, but modified as follows:**
 - a. Full elevation and floor plans of the development which include materials and colours and are consistent with Clause 55 of the Murrindindi Planning Scheme to the satisfaction of the Responsible Authority**
 - b. Reorientation of dwelling on proposed Lot 8 to face Eighth Street to improve street presence and allow for greater solar access to open space**
 - c. Setback of driveway from boundary of property at 12 Eighth Street to allow sufficient space for screening vegetation between boundaries.**
 - d. The provision of canopy trees in accordance with Clause 55.02-7 of the Murrindindi Planning Scheme to the satisfaction of the Responsible Authority**
 - e. Notation on plan showing that and fencing not adjoining Secluded Public Open Space along Eighth Street boundary will be no higher than 1.2m.**
 - f. Location of letter boxes and internal lighting**
 - g. Location of bin storage areas**
 - h. External domestic storage areas consistent with Clause 55.03-11 of the Murrindindi Planning Scheme to the satisfaction of the Responsible Authority**

When approved these plans shall be endorsed and form part of this permit.

2. Before the development hereby permitted commences, a landscape plan prepared by a suitably qualified (or experienced) landscape designer to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The landscaping plan must be generally in accordance with the landscape concept plan lodged with the application. The plan must show:
 - a. The area or areas set aside for landscaping;
 - b. A schedule of all proposed trees, shrubs/small trees and ground cover taking into account the Firewise plant selection tool available on the CFA website for gardens in a high bushfire risk area;
 - c. The location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material;
 - d. All existing trees to be retained on the subject land;
 - e. Paving, retaining walls, fence design details and other landscape works including areas of cut and fill;
 - f. Appropriate irrigation systems;
3. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plan shall not be altered or modified without the consent in writing of the Responsible Authority.
4. Unless otherwise agreed in writing by the Responsible Authority, the landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose and any landscaping must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
5. Prior to the occupation of the dwellings, all planting in accordance with the landscape plan required under condition 2 must be completed unless with the prior written consent of the Responsible Authority.

Amenity Conditions

6. The development hereby permitted shall not cause nuisance or injury to, or prejudicially affect the amenity of the locality, by reason of the transportation of materials, goods and commodities to and from the land, the appearance of any building, works, or materials on the land, the emission of noise, vibration, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water, waste products, grit, oil or the presence of vermin or otherwise.
7. The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.
8. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
9. All new powerlines within the subdivision must be underground.

Public Open Space Contribution

10. Pursuant to Section 18 of the Subdivision Act 1988, the applicant must pay to the Responsible Authority a sum equivalent to 5% of the site value of all land in the subdivision for Public Open Space. This payment shall be made prior to the issue of a Statement of Compliance and may be adjusted in accordance with Section 19 of the Subdivision Act 1988.

Engineering Conditions

11. Prior to the commencement of any works, a suitably prepared engineering plan detailing the proposed driveway, earthworks and drainage, including the erosion and sediment control measures must be submitted to the Responsible Authority and receive its endorsement.
12. Prior to the issue of a Statement of Compliance, the developer must construct the building and crossovers in accordance with approved construction drawings.
12. Prior to the occupation of the permitted development the construction of all civil works within the site, and any other required drainage measures, including detention system, must be constructed/installed to drain all impervious areas, to the satisfaction of the Responsible Authority.

Access

13. Prior to issuing Statement of Compliance, a new sealed vehicular entrance to the subdivision from Seventh Street must be constructed at applicant's expense to provide ingress and egress to the site at a location, size and standard satisfactory to the Responsible Authority. Refer to Council's Infrastructure Design Manual Section 12.9.1 – Industrial Vehicle Crossings and standard drawing SD 250.
14. An application for consent to work is required to be made prior to commencing any works on the road reserve and must comply with the requirements of the Road Management Act 2004 and associated Regulations.
15. Before a Statement of Compliance is issued or use/occupation of the development, the common property within the development shall be constructed, and drained to the satisfaction of the Responsible Authority. The common property must allow for vehicles to enter and exit the road in a forward direction and must be demonstrated using swept path analysis.

Drainage

16. The drainage strategy for the subdivision must be in accordance with the Council's Infrastructure Design Manual (IDM) Section 16 Urban Drainage.
17. Prior to certification of the plan of subdivision or the approval of any construction plans, stormwater management plan including WSUD components must be forwarded to and approved by the Responsible Authority. This shall include creating a drainage easement with an underground pipe along the southern boundary to protect downstream properties such as 8 Eighth and 7 Seventh Street properties.
18. Each lot shown on the endorsed plan must be independently drained to the satisfaction of the Responsible Authority. Plans and computations must be submitted showing direction of stormwater runoff and a point of discharge for each lot and outfall drainage.
19. Provision of appropriate detention system to ensure that the discharge from the site and the main drainage outfall is kept to predevelopment levels. Relevant

computations or any computer modelling results shall be submitted to the satisfaction of the Relevant Authority for approval.

20. The plan should also demonstrate the measures taken during the construction phase to control sediments and litter from the site.

21. All stormwater and surface water discharging from the building and works must be conveyed to a point of discharge, approved by the relevant authority. No stormwater discharge from downpipes or overflow from storage tank and surface water shall be directed or caused to be directed in a concentrated form that will cause erosion and or adverse effects within the site or to adjoining land or properties.

Ausnet Conditions

22. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the subdivision Act 1988.

23. The applicant must –

- Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
- Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.

Goulburn Valley Water Conditions

24. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;

25. Provision of one water tapping per Lot and/or in Common Property with manifold meter assembly to service each Lot at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;

26. Provision of separate manifolded water supply meters to each tenement within the development, located at the property boundary and to the satisfaction of Goulburn Valley Region Water Corporation;

27. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;

28. Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;

29. Provision of sewerage connection points and/or combined sewer drains with an inspection opening to each allotment within the development, at the developer's

expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;

30. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.
31. All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services department;
32. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed gravity sewer mains located within private property;
33. A notation is to be placed on the plan of subdivision to note that pursuant to Section 12(2) of the Subdivision Act 1988, there exists "implied easements" over all of the allotments and the common property within the development;
34. Alternatively, the developer is to provide a two metre wide sewerage easement over the common portion of the house connection drain, in favour of the benefiting land, to the satisfaction of the Goulburn Valley Region Water Corporation;
35. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request;
36. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act 1988.

CFA Conditions

37. *Bushfire Management Plan Required*

Before the development starts, a Bushfire Management Plan must be prepared to the satisfaction of CFA then submitted to and endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority. The plan must show the following bushfire protection measures:

a. Defendable space

Defendable space for a distance of 50 metres around the proposed dwellings/lots 1 and 2 (or to the property boundary, whichever is the lesser distance) must be provided where vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.

- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 2 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

b. Construction standards

The building must be constructed to a minimum Bushfire Attack Level of 12.5 (BAL-12.5).

c. Water supply

5000 litres of effective water supply for fire fighting purposes must be provided which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
- Include a separate outlet for occupant use.

38. Seventh Street amended access width

Prior to certification the proposed common property access width shown on the preliminary Plan of Subdivision PS9192023N must be amended so that the access from Seventh Street is minimum of 3.5m wide.

Permit Expiry

39. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:

- a. The development is not started within 2 years of the issued date of this permit.
- b. The development is not completed within 4 years of the issued date of this permit.
- c. The plan of subdivision has not been certified under the Subdivision Act 1988 within 2 years of the issued date of this permit.
- d. A statement of compliance is not issued within 5 years of the date of certification.

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

The Land and Surrounds

The subject site contains two parcels of land with a total area of just over 4000 square metres.

The land has frontage to both Seventh and Eighth Streets and access to the site is available from Seventh Street.

The land is currently used as a public reserve with limited play equipment and vegetation along the property boundaries. The site has a gently upward slope to the north.

The site is located within the centre of the Eildon Township. Land to the north, west and south of the site is developed for residential purposes with adjoining and surrounding lots being developed mostly with single dwellings. To the east of the site, on the opposite side of Seventh Street is the Eildon Bowls Club.

The site is located approximately 300 metres from the central retail area of Eildon via the existing pedestrian and road network which also passes through recently upgraded areas of public open space.

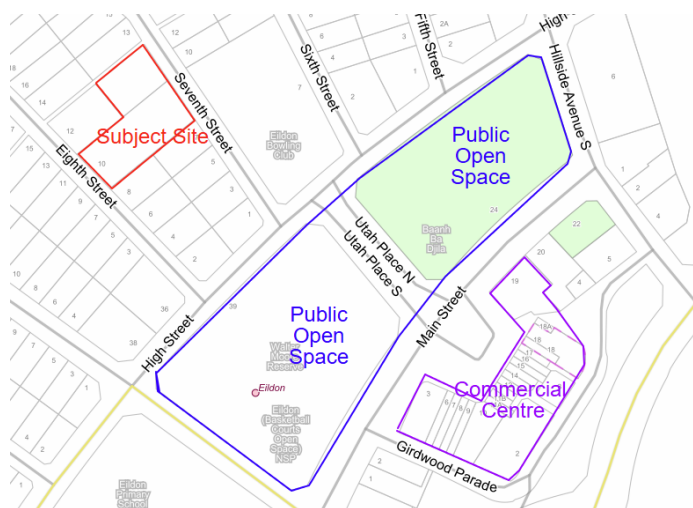


Figure 3 – Site Context

Background

Site History

The land on which the application is proposed formerly contained the Eildon Kindergarten. The building and land on which it sat were Council Assets, however the service was provided through the State Government. Approximately 25 years ago, the kindergarten was relocated to the Eildon Primary School. To assist with this relocation, Council determined to sell the land on which the former kindergarten was located. This was a contentious issue at the time and part of the land was kept as a reserve for open space. The land which now forms part of the adjoining site at 12 Eighth Street was sold with the land to the rear of this property which fronts Seventh Street was reserved for public use.

Amendment C77

Amendment C77 rezoned part of the land at 10 Eighth Street, Eildon from Public Park and Recreation Zone (PPRZ) to General Residential Zone, Schedule 1 (GRZ1 – Murrindindi General Residential Area) and removed the restrictive covenants from the titles of land at 10 Eighth Street and part of 18 Twenty First Street, Eildon to facilitate the use and development of the affected land for housing.

The amendment was required to allow the land to be used and developed for housing within the township of Eildon. With Key worker housing identified as a priority within Council's Housing and Settlement Strategy (2022). Council has received funding from the Victorian Government Regional Worker Accommodation Fund to build key worker housing on the sites and the amendment was necessary to enable the project to progress.

