

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

Community Vision:

By 2035, Indigo Shire will be home to strong, resilient communities that embrace sustainable practices, foster meaningful connections, and honour our rich heritage. Residents across all ages and life stages will experience a deep sense of belonging through balanced growth, responsible environmental stewardship, improved infrastructure and enhanced wellbeing.

HELD: Tuesday 30 September 2025 at 6:30 pm

LOCATION: Council Chambers, 2 Kurrajong Way, Beechworth, and live streamed on Council's website

ATTENDEES:	NAME	TITLE
	Cr Sophie Price	Mayor
	Cr Jane Dowsley	Deputy Mayor
	Cr Greg Bourke	Councillor
	Cr John Harvey	Councillor
	Cr Roberta Horne	Councillor
	Cr Scott Landells	Councillor
	Cr Diane Shephard	Councillor
	Ian Ellett	Acting Chief Executive Officer
	Nathan Mullane	Acting Director Infrastructure Services
	Greg Pinkerton	Director Planning & Corporate Services
	Sally Rice	Director Community & Economic Development
	Annabel Harding	Governance Coordinator

APOLOGIES: Trevor Ierino Chief Executive Officer

These Minutes are not a verbatim transcript of the discussions in the Council meeting; a recording of this meeting can be found on Council's webpage.

Responses given by Councillors and Council Staff are the opinion of the individual responders, and accurate at the time of response, to the best of their knowledge

These Minutes were confirmed at the Council meeting held on 28 October 2025.



Cr Sophie Price
Mayor

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Confirmed

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1 WELCOME

2 ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

3 APOLOGIES AND LEAVE OF ABSENCE

Trevor Ierino – Chief Executive Officer

4 DECLARATION OF CONFLICT OF INTEREST

Item 11.1 - August 2025 Finance Report

Cr Sophie Price has a material Conflict of Interest with this Item

Item 12.2 - Event Grants Program 2025/2026

Cr Jane Dowlsey has a material Conflict of Interest with this Item

Cr Greg Bourke has a material Conflict of Interest with this Item

Item 12.3 - Community Grants 2025

Cr Sophie Price has a material Conflict of Interest with this Item

Cr John Harvey has a material Conflict of Interest with this Item

5 OPEN FORUM

Nil questions

6 COMMUNITY AND COUNCIL ACHIEVEMENTS

Nil reports

7 CONDOLENCES

Cr Harvey recognised the recent passing of Robin McLiesh. Robin was a keen observer and much-loved critic of Indigo Shire Council. He regularly attended Council meetings and submitted substantial feedback which detailed his well considered arguments on a range of topics. His feedback was highly valued and often incorporated into Council documents. Condolences were offered to Robin's wife Cath, his children and grandchildren. Cr Horne and Cr Shephard also reflected on Robin's work and passion for issues impacting the community. Cr Harvey requested a letter of condolence be sent to Robin's family.

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8 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING(S)

RESOLUTION

That the following minutes be confirmed:

1. Minutes of the Council Meeting held on 26 August 2025 as published on Council's website; and
2. Confidential Minutes of the Council Meeting held on 26 August 2025, as provided to Councillors under separate cover.

Moved: Cr Harvey

Seconded: Cr Bourke

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

Confirmed

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9 BUSINESS ARISING FROM PREVIOUS MINUTES

Scheduled Council Meeting – 26 August 2025

The outcomes of the following agenda item, previously considered in confidential session, are now released for public information:

Item 19.1 - Public Art Advisory Panel Nominations

The following persons were appointed by Council as Panel Members for the Public Art Advisory Panel:

- Kirsten Coates
- Kirrily Anderson
- Nina Machielse Hunt
- Simone Nolan

The appointees have been notified and accepted the appointment. Unsuccessful applicants have received notification and thanks for their application.

Confirmed

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10 PETITIONS

Nil reports

Confirmed

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11 PLANNING AND CORPORATE SERVICES

11.1 AUGUST 2025 FINANCE REPORT

Phil Garoni - Finance Manager
Planning and Corporate Services

For Decision

RECOMMENDATION #1

That Council Accepts the August 2025 Finance Report noting the progress against the Council's budget.

RECOMMENDATION #2

That Council:

1. Approves library meeting room hire fees of –
 - Half day \$51.85
 - Full day \$103.70; and
2. Notes that room hire fees may be reduced or waived for community groups use for meetings less than 3 hours.

RESOLUTION #1

That Council accepts the August 2025 Finance Report noting the progress against Council's budget.

Moved: Cr Bourke

Seconded: Cr Dowsley

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

Cr Price declared a material conflict of interest with Recommendation #2 due to a close family member this item and left the room at 6.42pm.

Cr Dowsley, Deputy Mayor, took the position of Chair in the Mayor's absence.

RESOLUTION #2

That Council:

1. Approves library meeting room hire fees of –
 - Half day \$51.85
 - Full day \$103.70; and

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2. Notes that room hire fees may be reduced or waived for community groups use for meetings less than 3 hours.

Moved: Cr Shepherd

Seconded: Cr Harvey

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells and Cr Shepherd

Against: Nil

CARRIED

PURPOSE OF REPORT

The purpose of this report is to inform Council of the financial position for the 2025/26 financial year to 31 August 2025.

In addition, this report presents two room hire fees that are not currently included in Council's *Fees and Charges* listing. This relates to library meeting rooms. Council is receiving requests from individuals, community groups and commercial organisations to use library meeting rooms. Some of these users would ordinarily pay for room hire, however in this case we do not have approved hire fees in place for all locations. Therefore, it is appropriate for two new generic fees to be added to the official Fees and Charges listing.

Because these fees were not ready in June to be adopted as part of the budget, we now need them approved separately through a Council resolution.

The proposed charges for library meeting room hire are \$51.85 for a half day and \$103.70 for a full day and this is aligned to a similar meeting room at the old Rutherglen Council Chamber. Importantly, this fee will be reduced or removed as appropriate for community groups seeking short use of the meeting room.

The two recommended resolutions have been split to facilitate a possible conflict of interest in the second resolution whilst maximising the number of Councillors in the chamber for the first resolution.

BACKGROUND

Each month Council reports the year to date (YTD) financial result. The year-to-date figures contained within this report and attachments compare the August result against the YTD adopted budget.

DISCUSSION

The income statement shows that Council is \$724k favourable on a year-to-date basis compared to the 2025/26 adopted budget. This is spread across various categories. Noting some variances are a result of timing variances that will be reduced as the year progresses.

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YTD Financial Position

This monthly report for the 2025/26 financial year provides Council with the following reports and its financial position as at 31st August 2025 including comparison to 2025/26 adopted budget with regards to:

- Income Statement
- Treasury (cash management)
- Borrowings Table
- Capital Works

Income Statement - 31 August 2025						
Account Group	Year to Date (YTD)				Annual Budget	August YTD 2024/25 Actual
	YTD Actuals	YTD Budget	YTD Variance \$	YTD Variance %		
Income						
Contributions - Developer	72,500	72,500	0	0%	100,600	146,000
Contributions - Operating	1,028	1,012	16	2%	36,076	118,496
Operating Grants	2,601,979	1,831,649	770,330	42%	8,514,005	13,197,378
Interest Income	38,227	37,480	747	2%	358,479	415,891
Other Revenue	378,284	388,475	(10,191)	(3%)	2,685,284	2,368,447
Rates & charges	20,984,906	20,922,175	62,731	0%	20,922,175	20,120,659
Reimbursements	57,571	5,414	52,157	963%	112,504	384,235
Statutory Fees & Fines	156,560	145,232	11,278	8%	1,430,660	1,270,536
User Charges	1,708,156	1,758,695	(50,539)	(3%)	4,481,784	3,774,357
Total Income	25,999,211	25,162,682	836,529	3%	38,641,567	41,795,999
Expense						
Borrowing Costs	13,350	14,300	450	3%	164,182	135,019
Contract Payments	1,089,939	896,606	(193,333)	(22%)	8,294,502	8,113,790
Depreciation	1,522,552	1,463,084	(59,468)	(4%)	8,570,113	8,806,791
Employee Costs	2,690,470	2,751,044	60,574	2%	16,287,812	16,018,907
Materials & Consumables	2,062,846	2,250,085	187,239	8%	6,136,235	6,068,537
Other Expenses	812,007	724,698	(87,309)	(12%)	3,275,921	3,713,074
Utilities	70,766	50,136	(20,630)	(41%)	573,791	672,901
Total Expense	8,262,431	8,149,953	(112,478)	(1%)	43,302,556	43,529,018
Surplus / (Deficit)*	17,736,780	17,012,729	724,051	4%	(4,660,989)	(1,733,019)
* For both actual and budget a positive net result means a favourable contribution to Council, which is referred to as a Surplus and a negative net result means a unfavourable contribution to Council, which is referred to as a Deficit.						
(Red variance) is unfavourable Black variance is favourable						

Income

Operating Grants

YTD favourable variance of **\$758k** is mainly within the following:

- \$725.6k natural disaster funding which will be offset by corresponding expenditure.
- \$20.8k weather station funding which will be offset by corresponding expenditure.

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Rates and Charges

YTD favourable variance of **\$62.7k** is due supplementary rates.

Reimbursements

YTD favourable variance of **\$52k** is mainly within unbudgeted income received for the following:

- \$30k reimbursement received for insurance claims. Offset by corresponding expenditure.
- \$12.5k relating to Workcover reimbursements, offset by payments.
- \$8.6k for Buller Gas new connections.

User Charges

YTD unfavourable variance of **(\$50.5k)** is mainly within the following:

- (\$36.7k) Buller Gas sales lower than expected. Offset by reduced cost of gas sold (COGS).
- (\$10.4k) Transfer station fees lower than expected.

Expenditure

Contract Payments

YTD unfavourable variance of **(\$193k)** is mainly due to timing within the following areas:

- (\$115k) in natural disasters recovery works.
- (\$40.9k) in Tourism relating to the tourism strategy and management plan.
- (\$18.9k) within Rates relating to valuation costs.
- (\$14k) in People and Culture across various areas.

Depreciation

YTD unfavourable variance of **(\$59k)** because of the finalisation of prior years' capital program.

Employee Costs

YTD favourable variance of **\$60.5k** due to vacant positions.

Materials and Consumables

YTD favourable variance of **\$187k** is mainly within the following areas:

- \$69k in IT due to timing of software subscriptions and support costs.
- \$64.9k in Buller Gas with the cost of gas being lower than budgeted. Noting income unfavourable variance in Gas sales.
- \$63k within plant and equipment area due timing of invoices relating to insurance.

Other Expenses

YTD unfavourable variance of **(\$87k)** due to the following:

- (\$36.8k) in Tree services relating to internal plant hire.
- (\$27.9) in Urban and Rural roads usage of fleet vehicles.
- (\$17.6k) in Buildings and maintenance relating to legal costs.

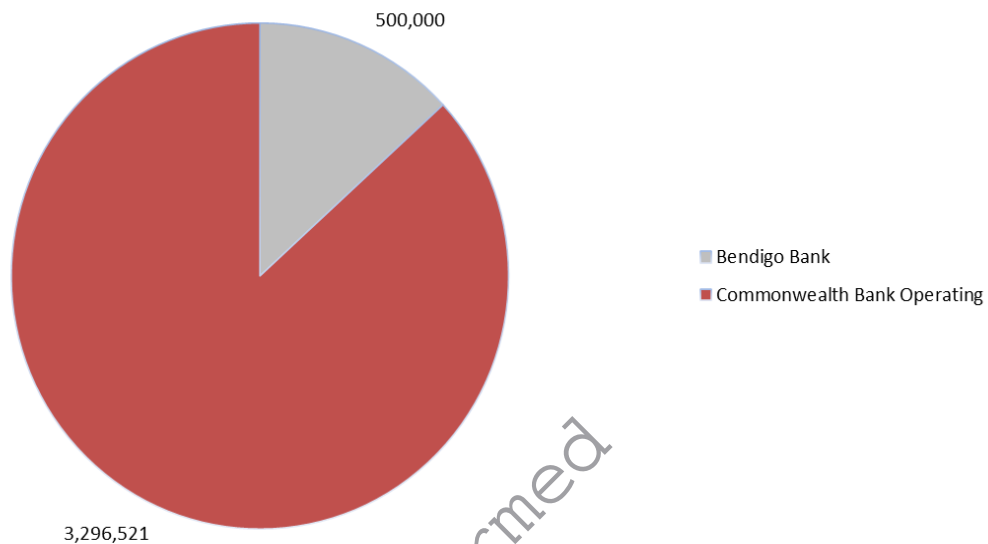
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Treasury

Cash Position

Council's Cash position at the end of August was \$3.8 million. Compared to the same time last year's position of \$2.1 million. Main reason for increased position compared to last year is timing of works on natural disaster.

Cash & Investments as at 31 August 2025



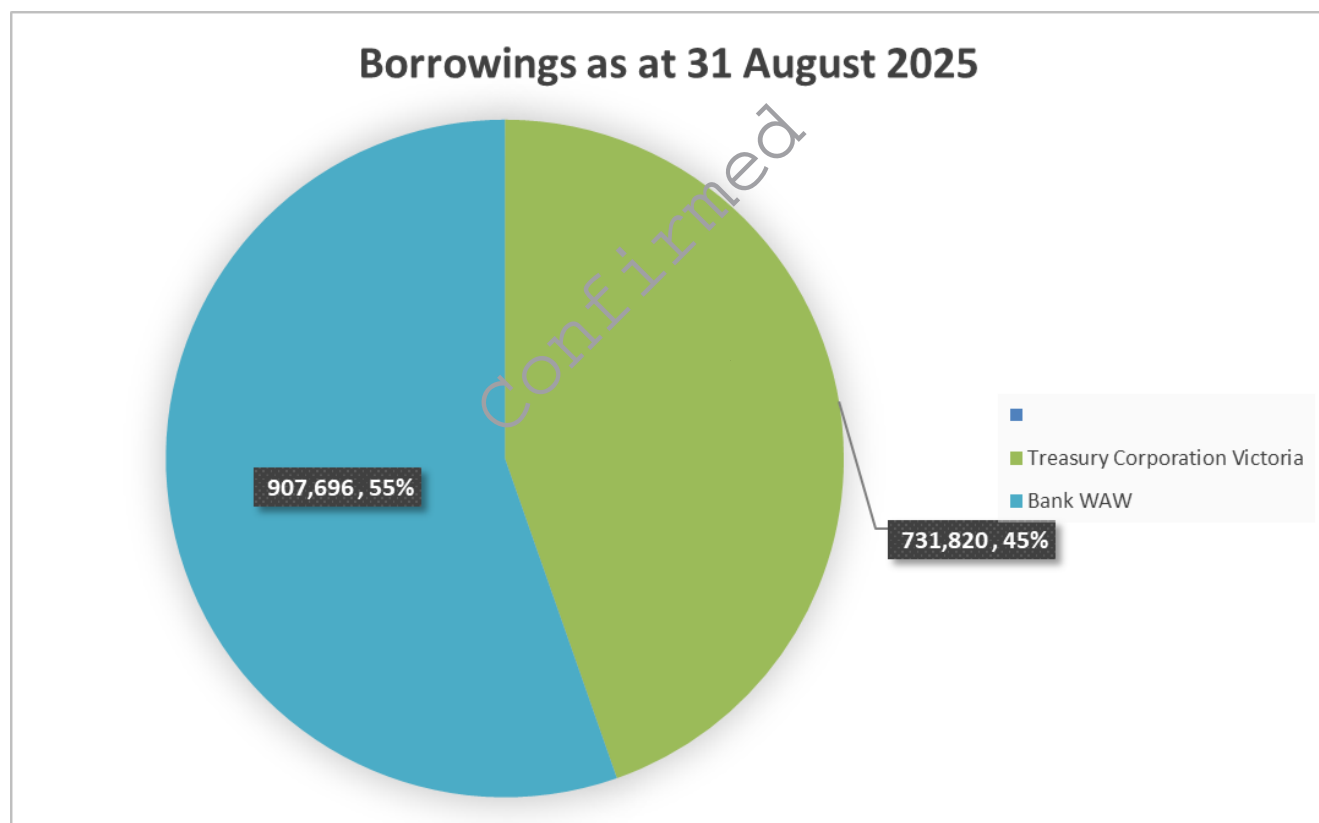
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Borrowings

Below is a summary of all Council's borrowings. The table shows original borrowed loans, term of loans, rates and maturity with outstanding balances at the end of August 2025 of \$1,639,516.