Proposal

The application proposes to construct eight dwellings and subdivide the land into 8 lots at 10 Eighth Street, Eildon.

The application also includes the consequential removal of native vegetation. Trees on the Eighth Street frontage are intended to be retained as shown in the attached plans. These are largely contained to proposed Lot 8.

Subdivision

The application proposes an eight-lot subdivision of the land with common property. Access to all lots will be provided by a common property driveway which will also include space for two visitor car parking spaces. The subdivision will be configured as follows:

- Lot 1 – 623 square metres
- Lot 2 - 623 square metres
- Lot 3 - 311 square metres
- Lot 4 - 353 square metres
- Lot 5 - 388 square metres
- Lot 6 - 339 square metres
- Lot 7 - 349 square metres
- Lot 8 - 567 square metres

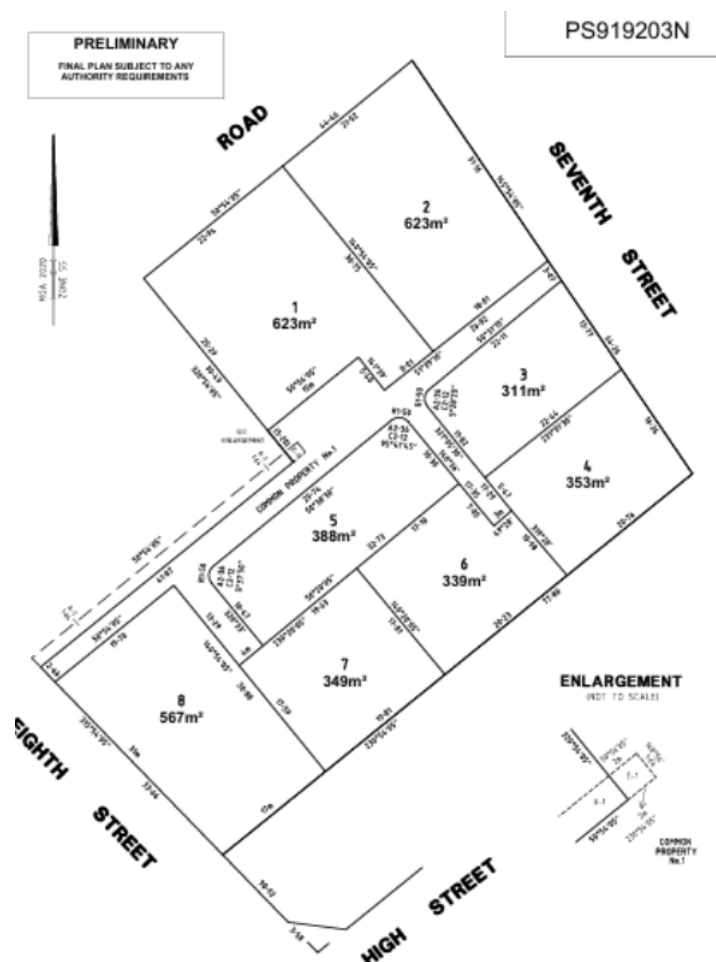


Figure 4 – Plan of Subdivision

Development

The proposal is to build one dwelling on each lot. These dwellings will be either free-standing or semi-detached, with two or three bedrooms. Lot 3 and Lot 5 will be developed with 3-bedroom dwellings with the remaining lots to contain a 2-bedroom dwelling each. They will be built using modular construction, which allows for faster building times while still providing high-quality, permanent housing. These dwellings are not temporary or movable.

The site is well connected to the Eildon township, with easy access to local services and amenities via existing roads and footpaths. Vehicle access will be from Seventh Street, with a shared driveway connecting all houses. Pedestrian access to Eighth Street will also be maintained. The internal road layout has been designed to allow safe and efficient vehicle movement.

- Each 3-bedroom house will have 2 parking spaces.
- Each 2-bedroom house will have 1 parking space.
- 2 visitor parking spaces will also be provided.

This parking arrangement slightly exceeds the minimum requirements set out in Clause 52.06 of the Murrindindi Planning Scheme. A traffic engineering assessment has been completed by Traffix Group and is attached to this report.

Each dwelling will have its own bins stored on-site. Waste will be collected through Council's regular kerbside service. Residents of lots 1, 2, 3, 4, and 6 will place their bins on Seventh Street for collection. Residents of lots 5, 7, and 8 will use Eighth Street. Waste collection will follow the submitted Waste Management Plan which is attached to this report.

Figure 4 – Reserve Land

Cultural Heritage Management Plan

The land is not in an area of cultural heritage sensitivity. As such a Cultural Heritage Management Plan is not required.

Community and Stakeholder Consultation

Notice of the application was provided in accordance with the requirements of the Planning and Environment Act 1987 in the form of letters to adjoining and nearby neighbours, a sign onsite and a notice in the Alexandra Standard. The notice period ran up to 9 July 2025 however submissions can be made right up to the point where a decision is made.

At the time on writing this report, 11 submissions were received, objecting to the proposal and two submissions of support. The objections related to:

- Lack of transparency in relation to removal of covenant
- Quality of proposed houses
- Development and subdivision is not consistent with character of the area
- Increase in noise
- Traffic impacts
- Loss of privacy
- Inconvenience of construction period
- Proposal is inconsistent with previous petitions to protect parkland
- Development not required
- Lack of clarity in relation to definition of 'key worker'
- Impact on property values
- Loss of parkland which is used by community
- Number of people on site will be disruptive to the community.
- Site should be retained as public open space or be developed in accordance with the outcomes of the deliberative panel process in 2022

Officers met with objectors to the proposal at Council offices on 17 July 2025 where all present were given the opportunity to speak to their submissions as well as raise additional concerns.

Most of the concerns raised in the meeting related to the Deliberative Engagement process and the amendment to the Murrindindi Planning Scheme.

One particular item raised related to the location of the internal driveway and its proximity to the property boundaries. In this meeting, it was noted that a condition of the permit could be included which requires the driveway to be offset from the property boundary with sufficient distance to allow for screening vegetation to be planted within the common property.

To date, no objections have been withdrawn.

Referrals

The application was referred to Goulburn Valley Water, Ausnet and CFA and internally to the engineering and assets departments. All referrals have consented with conditions to be included within the permit.

Planning Policy

The proposal has been assessed against state, regional and municipal Planning Policy Framework (PPF) contained in the Murrindindi Planning Scheme. Overall, it is considered to be consistent with the objectives and strategies of this framework as discussed below.

Clause 02 – Municipal Planning Strategy

Clause 02.03 - Strategic Directions

The established townships and settlements offer a significant opportunity to expand in locations with infrastructure and leisure facilities, where natural environment is protected and where a high level of community safety is facilitated.

Alexandra, Yea, Eildon and Marysville are fully serviced with a range of community and physical services, including reticulated water, drainage and sewerage. These towns play a significant role as service centres to surrounding areas, contributing to the economic and social vitality of the municipality. All of these towns have potential for further residential expansion with Yea and Alexandra having potential for significant growth. The service centre and tourism role played by Marysville is being re-established as the town rebuilds following the 2009 bushfires.

Council seeks to develop its established townships and settlements by:

- Supporting each township as the focus of residential, commercial, community and service hub for its surrounding area.
- Concentrating development in locations free from environmental constraints, where environmental values are protected and the level of community safety is improved.
- Support the function and residential growth of smaller townships and settlements.

Housing

The established townships and settlements offer a significant opportunity to expand and provide living opportunities in locations with infrastructure and leisure facilities, where natural environment is protected and where a high level of community safety is facilitated.

Council seeks to manage the development of its towns by (as relevant):

- Promoting and facilitate further residential development and housing diversity in established townships to meet the needs of the community, including affordable housing, public housing and aged care accommodation.
- Supporting residential growth that is sustainable.

Economic Development

Murrindindi Shire has a diverse economy, with key economic sectors being:

- Agriculture, aquaculture, horticulture and viticulture.
- Tourism, hospitality and conferencing.
- Manufacturing and engineering.
- Retail and trade services.
- Education, including outdoor education.
- Health care and social services.
- Forestry and timber processing.

The key commercial areas are Alexandra, Yea, Kinglake, Eildon and Marysville, with strong business activity also in the small townships.

The houseboat industry services sector provides long term employment and future growth opportunities for Eildon. Alexandra and Yea are the prime industrial areas in the municipality, both having land for lighter industrial uses or for industries that require larger areas and buffers from other land uses. Kinglake Ranges and Narbethong have existing industrial areas to cater for some local industrial and service needs.

There is a diverse and skilled workforce within the Murrindindi Shire that is available for existing industry sectors and for new and expanded businesses. The ageing population and loss of young people from the Municipality needs to be addressed to maintain the available skilled workforce.

The natural and built attractions in the municipality contribute significantly towards its character and appeal and form the basis for an active tourism industry and the municipal economy.

This includes high amenity rural and natural landscapes, diverse public land and forests, rivers, heritage and attractive townships. The region's environmental assets, particularly the National and State Parks, Lake Mountain Alpine Resort, Lake Eildon, the Goulburn River, and the Great Victorian Rail Trail offer opportunities for a broad range of outdoor pursuits.

In promoting economic development, Council supports (as relevant):

- Encouraging business expansion, investment and employment.
- Facilitating the development of Eildon and Marysville townships as all year round residential, commercial and tourism destinations.
- Facilitating development of new tourism accommodation options and conference centres.

The serviced townships, particularly Alexandra and Yea, are identified as being suitable for further residential expansion including infill development. A variety of housing choices should be provided within townships, including Alexandra and the Council specifically seeks to promote and facilitate residential development and housing diversity.

Clause 15.01-3S- Subdivision Design

The objective of the framework is to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

The proposed subdivision design and proximity to the central business area of Eildon aligns with the framework and provides for diverse housing opportunities that are within walking distance to services. The layout will also limit the necessity for vehicles to reverse onto the existing road network in accordance with the requirements of Council's Engineering unit.

Clause 16.01-2L - Residential Development in Serviced and Non-Serviced Towns.

The objective of this Clause is to locate housing in serviced towns that offer a range of community and physical services.

The strategies of the policy for serviced towns are to:

1. Facilitate residential expansion in established, serviced townships that have potential for further growth, in particular Yea and Alexandra.
2. Encourage a diversity of housing including higher density housing, retirement villages and residential aged care facilities.
3. Encourage housing in well serviced areas to maximise infrastructure provision.
4. Facilitate housing in locations that ensure a high level of community safety, particularly from bushfire.

The proposed subdivision is appropriately located within the township of Eildon to comply with all the objectives and strategies in this policy. The subject land is located within walking distance to the main street and services. Furthermore, the proposed lot sizes will provide a diversity of housing than what currently exists in the immediate surroundings.

Clause 32.08 - General Residential Zone

The purpose of the zone is:

- 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.

The schedule to the zone does not provide any specific neighbourhood character objectives for this area (Eildon).

The proposed subdivision will provide an opportunity for future development of diverse housing types in a location that offers good access to services and transport. The lot layout and design of the dwellings and subdivision provides good pedestrian and vehicular access to and from the site.

All applications for subdivision in the General Residential Zone must meet the relevant objectives of Clause 56, Residential Subdivision, and should meet all relevant standards. Clause 56 is discussed in detail later in this report.

All applications for the development of two or more dwellings on land in the General Residential Zone must meet the relevant objectives of Clause 55, Two or more dwellings on a lot and residential buildings, and should meet all relevant standards. Clause 55 is discussed in detail later in this report.

Clause 44.06 - Bushfire Management Overlay

The purpose of this overlay is:

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

The subject site is affected in part by the Bushfire Management Overlay. The area of the site affected by this overlay is limited to an area of approximately 640 square metres in the northern corner of the site.



Figure 4 – Extent of site in BMO

The area of the site where development is proposed is contained within Lot 1 and Lot 2. A Bushfire Management Plan and Bushfire Management Statement has been prepared for the whole site. This has been referred to the CFA who have consented to the proposal subject to conditions.

It is considered that the development of this can appropriately provide effective bushfire management strategies within an existing township area. The proposal is consistent with the decision guidelines of the Bushfire Management Overlay

Clause 52.02 - Easements, Restrictions and Reserves

The Purpose of this provision is:

- To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

The removal of the reserve status of this land has been approved through amendment C77 and is not required to be further considered as part of this application.

Clause 52.06 - Car Parking

The purpose of this clause is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.

- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Pursuant to clause 52.06-5 of the Murrindindi Planning Scheme, car parking is required to be provided at the following rates:

- Dwelling (1-2 bedrooms) - 1 space
- Dwelling (3 or more bedrooms) - 2 spaces
- 1 visitor space for every 5 dwellings on land developed with multiple dwellings

Car Parking has been provided in accordance with the requirements of Clause 52.06 of the Murrindindi Planning Scheme.

Clause 52.17 - Native Vegetation

Purpose:

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

Clause 53.01 - Public Open Space Contribution and Subdivision

The proposal for subdivision does not include any land specifically set aside for public open space.

The proposal for subdivision does not include any land specifically set aside for public open space and therefore the applicant will be required to make a financial contribution being a 5% of the value of the land. This is consistent with Council's Public Open Space Contributions Policy (Adopted December 2022).

Clause 55 – Two or more dwellings on a lot and Residential Buildings

Purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage residential development that provides reasonable standards of amenity for existing and new residents.
- To encourage residential development that responds to the site and the surrounding area.

Clause 55.02-1 Street Setback Objective

- To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.

Dwellings on adjoining properties on Seventh Street are well set back front boundary approximately 10m. The maximum required setback within this provision of the planning scheme

is 9m for new development. The dwellings on proposed lot 3 and 4 are set back at least 9m (not allowing for decking) and the dwelling on Lot 2 exceeds this requirement.

Clause 55.02-2 – Building Height Objective

- To ensure that the height of buildings respond to the existing or preferred neighbourhood character.

All proposed dwellings are single storey which is consistent with the character of the area.

Clause 55.02-3 – Side and rear setback objective

- To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

All buildings are set back at least 1m from the proposed subdivision boundaries as required by this clause of the Murrindindi Planning Scheme. All buildings are further setback from the existing property boundaries.

Clause 55.02-4 – Walls on boundaries objectives

- To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.

No walls on boundaries are proposed.

Clause 55.02-5 – Site coverage objective

- To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.

Site coverage by development is just under 30% which is well under the 65% allowable site coverage by this objective.

Clause 55.02-6 – Access objective

- To ensure the number and design of vehicle crossovers responds to the neighbourhood character.

Only one vehicular access point is proposed to the site from Seventh Street. This access will be constructed in accordance with the requirements of Council's Engineering Unit and the CFA.

Clause 55.02-7 Tree Canopy objectives

- To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings on the streetscape.
- To preserve existing canopy cover and support the provision of new canopy cover.
- To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.

This provision requires that 20% of the site contains canopy trees. This has not been provided for in the submitted plans however it is considered that the site lends itself to additional planting works which also consider the defendable space requirements for bushfire. Should a permit issue, it would be appropriate to require amended plans showing additional plantings on the site to meet the objective of this clause.

Clause 55.02-8 – Front fences objective

- To encourage front fence design that responds to the existing or preferred neighbourhood character.

Front fencing is not proposed along Seventh Street. The Eighth Street boundary within proposed lot 8 is a side boundary for the purpose of this assessment. It is considered appropriate however to restrict any fencing along this boundary, where it is not providing for secluded open space to be no more than 1.2m high (see image below). This reduces the bulk of fencing along Eighth Street and allows for passive surveillance into and out of the site. This can be achieved by way of condition on any permit issued.

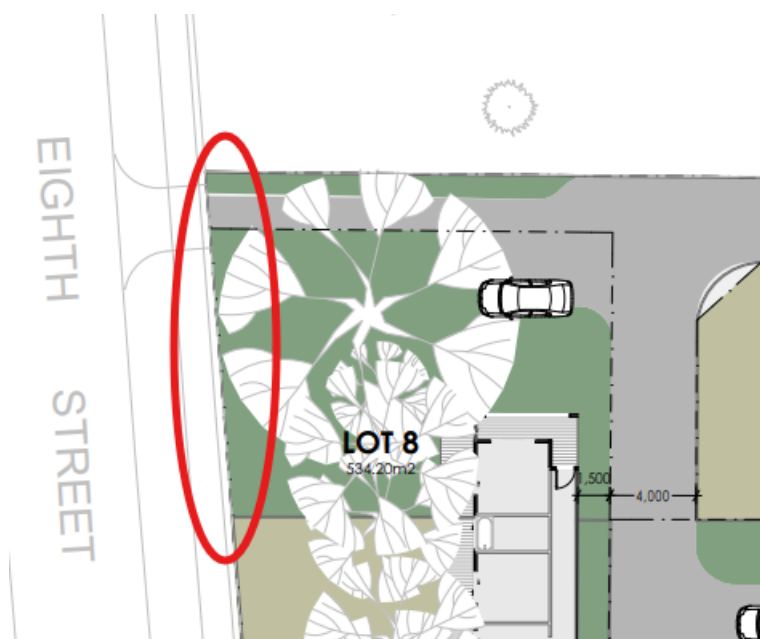


Figure 4 – Eighth Street open frontage

Clause 55.03-1 – Dwelling diversity objective

- To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

This provision is not applicable as the application proposes less than 10 dwellings.

Clause 55.03-2 – Parking location objective

- To minimise the impact of vehicular noise within developments on residents.

Shared parking and accessways are appropriately located away from habitable room windows in accordance with the standard and objective of this clause.

Clause 55.03-3 – Street integration objective

- To integrate the layout of development with the street to support the safety and amenity of residents.

The development has been designed to appropriately integrate with the street while providing appropriate surveillance over the existing streetscape and proposed shared accessways. Detailed plans showing the location of letterboxes and internal lighting will be required if a permit is issued.

Clause 55.03-4 Entry objectives

- To provide each dwelling, apartment development or residential building with its own sense of identity.
- To provide entries with weather protection, safe design, natural light and ventilation.

Entrances to all dwellings are clearly defined and visible either from the existing street network or proposed common property.

Clause 55.03-5 – Private open space objectives

- To provide adequate private open space for the reasonable recreation and service needs of residents.

It is considered that the proposed development is consistent with the objective of this clause.

Clause 55.03-6 Solar access to open space objective

- To allow solar access into the secluded private open space of new dwellings and residential buildings.

The proposed dwellings have been designed to appropriately address this objective of the Murrindindi Planning Scheme however it is considered that this can be improved through minor changes to the design of the development. This includes reorienting the proposed dwelling on lot 8 to have frontage to Eighth Street while still allowing for access to the lot via the common property. This can be addressed through a condition on the permit.

Clause 55.03-7 Functional layout objective

- To ensure dwellings provide functional areas that meet the needs of residents.

The objectives of this clause can be accommodated by the proposal. Should a permit issue, prior to the endorsement of any plans, this will need to be clearly shown.

Clause 55.03-8 – Room depth objective

- To allow adequate daylight into single aspect habitable rooms.

The objectives of this clause can be accommodated by the proposal. Should a permit issue, prior to the endorsement of any plans, this will need to be clearly shown.

Clause 55.03-9 – Daylight to new window objective

- To allow adequate daylight into new habitable room windows.

All new habitable room windows will have access to daylight.

Clause 55.03-10 Natural ventilation objectives

- To encourage natural ventilation of dwellings.
- To allow occupants to effectively manage natural ventilation of dwellings.

The proposed dwellings will be able to be 'opened up' appropriately to allow for natural ventilation rather than relying solely or heavily on air conditioning or other mechanical equipment to improve the liveability of the proposed dwellings.

Clause 55.03-11 Storage objective

- To provide adequate storage facilities for each dwelling.

External storage facilities have not been shown on the plans however it is considered that this can be accommodated. Should a permit issue, amended plans showing external storage in

accordance with Clause 55.03-11 of the Murrindindi Planning Scheme to the satisfaction of the Responsible Authority will be required.

Clause 55.03-12 Accessibility for apartment developments objective

- To ensure the design of dwellings meets the needs of people with limited mobility.

The standard contained within this provision relates to apartment developments only.

Clause 55.04-1 Daylight to existing windows objective

- To allow adequate daylight into existing habitable room windows.

The proposed dwellings are appropriately setback from the existing site boundaries to not impact on existing light levels within dwellings on adjoining properties.

Clause 55.04-2 Existing north-facing windows objective

- To allow adequate solar access to existing north-facing habitable room windows.

The proposed dwellings are appropriately setback from the existing site boundaries to not impact on existing light levels within dwellings on adjoining properties.

Clause 55.04-3 – Overshadowing secluded open space objective

- To ensure buildings do not significantly overshadow existing secluded private open space.

The proposed dwellings are appropriately setback from the existing site boundaries to not impact on existing secluded open space on adjoining properties.

Clause 55.04-4 Overlooking objective

- To limit views into existing secluded private open space and habitable room windows.