Indigo Shire Council - Borrowing Report as at 31 August 2025						
Bank	Term - Years	Rate %	Date of Maturity	Original loan amount		Balance owed
TCV	10	4.15	1/06/2032	1,000,000		731,820
Bank WAW	10	2.08	27/06/2034	1,000,000		907,696
Total of All Borrowings				2,000,000		1,639,516



Capital Works

The combined YTD project expenditure as at the end of August, across both the Capital Works and Non ISC projects was \$340,876 at the end of August. This total is comprised of \$335,057 in capital projects and \$5,819 against Non ISC assets. This represents 2.6% of the capital works adopted budget program.

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Summary Capital Works Income & Expenditure As at 31 August 2025

	Income	Expenditure	Annual Budget Net 2025-2026
Property			
Land	-	-	2,500
Land improvements	-	-	-
Total land	-	-	2,500
Buildings	40,000	89,066	561,470
Heritage buildings	70,000	27,632	390,000
Total buildings	110,000	116,698	951,470
Total property	110,000	116,698	953,970
Plant and equipment			
Plant, machinery and equipment and fleet	-	5,460	1,458,569
Fixtures, fittings and furniture		3,158	45,000
Computers and telecommunications		50,271	1,207,314
Library books	333	7,464	-
Total plant and equipment	333	66,353	2,710,883
Infrastructure			
Roads	519,785	57,245	871,065
Bridges	483,683	23,136	440,246
Footpaths and cycleways	-	3,101	255,000
Drainage	-	7,075	469,918
Recreational, leisure and community facilities	(1,818)	53,734	1,373,502
Parks, open space and streetscapes	25,000	7,715	52,170
Total infrastructure	1,026,650	152,006	3,461,901
Total Capital Works	1,136,983	335,057	7,126,754

Summary NON ISC Income & Expenditure As at 31 August 2025

	Income	Expenditure	Annual Budget Net 2025-2026
Yackandandah Golf Club Facility	25,000	-	-
Carlyle Cemetery - Drainage Works	-	102	-
Barkly Park Upgrade Female Change Room	500,000	2,067	274,091
Butson Park Yack Changerooms		-	22,500
Barnawartha Recreation Reserve		3,108	30,000
Barnawartha Recreation Reserve - Playground		542	-
Total Projects	525,000	5,819	326,591
Total NON ISC Owned Assets	525,000	5,819	326,591

*** The above statement of Capital Works & NON ISC Owned Assets should be read in conjunction with the Capital

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STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	4. Governance and Financial Sustainability
Strategic Objective	4.1 Financial sustainability and strategic resource management - Ensure Council's long-term financial viability through prudent asset management, collaborative service delivery, and proactive planning that balances current needs with future sustainability.

SOCIAL/COMMUNITY IMPLICATIONS

This report provides details of Council's performance across a range of services, works and programs that support and enhance the wellbeing of residents and visitors to Indigo Shire.

ENVIRONMENTAL IMPLICATIONS

In May 2017 Council adopted the following resolution.

That Council:

1. *divests its investments (when they become due) to financial institutions that do not invest in the fossil fuel industry.*
2. *divests future long-term borrowings when they fall due, to financial institutions that do not invest in the fossil fuel industry.*
3. *notes that Council will retain the current (non-divested) transactional banking provider at this time, however Council will advise this bank the intention to move to a divested provider in the future if they continue to support the fossil fuel industry; and*
4. *writes to Council's current banking providers to advise them of Council's stance on fossil-free financial institutions*

In accordance with this resolution:

- All investments are held with financial institutions that have divested their interests away from fossil fuel companies.
- Transactional banking has not been reassessed since the resolution and remains with a non-divested bank.

FINANCIAL IMPLICATIONS

Addressed throughout the report.

LEGISLATIVE IMPLICATIONS

The Local Government Act requires Council to report financial information quarterly. Indigo Shire Council report financials monthly, as well as a more comprehensive Report at completion of each quarter.

All financial reporting is compliant with the Australian Accounting Standards and audited annually by the Victorian Auditor General Office.

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RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Current Risk Rating	Controls
Poor performance against budget	Possible	Moderate	Medium	Regular monitoring and reporting of financial position

COMMUNITY ENGAGEMENT

Engagement undertaken

Nil

Engagement outcomes

Nil

Engagement proposed

Each month Council reports on financial performance in the public Council Meeting. This is part of the annual performance planning and reporting cycle that also includes annual budgets (operating and capital), monthly reports, and annual financial and performance reporting.

CONCLUSION

In summary, this is the start of the new financial year showing a favorable result compared with Council's YTD budget.

Expectation is the variations across income and expenditure will reduce in the coming months and align to the adopted budget.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton - Director Planning and Corporate Services
- Phil Garoni - Finance Manager

Attachments

1. 250831 - August Service Plan Statement [11.1.1 - 1 page]

Cr Price returned to the meeting at 6.46pm.

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11.2 PLANNING PERMIT APPLICATION PA250048 - 42 SPRING STREET, BEECHWORTH

James Turner - Manager Planning & Statutory Services

Planning and Corporate Services

For Decision

RECOMMENDATION

That Council grants a notice of decision to approve application PA250048 at 42 Spring Street, Beechworth for subdivision of the land into 2 lots and construction of two dwellings in the General Residential Zone, subject to the following conditions:

Endorsed Plans

Amended plans – changes required

1. Prior to the development starting, plans must be approved and endorsed by the responsible authority. The plans must:
 - a. be prepared to the satisfaction of the responsible authority
 - b. be drawn to scale with dimensions
 - c. submitted in electronic form
 - d. be generally in accordance with the plans forming part of the application a but amended to show the following details:
 - i. A tree in the front setback of each of the new dwellings

Compliance with Endorsed Plans

2. At all times what the permit allows must be carried out in accordance with the requirements of any plans or documents approved under this permit to the satisfaction of the responsible authority.

Endorsed Plans – Development

3. The development as shown on the endorsed plans must not be altered unless with the prior written consent of the Responsible Authority.

Endorsed Plans – Subdivision

4. The subdivision allowed by this permit and shown on the plans endorsed to accompany the permit must not be amended for any reason unless with the prior written consent of the Responsible Authority.

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Stormwater management

5. Prior to construction commencing or certification of the subdivision, a stormwater management plan must be submitted and approved by the responsible authority. Once approved, the plan will be endorsed and form part of the permit. The plan must:

- a. a. Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:

- Suspended solids 80% reduction in mean annual load.
- Total phosphorus and Total Nitrogen 45% reduction in mean annual load.
- Litter 70% reduction of mean annual load.

The plan may be in the form of a MUSIC model or STORM Report, but must include specific details of the stormwater management measures proposed.

Amenity Conditions

Neat and tidy site

6. 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.

Dust Control

7. All construction stockpiles must be covered and maintained to avoid dust nuisance to any residential area to the satisfaction of the responsible authority.

Construction Management Plan

8. Prior to works commencing, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. All construction activities must comply with the construction management plan to the satisfaction of the Responsible Authority. The plan must include:

- a. The location and procedure for the storage of materials;
- b. hours of construction including the number of workers expected on the land at any one time;
- c. dust and litter management;
- d. car parking, access and traffic management for staff and working vehicles;
- e. measures to ensure the safe movement of vehicles and pedestrians on adjacent roads and pedestrian walkways during construction; and
- f. provision for temporary fencing.

Landscaping

Landscape plan

9. Before the development starts, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must:
- a. be prepared to the satisfaction of the responsible authority
 - b. be prepared by a suitably qualified person
 - c. have plans drawn to scale with dimensions
 - d. be submitted to the responsible authority in electronic form

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d. include the following:

- i.** layout of landscaping and planting within all open areas of the subject land
- ii.** a survey (including botanical names) of all existing vegetation to be retained and/or removed
- iii.** buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary
- iv.** details of surface finishes of pathways and driveways
- v.** a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant, including at least one tree in the front setback of both dwellings
- vi.** details of how the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation
- vii.** details of ongoing maintenance and watering
- vii.** comply with the requirements of clause 55.02-7 tree canopy requirements

The responsible authority may consent in writing to vary any of these requirements.

Completion of landscaping

10. Before the development is occupied, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority.

Subdivision

Connection to legal point of discharge

11. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the permit holder must construct at no cost to Council, drainage works between each of the proposed lots and the Council nominated point of discharge, all to the satisfaction of the Responsible Authority.

Assets conditions

Crossings

12. Any new vehicular access points required and any required existing crossing points not complying with current standards must be constructed at full cost to the applicant/owner at a location, and to a standard, to the satisfaction of the Responsible Authority. A crossing permit must be obtained from the Responsible Authority and levels fixed.

Sediment control

13. Any clearing or construction activity associated with the subdivision and development of the land must be carried out in accordance with EPA Publication 275 "Construction Techniques for Sediment Pollution Control".

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Mandatory Conditions - Subdivision

Mandatory Condition – Telecommunications Pt 1

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

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

Mandatory Condition - Telecommunications Pt 2

15. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Mandatory Condition – Subdivisions that do not require referral Pt 1

16. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

Mandatory Condition – Subdivisions that do not require referral Pt 2

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

Mandatory Gas Supply

18. Any lot shown on the endorsed plan must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This does not apply to:

- a lot that will not be used for, or include, a dwelling; or
- a lot that contains an existing dwelling or apartment; or
- a lot where a permit has been granted for a dwelling or apartment on the land in the lot. This condition continues to have force and effect after a statement of compliance under the Subdivision Act 1988 has been issued and the subdivision authorised by this permit has been completed.

Time Limits

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Permit Expiry – Development

19. This permit 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.

Permit Notes

- This document is not a permit in accordance with the Building Act 1993.

RESOLUTION

That Council grants a notice of decision to approve application PA250048 at 42 Spring Street, Beechworth for subdivision of the land into 2 lots and construction of two dwellings in the General Residential Zone, subject to the following conditions:

Endorsed Plans

Amended plans – changes required

1. Prior to the development starting, plans must be approved and endorsed by the responsible authority. The plans must:
 - a. be prepared to the satisfaction of the responsible authority
 - b. be drawn to scale with dimensions
 - c. submitted in electronic form
 - d. be generally in accordance with the plans forming part of the application a but amended to show the following details:
 - i. A tree in the front setback of each of the new dwellings

Compliance with Endorsed Plans

2. At all times what the permit allows must be carried out in accordance with the requirements of any plans or documents approved under this permit to the satisfaction of the responsible authority.

Endorsed Plans – Development

3. The development as shown on the endorsed plans must not be altered unless with the prior written consent of the Responsible Authority.

Endorsed Plans – Subdivision

4. The subdivision allowed by this permit and shown on the plans endorsed to accompany the permit must not be amended for any reason unless with the prior written consent of the Responsible Authority.

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Stormwater management

5. Prior to construction commencing or certification of the subdivision, a stormwater management plan must be submitted and approved by the responsible authority. Once approved, the plan will be endorsed and form part of the permit. The plan must:
 - a. Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:
 - Suspended solids 80% reduction in mean annual load.
 - Total phosphorus and Total Nitrogen 45% reduction in mean annual load.
 - Litter 70% reduction of mean annual load.

The plan may be in the form of a MUSIC model or STORM Report, but must include specific details of the stormwater management measures proposed.

Amenity Conditions

Neat and tidy site

6. 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.

Dust Control

7. All construction stockpiles must be covered and maintained to avoid dust nuisance to any residential area to the satisfaction of the responsible authority.

Construction Management Plan

8. Prior to works commencing, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. All construction activities must comply with the construction management plan to the satisfaction of the Responsible Authority. The plan must include:
 - a. The location and procedure for the storage of materials;
 - b. hours of construction including the number of workers expected on the land at any one time;
 - c. dust and litter management;
 - d. car parking, access and traffic management for staff and working vehicles;
 - e. measures to ensure the safe movement of vehicles and pedestrians on adjacent roads and pedestrian walkways during construction; and
 - f. provision for temporary fencing.

Landscaping

Landscape plan

9. Before the development starts, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must:
 - a. be prepared to the satisfaction of the responsible authority

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- b. be prepared by a suitably qualified person
- c. have plans drawn to scale with dimensions d. be submitted to the responsible authority in electronic form
- d. include the following:
 - i. layout of landscaping and planting within all open areas of the subject land
 - ii. a survey (including botanical names) of all existing vegetation to be retained and/or removed
 - iii. buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary
 - iv. details of surface finishes of pathways and driveways
 - v. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant, including at least one tree in the front setback of both dwellings
 - vi. details of how the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation
 - vii. details of ongoing maintenance and watering
 - viii. comply with the requirements of clause 55.02-7 tree canopy requirements

The responsible authority may consent in writing to vary any of these requirements.

Completion of landscaping

- 10. Before the development is occupied, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority.

Subdivision

Connection to legal point of discharge

- 11. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the permit holder must construct at no cost to Council, drainage works between each of the proposed lots and the Council nominated point of discharge, all to the satisfaction of the Responsible Authority.

Assets conditions

Crossings

- 12. Any new vehicular access points required and any required existing crossing points not complying with current standards must be constructed at full cost to the applicant/owner at a location, and to a standard, to the satisfaction of the Responsible Authority. A crossing permit must be obtained from the Responsible Authority and levels fixed.

Sediment control

- 13. Any clearing or construction activity associated with the subdivision and development of the land must be carried out in accordance with EPA Publication 275 "Construction Techniques for Sediment Pollution Control".

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Mandatory Conditions - Subdivision

Mandatory Condition – Telecommunications Pt 1

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

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

Mandatory Condition - Telecommunications Pt 2

15. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- • a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- • a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Mandatory Condition – Subdivisions that do not require referral Pt 1

16. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

Mandatory Condition – Subdivisions that do not require referral Pt 2

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

Mandatory Gas Supply

18. Any lot shown on the endorsed plan must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This does not apply to: • a lot that will not be used for, or include, a dwelling; or

- a lot that contains an existing dwelling or apartment; or
- a lot where a permit has been granted for a dwelling or apartment on the land in the lot. This condition continues to have force and effect after a statement of compliance under the Subdivision Act 1988 has been issued and the subdivision authorised by this permit has been completed.

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Time Limits

Permit Expiry – Development

19. This permit 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.

Permit Notes

- This document is not a permit in accordance with the Building Act 1993.

Moved: Cr Shephard

Seconded: Cr Bourke

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

EXECUTIVE SUMMARY

This application proposes to construct two dwellings and subdivide the land at 42 Spring Street, Beechworth. This is presented to Council as the proposal has received 3 objections, taking it outside officer delegations.

It is important to note that this proposal is the first to be considered by Indigo Shire Council under the newly updated residential design standards. These standards were introduced under amendment VC 267. The state government states the following in introducing the new standards:

In Victoria's Housing Statement, The Decade Ahead 2024-2034, the Victorian Government committed to delivering housing and planning reforms that benefit Victorians and make it easier for builders, buyers and renovators to get permits.

The new code introduces a deemed to comply assessment pathway to support faster decisions and greater certainty for townhouses and apartment buildings up to three storeys at clause 55 of all planning schemes.

A key change as a result of this amendment was the removal of neighbourhood character as a relevant assessment criterion.