The proposed dwellings are appropriately setback from the existing site boundaries to not create unwanted views into adjoining secluded private open space.

Clause 55.04-5 Internal views objective

- To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

The siting of the dwellings has been designed to ensure views into open space and habitable rooms is limited.

Clause 55.05-1 Permeability and stormwater management objective

- To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.
- To facilitate on-site stormwater infiltration.
- To encourage stormwater management that maximises the retention and reuse of stormwater.
- To contribute to urban cooling.

Stormwater and drainage associated with this development will be constructed in accordance with the requirements of Council's Engineering Unit.

Clause 55.05-2 Overshadowing domestic solar energy systems objective

- To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.

It is unlikely that the proposed development will impact on any existing or future solar energy systems on adjoining properties.

Clause 55.05-3 Rooftop solar energy generation area objective

- To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

Rooftop solar energy systems can be appropriately accommodated on the proposed dwellings should future owners require this however this has not been proposed as part of this application. Should future owners or tenants of the buildings wish to do this, a planning permit would not be required.

Clause 55.05-4 Solar protection to new north-facing windows objective

- To encourage external shading of north facing windows to minimise summer heat gain.

Amended plans appropriately demonstrating compliance with this objective should be required by condition on any permit issued.

Clause 55.05-5 Waste and recycling objectives

- To ensure dwellings are designed to facilitate waste recycling.
- To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.
- To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.

Amended plans appropriately demonstrating compliance with this objective should be required by condition on any permit issued.

Clause 55.05-6 Noise impacts objective

- To minimise the impact of mechanical plant noise located in the development.

The proposed dwellings are appropriately set back from boundaries and each other to minimise the impact of any mechanical equipment (such as air conditioners, hot water services etc).

Clause 55.05-7 Energy efficiency for apartment developments objectives

- To achieve energy efficient dwellings and buildings.
- To ensure dwellings achieve adequate thermal efficiency.

This will be addressed at the time that a building permit is issued.

Clause 56 – Residential Subdivision

Clause 56 of the Murrindindi Planning Scheme sets out the State Government planning provisions relating to residential subdivision. Under these provisions a subdivision:

- Must meet all of the objectives; and
- Should meet all of the standards.

If Council is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

The proposed subdivision is considered to be consistent with Clause 56 of the Murrindindi Planning Scheme. Most relevant to the proposed application are as follows:

Clause 56.03-5 Neighbourhood Character objective

- To design subdivisions that respond to neighbourhood character.

The subdivision has been designed with larger lots along the road frontages and smaller lots within site away from the roads to retain the character of the street.

Clause 56.04-1 Lot Diversity and Distribution objectives

- To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.
- To provide higher housing densities within walking distance of activity centres.
- To achieve increased housing densities in designated growth areas.
- To provide a range of lot sizes to suit a variety of dwelling and household types.

The proposed subdivision is set on one of the larger lots in the area and provides diversity in the size of the lots, albeit the surrounding properties. The slightly smaller lot sizes will allow for appropriate diversity of development in the future, catering for smaller single dwellings, units and higher density housing. The application also proposes development of the land with a dwelling on each lot. None of the proposed dwellings are considered to be large in size and can be accommodated within each of the lots as demonstrated previously in this report.

Clause 56.04-2 Lot Area and Building Envelopes objective

- To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

There are no allotments under 300m² and it has been demonstrated previously in this report that all proposed lots are capable of development.

Clause 56.04-3 Solar Orientation of Lots objective

- To provide good solar orientation of lots and solar access for future dwellings.

All of the proposed lots are orientated to provide adequate solar access to the lots and also take into account the relationship of neighbouring dwellings.

Clause 56.04-4 Street Orientation objective

- To provide a lot layout that contributes to community social interaction, personal safety and property security.

All of the allotments have proposed footpath access, which is provided along the frontages of the allotments.

Clause 56.04-5 Common Area objective

- To identify common areas and the purpose for which the area is commonly held.
- To ensure the provision of common area is appropriate and that necessary management arrangements are in place.
- To maintain direct public access throughout the neighbourhood street network.

The subdivision has been designed to allow access to the wider public throughout the site with pedestrian and road access to connect into existing infrastructure as well as create opportunities for safer access via improved infrastructure and connections.

Clause 56.05-1 Integrated Urban Landscape objectives

- To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.
- To incorporate natural and cultural features in the design of streets and public open space where appropriate.
- To protect and enhance native habitat and discourage the planting and spread of noxious weeds.
- To provide for integrated water management systems and contribute to drinking water conservation.

Landscaping along the proposed street network should be required as part of any permit issued which include the provision of street trees along the new road. The application also proposes the retention of large trees within the site. This would be enforced through an agreement under Section 173 of the Planning and Environment Act 1987 and has been used in the past successfully as a tool to retain this vegetation into the future.

Clause 56.06-7 Neighbourhood Street Network Detail objective

- To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

The proposed common property driveway will be to a standard that will be approved by the Responsible Authority in accordance with the relevant standards of the Infrastructure Design Manual (IDM).

Clause 56.06-8 Lot Access objective

- To provide for safe vehicle access between roads and lots.

The road shown within the proposed Plan of Subdivision shows appropriate road access to each lot within the subdivision in accordance with access management requirements of the roads authority. The road and construction of crossovers will meet the requirements of the relevant road authority and Council standards.

Clause 56.07-1 Drinking Water Supply objective

- To reduce the use of drinking water.
- To provide an adequate, cost-effective supply of drinking water.

Lot sizes allow for water tanks to be located on each lot if required however are within the supply area of Goulburn Valley Water who have consented to the proposal subject to a number of conditions.

Clause 56.07-2 Reused and Recycled Water objective

- To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Lot sizes allow for water tanks to be located on each lot if required.

Clause 56.07-3 Wastewater Management objective

- To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Reticulated sewerage infrastructure will be provided to the boundary of all lots within the subdivision.

Clause 56.07-4 Stormwater Management objective

- To minimise damage to properties and inconvenience to residents from stormwater.
- To ensure that the street operates adequately during major storm events and provides for public safety.
- To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
- To encourage stormwater management that maximises the retention and reuse of stormwater.
- To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

The stormwater management system/drainage system will be developed to connect to the existing system within and adjacent to the site. A drainage system will be designed to ensure there are no detrimental impacts within the immediate area.

Clause 56.08-1 Site Management objective

- To protect drainage infrastructure and receiving waters from sedimentation and contamination.
- To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.
- To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable

Relevant conditions requiring a construction management plan can be included in any planning permit issued.

Clause 56.09-1 Shared Trenching objective

- To maximise the opportunities for shared trenching.
- To minimise constraints on landscaping within street reserves.

Reticulated services will be provided in shared trenching where deemed appropriate by the relevant authorities.

Clause 56.09-2 Electricity and Telecommunication objective

- To provide public utilities to each lot in a timely, efficient and cost effective manner.
- To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Electricity will be provided to the boundary of each lot within the subdivision and located underground. Telecommunication systems will be supplied to the boundary of each lot within the subdivision and are to be located underground. Gas is not currently available to the site.

Clause 56.09-3 Fire Hydrants objective

- To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Fire hydrants are to be supplied along the street frontage in accordance with the fire authority's requirements.

Clause 56.09-4 Public Lighting objective

- To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.
- To provide pedestrians with a sense of personal safety at night.
- To contribute to reducing greenhouse gas emissions and to saving energy.

Street lighting will be consistent with Council's and Australian street lighting standards. Public lighting will be in accordance with relevant Australian Standards.

Clause 65.01 - Approval of an Application or Plan

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

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

Clause 65.02 - Approval of an Application to Subdivide Land

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any owners corporation.

- The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.
- If the land is not sewerage and no provision has been made for the land to be sewerage, the capacity of the land to treat and retain all sewerage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.
- The impact the development will have on the current and future development and operation of the transport system.

The proposed 8-lot subdivision is in a suitable location in proximity to the township of Eildon for a higher density of housing as the land has good access to services. The density of the subdivision will enable the existing character of the area to be retained with suitable landscaping and street frontage.

Discussion - Submissions

A response to the issues raised by the objectors is set out below

- Lack of transparency in relation to removal of covenant

Through amendment C77 a covenant was removed from the land. This amendment was considered by the Department of Transport and Planning under Section 20(4) of the *Planning and Environment Act 1987*

- Quality of proposed houses

The proposed dwellings will be of modular construction. While they are manufactured off site, once built, they are no more movable than more traditionally constructed houses. Any dwelling constructed will be required to meet the requirements of the relevant building code.

- Development and subdivision is not consistent with character of the area

There is currently no recognised character statement for the Eildon Township. Medium density development is not common within the town and there are only three other developments of this nature within the township area. Despite not being common, medium density development close to existing town centres and services is encouraged by State government policy as well as Council's Housing and Settlement Strategy.

- Increase in noise

Officers acknowledge that an increase in density will increase noise levels. The increase in noise will be from other residential uses and is managed through EPA guidelines.

- Traffic impacts

A traffic management plan has been prepared and reviewed by Council's engineering unit. This report was prepared independently and has considered that the additional traffic generated by this development can be contained within the existing road network.

- Loss of privacy

The application has been considered against the provisions of Clause 55 and 56 of the Murrindindi Planning Scheme as detailed above.

- Inconvenience of construction period

The management of the site and impact on surrounding area during construction of a development will be managed through a construction management plan which will be required to be endorsed prior to the commencement of any buildings and works.

- Proposal is inconsistent with previous petitions to protect parkland

Officers must consider any application received.

- Development not required

Council's Statutory Planning Unit is unable to consider the demand for a development.

- Lack of clarity in relation to definition of 'key worker'

This application is for the consideration of eight dwellings. Council's Statutory Planning Unit is unable to consider the type of occupant in any proposed residential development.

- Impact on property values

While loss of property value is a common concern for neighbours, it is not a planning consideration.

- Loss of parkland which is used by community

The land is currently used as open space by our community. The location of the proposal is set amongst a number of existing dwellings however is located close to the existing redeveloped open space provided within the centre of the Eildon Township.

- Number of people on site will be disruptive to the community.

Officers acknowledge that an increase in density will increase noise levels. The increase in noise will be from other residential uses and is managed through EPA guidelines.

- Site should be retained as public open space or be developed in accordance with the outcomes of the deliberative panel process in 2022

Officers note this submission however are required under the Planning and Environment Act 1987 to consider the application before them. It is noted however that were the land to be subdivided as per the previously endorsed 6 lot subdivision, that the land could be developed for other residential uses up to four storeys, in some instances without a planning permit and/or public notice.

Clause 67 - Land Owned or Permit Required by Responsible Authorities

Section 96 (1) of the *Planning and Environment Act 1987* requires the following:

- *A responsible authority must obtain a permit from the Minister before carrying out any use or development for which a permit is required under the planning scheme for which it is the responsible authority unless the planning scheme exempts the land, use or development from this subsection.*

This section of the legislation requires that where Council (as a Responsible Authority) requires a planning permit, this must be sought through the Minister for Planning.

Section 6(2)(ka) of the *Planning and Environment Act 1987* allows for a planning scheme to exempt particular application types from the requirements of Section 96(1) or Section 96(2).

At Clause 67.01 of the Victoria Planning Provisions, which form the basis of the Murrindindi Planning Scheme, the following application types are exempt from Section 96(1) and 96(2) of the *Planning and Environment Act 1987*:

Class 1

Use of land for:

Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

Class 2

Development of land for:

A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

Class 3

Any other use or development.

Section 96 of the Planning and Environment Act 1987 requires that where Council requires a planning permit for the use or development of land, these must be sought through the Minister for Planning. This provision of the Victoria Planning Provisions returns the responsibility for decision making back to Council however there are specific notice provisions required at Clause 62.07 which are specified below:

In accordance with section 52(1)(c) of the Act, notice of an application must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- To which the exemption from notice and review in clause 52.31-2 applies.
- To construct or put up for display a sign.
- To remove, destroy or lop native vegetation under clause 52.17.
- If a permit is only required under the Bushfire Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Salinity Management Overlay or Special Building Overlay.
- In accordance with section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under clause 52.17 must be given to the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
- This does not apply if the application must be referred to the Secretary under section 55 of the Act.

This provision removes Council's discretion to give notice of applications where Council is a permit applicant or landowner. In this instance notice of the application has been given to owners and occupiers of adjoining land.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to “deliver efficient, sustainable land use planning outcomes to enhance liveability, protect our unique rural character and natural beauty, and to enable growth”.

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to “provide spaces within our towns that are vibrant, attractive, safe and accessible”.

This report supports the *Council Plan 2021-2025 Growth and Opportunity* strategic objective “to prioritise and promote a culture in which the economy, businesses and community can grow and

thrive”.

This report supports the *Council Plan 2021-2025 Growth and Opportunity* strategy to “boost local investment and employment opportunities through activities that encourage businesses, social enterprise, and industry sectors to thrive and grow”.

Relevant Legislation

The proposal is being considered under the provisions of the Murrindindi Planning Scheme and the Planning and Environment Act 1987.

Financial and Risk Implications

There are no direct financial implications or identified risks associated with the assessment and determination of this planning permit application.

Objectors have the right to appeal the decision at the Victorian Civil and Administrative Tribunal (VCAT)

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

5 REPORTS - PEOPLE & CORPORATE PERFORMANCE GROUP

5.1 Adoption of the Council Plan 2025-2029

Department	Governance and Risk
Approved by	Michael Chesworth, Director People and Corporate Performance
Presenter	Cr Paul Hilderbrand
Portfolio	Integrity, Finance and Resilience
Purpose	For Decision
Attachment(s)	1. Council Plan 2025-2029 [5.1.1 - 25 pages]

Executive Summary

In 2024 and early 2025, Council invited the community to help shape the future of the Shire by sharing their thoughts on Council’s achievements over the last four years, the 10-year Community Vision and their priorities for the future.

Through over 1,000 conversations at events, workshops, and interviews, people expressed what matters most to them. This feedback helped guide development of the 2035 Community Vision and the new Council Plan for 2025–2029, which were released for public feedback from 29 May 2025 to 25 June 2025. This engagement process resulted in:

- 9 written submissions
- 232 unique visits to the project page including 52 views of the Community Vision page and 39 views of the draft Council Plan.
- 253 downloads of the Council Plan and 137 downloads of the Findings Report or the Easy-to-Read version.

To incorporate the community feedback several changes have been made to the Council Plan 2025-2029 to strengthen references to biodiversity and care for our natural and cultural heritage. New strategies have been added relating to participation in the arts, music and cultural activities, providing timely responses to citizens and closing the loop on feedback and strengthening support for volunteers. Council has also incorporated changes suggested by the Taungurung Land & Waters Council.

Overall, the final Council Plan 2025-2029, incorporating the 2035 Community Vision reflects the community's values and sets a clear direction for a thriving, inclusive and sustainable future.

RECOMMENDATION

That Council adopt the 2035 Community Vision and the Council Plan 2025-2029 as contained in Attachment 5.2.1.

Background

Under the Local Government Act 2020, Council is required to develop a 10 year Community Vision and 4 year Council Plan by 31 October in the year following a general Council election. These are key documents that establish the Council's strategic direction for the Council's term and beyond.

In mid-2024, the community was invited to reflect on the existing Council Plan 2021-2025. This feedback helped Council understand community sentiment regarding Council's areas of focus and priorities and overall progress towards the 10-year Community Vision set in 2021.

In February and March 2025, Council undertook further community engagement to inform the revised 10-year Community Vision and the development of the new Council Plan 2025-2029.

This engagement process generated over 1,000 individual conversations through pop-up events, phone interviews, listening sessions and community workshops, ensuring that the Community Vision and Council Plan development was grounded in a deep understanding of community aspirations and priorities. At the Scheduled Council Meeting on 28 May 2025, Council considered a report detailing this engagement methodology, the key themes and outcomes. This report was subsequently published on Council's website and promoted within the community.

As the culmination of this work the draft Council Plan 2025-2029, including a revised 2035 Community Vision was released for public exhibition and feedback from 29 May 2025 to 25 June 2025.

Discussion

Following the release of the draft Council Plan 2025-2029, the engagement process resulted in:

- 7 survey submissions received, 2 responses by correspondence
- 232 unique visits to the project page, 52 views of the Community Vision page and 39 views of the draft Council Plan.
- 253 downloads of the Council Plan, 137 downloads of the Findings Report or the Easy-to-Read version.

The table below summarises the key issues raised in the community feedback across the range of responses received (survey and correspondence) and are presented below for the Community Vision and Council Plan separately, along with the recommended responses to the feedback.

1. Community Vision 2035 Feedback

No.	Summary of key feedback	Proposed Council Response	Recommendation
1	More needs to be committed to by council to protect and increase biodiversity (native wildlife) and our native vegetation. There is nothing in Goal 3 that shows council will.	Strengthen Strategy 3.3 to include a commitment towards improving biodiversity.	Change Strategy 3.3 to “Partner to manage, improve and care for...”
2	I'm always disappointed when ideals don't match reality. When a 200-year-old living fossil is allowed to be removed because someone got a permit to build a house under it in my opinion doesn't justify a celebration.	Strategy 3.3 Commits Council to partner to manage and care for biodiversity. However, this can be strengthened by also referring to natural and cultural heritage.	Add “ natural and cultural heritage ” to Strategy 3.3
3	Biodiversity* is genuinely embraced	The Community Vision recognises the importance of our heritage and landscapes which incorporate fauna and flora. The importance of biodiversity is recognised in Goal 3 and Strategy 3.3.	No change recommended.
4	I do not support the Community Vision. (No further information was provided)	Your feedback is appreciated.	No change recommended.

2. Council Plan Feedback

□

No.	Summary of key feedback	Proposed Council Response	Recommendation
1	The draft Council Plan does not actually provide any detail on how you plan to achieve your stated intentions (e.g. extra housing, additional infrastructure, more jobs, affordable housing). Why is there even a perceived need to grow out towns...Stop destroying our community focussed, small country towns.	The detailed projects or actions to progress the Goals and Strategies are included in the Annual Priority Action Plan and Council's projects like the Yea Structure Plan and Alexandra East Development Plan. These documents recognise the need to preserve the unique rural community feel of our townships.	No change recommended.
2	Yes, I support the goals outlined in each strategic direction. The respondent expressed concern about people working against these	Council plan reporting will provide transparency on progress towards the Community Vision and Council Plan Goals.	No change recommended.

No.	Summary of key feedback	Proposed Council Response	Recommendation
	Goals, particularly Goals 4.5 and 6.7		
3	Respond to Shire residents' comments and concerns in a transparent way for both positive and negative feedback. This is particularly relevant when a complaint or concern has been lodged and there is no feedback on progress.	Council is committed to transparent and responsive service delivery, and this underpins Goals 8 and 9. However, this commitment could be made more transparent with a dedicated strategy.	Add a new Strategy - 9.8 Provide timely responses and 'close the loop' on feedback to resident requests.
4	Please add children's services programs to the key services list in Section 11.	Council has a strong commitment to supporting youth and children.	Amend the services list to include a dot point for Youth and Children's Services Programs.
5	It is good to see a goal of increased youth involvement in Council decision making from here. However, the respondent raised concerns about the lack of involvement of young people in the consultation sessions.	Strategy 6.3 specifically addresses the need to engage young people to shape local decisions making and Strategy 9.7 recognises the need to proactively engage groups who are less likely to participate in decision making processes. Young people are also featured in Strategy 1.7.	No change recommended.
6	To ensure fair and proper representation, an additional goal should be to have the VEC review the ward structure. The old argument that each ward should be represented by a Councillor with local knowledge no longer is valid. The logical outcome would be to have a single ward Council.	The VEC makes recommendations to the Minister for Local Government on appropriate Ward structures based on a range of factors and following a community consultation process.	No change recommended.
7	Taungurung Land & Waters Council submission requesting amendments to include references to the rich Aboriginal cultural heritage and diversity of the Shire, and the importance of cultural heritage, culture-based tourism and working with the Taungurung Local Government Forum.	Thank you. We have incorporated your suggestions.	Add culture-based tourism to Strategy 2.3. Add cultural heritage to Goal 3. Added Success Measure to Actively participate the Taungurung Local Government Forum Amended Strategy 5.1 to include Traditional Owners .

No.	Summary of key feedback	Proposed Council Response	Recommendation
			<p>Amended Strategy 5.5 to include heritage.</p> <p>Amend the Understanding our Context to include reference to the rich Aboriginal cultural heritage and diversity of the region</p>

The attached Council Plan 2025-2029, incorporates the above recommendation changes and is presented for Council's adoption.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategic objective "to ensure our services, people and systems deliver the best possible outcomes for our communities now and into the future".

Relevant Legislation

Council is required to develop a 10-year Community Vision and a 4-year Council Plan in the year following a Council election under the requirements of the *Local Government Act 2000*.