This new assessment process has the following implications for the current proposal:

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- The dwelling component of the proposal is subject only to the requirements of clause 55 of the planning scheme. All other components of the planning scheme do not apply to this part of the proposal.
- The proposal is **not** exempt from notice, and Council must still consider objections, however there is no right to appeal if the proposal meets some specified standards in clause 55.
- If those standards are not met, officers current understanding is that, any appeal is limited to only those standards that are not met.

In this case, the assessment reveals that the only relevant standard not met is 55.02-6 relating to access. Notwithstanding the standard not being met, officers have assessed the proposal as meeting the relevant objective.

The proposal is a responsive and appropriate response to its context. Spring Street is not a heritage area, and the new dwellings will sit suitably in the environment. The internal amenity of the proposed dwellings will provide a suitable environment for future occupants. The proposed dwellings have responded to the standards to ensure any off-site amenity is not unacceptably affected.

The proposed subdivision is a logical response to the constraints of the land and will result in a land configuration that supports the future dwellings.

Overall, the proposal is an acceptable response to the planning scheme and should be supported.

PROPERTY ADDRESS	42 Spring Street, Beechworth
EXISTING USE OF LAND	Vacant
NUMBER OF OBJECTIONS	3
ZONING	General Residential Zone
OVERLAY	None
STATUTORY DAYS	89 (at 30 September 2025)
DATE APPLICANT NOTIFIED OF COUNCIL MEETING	29 August 2025

BACKGROUND

Site and surrounds

The subject site is a vacant lot, in the southern part of Beechworth. The lot is aligned approximately east - west, and has an area of 898m².

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Figure 1 - Aerial view of the site (from 2022)

The wider neighbourhood is gradually being built out with new dwellings, which are generally single storey dwellings at standard residential density. The land is not affected by any heritage values.

Surrounding houses are generally modern designs, with large yards, and Colorbond type roofing.



Figure 2 - Aerial view of the neighbourhood

The subject site is in the southern part of the Beechworth township. It is located approximately 900m from the Beechworth town centre, 1.6km from the Beechworth Primary School and 2km from Beechworth High School and Beechworth hospital.

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Figure 3 - Location relative to wider Beechworth

Relevant Site History

No relevant site history applies to this site.

PROPOSAL

The proposal is for the construction of two dwellings on the site and an associated subdivision:

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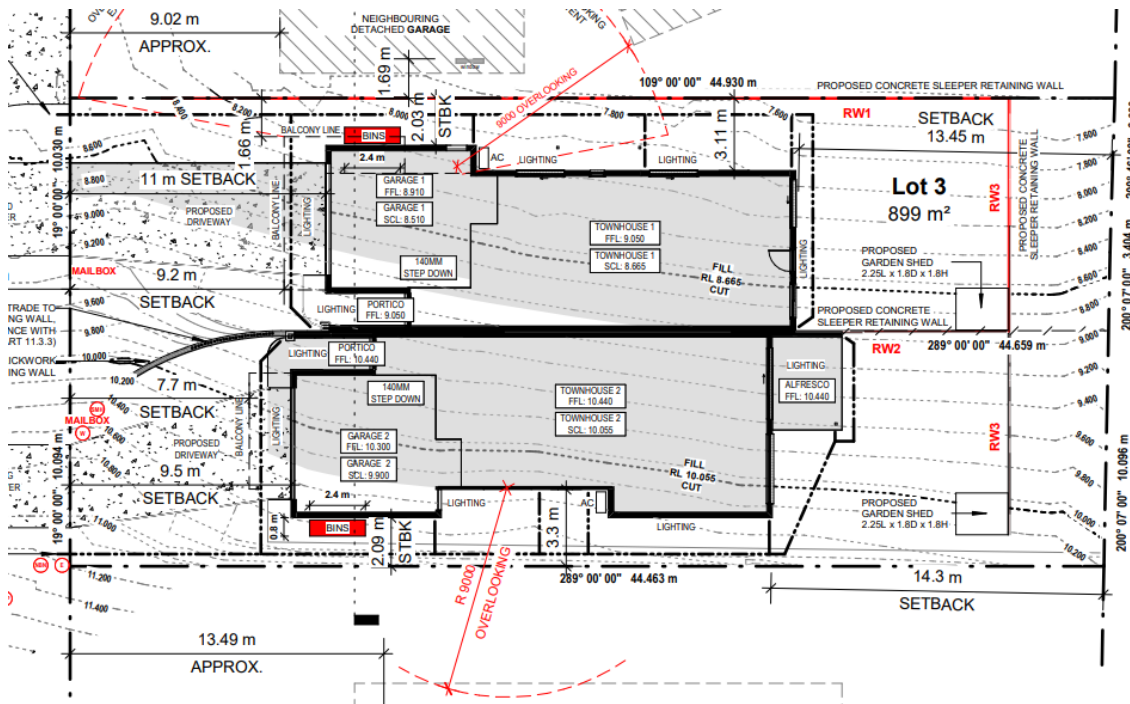


Figure 4 - Site Layout

Both proposed dwellings are two storey, 3-bedroom dwellings. The first in a reverse living arrangement, with bedrooms on the ground floor, and living spaces on the first floor. The second is in a conventional arrangement, with primary living spaces on the ground floor.

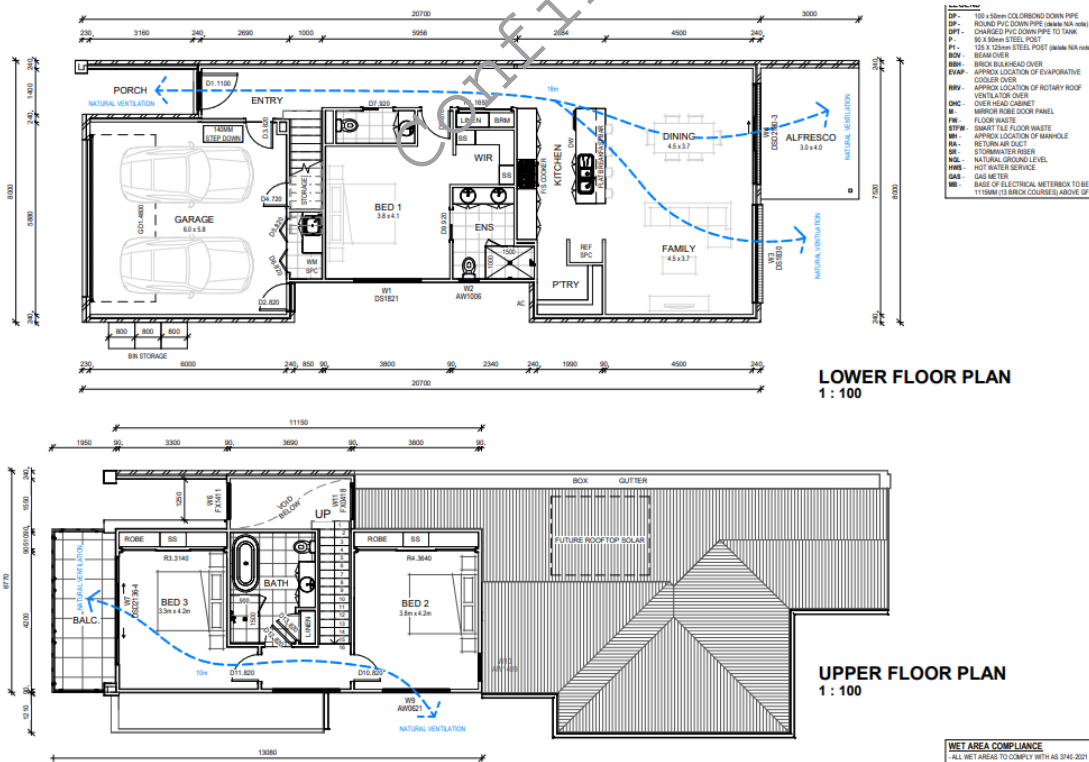


Figure 5 - Townhouse 1 floor plan

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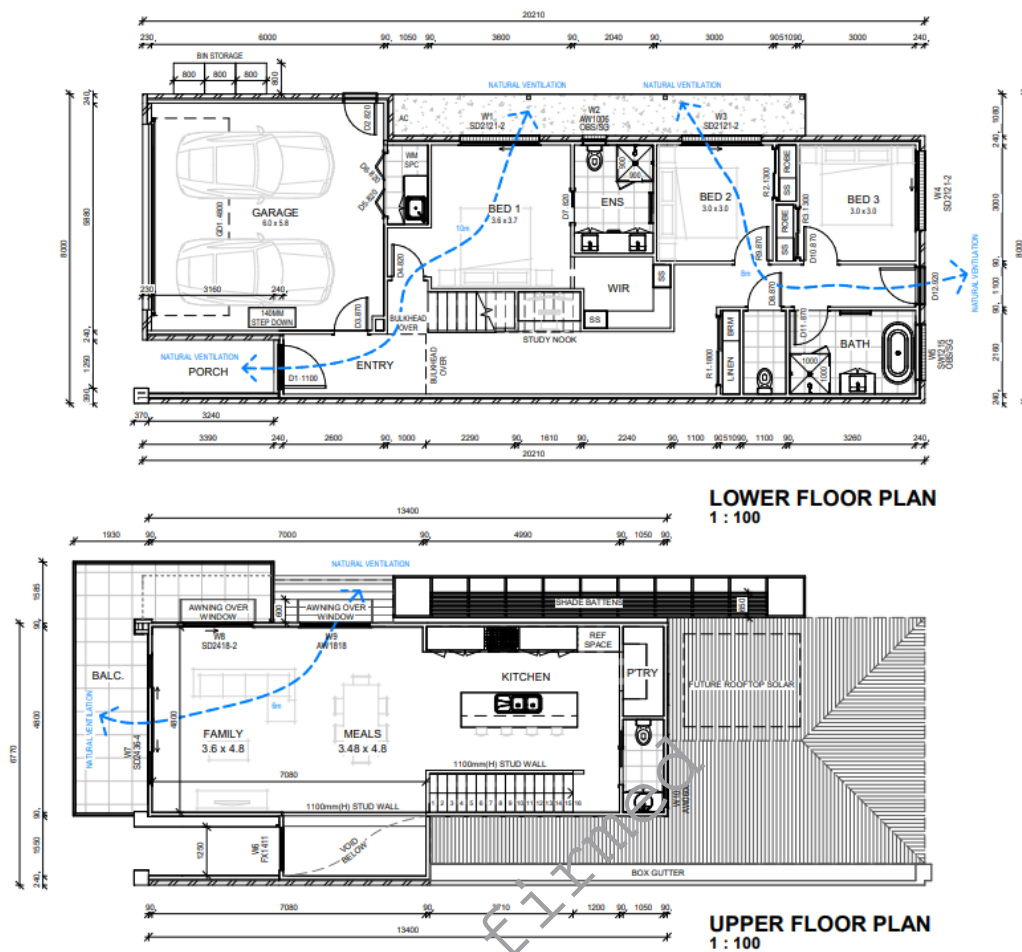


Figure 6 - Townhouse 2 floorplan

Both dwellings are proposed to be constructed primarily of brick, with stria highlights and Colorbond roofing. The brick colour, PGH West Side, is a chocolate brown brick colour. The roof colour, Wallaby, is a dark grey colour.

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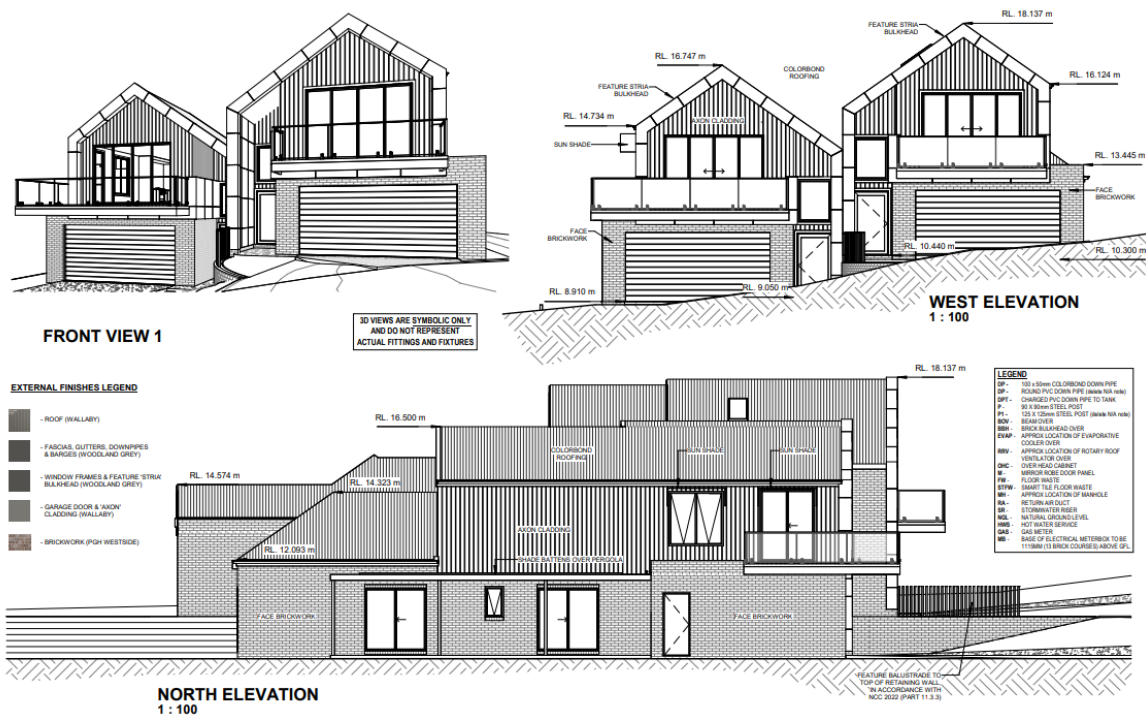


Figure 7 - Elevations

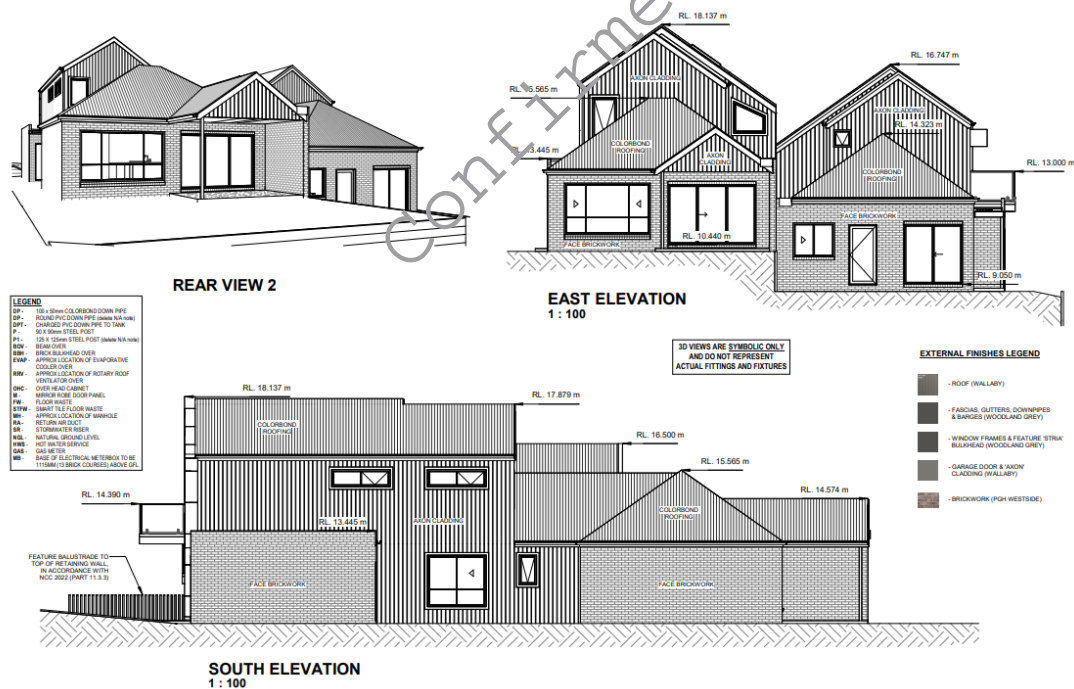


Figure 8 - Elevations

The proposed subdivision creates two long, thin lots, and is designed to reflect the proposed siting of the dwellings.