Financial and Risk Implications

The costs associated with developing the Council plan including consultation, design and printing are funded within existing budget. Council Plan initiatives will be considered through future annual budget setting processes to ensure they remain affordable and within the parameters of Council's long-term financial plan.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to this report.

Community, Stakeholder and Communication Consultation

The development of the Council Plan 2025-2029 and 2035 Community Vision was the culmination of extensive community consultation conducted over the last 12 months as summarised throughout this report. The final draft of the Council Plan and Community Vision were made available on Council's website and from Council's customer services centres and libraries from 29 May to 25 June 2025 and submissions were sought from the community. The public exhibition period and submission process was advertised on Council's social media channels and in local publications and newspapers.

5.2

Generative Artificial Intelligence Policy Review

Department Governance and Risk

Approved by Michael Chesworth, Director People and Corporate Performance

Presenter Cr Paul Hildebrand

Portfolio Integrity, Finance, and Resilience

Purpose For Decision

Attachment(s) 1. Policy Generative Artificial Intelligence Policy May review V2 [5.2.1 - 4 pages]

Executive Summary

The Generative Artificial Intelligence Policy was adopted by Council in June 2024 to provide staff and the community with guidance on when Artificial Intelligence (AI) may be used and the principles that must be followed.

A 12 month review period for the Policy was set given the rapid evolution of AI and its increasing popularity. The review has taken on board recent guidance on the use of AI in the public sector which included a ban on the use of Deep Seek, in line with the Australian Government's directive. Minor edits of the Policy have also been undertaken to improve readability and clarity.

This report recommends the adoption of the revised Policy.

RECOMMENDATION

That Council adopt the revised Generative Artificial Intelligence Policy as contained in Attachment 5.1.1.

Background

The Generative Artificial Intelligence (AI) Policy was adopted by Council on 26 June 2024. The policy provides clear guidance to staff and Councillors on the use of AI in the workplace. It also informs the public on when Council may use AI and the principles that will guide its use. The policy sets a clear expectation that Council remains responsible for the decisions it makes and the information it provides, regardless of whether generative AI is used or not.

Discussion

The Policy has an annual review schedule to reflect the rapid evolution of AI technology and its increasing uptake. This review period has been retained, as the technology continues to evolve very quickly.

The policy review process took into account new guidance provided by the Office of Victorian Information Commissioner (OVIC) on the:

- Use of enterprise-based generative AI tools in the Victorian public sector; and
- Use of publicly available generative AI tools and the protection of private information

The review resulted in the following key changes to the Policy:

- Explicit ban on the use of the Generative AI Tool called Deep Seek in line with the Australian Government's directive.
- Clearer direction on the types of information that should not be entered into a public AI tool.
- A new requirement to use OVIC's guidance on the use of enterprise generative AI tools to inform the purchase and/or integration of AI tools.
- Edits to improve readability and clarity of policy statement.

The revised Policy is contained in attachment 5.1.1 and is presented for Council's adoption.

Council Plan/Strategies/Policies

This policy supports the draft Council Plan 2025-2029 Goals 8 and 9: "Efficient and responsive Services", and "Transparent governance and meaningful engagement".

Relevant Legislation

The policy has been developed in compliance with the *Privacy and Data Protection Act 2014 (VIC)* and the *Public Records Act 1973 (VIC)*.

Financial and Risk Implications

The policy restricts uploading of confidential, private, or otherwise sensitive information into an open AI tool to safeguard privacy and security. The policy does not have material financial implication.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to this report.

Community, Stakeholder and Communication Consultation

External community or stakeholder consultation was not required for this Policy review.

5.3 Adoption of the Revenue and Rating Plan 2025-2029

Department	Governance and Risk
Approved by	Michael Chesworth, Director People and Corporate Performance
Presenter	Cr Paul Hilderbrand
Portfolio	Integrity, Finance and Resilience
Purpose	For Decision
Attachment(s)	1. Draft Revenue and Rates Plan 2025-29 [5.3.1 - 31 pages]

Executive Summary

Council is required under the Local Government act 2020 to adopt a Revenue and Rating Plan in the year following a Council election covering a four-year period.

The Revenue and Rating Plan provides the framework by which Council will raise its principal sources of revenue in a fair and equitable way to meet its strategic objectives in the Council Plan 2025-2029 and for the delivery of Council's services and infrastructure to the community.

It primarily sets out the structure Council uses to levy property rates and charges and the principles by which Council establishes non-statutory user fees and charges.

The Plan has incorporated the changes to the recycling and waste charges that were adopted in the 2025/26 Annual Budget, with the extension of the Community Waste Charge to properties not receiving a kerbside bin collection service.

There are no proposed changes to Council's current property rating structure in the Plan, however Council can review the Plan and its revenue raising approach at any time, with any changes implemented in the Annual Budget cycle.

RECOMMENDATION

That Council adopt the Revenue and Rating Plan 2025-2029 as contained in Attachment 5.3.1.

Background

The Local Government Act 2020 requires that Council adopts a Revenue and Rating Plan (the Plan) in the year following a general council election covering at least 4 financial years.

The Revenue and Rating Plan documents how Council will raise its principal sources of revenue, including the structure of its rates and charges framework.

Council's principal sources of revenue include:

- Rates and Charges (57%)
- Government Grants (29%)
- Statutory Fees and User Charges (8%)

The Plan does not address how much revenue a Council proposes to raise to meet its strategic objectives and service obligations. This is determined by the Annual Budget and the 10-year Financial Plan. Instead, the Plan is a supporting document which articulates the legislated and optional approaches the Council uses to meet its revenue targets, whilst ensuring fairness and equity.

It sets out the structure Council uses to levy property rates and charges and the principles by which Council establishes non-statutory user fees and charges.

Council last Revenue and Rating Plan 2021-2025 was adopted on 28 April 2021.

Discussion

Council's rating and revenue structure for 2025/26 has been set with the adoption of the 2025/26 Annual Budget. Whilst the proposed Revenue and Rating Plan 2025-2029 needs to be adopted now to address the legislated requirements, the Council can choose to review the Plan, and the revenue and rating structure within the Plan at any point in time, with any changes implemented in the annual budget cycle.

Council's adopted rating structure, as contained in the adopted Annual Budget 2025/26 and reflected in the Revenue and Rating Plan 2025-2029 includes:

- The use of differential rates for different classes of land

Council has adopted the following differential rates in its Annual Budget:

Type or Class of Land	Differential Weighting
Residential (General)	100%
Commercial / Industrial	120%
Vacant Land	200%
Rural 1 (>40ha)	70%
Rural 2 (4ha to 40ha)	99%

- The use of a Municipal Charge to cover some of the administrative costs of Council (up to a maximum of 20% of total rate revenue can be collected using a fixed-rate municipal charge).

It is important to note the use of a Municipal Charge does not increase the total revenue Council collects from rates. Council has elected to maintain the use of a Municipal Charge, with 18% of its rate revenue in the 2025/26 Annual Budget collected this way.

The Revenue and Rating Plan 2025-2029 therefore preserves the current rating structure adopted in the 2025/26 Annual Budget. A summary of this structure is contained in the following chart using the revenue figures from the Annual Budget.

Type or Class of Land	Current rate in \$	Number of assessments	Valuation (CIV) '000	Rates Revenue	Average Rate	Average with M Charge
Residential	0.001976	6,020	\$3,796,670	\$7,502	\$1,246	\$1,631
Commercial / Industrial	0.002372	452	\$379,713	\$901	\$1,993	\$2,378
Rural 1 (>40ha)	0.001383	1,291	\$2,936,560	\$4,061	\$3,146	\$3,531
Rural 2 (4ha to 40ha)	0.001957	1,855	\$1,873,840	\$3,667	\$1,977	\$2,362
Vacant Land	0.003829	658	\$270,218	\$1,068	\$1,623	\$2,008
TOTAL GENERAL RATES		10276	\$9,257,001	\$17,199	\$1,674	\$2,059
Municipal Charge	\$385	9,939		\$3,828		
TOTAL RATE REVENUE				\$21,028		

The Revenue and Rating Plan 2025-2029 also includes the changes to the recycling and waste charges adopted in the Annual Budget 2025/26, with the extension of the community waste charge to properties not receiving a kerbside collection.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategy to “ensure Council remains financially-sustainable through sound management, forward planning, innovative service delivery and asset consolidation as appropriate”.

Relevant Legislation

The requirement to develop a Revenue and Rating Plan is contained in Section 93 of the Local Government Act 2020. There are provisions in both the 2020 and 1989 Local Government Acts that relate to the levying of rates and charges.

Financial and Risk Implications

The Revenue and Rating Plan establishes the framework by which Council will raise its revenue. It does not directly determine the amount of revenue collected, and as such there are no significant risks or financial implications in relation to the adoption of the Plan.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community, Stakeholder and Communication Consultation

Whilst this plan has not been the subject to community consultation, the elements included in the Plan have been the subject of community consultation through the annual budget preparation process, including the new community waste charge.

6 REPORTS - ASSETS & ENVIRONMENT GROUP

6.1 Adoption of the Community Waste Charge Policy

Department	Sustainability and Assets
Approved by	Caroline Lintott, Director Assets & Environment
Presenter	Cr Sue Carpenter
Portfolio	Sustainability & Assets Portfolio
Purpose	For Decision
Attachment(s)	1. Community Waste Charge Policy [6.1.1 - 2 pages]

Executive Summary

This report seeks Council's endorsement of the proposed Community Waste Charge Policy. The policy aims to establish a fair, transparent and administratively efficient framework for the application of a Community Waste Charge. The charge will contribute to the cost of delivering garbage and recycling services across the Shire, including the operation of Resource Recovery Centres (RRCs).

The Policy outlines the application of the charge through an annual levy and sets out the recommended exemptions and waivers to apply.

RECOMMENDATION

That Council adopt the Community Waste Charge Policy as contained in Attachment 6.1.1.

Background

Extensive community consultation in preparation for the transition to a four-stream recycling service via new kerbside collection and processing contracts, provided strong feedback that the community does not support cross subsidisation of waste services. Many residents were concerned that properties without a kerbside service were not contributing to the overall cost, placing an unfair financial burden on those who do receive the kerbside collection. Cost modelling confirms that the mandatory kerbside service has been subsidising the operation of RRC and landfill services.

For example, fees and charges applied at the gate for residents at the Resource Recovery Centres (RRCs) did not reflect full cost recovery for residents not receiving a kerbside service. To ensure all rateable properties, whether or not they receive a kerbside collection, contribute fairly to the cost of providing waste infrastructure and services, a single Community Waste Charge is proposed.

The current Council Budget includes provision for the introduction of the Community Waste Charge. This Policy outlines how the charge will be implemented, including the criteria for exemptions and the administrative arrangements.

Discussion

Several charging models have been considered to ensure more equitable funding of these services, including:

- Increasing the gate fees at the RRCs and the Alexandra landfill. While fees for non-residents have already been adjusted to be comparable with metropolitan and neighbouring councils' charges, some residents are still subsidising service costs. Implementing a two-tier fee structure (charging higher rates to residents outside the kerbside service zone) would be administratively complex and difficult to enforce.
- Creating a special charge scheme for businesses in townships to fund litter bin servicing and collection. However, as visitors to the shire benefit the broader community and not only commercial premises, this approach would be inequitable.
- Introducing a single low-cost charge, payable by all rateable properties, (with targeted exemptions). This is considered the fairest and most administratively efficient approach.

The proposed Policy applies to all properties within Murrindindi Shire. Properties receiving a kerbside service will have the Community Waste Charge incorporated into their annual service charge. Properties not receiving a kerbside service will have the Community Waste Charge applied as a separate line item on their rates notice.

Exemptions for properties not receiving a kerbside service are listed in Section 5 of the Policy. The criteria and level of rebate or exemption are outlined in the accompanying table. Exemptions include:

- Public land and public properties
- CFA and SES buildings (from the Kerbside Services Policy)
- Education facilities
- Properties where no municipal charge currently applies (e.g. properties covered under a single farm enterprise exemption)

Council may also determine additional temporary discounts or waivers in response to exceptional circumstances - for example, the one-year deferral of the Community Waste Charge for eligible farming properties during a declared drought as part of the 2025/26 Annual Budget.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025* under the strategy *Our Protected Environment* to "minimise waste and increase recycling to reduce our environmental footprint". This policy also aligns with the *Transparency, Inclusion and Accountability* strategy to "maintain transparent, inclusive and accountable governance practices".

Relevant Legislation

This policy is made in accordance with the Local Government Act 1989 (as amended), and the Local Government Act 2020 where applicable. Council's power to declare service charges and levies derives from these Acts.

Financial and Risk Implications

The introduction of the Community Waste Charge of \$149 per property will support the financial viability of Council's waste and recycling services, minimising reliance on general rates revenue and ensuring continued delivery of these essential services. The charge will be reviewed annually as part of the budget process, based on the actual cost of service delivery.

To provide support for farmers impacted by the current drought, Council determined as part of the Annual Budget for 2025/26 to delay the application of the charge by one year for eligible properties. These include:

- Rural 1 properties where the owner is a pensioner exempted from CWC - 18
- Rural 1 properties with CIV < \$3M and resident ratepayer exempted from CWC – 194

In the first year of implementation, the Community Waste Charge will apply to:

- 2,039 properties without a kerbside service
- 32 Households accessing an additional rubbish bin at no cost, for medical / incontinence / nappy needs (under the Kerbside Service Policy)

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community and Stakeholder Consultation

During community engagement on the introduction of the four-stream kerbside service, many residents expressed concern that non-kerbside properties were not contributing to costs, placing an unfair burden on those with a service. 64% of survey respondents agreed that all ratepayers should contribute to the cost of providing waste services across the Shire, even if they do not receive a kerbside collection service.

6.2 CONT24-24 - Eildon Key Working Housing

Department	Sustainability and Assets
Approved by	Caroline Lintott, Director Assets and Environment
Presenter	Cr Sue Carpenter
Portfolio	Sustainability and Assets
Purpose	For Decision
Attachment(s)	1. CONFIDENTIAL REDACTED - CONT24 24 Eildon Key Working Housing [6.2.1 - 7 pages]

Executive Summary

This report recommends awarding contractors for CONT24/24 Scope A & B.

A public tender for the construction of 14 dwellings for key worker housing in Eildon was advertised on Council's website and was open throughout May 2025. Due to the timeframes for completion of the project required by the grant agreement, Council advertised the tender as a modular construction. Two mandatory briefings for interested tenderers were held and were well attended.

The Tender was offered for two scopes of work and tenderers could submit bids for one or both.

- Scope A – 18 Twenty-First Street Eildon – 6 dwellings
- Scope B – 10 Eighth Street Eildon – 8 dwellings

Tenders closed on 30 May at 3pm and five tender submissions were received at the close of tender.

After consideration by the evaluation team, it is proposed to award each scope to different tenderers and to negotiate the final costs and civil works with the successful tenderers and subcontractors to achieve the best value outcome for Council

This report, and confidential attachment, outlines the procurement and evaluation process undertaken to appoint a suitable contractor for CONT24/24 A & B.

RECOMMENDATION

That Council:

1. Approve the removal of civil and ancillary works components from both Tender Scopes and the establishment of an integrated civil and ancillary works package to be managed by Council.
2. Award CONT24/24 Scope A minus the civil and ancillary components to Tenderer A1 for the construction of six dwellings at number 18 Twenty-First Street Eildon.
3. Award CONT24/24 Scope B minus the civil and ancillary components to Tenderer B1 for the construction of eight dwellings at number 10 Eighth Street Eildon.
4. Approve the allocation of budget up to the maximum program cost of \$6.28M which includes contingency.
5. Release the names of the successful Tenderers in the Minutes of the 23 July 2025 Scheduled Meeting of Council.

Background

The Key Worker Housing Strategy (KWHS) is a significant initiative that emerged from the Housing and Settlement Strategy adopted in 2024. This strategy identified priority locations for new housing across the Shire. Notably, two sites in Eildon, which were initially planned for sale to support the Eildon Reserves Redevelopment, were instead chosen for development into permanent housing to support the KWHS. This decision was made possible by securing grant funding through the Regional Worker Accommodation Fund. The Council submitted an Expression of Interest in early 2024 and successfully obtained funding in October 2024 to deliver 33 bedrooms for key worker housing at 10 Eighth and 18 Twenty-First Streets in Eildon.

Community consultation, undertaken in January and February 2025, strongly influenced the layout and the built form design of the housing. These insights have shaped the tender process and planning permit application. Community preference was for free standing dwellings in a landscaped setting, suitable for families and key workers.

This outcome is particularly significant in the context of recent State Government changes to planning controls in the General Residential Zone, which now allow for significantly denser development, potentially including buildings of up to four storeys, reduced setbacks, and higher site coverage. Had the land been sold on the open market, a much more intensive development could have occurred under these new controls. The broader community has welcomed Council's decision to retain and develop the land for modest-scale key worker housing that respects the character of the surrounding area.

A project team was formed to develop the necessary technical and planning documents to allow a planning application and a tender for the construction of the required number of dwellings along with the required civil works.

Discussion

The request for tender for the construction of 14 dwellings in two scopes of work was placed on the e-tendering portal and remained open throughout May 2025. The tender for these works closed on 30 May at 3pm. Five submissions were received at the close of tender.

Assessment Process

In accordance with Council's Procurement Policy a tender evaluation team was formed to evaluate the submissions. The members of the tender evaluation team comprised of:

- Special projects Officer (Chair)

- Manager Sustainability and Assets
- Manager Economic Development
- Coordinator Project delivery
- External Team Member (S Hedger – Hedger Constructions)

For this project it was considered an external non-tendering party from the construction industry would give valuable input into the evaluation process.

The tender evaluation team members firstly independently assessed the tenders to determine if they conformed with the requirements. The evaluation team confirmed that one tender was non-conforming. The remaining four tenders were deemed conforming.

Tenders were assessed against the following criteria:

Criteria	Weighting (%)
Price	35
Capacity to deliver (resources, equipment and timeframe)	20
Understanding of the Requirements	10
Relevant experience	10
Local Jobs Policy – Industry Development	10
Local Jobs Policy – Job Outcomes	10
Sustainable Procurement	5

A summary of the evaluation and individual scoring is included in the attached confidential report.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to “deliver efficient, sustainable land use planning outcomes to enhance liveability, protect our unique rural character and natural beauty, and to enable growth”.

This report supports the *Council Plan 2021-2025 Growth and Opportunity* strategy to “boost local investment and employment opportunities through activities that encourage businesses, social enterprise, and industry sectors to thrive and grow”.

Relevant Legislation

Nil

Financial and Risk Implications

The 2025/26 Council Budget includes provision for the following commitments:

Type	Amount	Source	Status
Co-contribution	\$1,500,000	Borrowings	In 2025/26 Budget
Contribution – land equity	\$780,000	Borrowings	
RWAF Grant	\$4,000,000	State Grant	Approved

Type	Amount	Source	Status
Total Program	\$6,280,000		

Borrowings and commitment to replenish reserve funds are factored into the project's financial model and will be repaid through rental income and future land sales. Interest will be charged on reserve funds usage and recovered in full.

The amendment to rezone land and remove the covenant on the Eildon Reserve was approved by the Minister in March 2025.

Removing the civil works and the ancillary items such as utility connections from the individual scope of works and amalgamating into a package managed by Council using local resources is expected to reduce risk to the schedule and provide increased contingency and potential underspend at project completion. The individual contract values for Scope A and B will be adjusted to reflect the new work content. In discussions with the preferred contractors, they both expressed their view that removing the civil and ancillary elements would be of benefit to all parties.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community, Stakeholder and Communication Consultation

The sale and use of the two sites were originally tested through an extensive community panel process. The panel overwhelmingly supported the sale and strongly favoured the land being used for housing.

The community panel was later reconvened and briefed on the project including on the revised funding arrangement under the Regional Worker Accommodation Fund.

Further community consultation took place on the proposed housing design and configuration of the sites. The detailed Engagement Report was provided to Council at the 5 March 2025 briefing and documents this process and shows how the feedback influenced the planning application and tender specifications.

6.3 CONT25/10 Snobs Creek Road Eildon – Upgrade and Widening 2024-2026

Department	Sustainability & Assets
Approved by	C Lintott, Director Assets & Environment
Presenter	Cr S Carpenter
Portfolio	Sustainability & Assets
Purpose	For Decision
Attachment(s)	1. CONFIDENTIAL REDACTED - Contract 25/10 Snobs Creek Road Eildon Upgrade and Widening [6.3.1 - 7 pages]

Executive Summary

This report recommends awarding a contractor for CONT25/10 Snobs Creek Road Eildon – Upgrade and Widening 2024-2026.