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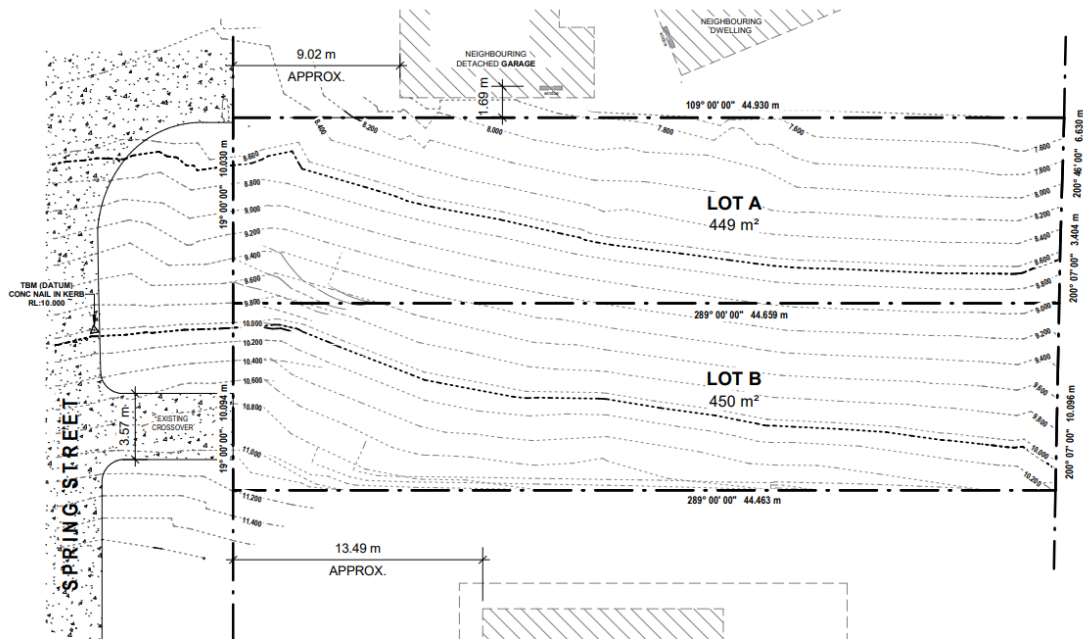


Figure 9 - Proposed subdivision

INDIGO PLANNING SCHEME

Zoning

General Residential Zone (GRZ)

The site is located in the GRZ.

- In accordance with clause 32.08-7, a permit is required to construct two or more dwellings on a lot.
- In accordance with clause 32.08-3, a permit is required to subdivide land.

Overlays

No overlays apply to the site

Particular Provisions

No particular provisions trigger a planning permit, however the requirements of clauses 55 and 56 are highly relevant to this proposal.

General Provisions

The decision guidelines at clause 65 are relevant.

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CONSULTATION

As this is the first application Council has received under the new residential design guidelines, there has been extensive communication with the applicant regarding required information.

Public Notice

The application was placed on public notice between 30 July and 13 August 2025. Three objections were received, and raised the following issues:

1. Neighbourhood character, particularly with regard to the two-storey built form.

Planner response

Under the new clause 55 standards, neighbourhood character has been excluded as a relevant consideration. The new standards are considered to create an acceptable character for the area with regards to the built form.

In terms of the subdivision, the proposal does not meaningfully alter the character of the area, as the character remains residential, the proposal is not high density, and suitable dwellings can be built on the land.

2. Overdevelopment of the site.

Planner response

In terms of the proposed dwellings, this is not a relevant consideration under any of the clause 55 standards. The logic of clause 55 is that if the standards are met, then it is not an overdevelopment.

For the subdivision, lots of approximately 450m² is a standard residential density in the General Residential Zone. While this lot size is not typical of the immediate area, similar lot sizes exist elsewhere in Beechworth, and when balanced against the benefits of greater housing in Beechworth, the proposed lot sizes are acceptable.

3. Loss of privacy and overshadowing.

Planner response

As the proposed dwellings meet the relevant clause 55 standards, overshadowing and overlooking impacts are acceptable. There are no implications for increased overlooking and overshadowing because of the proposed subdivision.

4. Traffic and safety issues, including parking.

Planner response

Council's assets team are satisfied that appropriate access arrangements have been proposed, subject to conditions.

5. Landscaping

Planner response

Conceptual landscaping has been provided, and a detailed landscaping plan will be required by permit condition.

Referrals

No external referrals were required.

The application was internally referred to Council's assets team, who supported the proposal subject to conditions.

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DISCUSSION

Planning Policy Framework

Introduction

Due to the operation of clause 55, these clauses and policies do not apply to the construction of the dwellings, only to the proposed subdivision.

02.03-1 Settlement

This clause contains the following relevant strategic directions:

- *Direct the majority of population growth to townships serviced by reticulated infrastructure and good social infrastructure.*
- *Direct population growth to serviced and zoned land to make efficient use of infrastructure and land.*
- *Consolidate development in towns by encouraging infill development*

Planner comments:

The proposed subdivision facilitates this increased density in existing towns and helps encourage infill development, as well as providing an opportunity for an additional dwelling.

The clause also contains the following strategic directions for Beechworth:

- *Guide the location and development of future industrial land*
- *Support adaptive reuse of the former Beechworth prison, former Ovens and Murray Hospital for the Aged and Mayday Hills.*
- *Consolidate commercial development within the central commercial precinct.*

None of these are relevant to the current proposal, as the proposal location is not within any of the identified areas.

11.01-1S Settlement

This clause provides high level guidance on growth. The current proposal supports this guidance, on a limited basis given the small nature of the development.

11.01-1R Settlement – Hume

The clause contains the following relevant strategy:

- *Support growth and development in other existing urban settlements and foster the sustainability of small rural settlements*

Planner comments:

The proposed subdivision helps support growth in Beechworth.

11.01-1L-01 Beechworth

This clause applies as the site is within the Beechworth plan shown in the clause. However, the contents of this clause contain no relevant guidance, as they relate to specific sites other than the subject site.

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15.01-3S Subdivision design

This clause contains the following objective:

- *To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.*

The following strategy is relevant to the proposal:

- *Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.*

Planner comments:

Most of the clause is focused on larger, neighbourhood level subdivisions. Nevertheless, to the extent relevant, the clause supports the proposed subdivision as it facilitates lot diversity and supports the development of a desirable and functional neighbourhood.

16.01-1L Residential Subdivision and Development

The policy applies to all residential subdivision, including the currently proposed one.

The clause has the following objectives:

- *To ensure that residential development is connected to reticulated sewerage, water, power, and stormwater facilities and has access to fully constructed roads.*
- *To ensure that urban development does not adversely impact the environment and downstream water quality.*
- *To locate medium density development adjacent to community services and facilities and in proximity to commercial centres.*
- *To ensure that the design of medium density housing considers the scale, mass, form and height of other buildings particularly in heritage towns.*

The following strategies apply:

Ensure residential development is provided with reticulated services.

Encourage low density residential development that adequately treats and disposes of effluent where reticulated sewerage is not available.

Support medium density housing where the density, number, and variety of lots responds to the needs of the community.

Encourage medium density housing and the creation of lot sizes under 400 square metres within walking distance of commercial areas and community facilities.

Encourage buildings that respond to the street and neighbouring buildings and contribute to and enhance the amenity of an area.

Discourage reproduction of architectural forms and styles.

Support development that is well connected to the neighbourhood, including:

- *Dwellings facing existing and proposed streets.*
- *Design and landscaping which relates to the surrounding neighbourhood character.*
- *Provision of adequate vehicle and pedestrian links.*

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Planner comments:

The proposed subdivision is fully serviced with all available services. Despite the potential perception of the community, the proposed 450m² lots are not medium density. The proposed lots are well located within the community. The sections of this clause that apply to buildings are not applicable.

16.01-2S Housing affordability

By allowing more lots, this allows for an increase in housing supply and contributes to the overall efforts to improve housing availability.

Zone

General Residential Zone

It is important to note that this clause does not apply to the proposed dwellings, only the subdivision.

The GRZ contains the following purpose:

Purpose	Planner Response
To implement the Municipal Planning Strategy and the Planning Policy Framework.	Discussed elsewhere in this report.
To encourage development that respects the neighbourhood character of the area.	The proposed subdivision is not common, but also not unheard of in Beechworth, and on balance it is acceptable.
To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.	Complies. The proposed subdivision increases the potential housing stock and its diversity within Beechworth.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.	N/A.

The garden space requirements of the zone are met, as the requirement only requires to new lots less than 400 sqm, and both new lots are larger than this.

A subdivision is required to meet the specified clauses in Clause 56. These are discussed under the particular provisions sections later in this report, however overall the proposal complies with the relevant clauses. The proposed subdivision does not create a lot containing a small second dwelling, which is prohibited.

The clause contains the following decision guidelines:

Requirement	Response
General	
The Municipal Planning Strategy and the Planning Policy Framework.	Discussed elsewhere in this report
The purpose of this zone.	Complies.

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Requirement	Response
	The proposed subdivision is consistent with the zone.
The objectives set out in a schedule to this zone.	None specified.
Any other decision guidelines specified in a schedule to this zone.	None specified.
The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.	N/A – the subdivision doesn't increase overshadowing.
Subdivision	
The pattern of subdivision and its effect on the spacing of buildings.	The proposed subdivision is a suitable response to the area, and will allow future dwelling with appropriate spacing.
For subdivision of land for residential development, the objectives and standards of Clause 56.	The proposal complies with the relevant standards and requirements.
Dwellings, small second dwellings and residential buildings	
For the construction and extension of one dwelling on a lot and a small second dwelling, the applicable objectives, standards and decision guidelines of Clause 54.	N/A.
For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.	N/A, excluded by the operation of clause 55.
For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.	N/A.
Non-residential use and development	Not proposed.

The proposal is acceptable under the zone.

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Particular Provisions

Clause 53.01 - Public open space contribution and subdivision

As the proposed subdivision results in lots that Council is satisfied are unlikely to be subdivided further, an exemption in the relevant section of the *Subdivision Act 1988* applies.

Clause 55

Clause 55 of the planning scheme applies to multiple dwellings on a lot. Under this provision, a standard should be met, and an objective must be met. Where the standard is met, the proposal is deemed to comply with the objective.

The requirements of the clause were modified by the introduction of amendment VC267, which codified the required standards, introduced exemptions from sections of the planning scheme, and sought to create a more streamlined assessment process.

When assessing application to which this clause applies, the following sections of the planning scheme do not apply:

- The Municipal Planning Strategy and Planning Policy Framework, unless an applicable decision guideline specifies otherwise.
- The purpose or decision guidelines of the relevant zone, unless an applicable decision guideline specifies otherwise.
- The decision guidelines in Clause 65, unless an applicable decision guideline specifies otherwise.

Certain parts of section 60 of the *Planning and Environment Act 1987* are also excluded.

55.01 Application requirements

This clause requires the following to be submitted:

A site description.

- A design response.
- A written statement outlining which standards are met and which are not met. If a standard is not met, the written statement must include an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines.

These documents have been provided.

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Clause 55.01-1 lists the requirements the site description needs to meet:

Requirement	Comment
The built form, scale and character of surrounding development including front fencing.	Provided.
Site shape, size, orientation and easements.	Provided.
Levels of the site and the difference in levels between the site and surrounding properties.	Provided.
The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.	Provided.
The use of surrounding buildings.	Provided.
The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.	Provided.
Solar access to the site and to surrounding properties.	Provided.
Location of existing trees 5 metres in height or greater, with a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level, on the site.	None on site.
Any cut and filled areas of soil, where known.	Provided.
Street frontage features such as poles, services, street trees and kerb crossovers.	Not required.
The location of any existing domestic solar energy system on the roof of a dwelling, apartment development or residential building on surrounding properties.	None nearby.

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Clause 55.01-2 lists the requirements the design response needs to meet:

Requirement	Comments
The design response must explain how the proposed design derives from and responds to the site description.	Complies.
The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.	Provided.
<p>The design response must include a landscape plan that details the proposed:</p> <ul style="list-style-type: none"> • Retention and planting of canopy trees, • Planting of other vegetation including location, species, number and size at maturity of vegetation, • Where required, areas of deep soil and root barriers, • Irrigation system to support existing and planted vegetation including details of any alternative water supply sources, • Selection of vegetation that responds to the site's environment and geographic factors, <p>A plan showing the location of site services, clothes drying and storage.</p>	<p>Provided, although changes and clarifications will be required by permit condition.</p>

55.02-1 Street Setback Objective

Standard B2-1 requires:

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Requirement	Comments
<p>Walls of buildings are set back from streets:</p> <ul style="list-style-type: none"> At least the distance specified in a schedule to the zone if the distance specified in the schedule is less than the distance specified in Table B2-1; or <p>If no distance is specified in a schedule to the zone, the distance specified in Table B2-1.</p>	<p>Complies.</p> <p>In this case, the zone does not specify an alternate standard.</p> <p>The proposal, with a setback of 7.7m, complies with the requirements of the table.</p>
<p>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</p>	<p>Complies.</p> <p>The proposed balconies are where the setbacks have been measured from.</p>

As the standard is met, the proposal is acceptable under this provision.

52.02-2 Building height objective

Standard B2-2 requires:

Requirement	Comment
<p>The maximum building height does not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p>	<p>Complies. the overall height of 8.2m is less than the zone maximum of 11m.</p>
<p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height does not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height does not exceed 10 metres.</p>	<p>Not applicable.</p>

As the standard is met, so is the objective, and the proposal is acceptable under this provision.

55.02-3 Side and rear setbacks objective

Standard B2-3 requires:

Requirement	Comments
<p>A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2.</p>	<p>Complies.</p> <p>At it highest point, the new dwelling is 4.12m from the northern boundary. For this setback, according to B2-3.1, is allowed to be 9m, which higher than the current proposal.</p>

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Requirement	Comments
	<p>On the southern boundary, a setback of 4.24m similar ensures compliance.</p> <p>The rear boundary is 13.45m, comfortable complying.</p> <p>These distances were measured by scale.</p>
<p>Standard B2-3 is met if the building is set back in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:</p> <p>B2-3.1:</p> <p>The building is set back at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</p> <p>B2-3.2:</p> <p>If the boundary is not to the south of the building, the building is set back at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres.</p> <p>If the boundary is to the south of the building, the building is set back at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east.</p>	<p>Complies.</p>
<p>Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the side and rear setbacks.</p>	<p>Complies.</p>
<p>Landings that have an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the side and rear setbacks.</p>	<p>Complies.</p>

As the proposal meets this standard, it is acceptable under this provision.

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55.02-4 Walls on boundaries

Standard B2-4 requires:

Requirement	Comments
<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot does not abut the boundary for a length that exceeds the greater of the following distances:</p> <ul style="list-style-type: none"> • 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or • The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot. 	<p>Not applicable.</p> <p>As the land is not yet subdivided, there are no walls on boundaries proposed. Once constructed, the proposed walls will comply with the second dot point.</p>
<p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</p>	<p>Not applicable, the walls do not fit this description.</p>
<p>A building on a boundary includes a building set back up to 200mm from a boundary.</p>	<p>Not applicable, the walls do not fit this description.</p>
<p>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary does not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<p>Not applicable, the walls do not fit this description.</p>

As the proposal meets the standards, it is acceptable under this provision.