The scope of the contract is to undertake upgrade and widening works to increase the sealed trafficable width of the first 2.9 km of Snobs Creek Road from 5m to 6.2m wide. This will improve safety for all users of the road including heavy vehicles and tourists. Funding for this project is supported by a 50% contribution from the Federal Government through a Heavy Vehicle Safety and Productivity Program (HSVPP) grant.

This work is separate to the landslip remediation currently being undertaken on Snobs Creek Road, Eildon, through Disaster Recovery Funding Arrangements (DRFA). However, the two project areas do overlap. The works are to be completed in two stages.

A public tender was recently conducted for the works which closed on 30 May 2025 at 3.00pm. Seven submissions were received at the close of tender.

This report, and the confidential attachment, outlines the procurement and evaluation process undertaken to appoint a suitable contractor for CONT25/10 Snobs Creek Road Eildon – Upgrade and Widening 2024-2026.

RECOMMENDATION

That Council:

1. **Award Contract 25/10 Snobs Creek Road Eildon – Upgrade and Widening 2024-2026 to Tenderer 1 for a total contract value of \$830,690 (Stage 1 and 2).**
2. **Approve the total allocation of \$30,443 as a contingency amount to support the delivery of this contract as outlined in this report**
3. **Approve the carry forward of \$30,000 unspent budget from road major maintenance as part of the 2024/2025 capital works program to fund the contingency.**
4. **Release the name of the successful Tenderer into the Minutes of the 23 July 2025 Scheduled Meeting of Council.**

Background

Snobs Creek Road upgrade and widening is a multi-year project which commenced with design work in the 2020/21 financial year. The aim of the project is to widen the initial 2.9 km sealed section of Snobs Creek Road to improve safety for residents, tourist traffic accessing the Snobs Creek Falls (also known as Snobs Banyarmbrite Falls) and improve safety and productivity for heavy and emergency vehicles using the road.

Snobs Creek Road runs from the Goulburn Valley Highway up the creek valley through the Rubicon State Forest. Council is the coordinating road authority for the initial 2.9km sealed section only. The road traverses through some steep areas.

Several designs for the road were considered with the aim of maximising road safety improvements while minimising environmental impact and considering constructability and value for money. The chosen design consists of a 6.2m trafficable sealed width and utilises kerb and channel instead of table drains along sections of the route to minimise the footprint of the works. This reduces both environmental impact in the vegetated areas and earthmoving costs in the road cuttings.

The design was divided into two stages to allow staged construction to begin on Stage 1, while officers worked through additional regulatory processes in the more heavily vegetated southern section of Stage 2 works.

Department of Energy, Environment and Climate Action (DEECA) has provided environmental approval for the tree works necessary for Stage 1 of the works to take place (from the Goulburn

Valley Hwy intersection to chainage 1460m). Stage 2 of the construction requires additional environmental approvals which are currently underway.

Options for staging was to ensure approved revised HVSP grant deadlines were met should approvals be delayed. However, since the tender process, it has been determined that both stages can now be delivered as one project.

Discussion

The request for tender was placed on the e-tendering portal from 07 May 2025. The tender for these works closed on the 30 May 2025 at 3pm. Seven submissions were received at the close of tender.

Assessment Process

In accordance with Council's Procurement Policy a tender evaluation team was formed to evaluate the submissions. The members of the tender evaluation team comprised of:

- Senior Project Engineer (Chair)
- Special Projects Engineer
- Project Engineer

The tender evaluation team members firstly independently assessed the tenders to determine if they conformed with the requirements. Following the review of the documentation and receipt of clarifications, all tenders were deemed conforming and proceeded to evaluation.

Tenders were assessed against the following criteria:

Criteria	Weighting (%)
OH&S	Pass/Fail
Insurance	Pass/Fail
Price	50
Understanding of the Requirements	20
Capacity	10
Relevant Experience	10
Social Procurement/ Youth Employment Opportunities	5
Sustainable Procurement	5

A summary of the evaluation and individual scoring is included in the attached confidential report.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to "connect our communities through improved roads, footpaths and public transport".

This report supports the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategic objective "to ensure our services, people and systems deliver the best possible outcomes for our communities now and into the future".

Relevant Legislation

The procurement process for these works was carried out in accordance with Council's Procurement Policy and section 186 of the *Local Government Act 2020*.

Road Management Act 2004.

Financial and Risk Implications

Please refer to confidential attachments for financial and risk implications.

Based on the tender price provided by Tender 1, there is sufficient funds to deliver the scope of works listed for the Wilhelmina Falls Road - Reconstruction & Sealing 2024-2025 from the adopted budget and carry forward of unspent funds (\$30,000) from 2024/2025 capital works budget.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community and Stakeholder Consultation

No external community consultation was required for this matter. The community will be advised of the works plan following contract award.

Consultation with the following external stakeholders has been completed or is underway:

- Taungurung Land & Waters Council – Advised exempt activity.
- Department of Energy, Environment and Climate Action – Negotiation discussions around Environment Protection and Biodiversity Conservation Act and Flora and Fauna Guarantee Act - Flora & Fauna impacts and preservation. Approval has been received to lop or remove the vegetation required for Stage 1 under the low impact road safety exemption. Stage 2 is currently under discussion.
- Consultation with the residents directly adjacent to the Stage 2 tree removals will be consulted as part of the ongoing planning process.

7 COUNCILLOR AND CEO REPORTS

7.1 Notices of Motions

7.2 Cr Anita Carr

7.3 Cr Eric Lording

7.4 Cr Sandice McAulay

7.5 Cr Jodie Adams

7.6 Cr Paul Hildebrand

7.7 Cr Sue Carpenter

7.8 Cr Damien Gallagher

7.9 Chief Executive Officer Report

8 RECORD OF COUNCIL BRIEFING SESSIONS

Purpose

For noting.

Executive Summary

This report presents the records of Council Briefing Sessions for 18 June 2025 to 16 July 2025, for Council to note.

RECOMMENDATION

That Council receive and note the records of Council Briefing Sessions for 18 June 2025 to 16 July 2025

Background

The Governance Rules adopted by Council at its 24 August 2022 meeting sets the order of business for scheduled meetings. As part of section 7.2.1 “Record of Council Briefing Sessions” is listed as to be included in the order of business.

Discussion

The purpose of keeping a record of Council Briefing Sessions is so that the content of the Briefing Session, the attendance and any declared conflicts of interest are recorded in a formal document. Council is making every effort to ensure that it is transparent in the content of Briefing Sessions and any conflicts of interest, therefore the formal record is presented for noting as part of the Scheduled Meeting Agenda.

The following summary details are for 18 June 2025 to 16 July 2025:

Meeting Name/Type	Council Pre-Meet
Meeting Date:	18 June 2025
Matters Discussed:	<ol style="list-style-type: none"> 1. Planning Application – 1 Pendlebury Street, Alexandra 2. Eildon Key Worker Housing – Funding and Tender Approval 3. Local Development Strategy 4. Adoption of the 2025/26 Annual Budget 5. Annual Priority Action Plan 6. Road Management Plan 2025-29
Councillor Attendees:	Cr D Gallagher, Cr A Carr, Cr S McAulay, Cr E Lording, Cr J Adams, Cr S Carpenter, Cr P Hildebrand
Council Officer Attendees	L Bonazzi, M Chesworth, A Paxton, C Lintott, B Harnwell, A Vogt, N Rongong, C Fraser
Conflict of Interest Disclosures:	Nil

Meeting Name/Type	Briefing Session
Meeting Date:	9 July 2025
Matters Discussed:	<ol style="list-style-type: none"> 1. Women’s Health Goulburn North East – Gender Equality Information Session 2. Discover Dindi Marketing Update

	3. Generative Artificial Intelligence Policy – Review 4. Council Plan – Final Version for Adoption 5. Reveue and Rating Plan
Councillor Attendees:	Cr D Gallagher, Cr A Carr, Cr S McAulay, Cr S Carpenter, Cr J Adams, Cr P Hildebrand
Council Officer Attendees	L Bonazzi, M Chesworth, A Paxton, C Lintott, B Harnwell, J Blyth, T Elkington, A Vogt

Meeting Name/Type	Briefing Session
Meeting Date:	2 July 2025
Matters Discussed:	1. Street Tree Strategy – Naturally Cooler Murrindindi 2. Built Form Guidelines 3. 2025 Community Satisfaction Survey – Final Report
Councillor Attendees:	Cr D Gallagher, Cr A Carr, Cr S McAulay, Cr S Carpenter, Cr J Adams, Cr E Lording
Council Officer Attendees	L Bonazzi, M Chesworth, A Paxton, C Lintott, B Chapman, B Harnwell

Meeting Name/Type		Briefing Session	
Meeting Date:		16 July 2025	
Matters Discussed:		<div><div>1. Fera Windfarm – Andrew Lawson – Update</div><div>2. Eildon Events – Big Bird Sculpture Project – For Eildon Reserves</div><div>3. CONT25-10 Snobs Creek Road Upgrade & Widening Contract</div><div>4. Draft Community Waste Charge</div><div>5. Eildon Key Worker – Planning Permit Applications</div><div>6. Planning Application – 18 Twenty First Street, Eildon</div><div>7. Planning Application – 10 Eighth Street, Eildon</div><div>8. Tender Discussion – Eildon Key Worker Housing</div><div>9. Re-Alliance – Australian Renewable Energy Alliance</div><div>10. Revenue and Rating Plan</div></div>	
Councillor Attendees:		Cr D Gallagher, Cr A Carr, Cr S McAulay, Cr E Lording, Cr S Carpenter, Cr P Hilderbrand, Cr J Adams	
Council Officer Attendees		L Bonazzi, M Chesworth, A Paxton, C Lintott, P Bain, D Liyanage, C Fraser, N Stewart	
Conflict of Interest Disclosures:			
Matter No.	Councillor making disclosure		When? Before or after discussion
2.	Anita Carr		Before

Council Plan/Strategies/Policies

This matter is consistent with the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategy to “maintain transparent, inclusive and accountable governance practices”.

Relevant Legislation

This report supports the *Local Government Act 2020* overarching governance principles, in particular “the transparency of Council decisions, actions and information is to be ensured”.

Financial Implications and Risk

There are no financial or risk implications.

Conflict of Interest

Any conflicts of interest are noted in the records of Council Briefing Sessions tables listed above.

9 SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
MURED-911216997-2056	23 June 2025	CONT24-3 Landfill Environmental Monitoring Services - form of contract - signed SMEC	Livia Bonazzi, Cr Damien Gallagher

RECOMMENDATION

That the list of items to which the Council seal has been affixed be noted.

10 CONFIDENTIAL ITEMS

Nil.