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55.02-5 Site coverage objective

Standard B2-5 requires:

Requirement	Comments
<p>The site area covered by buildings does not exceed:</p> <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone; or <p>If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table B2-5.</p>	<p>Complies.</p> <p>As the site is in the GRZ, the requirement is 65%.</p> <p>The plans indicate a site coverage of 37.7%.</p>

As the standard is met, the proposal is acceptable under the provision.

55.02-6 Access objective

Standard B2-6 requires:

Requirement	Comments
<p>The width of accessways or car spaces (other than to a rear lane) does not exceed:</p> <ul style="list-style-type: none"> 33 per cent of the street frontage; or <p>40 per cent of the street frontage if the width of the street frontage is less than 20 metres.</p>	<p>Does not comply.</p> <p>Total width of access ways is 7.57m on a total lot width of 20.1m, 37.6% of the street frontage.</p>
<p>The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.</p>	<p>Not applicable.</p> <p>No TRZ land nearby.</p>
<p>The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent.</p>	<p>Complies.</p>

As the standard is not met, the objective is required to be considered:

Objective	Comments
<p>To ensure the number and design of vehicle crossovers responds to the neighbourhood character.</p>	<p>The subject site is in a newer part of Beechworth, with a character that is still being established. While this level of crossover is unusual, it is only a modest allure to meet the standard and is still consistent with the objective.</p>

The following decision guidelines apply:

Guideline	Comments
<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p>	<p>None relevant to this area.</p>

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The design response.	The response is appropriate to this site.
The reduction of on-street car parking spaces.	No reduction, as the street in this area is a concrete lane with no on-street parking.
Whether a different accessway width, number of access points or encroachment of an existing tree affects the ability to retain or plant canopy trees on the site or footpath.	No impact on any trees, and no footpath in this location.

As the objective has been met, the proposal is acceptable under this provision.

55.02-7 Tree canopy objectives

Standard B2-7 requires a minimum tree canopy of 10% if the lot is 1000m² or less, and 20% if greater than 1000m².

As the subject site is 898m², the requirement is 10%.

The following requirements apply to this tree canopy:

Requirements	Comments
Existing trees to be retained meet all of the following: <ul style="list-style-type: none"> Has a height of at least 5 metres, Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level, Has a trunk that is located at least 4 metres from proposed buildings.	N/A, no existing trees.
The minimum canopy cover is met using any combination of trees specified in Table B2-7.2.	Complies. The proposed dwellings has used at least 1 of type B (8m minimum canopy diameter at maturity, 8m minimum height at maturity, minimum mature coverage 50.3 sqm, minimum area of deep soil 49 sqm) to meet this requirement. The plans refer to a second type B, but these aren't shown and isn't required.
Existing trees that are retained can be used in calculating canopy cover.	N/A.
Provide at least one new or retained tree in the front setback and the rear setback.	Complies by condition. A type A tree in the front setback will be required, as a clarification of the proposed plans.
Trees are located in either: <ul style="list-style-type: none"> An area of deep soil as specified in Table B2-7.2; or 	Complies.

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Requirements	Comments
A planter as specified in Table B2-7.2.	
Any tree required to be planted under this standard must be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors.	Complies, to be reinforced by conditions.

As the standard is met, the proposal is acceptable under the provision.

55.02-8 Front fences objective

Standard B2-8 requires:

Requirement	Comments
<p>A front fence within 3 metres of a street is:</p> <ul style="list-style-type: none"> The maximum height specified in a schedule to the zone, or <p>If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8.</p>	<p>Not applicable.</p> <p>No front fences are proposed.</p>

As the standard is met, the proposal is acceptable under the provision.

55.03-1 Dwelling diversity objective

This provision does not apply to this development.

55.03-2 Parking location objective

Standard B3-2 requires:

Requirement	Comment
<p>Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least:</p> <ul style="list-style-type: none"> 1.5 metres; or If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or 1 metre where window sills are at least 1.5 metres above ground level <p>This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.</p>	<p>Complies.</p> <p>All windows are more than 3m from accessways.</p>

As the standard is met, the proposal is acceptable under the provision.

55.03-3 Street integration objective

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Standard B3-3 requires:

Requirement	Comments
<p>Where a development fronts a street, a vehicle accessway or abuts public open space:</p> <ul style="list-style-type: none"> Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space. <p>The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency.</p>	<p>Complies.</p> <p>Both new dwellings have balconies overlooking the street and accessways.</p> <p>Plans show relevant services in the front area of the lot.</p>
Lighting is provided to all external accessways and paths.	Complies.
Mailboxes are provided for each dwelling and can be communally located.	Complies.

As the standard is met, the proposal is acceptable under the provision.

55.03-4 Entry objectives

Standard B3-4 requires:

Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings:

Guideline	Comments
<p>Each dwelling and each residential building has a ground level entry door that:</p> <ul style="list-style-type: none"> Has a direct line of sight from a street, accessway or shared walkway. Is not accessed through a garage. <p>Has an external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door.</p>	<p>Complies.</p> <p>Townhouse 1 has a covered entry of at least 3.75m² and townhouse 2 has a covered area of at least 4.2m².</p>

55.03-5 Private open space objectives

Standard B3-5 requires:

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Requirement	Comments
A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.	N/A, no dimensions specified in the schedule.
<p>If no area or dimension is specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of:</p> <ul style="list-style-type: none"> An area of 25 square metres of secluded private open space, with a minimum dimension of 3 metres width; or A balcony with at least the area and dimensions specified in Table B3-5; or An area in a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or <p>An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.</p>	<p>Complies.</p> <p>Sufficient private open space shown at the rear of the dwellings, being 128.7m² for dwelling 1 and 134.22m² for dwelling 2.</p> <p>No access from a living area for dwelling 1, however the first floor balcony has an area of 17m, which exceeds the requirement for 12m for a three bedroom dwelling.</p>
<p>If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone:</p> <ul style="list-style-type: none"> The area and dimensions specified in the schedule must be 25 square metres or less; and <p>The area and dimensions specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard.</p>	N/A.
If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres.	These services are not shown, but the private
Where ground level private open space is provided an area for clothes drying is provided.	Not specifically, but sufficient area is available for this purpose.

As the standard is met, the proposal is acceptable under the provision.

55.03-6 Solar access to open space objective

Standard B3-6 requires:

Requirement	Comments
The southern boundary of secluded private open space is set back from any wall on the north of the	Complies.

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space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.	The rear open space meets this requirement.
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As the standard is met, the proposal is acceptable under the provision.

55.03-7 Functional layout objective

Standard B3-7 requires:

Bedrooms:

Requirement	Comments
Meet the minimum internal room dimensions specified in Table B3-7.1: <ul style="list-style-type: none"> Main bedroom: Width 3m, depth 3.4m Other bedrooms: Width 3m, depth 3m	Complies. All bedrooms meet this minimum area.
Provide an additional area of at least 0.8 square metres to accommodate a wardrobe.	Complies, and shown on plans.

Living areas

Requirement	Comments
Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2: <ul style="list-style-type: none"> Studio and 1 bedroom dwelling: Minimum width 3.3m, minimum area 10sqm 2 or more bedroom dwelling: Minimum width 3.6m, minimum area 12sqm	Complies.

As the standard is met, the proposal is acceptable under the provision.

55.03-8 Room depth objective

Standard B3-8 requires:

Requirement	Comments
The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.	With an internal room height of 2550mm, the depth is limited to 6.75m. All rooms comply except the kitchen/living area of townhouse 2.
The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met: <ul style="list-style-type: none"> The room combines the living area, dining area and kitchen; and 	As the roof height in townhouse 2 is 2550, this is not an option to comply with.

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<ul style="list-style-type: none"> The kitchen is located furthest from the window; and The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; and <p>An overhang extends no more than 2m beyond the window of the single aspect habitable room.</p>	
In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.	

As the standard is not met, although the non-compliance is minor, the objective is required to be considered:

Objective	Comments
To allow adequate daylight into single aspect habitable rooms.	The variation to the standard is approximately 50mm. This is so minor as not to be perceptible to the future occupants.

The following decision guidelines apply:

Guideline	Comments
The design response.	The limitation is inherent in the nature of the proposed design. Additional windows can't be added without negatively affecting areas like TV viewing spaces. The overall side-by-side typology is appropriate, and this minor non-compliance shouldn't require a redesign.
The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.	Reasonable daylight access remains available.
The useability, functionality and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.	There is no practical impacts on these values as a result of the variation.
Any overhang above habitable room windows that limits daylight access.	There is an alfresco area, however another window provides daylight outside of this alfresco.

As the objective has been met, the proposal is acceptable under this provision.

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55.03-9 Daylight to new windows objective

Standard B3-9 requires:

Dwelling (other than a dwelling in or forming part of an apartment development)

Requirement	Comments
A window in an external wall of the building is provided to all habitable rooms.	Complies.
Habitable rooms in a dwelling have a window that faces: <ul style="list-style-type: none"> An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot; or A verandah provided it is open for at least one third of its perimeter; or A carport provided it has two or more open sides and is open for at least one third of its perimeter.	Complies.

As the standard is met, the proposal is acceptable under the provision.

55.03-10 Natural ventilation objectives

Standard B3-10 requires:

Dwelling (other than a dwelling in or forming part of an apartment development)

Requirement	Comments
Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide: <ul style="list-style-type: none"> A maximum breeze path through the dwelling of 18 metres. A minimum breeze path through the dwelling of 5 metres. Ventilation openings with approximately the same size.	Complies. Suitable ventilation paths are shown.
The breeze path is measured between the ventilation openings on different orientations of the dwelling.	Complies.

As the standard is met, the proposal is acceptable under the provision.

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55.03-11 Storage objective

Standard B3-11 requires:

Dwelling (other than a dwelling in or forming part of an apartment development)

- Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.

Complies - Backyard sheds shown for both new dwellings..

As at least 6m² is shown, the standard is met and the proposal is acceptable under the provision.

55.03-12 Accessibility for apartment developments objective

This objective and standard do not apply as the proposal is not an apartment development.

55.04-1 Daylight to existing windows objective

Standard B4-1 requires:

Requirement	Comment
Buildings opposite an existing habitable room window provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.	Complies, Side setback on each side allow at least 1m clear to the sky areas.
Walls or carports more than 3 metres in height opposite an existing habitable room window are set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.	N/A, no such windows.
Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.	

As the standard is met, the proposal is acceptable under the provision.

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55.04-2 Existing north-facing windows objective

Standard B4-2 requires:

Requirement	Comments
<p>Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:</p> <ul style="list-style-type: none"> A new building is to be set back from the boundary by at least 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window. <p>For new buildings that meet the Standard B2-3.2 setback, the building is set back from the boundary by at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window</p>	<p>Complies. This is shown in response to the setback standards considered earlier.</p>
<p>For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.</p>	

As the standard is met, the proposal is acceptable under the provision.

55.04-3 Overshadowing secluded open space objective

Standard B4-3 requires:

Requirement	Comments
<p>The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.</p>	<p>Complies. No shadows extend offsite at the equinox.</p>
<p>If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this</p>	<p>N/A.</p>

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standard, the amount of sunlight will not be further reduced.

As the standard is met, the proposal is acceptable under the provision.

55.04-4 Overlooking objective

Standard B4-4 requires:

Requirement	Comments
In Clause 55.04-4 a habitable room does not include a bedroom.	
A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.	Complies. There are no relevant views of secluded private open space.
<p>A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:</p> <ul style="list-style-type: none"> • Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or • Has sill heights of at least 1.7 metres above floor level; or • Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or • Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or <p>Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.</p>	<p>Complies.</p> <p>The bedroom windows on the south elevation are highlight windows with sills exceeding the relevant heights. On the north elevation, the relevant window is more than 9m from any window on that side.</p> <p>The town house 1 balcony does have views, and is not obscured, however the adjoining building is a detached garage, and the nearest habitable window is more than 9m away.</p>

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Requirement	Comments
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.	N/A.
<p>Screens used to obscure a view are:</p> <ul style="list-style-type: none"> Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. Permanent, fixed and durable. <p>Designed and coloured to blend in with the development.</p>	N/A.
This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.	N/A.

As the standard is met, the proposal is acceptable under the provision.

55.04-5 Internal views objective

Standard B4-5 requires:

Requirement	Comments
In Clause 55.04-5 a habitable room does not include a bedroom.	
<p>Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling:</p> <ul style="list-style-type: none"> Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or Has a sill height of at least 1.7 metres above floor level; or Has a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or 	<p>Complies.</p> <p>None of the relevant habitable room windows have direct views to private open space within the development.</p>

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Requirement	Comments
<ul style="list-style-type: none"> Has permanently fixed external screens to at least 1.7 metres above floor level; or. <p>Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.</p>	
<p>Direct views are measured at a height of 1.7 metres above floor level and within:</p> <ul style="list-style-type: none"> A 45 degree horizontal angle from the edge of the new window or balcony. <p>A 45 degree angle in the downward direction.</p>	N/A.
<p>Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.</p>	N/A.

As the standard is met, the proposal is acceptable under the provision.

55.05-1 Permeability and stormwater management objective

Standard B5-1 requires:

Requirement	Comments
<p>The site area covered by the pervious surfaces is at least 20 percent of the site.</p>	<p>Complies.</p> <p>Permeability is over 50% of the site.</p>
<p>The development includes a stormwater management system designed to:</p>	
<p>Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:</p> <ul style="list-style-type: none"> Suspended solids 80% reduction in mean annual load. Total phosphorus and Total Nitrogen 45% reduction in mean annual load. Litter 70% reduction of mean annual load. <p>Note: A certificate generated from a stormwater assessment tool including Stormwater Treatment Objective - Relative Measurement (STORM), Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority</p>	<p>Complies by condition.</p> <p>The proposal will not have difficulty achieving this requirement, and an appropriate MUSIC or STORM report will be required prior to construction commencing.</p>

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may be used to demonstrate the performance objectives for stormwater quality are met.

As the standard is met, the proposal is acceptable under the provision.

55.05-2 Overshadowing domestic solar energy systems objective

Standard B5-2 requires:

Requirement	Comments
Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.	Complies. No overshadowing of adjoining land.
This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone. In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.	

As the standard is met, the proposal is acceptable under the provision.

55.05-3 Rooftop solar energy generation area objective

Standard B5-3 requires:

Requirement	Comments
In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.	
An area on the roof is capable of siting a rooftop solar energy area for each dwelling which: <ul style="list-style-type: none"> Has a minimum dimension of 1.7 metres. Has a minimum area in accordance with Table B5-3. Is oriented to the north, west or east. Is positioned on the top two thirds of a pitched roof. 	Complies. Both townhouses have solar areas identified on suitable roof spaces, but the area shown do not add to the required area of 26 sqm. Notwithstanding this, there is clearly sufficient extra to meet this requirement, complying with the standard.

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<ul style="list-style-type: none"> Can be a contiguous area or multiple smaller areas. <p>Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.</p>	
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As the standard is not met, the objective is required to be considered:

Objective	Comments
To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.	Notwithstanding the areas shown not adding to the required areas, it would be trivial, with this roof design, to achieve the required area.

The following decision guidelines apply:

Guideline	Comments
The design response.	The roof design does not impede future solar use, especially on the first floor roof not shown as part of the plans.
The size and orientation of the building.	This is dictated by the land, and doesn't impede solar access.
The availability of solar access to the rooftop.	Solar access is available to the roof areas.
The extent to which the rooftop solar energy generation area is overshadowed by existing buildings, other permanent structures or equipment on the rooftop.	No unacceptable overshadowing has been identified.

As the objective has been met, the proposal is acceptable under this provision.

55.05-5 Solar protection to new north-facing windows objective

Standard B5-4 requires:

Requirement	Comments
North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.	Complies. Suitable shade battens are shown.

As the standard is met, the proposal is acceptable under the provision.

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55.05-5 Waste and recycling objectives

Standard B5-5 requires:

Dwelling (other than a dwelling in or forming part of an apartment development)

Requirement	Comments
<p>The development includes an individual bin storage area for each dwelling, or a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1:</p> <ul style="list-style-type: none"> Individual bin storage for a dwelling: Minimum area 1.8 sqm, minimum depth 0.8m, minimum height 1.8m. Shared bin storage area for 3 dwellings or less: Minimum area 5.4 sqm, minimum depth 0.8m, minimum height 1.8m. <p>Shared bin storage area for 4 or more dwellings: Minimum area 1 sqm per dwelling plus 4 sqm, minimum depth 0.8m, minimum height 1.8m.</p>	<p>Complies.</p> <p>A bin storage area of 0.8m x 2.4m has been shown for each dwelling, 1.92sqm, meeting this requirement.</p>
<p>If the development includes a shared bin storage area:</p> <ul style="list-style-type: none"> The shared bin storage area: <ul style="list-style-type: none"> Is located within 40 metres of a kerbside collection point. Includes a tap for bin washing. <p>There is a continuous path of travel free of steps and obstructions from dwellings to the bin storage area.</p>	<p>N/A.</p>
<p>Where access is provided for private bin collection on the land the design of access ways must allow the vehicle to enter and exit in a forward direction.</p>	<p>N/A.</p>
<p>Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.</p>	<p>Complies. Suitable space is available in each kitchen.</p>

As the standard is met, the proposal is acceptable under the provision.

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55.05-6 Noise impacts objectives

Standard B5-6 requires:

Requirement	Comments
Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.	Complies.

As the standard is met, the proposal is acceptable under the provision.

55.05-7 Energy efficiency for apartment developments objectives

Not applicable, not an apartment development.

Clause 56

Similar to clause 55 above, clause 56 states a standards should be met and an objective must be met.

56.03-5 Neighbourhood character objective

Objective	Standard	Response
To design subdivisions that respond to neighbourhood character.	<p>Standard C6</p> <p>Subdivision should:</p> <ul style="list-style-type: none"> Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme. Respond to and integrate with the surrounding urban environment. <p>Protect significant vegetation and site features.</p>	<p>Complies.</p> <p>The proposed subdivision is consistent with its context. The lot sizes are appropriate, and support the effect use of land.</p> <p>No relevant neighbourhood character policy applies.</p> <p>No on-site vegetation requiring protection.</p>

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56.04-2 Lot area and building envelopes objective

Objective	Standard	Response
<p>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</p>	<p>An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:</p> <ul style="list-style-type: none"> • That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or • That a dwelling may be constructed on each lot in accordance with the requirements of this scheme. <p>Lots of between 300 square metres and 500 square metres should:</p> <ul style="list-style-type: none"> • Contain a building envelope that is consistent with a development of the lot approved under this scheme, or • If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope. <p>If lots of between 300 square metres and 500 square metres are proposed to contain</p>	<p>Complies.</p> <p>The proposal includes compliant dwelling designs for both new lots.</p> <p>Physical constraints make the north - south alignment requirements impossible to meet.</p>

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Objective	Standard	Response
	<p> dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.</p> <p> Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.</p> <p> A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:</p> <ul style="list-style-type: none"> • The objectives of the relevant standards are met, and • The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act. <p> Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:</p> <ul style="list-style-type: none"> • The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and • The building envelope must not regulate siting 	

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Objective	Standard	Response
	<p>matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.</p> <p>Lot dimensions and building envelopes should protect:</p> <ul style="list-style-type: none"> Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations. Existing or proposed easements on lots. <p>Significant vegetation and site features.</p>	

56.04-3 Solar orientation of lots objective

Objective	Standard	Response
To provide good solar orientation of lots and solar access for future dwellings.	<p>Standard C9</p> <p>Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.</p> <p>Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south. Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the 	<p>Complies.</p> <p>Site constraints make achieving this impossible.</p>

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	<p>long axis of the lots should be within 30 degrees east and 20 degrees west of north.</p> <p>Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.</p>	
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56.04-4 Street orientation objective

Objective	Standard	Response
To provide a lot layout that contributes to community social interaction, personal safety and property security.	<p>Standard C10</p> <p>Subdivision should increase visibility and surveillance by:</p> <ul style="list-style-type: none"> Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads. Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space. Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries. <p>Providing roads and streets along public open space boundaries.</p>	<p>Complies.</p> <p>The lots suitable address the relevant street frontage.</p>

56.06-8 Lot access objective

Objective	Standard	Response
To provide for safe vehicle access between roads and lots.	<p>Standard C21</p> <p>Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance</p>	<p>Complies.</p> <p>Appropriate conditions from the assets team will ensure crossover design is acceptable.</p>

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	<p>with the access management requirements of the relevant roads authority.</p> <p>Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.</p> <p>The design and construction of a crossover should meet the requirements of the relevant road authority. (See table C1)</p>	
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56.07-1 Drinking water supply objectives

Objective	Standard	Response
<p>To reduce the use of drinking water.</p> <p>To provide an adequate, cost-effective supply of drinking water.</p>	<p>Standard C22</p> <p>The supply of drinking water must be:</p> <ul style="list-style-type: none"> Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority. <p>Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.</p>	<p>Complies.</p> <p>Mandatory conditions achieve this requirement.</p>

56.07-2 Reused and recycled water objective

Objective	Standard	Response
<p>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</p>	<p>Standard C23</p> <p>Reused and recycled water supply systems must be:</p> <ul style="list-style-type: none"> Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health. 	<p>N/A, recycled water not available.</p>

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	Provided to the boundary of all lots in the subdivision where required by the relevant water authority.	
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56.07-3 Waste water management objective

Objective	Standard	Response
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.	<p>Standard C24</p> <p>Waste water systems must be:</p> <ul style="list-style-type: none"> Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority. Consistent with a domestic waste water management plan adopted by the relevant council. <p>Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.</p>	<p>Complies.</p> <p>Mandatory conditions achieve this requirement.</p>

56.07-4 Stormwater manager objectives

Objective	Standard	Response
<p>To minimise damage to properties and inconvenience to residents from stormwater.</p> <p>To ensure that the street operates adequately during major storm events and provides for public safety.</p> <p>To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.</p>	<p>Standard C25</p> <p>The stormwater management system must be:</p> <ul style="list-style-type: none"> Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority. Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed. 	<p>Complies by proposed condition 4.</p> <p>The new dwellings will achieve this requirement, and appropriate engineering conditions will ensure technical standards are met.</p>

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Objective	Standard	Response
<p>To encourage stormwater management that maximises the retention and reuse of stormwater.</p> <p>To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.</p>	<ul style="list-style-type: none"> Designed to meet the current best practice performance objectives for stormwater quality as contained in the <i>Urban Stormwater - Best Practice Environmental Management Guidelines</i> (Victorian Stormwater Committee, 1999). Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts. Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces. <p>The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.</p> <p>For all storm events up to and including the 20% Average Exceedance Probability (AEP) standard:</p> <ul style="list-style-type: none"> Stormwater flows should be contained within the drainage system to the requirements of the relevant authority. 	

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Objective	Standard	Response
	<ul style="list-style-type: none"> Ponding on roads should not occur for longer than 1 hour after the cessation of rain <p>For storm events greater than 20% AEP and up to and including 1% AEP standard:</p> <ul style="list-style-type: none"> Provision must be made for the safe and effective passage of stormwater flows. All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority. Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} \leq 0.35 \text{ m}^2/\text{s}$ (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second). <p>The design of the local drainage network should:</p> <ul style="list-style-type: none"> Ensure stormwater is retarded to a standard required by the responsible drainage authority. Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge. 	

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Objective	Standard	Response
	<ul style="list-style-type: none"> Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner. Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs. <p>Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.</p>	

56.08-1 Site management objectives

Objective	Standard	Response
<p>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</p> <p>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</p> <p>To encourage the re-use of materials from the site and recycled materials in the</p>	<p>Standard C26</p> <p>A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:</p> <ul style="list-style-type: none"> Erosion and sediment. Dust. Run-off. Litter, concrete and other construction wastes. Chemical contamination. 	<p>N/A. The proposed subdivision requires not works, and suitable site management conditions will be imposed for the dwelling construction.</p>

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construction of subdivisions where practicable.	<ul style="list-style-type: none"> Vegetation and natural features planned for retention. <p>Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.</p>	
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56.09-1 Shared trenching objective

Objective	Standard	Response
<p>To maximise the opportunities for shared trenching.</p> <p>To minimise constraints on landscaping within street reserves.</p>	<p>Standard C27</p> <p>Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.</p>	Complies, where relevant.

56.09-2 Electricity and telecommunications objectives

Objective	Standard	Response
<p>To provide public utilities to each lot in a timely, efficient and cost effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p>	<p>Standard C28</p> <p>The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.</p> <p>Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.</p> <p>The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications</p>	Complies by mandatory condition.

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	infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.	
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Clause 65

These guidelines do not apply to the proposed dwellings.

Clause 65.01 - Approval of an application or plan

Guideline	Response
The matters set out in section 60 of the Act.	The proposal is consistent with the requirement of section 60 of the act.
Any significant effects the environment, including the contamination of land, may have on the use or development.	No significant impacts have been identified.
The Municipal Planning Strategy and the Planning Policy Framework.	Considered and found to be generally supportive.
The purpose of the zone, overlay or other provision.	Considered and found supportive of the proposal.
Any matter required to be considered in the zone, overlay or other provision.	All relevant matters have been considered.
The orderly planning of the area.	The proposal represents orderly planning
The effect on the environment, human health and amenity of the area.	No unacceptable impacts have been identified.
The proximity of the land to any public land.	No nearby public land will be adversely affected.
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	No factors identified.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	Addressed by suitable permit conditions.
The extent and character of native vegetation and the likelihood of its destruction.	Not proposed or anticipated.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	Not proposed and not justified in this case.

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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.	No risk above the normal background urban risk in Beechworth.
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	N/A.
The impact the use or development will have on the current and future development and operation of the transport system.	No unreasonable impacts identified.

65.02 Approval of an application to subdivide land

Guideline	Response
The suitability of the land for subdivision.	The land is suitable for subdivision.
The existing use and possible future development of the land and nearby land.	The land is likely to be developed residentially, which is a suitable outcome in this case.
The availability of subdivided land in the locality, and the need for the creation of further lots.	There is demand within Beechworth for more residential lots.
The effect of development on the use or development of other land which has a common means of drainage.	No unacceptable impacts have been identified.
The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.	The subdivision pattern is suitable response to the land.
The density of the proposed development.	The proposed density is appropriate.
The area and dimensions of each lot in the subdivision.	The proposed lot dimensions are suitable for the site.
The layout of roads having regard to their function and relationship to existing roads.	N/A, no roads proposed.
The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.	The proposed subdivision will have no impact on movement in the neighbourhood.
The provision and location of reserves for public open space and other community facilities.	Not proposed and not required.
The staging of the subdivision.	Not proposed.
The design and siting of buildings having regard to safety and the risk of spread of fire.	N/A.

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Guideline	Response
The provision of off-street parking.	N/A.
The provision and location of common property.	Not proposed.
The functions of any owners corporation.	Not proposed.
The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.	All services are available and will be required to be connected by mandatory condition.
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 sillage within the boundaries of each lot.	N/A, land is sewered.
Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.	Not relevant not this subdivision.
The impact the development will have on the current and future development and operation of the transport system.	No unacceptable impacts identified.

CONCLUSION

The proposed subdivision and construction of two dwellings on a lot results in a net community benefit, increasing housing supply and supporting the development of Beechworth. The relevant requirements of the planning scheme have been met, and the proposal should be supported.

CONFIDENTIAL ATTACHMENTS

A confidential attachment has been provided to Councillors under separate cover. Section 197A of the Planning and Environment Act 1997 determines the way Councils are able to make certain planning documents available to the public. The Act provides that the confidential document listed below can only be made available for public inspection:

- at Council offices during business hours, or
- electronically via Council's website subject to strict public availability requirements, requiring significant editing of individual documents.

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DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton - Director Planning and Corporate Services
- James Turner - Manager Planning & Statutory Services
- Steven Hawkins - Planning Coordinator

Attachments

1. CONFIDENTIAL - P A 250048 - Combined objections - 42 Spring St Beechworth - PN 2724 [**11.2.1** - 7 pages]
2. Redacted - P A 250048 - Application Documents - 42 Spring Street Beechworth [**11.2.2** - 22 pages]

Confirmed

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11.3 PLANNING PERMIT APPLICATION PA250005 - DOUGLAS STREET, RUTHERGLEN

James Turner - Manager Planning & Statutory Services
Planning and Corporate Services

For Decision

RECOMMENDATION

That Council grants a Planning Permit, subject to the attached conditions, at Douglas Street, Rutherglen, for the use of the land as a market, building and works, signage and to vary the number of car parking spaces.

RESOLUTION

That Council grants a Planning Permit, subject to the attached conditions, at Douglas Street, Rutherglen, for the use of the land as a market, building and works, signage and to vary the number of car parking spaces.

Moved: Cr Shephard

Seconded: Cr Harvey

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

EXECUTIVE SUMMARY

This development proposal, located at the Rutherglen Silo Arts Precinct, is a community-driven project, following many years of advocacy and input. In particular, the Rutherglen Place Plan project and the community reference group advocated for this project to progress as a priority for the Rutherglen community.

This planning permit application has been submitted by Council's Community Development as a proactive step to assist with making this project 'shovel-ready' for future grant funding opportunities. This application was assessed at arm's-length from that team to ensure correct process, governance, and assessment protocols were followed.

The application proposes the following:

- The use of the land for a market to sell goods, including foodstuffs, pursuant to clause 36.04.1.
- The buildings and works to construct or carry out works for any use in Section 2 of Clause 36.04-1 in the TRZ pursuant to clause 36.04-2.
- Works in the Heritage Overlay pursuant to clause 43.01:
 - Construct a building or construct or carry out works
 - Externally alter a building by structural work, rendering, sandblasting or any other way.
 - Construct or display a sign

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- Construct a solar energy system
 - Externally paint a building where external paint controls apply
 - Externally paint an unpainted surface
 - Carry out works, repairs and routine maintenance which change the appearance of a heritage place, or which are not undertaken to the same details, specifications, and materials.
 - Remove, destroy, or lop a tree where tree controls apply
- To erect and display signage pursuant to Clause 52.05-11
 - To vary the number of car parking spaces required under Clause 52.06



This planning application triggers a Council report due to the cost of the proposed development being over the threshold of \$2,000,000 (two million dollars).

PROPERTY ADDRESS	Douglas Street, Rutherglen
EXISTING USE OF LAND	Toilets, Senior Citizen Centre, Lions Park, rail trail, various buildings
NUMBER OF OBJECTIONS	One submission (without prejudice)
ZONING	Transport Zone 1 (TRZ1) State Transport Infrastructure
OVERLAY	Heritage Overlay Schedule 571 (HO571)

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RELEVANT CLAUSES	Clause 02.02 - Vision Clause 02.03-1 – Settlement Clause 02.03-2 - Environment and landscape values Clause 02.03-5 - Built environment and heritage Clause 02.03-7 - Economic development Clause 02.03-8 - Transport Clause 36.04 – Transport 1 Zone Clause 43.01 – Heritage Overlay Schedule 579 Clause 52.05 – Signs Clause 52.06 – Car parking Clause 52.17 – Native vegetation
STATUTORY DAYS	284 days as of 30 September 2025.
DATE APPLICANT NOTIFIED OF COUNCIL MEETING	3 September 2025

BACKGROUND

Site and surrounds

The works proposed in this application will occur on the old disused railway land within Rutherglen. The subject site contains several existing structures, including the silos, which are currently still active, signal box, Senior Citizens centre, and the heritage listed railway station building and gates. The site is traversed by the Murray to the Mountains Rail Trail and serves as one of the starting points for the Rutherglen Loops trail network. The site is currently maintained as park, without any active infrastructure such as playgrounds. A set of public toilets is currently available close to the disused railway station.

The site contains areas of existing vegetation; predominantly scattered trees close to the Senior Citizens Centre and along the old railway alignment. These trees are a mix of native and exotic species.

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The planning controls applying to the site and its surrounds are complex. Nearby zones include General Residential, Commercial 1 and Transport Zones. Heritage Overlays also apply to main Rutherglen township, including some site-specific ones. The land is not identified as being of aboriginal cultural heritage importance.

To the west of the site is the main Rutherglen town centre, a strip shopping centre including a post office, supermarket, and numerous food and beverage businesses. To the north, this transitions to standard density residential development, including an area of state government housing. This same standard density housing continues to the west of the site, with the notable exception of the silos, and a small number of light industrial uses such as the Council depot and a mechanic. To the south is a mixed area of both housing, commercial developments on the fringe of the main town centre, and further remains of the old railway reserve.

Access to the site by vehicle is via car parking areas adjacent to the Senior Citizens Centre and the historic railway station. Pedestrian access is available directly from footpaths on Howling Road and Douglas Street in the south. Access is also available from Audley Street in the east and High Street in the north.

The subject site is generally flat, with variations generally due to man-made structures like the disused railway platform. To the extent there is any slope, this is towards the north-west and the High Street end, where a road bridge crosses the old railway alignment. This end of the site is not included in the current project, and no works are proposed.

The site has access to all required reticulated services, and a part of the site is affected by a sewerage easement. Services are not proposed to be affected by this development.

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Relevant Site History

The subject site has no direct history of planning permits. During the life of the railway, permissions from Council would not have been required for most activities. Since the railway ceased operation, the conversion of the land to public parkland would also not have triggered any form of planning permission. More recently, Council has recognised the potential value of this area to the Rutherglen community, including visitors, and this has been recognised in documents such as the Rutherglen Place Plan. The current application is the culmination of this work.

PROPOSAL

The application seeks approval for:

- alterations and additions to the community centre, arts hub (heritage listed train station), and lantern box.
- construction of a shade structure, market storage, bike hub, and public toilet.
- the establishment of spaces suitable for markets.
- construction of wayfinding signage.
- native and exotic vegetation removal.
- the construction of car parking and new vehicle crossovers.
- restoration of heritage gates on Murray Valley Highway.

The proposal also includes provision of landscaping, gravel and hardstand areas for car parking and footpaths, as well as works in the road reserve.

The proposal is fully explained in the plans attached, as well as the application documentation submitted to support the application.

PLANS

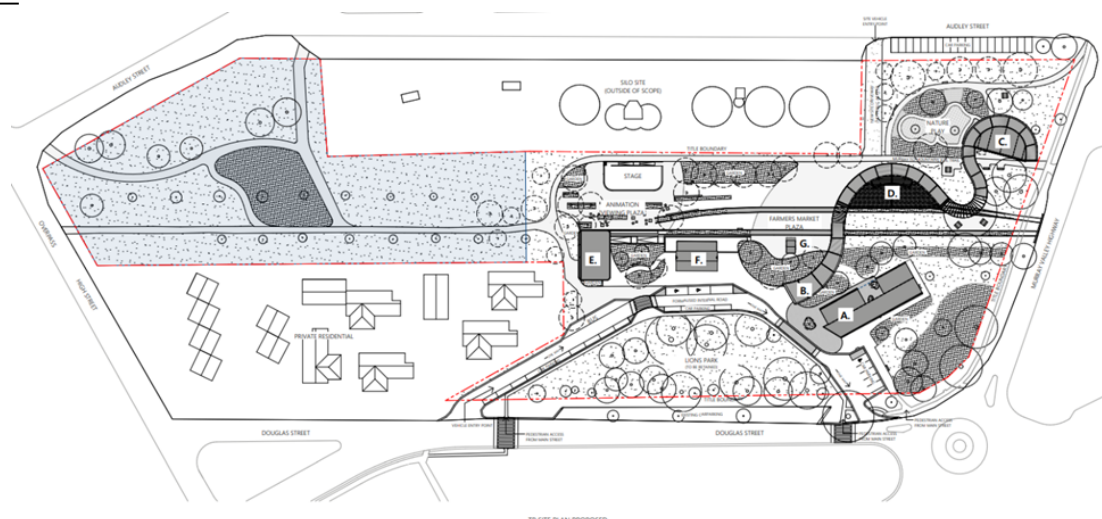


Figure 3 - Proposed site plan

INDIGO PLANNING SCHEME

Zoning

The subject site is located within the Transport Zone (clause 36.04).

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A planning permit is triggered for the development under the following sections of the Indigo Planning Scheme:

Clause 36.04 - Transport Zone (TRZ1):

- to use the land for a 'market' to sell goods, including foodstuffs, pursuant to Clause 36.04-1
- to construct a building or construct or carry out works for any use in Section 2 of Clause 36.04-1 in the TRZ pursuant to clause 36.04-2.

Clause 36.04-6 (Signs) states the following:

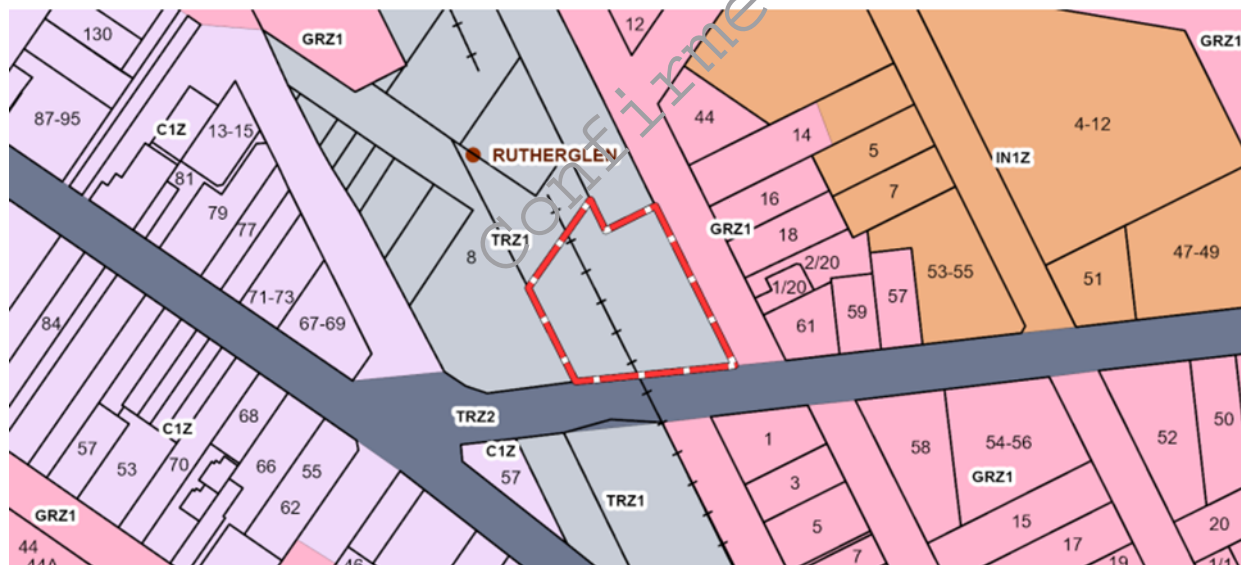
Sign requirements are at Clause 52.05.

A permit is required to construct or put up for display a sign:

- over a road carriageway or over land within 600 millimetres of a carriageway.
- on land in a Transport Zone 1, if a Transport Zone 2 or Transport Zone 3 is the adjoining zone.

For all other land in this zone, the sign category which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

An assessment against clause 52.05 (signs) can be found below in accordance with clause 36.04-6.



Overlays

Clause 43.01 – Heritage Overlay Schedule 579

Heritage Overlay 579 applies to the site. This overlay protects the historic railway station and the crossing gates where the disused railway crosses Howlong Road/Murray Valley Highway. The Heritage Overlay requirements only apply to those parts of the site directly covered by the overlay.

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Within the Heritage Overlay a permit is required to:

- Construct a building or construct or carry out works.
- Externally alter a building by structural work, rendering, sandblasting or in any other way.
- Construct or display a sign.
- Construct a solar energy system.
- Externally paint a building where external paint controls apply. In this area, these controls apply.
- Externally paint an unpainted surface.
- Carry out works, repairs and routine maintenance which change the appearance of a heritage place, or which are not undertaken to the same details, specifications, and materials.
- Remove, destroy, or lop a tree where tree controls apply. In this case, tree controls apply.



Particular Provisions

Clause 52.05 – Signs

This clause applies to this application as the proposal seeks to install signage.

The purpose of this clause is:

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

Pursuant to Clause 52.05 (signs) signs that meet the section 1 requirements do not require a planning permit, however, a permit is required for section 2 signs. The proposed direction signage is larger than

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0.3sqm in display area specified under section 1 signs and therefore is a section 2 sign requiring a planning permit.

Clause 52.06 – Car Parking

This clause applies to this application as the proposal seeks to modify car parking arrangements on the site.

Pursuant to Clause 52.06-3 a permit is required to vary the number of car parking spaces, provide some or all of the car parking spaces on another site.

General Provisions

The following policies and permit triggers within the General Provisions are considered relevant to this application.

- Clause 65.01 - Decision guidelines – Approval of an application or plan.

CONSULTATION

A pre-application meeting was held in mid-April 2024 between the coordinator planning and representatives of Habitat Planning. The meeting was held to ensure a high-quality application, required information, and to discuss matters like anticipated timeframes. Ultimately, the application was submitted in late December 2024.

Public Notice

The application was placed on public notice, with letters to adjoining landowners, signs on the site, and an advertisement in the Corowa Free Press. The advertising was undertaken in accordance with the requirements of section 52 of the *Planning and Environment Act 1987*.

A total of 1 submission was received (informal without prejudice submission).

Submission details:

Concerns around noise along interface of 14 Douglas Street, Rutherglen:

The planning report and associated advertised documents do not adequately address how noise impacts from the proposal will be managed. Notably, the documentation does not include an acoustic report, or a detailed assessment of potential noise impacts generated by the proposal. As such, we are unable to ascertain the scale or nature of noise emissions that may arise from the proposal, or how they will be mitigated. Given that our property at 14 Douglas Street directly abuts the proposal site, we are particularly concerned about potential noise impacts.

Homes Victoria seeks clarification particularly in relation to the following elements of the proposal:

- **The proposed stage and animation viewing plaza:** *The inclusion of a stage implies hosting of events or performances, likely involving amplified sound and may fall within the definition of 'live music entertainment venues', whereby the provisions at Clause 53.06 apply. The proposal does not detail the nature, frequency, duration, or time of day these activities may occur, nor whether any mitigation measures are required (i.e. acoustic fencing).*
- **Increase noise from bus parking bay:** *The inclusion of a bus parking bay implies this area is designated as a pick-up and drop-off zone. This raises concerns around increase in vehicle noise,*

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engine idling, and general crowd noise, particularly during peak visitor times associated with events or gatherings at the site. As this parking bay directly adjoins our property, we seek clarification on whether any noise mitigation is proposed.

Planner comments:

In accordance with clause 53.06 *Live music entertainment venues*, live music entertainment venues must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue. The proposed use and development, specifically the stage, is located 39.5 meters from the closest residential dwelling to the southwest

In this case, the arrangements for noise on the land are complicated by clause 62.03-1, which contains the following exemption:

Any requirement in this scheme relating to the use of land or the construction of a building or the construction or carrying out of works does not apply to:

- *an event on public land; or*
- *temporary buildings or works required for the event.*

where that event has been authorised by the public land manager or by the council under a local law.

In this case, that means that approval of future events may occur outside the requirements of clause 53.06.

Although, this stage is not technically a venue, it is an area that is able to accommodate live music. It is reasonable to propose acoustic fencing to the corner of the Homes Victoria residential site, to minimise any potential noise impacts. The hours of operation will be controlled via conditions, limiting hours of use to appropriate days and times, noting the limitations of the exemption above.

Built form measures will also assist in limiting acoustic impacts. These include building heights, which are the same as a single storey dwelling.

A monthly market occurs in the park, and as part of the current proposal access and parking will be formalised. While no increased amenity impacts are anticipated above what already occurs, conditions will be imposed, such as hours and frequency, to ensure that the amenity impacts will remain acceptable.

Referrals

Infrastructure/Assets:

- Infrastructure have consented to the proposed use and development subject to conditions. Please see attached referral response for further details.

Environmental Health:

- Environmental Health have consented to the use and development subject to conditions. Please see attached referral response for further details.

Heritage:

- The Councils Heritage Advisor consented to the proposed use and development with no conditions. The response stated:

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“There have been a number of meetings with the applicant and the designer and all of the proposed changes have been adopted. On this basis there are no heritage objections to the proposed changes to this site.”

Department of Transport and Planning (DTP):

- The Department of Transport and Planning have consented to the proposed use and development subject to conditions.
-
- **Department of Energy, Environment and Climate Change (DEECA):**
- The Department of Energy, Environment and Climate Change have consented to the proposed use and development with no conditions.

DISCUSSION

Planning Policy Framework

Clause 02.03-1 Settlement

This clause includes the following relevant strategic directions:

- ...
- *Consolidate development in towns by encouraging infill development*
- *Accommodate a diverse range of residential, lifestyle and tourism developments whilst protecting agriculture, rural landscapes, rural character, and environmental assets.*
- *Allow for retail expansion without compromising heritage assets in Beechworth and Rutherglen.*
- ...

For Rutherglen specifically, the following additional strategic directions apply:

- *Plan for a traffic bypass of the town.*
- *Consolidate commercial development within the commercial precinct.*
- *Encourage infill development that takes advantage of efficiencies gained through better use of infrastructure.*

Planner comments:

The proposal is a type of infill development which this policy supports. It makes better use of a large public open space area, facilities increased commercial uses by events like markets supports efforts to grow and develop the tourism industry.

Clause 02.03-2 Environmental and landscape values

This clause includes the following relevant strategic directions:

- *Protect rural landscapes and sites of environmental, cultural and heritage significance.*
- *Conserve and enhance ecosystem functions and biodiversity assets.*
- ...
- *Minimise adverse environmental impacts arising from development.*

Planner comments:

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While some tree removal as part of the proposal is unavoidable, the overall environmental outcome will be good, with increased planting and habitat as shown in the landscape plans for the proposal.

Clause 02.03-5 Built environment and heritage

This clause includes the following relevant strategic directions:

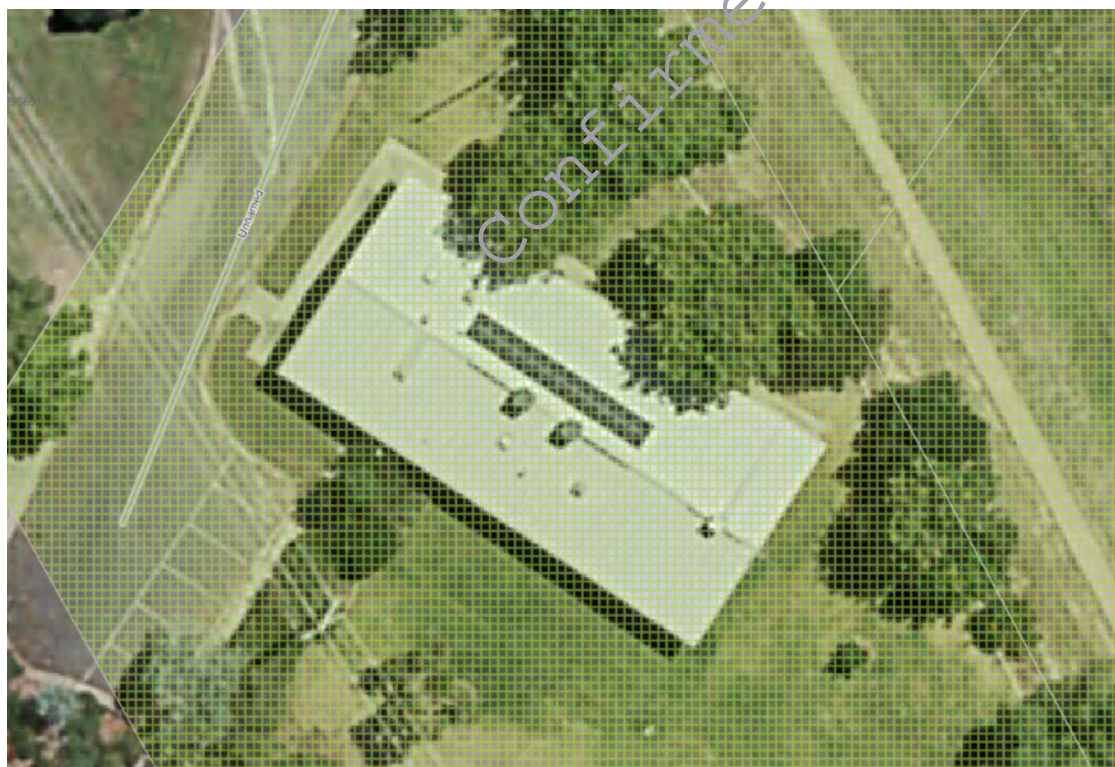
- *Protect, conserve, and enhance the Shire's rich character, built environment, heritage, and natural features.*
- *Encourage sensitive design and siting of buildings and development within historic towns and rural landscapes.*

It also provides the following directions relating to environmentally sustainable design:

- *Encourage the use of solar passive design in development.*
- *Encourage development design to be adaptable to climate change.*

Planner comments:

The proposal has fully considered the built form and industrial history of the site, conserving those elements that are important and redeveloping the non-heritage buildings to a more useful state. Elements like solar design have been considered, as have the future impacts of climate change, matters which will be further considered as part of the building permit process.



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Clause 02.03-7 Economic development

The following relevant strategic directions are listed in this clause:

- *Support expansion and diversification of the Shire's economy including farm forestry, viticulture, horticulture, tourism, and the opportunities provided by the Hume transport corridor and the Logic hub.*
- ...
- *Facilitate the development of the Shire's recreation and tourist attractions, whilst protecting the environment, agriculture, heritage and landscapes.*
- *Encourage that development is compatible with the Shire's economic base, including heritage, landscapes, and agricultural land.*

Planner comments:

The site will support the intensification and development of several commercial activities, including by creating additional performances spaces, creating a central hub for the Rutherglen Loops trail network, creating a focus point for festivals and markets, and as a focus for tourism information and activities. The proposal does this while protecting important heritage fabric and providing a space to support the social and cultural development of Rutherglen.

Clause 02.03-8 Transport

The following strategic directions are relevant to the proposal:

- ...
- *Facilitate the development of improved recreational walking and cycling linkages within and between towns.*
- *Encourage the use of alternative transport methods by ensuring new development is pedestrian and cycling friendly and link to existing networks.*
- *Encourage sufficient car parking to meet the needs of users.*

Planner comments:

The subject site is at the centre of a large cycling and walking trail network and supports the further use and development of this network. The area has sufficient car parking to meet the needs of future users of the space.

Clause 11.01-1S Settlement

This clause is focused at a high level and has the objective *to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

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The key relevant strategy is:

Deliver networks of high-quality integrated settlements, suburbs and towns that:

- *Are great places with a strong identity and sense of place.*
- *Are inclusive, prosperous, liveable and sustainable.*
- *Comprise a form and density that supports healthy, active and sustainable transport.*
- *Are based around compact existing or planned activity centres to maximise accessibility to facilities and services.*
- *Concentrate retail, office-based employment, community facilities and services in central locations.*

Planner comments:

The proposed development helps to create a central public hub in Rutherglen, a space where people can come together. This is consistent with creating a sense of place and supporting access to community facilities, as this clause encourages.

Clause 11.01-1L-02 Rutherglen

Although this policy applies to the site as it is the Rutherglen plan shown, there is no relevant guidance that applies to this proposal.

Clause 11.03-1S Activity centres

This clause has the following objective:

- *To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres with good public transport services.*

Relevant strategies include:

- *Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.*
- *Improve access by walking, cycling and public transport to services and facilities.*
- *Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.*
- *Improve the social, economic and environmental performance and amenity of activity centres.*

Planner comments:

The proposed development supports and enhances Rutherglen as an activity centre for its region. The proposal creates a focus point, with good community services and access to human powered transport opportunities. It also diversifies the offerings of the centre to the community and to visitors.

Clause 11.03-6S Regional and local places

This clause is a strategic direction and not relevant to the current proposal.

Clause 12.01-2S Native Vegetation Management

This clause has the objective *to ensure that there is no net loss to biodiversity from the removal, destruction or lopping of native vegetation*. It also specifies the importance of the *avoid, minimise, offset* process in protecting native vegetation.

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Planner comments:

While the removal of some vegetation is inevitable for this project, the removal has been limited, and significant additional plantings have been proposed. Overall, the proposal should not result in any net loss to biodiversity.

Clause 13.05-1S Noise management

This clause has the objective *to assist the management of noise effects on sensitive land uses*.

The clause also contains the following strategies:

- *Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.*
- *Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

Planner comments:

The new facilities proposed as part of this application will potentially result in an increase in noise. Conditions will be placed on the permit to limit days and hours of operation in order to maintain acceptable amenity impacts. Any additional activities/events outside of the conditions set out in the permit will be subject to Council approval and potentially additional planning or local law permits.

Clause 13.07-1S Land use compatibility

The objective of this clause is *to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts*.

Strategies include:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.*

Planner comments:

The use of the site may result in minor amenity impacts to the surrounding properties. However, the proposed development is considered to add to the value of the area by providing appropriate design to facilitate community health, safety and elevate the current neighbourhood amenity. When balancing the positives of the proposal against the potential negative amenity impacts, the overall impact is considered to be a net positive. Conditions will be imposed to limit the negative external impacts to the extent possible.

Clause 13.07-3S Live music

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This clause has the objective *to encourage, create, and protect opportunities for the enjoyment of live music.*

The relevant strategy is:

- *Implement measures to ensure live music venues can co-exist with nearby residential and other noise sensitive land uses.*

Planner comments:

The proposed development includes a stage/performing space, which provides an opportunity for live music events to occur on the site. While this will potentially have negative impacts on nearby residents, if it is properly conditioned and controlled, this will result in a net benefit to both the residents of and visitors to Rutherglen.

Clause 15.01-1S Urban Design

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

Strategies include:

- *Require development to respond to its context in terms of character, cultural identity and heritage, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
- *Ensure the interface between the private and public realm protects and enhances personal safety.*
- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
- *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*
- *Promote good urban design along and abutting transport corridors.*

Planner comments:

The proposed development is an example of good urban design on an underdeveloped site. The design responds to the heritage context of the site, the existing natural features, and the potential of the site. The new facilities in the park, including the redeveloped community centre will help create a cohesive community, and the areas for public interaction such as the market space, bike hub and stage help foster further connections. The new facility will contribute to the character of Rutherglen, helping establish a sense of place.

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Clause 15.01-1L Signs

This objective of this clause is *to support signs that do not detract from the heritage, urban character, and amenity of the area.*

Relevant strategies include:

- *Encourage signs that:*
 - *Are effective and legible.*
 - *Are of a size and design that respects the scale and design of the building and streetscape.*
 - *Are discreetly placed on heritage buildings and in heritage areas that allows the architectural details of the building to dominate.*

Planner comments:

The proposed signage for the site is modest and site sensitive. Colours, material, size and style have all been considered and maintain the heritage and amenity of the area.

Clause 15.01-2S Building design

This clause has the objective *to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.*

Relevant strategies include:

- *Ensure development responds and contributes to the strategic and cultural context of its location.*
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
- *Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.*
- *Encourage development to retain existing vegetation.*
- *Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.*

Planner comments:

The proposed development will see the restoration of some the existing structures on site. These include the Senior Citizens Centre, railway station building and signal box. These improvements enhance the public realm and contribute to the enhanced built form in the area. The development has proposed a new toilet block that has better functionality and serviceability for the community while maintaining the neighbourhood character and heritage values of the site and area.

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Clause 15.01-4S Healthy Neighbourhoods

The objective of this clause is *to achieve neighbourhoods that foster healthy and active living and community wellbeing.*

Relevant strategies include:

- *Design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity by providing:*
 - *Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.*
 - *Streets with direct, safe and convenient access to destinations.*
 - *Conveniently located public spaces for active recreation and leisure.*
 - *Accessibly located public transport stops.*
 - *Amenities and protection to support physical activity in all weather conditions.*

Planner comments:

The proposed parkland encourages active lifestyles, and the layout and design of the parkland encourages interactions between community members. The newly upgraded buildings provide an important place for cultural and community development, which in turn fosters community wellbeing.

Clause 15.01-5S Neighbourhood Character

This clause has the objective *to recognise, support, and protect neighbourhood character, cultural identity, and sense of place.*

Planner comments:

The proposed redevelopment of the railway reserve improves the sense of place for Rutherglen, while also protecting the important heritage fabric which is integral to its character.

Clause 15.03-1S/1L Heritage conservation, Heritage

The objective of these clauses is *to ensure the conservation of places of heritage significance.* The local policy is applicable to this application as the subject site is partially covered by the Heritage Overlay.

Strategies include:

- *Provide for the protection of natural heritage sites and man-made resources.*
- *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.*
- *Encourage appropriate development that respects places with identified heritage values.*
- *Retain those elements that contribute to the importance of the heritage place.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*
- *Support adaptive reuse of heritage buildings where their use has become redundant.*
- *Encourage the conservation of trees and landscaping that contribute to the character and appearance of the building and area.*

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- *Consider alternative reuses of buildings to achieve the retention, maintenance and enhancement of important heritage places.*

Planning comments:

The proposed use and development values, enhances and supports the heritage fabric on the land. The adaptive reuse of the railway building will ensure its ongoing maintenance, other important parts of the fabric like the railway gates are enhanced, and the design of the non-heritage items will not have any detrimental impact on the heritage values of the site.

Clause 17.04-1S Facilitating tourism

This has the objective *to encourage tourism development to maximise the economic, social, and cultural benefits of developing the state as a competitive domestic and international tourist destination.*

Planner comments:

The development has proposed areas and structures within the site like the Bike Hub that will service the rail trail users traveling through Rutherglen. Additionally, the Plaza and projection towers will encourage tourism in and through the area.

Clause 17.04-1R Tourism – Hume

This clause seeks has the following relevant additional strategies:

- *Support large commercial tourism uses in urban locations or rural areas of lower agricultural value and away from areas identified as strategic agricultural land.*
- *Support the region's network of tracks and trails and activities that complement and extend their use.*

Planner comments:

The new facilities proposed will provide a focused, central point for tourism in Rutherglen. The large space will allow for festivals and events to be held and support the existing businesses of Rutherglen. The proposed use and development assists in supporting tourism through the region by providing ancillary/complementary services such as the Bike Hub and public toilets for the Rutherglen Rail Trail.

Clause 17.04-1L Tourism Development

This policy applies to development of tourism and recreation facilities, which includes the current proposal. The clause has the following objectives:

- *To ensure that tourism and recreation development is located, designed and sited to protect and enhance the environmental and landscape characteristics of the area.*
- *To ensure use and development does not compromise the use of productive agricultural land.*
- *To encourage use and development that minimises adverse impacts on the amenity of local residents, relates to the immediate environment and enhances the rural character of the Shire.*

The following strategies are also relevant:

- *Encourage development within or near townships to maximise the use of existing commercial facilities and service infrastructure.*

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- *Support development that does not compromise the landscape and environmental qualities of the surrounding area, or substantially change the natural landform.*
- *Locate development to avoid conflict with farming operations on adjoining or nearby land.*

Planner comments:

The proposed use and development of the site will revitalise a relatively underutilised space within the township. The restoration of existing structures and development of new amenities will integrate with the existing character, heritage and significance of the area and help facilitate tourism and development.

Clause 18.01-1S Land use and transport integration

The following objective appears in this clause:

- *To social, cultural, and economic opportunities by effectively integrating land use and transport.*

The following strategies from the clause are relevant to the proposal:

- *Plan land use and development to:*
 - *Protect existing transport infrastructure from encroachment or detriment that would impact on the current or future function of the asset.*
 - *Protect transport infrastructure that is in delivery from encroachment or detriment that would impact on the construction or future function of the asset.*
 - *Protect planned transport infrastructure from encroachment or detriment that would impact deliverability or future operation.*
 - *Protect identified potential transport infrastructure from being precluded by land use and development.*
- *Plan improvements to public transport, walking and cycling networks to coordinate with the ongoing development and redevelopment of urban areas.*

Planner comments:

The proposal is located on disused transport infrastructure, and adjoins the Murray Valley Highway, a significant arterial road in the region. No impacts have been identified on the road, with no access for vehicles, and the existing road crossing will adequately serve the development. The impacts on the disused railway are acceptable, as it is very unlikely it will ever be used again. The proposal supports and helps develop the regions human power transport options, by providing a central hub and launching place for the exploration of the area.

Clause 19.02-3S Cultural facilities

This has as its objective *to develop a strong cultural environment and increase access to arts, recreation, and other cultural facilities.*

The following strategies apply to the proposal:

- *Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.*
- *Reinforce the existing major precincts for arts, sports and major events of state wide appeal.*

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- *Establish new facilities at locations well served by public transport.*

Planner comments:

The proposal supports this clause by providing a venue for future cultural activities, varying from the performance spaces within the Senior Citizens centre and in the plaza, the spaces for activities like markets, and the opportunities for located public art, including the newly painted silos.

Clause 19.02-4S Social and cultural infrastructure

The objective of this clause is to *provide fairer distribution of and access to, social and cultural infrastructure.*

Relevant strategies include:

- *Encourage the location of social and cultural infrastructure in activity centres.*
- *Ensure social infrastructure is designed to be accessible.*
- *Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.*

Planner comments:

Similar to the clause above, the proposal provides opportunities for cultural activities, which helps support the long-term social health of the Rutherglen community.

Clause 19.02-6S Open space

This clause has as its objective to *establish, manage, and improve a diverse and integrated network of public open space that meets the needs of the community.*

Relevant strategies include:

- *Create opportunities to enhance open space networks within and between settlements.*
- *Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.*
- *Improve the quality and distribution of open space and ensure long-term protection.*
- *Ensure that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction, opportunities to connect with nature and peace and solitude.*
- *Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.*

Planner comments:

The proposed development seeks to enhance the existing open space within the Rutherglen Silos Precinct, which is currently underutilised and has potential for significantly greater use. Additional vegetation planting has also been proposed to enhance and maintain the biodiversity, streetscape interface, landscape and usability within and around the site.

Zone

Transport Zone 1 – Clause 36.04

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The subject site is largely located within the Transport Zone 1 ("TRZ1"). Some small portions of lots within the subject site area within the General Residential Zone ("GRZ") and one lot within the subject site is within the Commercial 1 Zone ("C1Z"), however the proposed development is occurring on the TRZ sections of the site.

The relevant purpose of the TRZ zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for an integrated and sustainable transport system.*
- *To identify transport land use and land required for transport services and facilities.*
- *To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation.*
- *To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.*

Use

Component	Land use definition
Parking	Ancillary
Public Toilets	Ancillary
Arts Hub (Heritage Railway Station Building)	Art and craft centre
Pedestrian Plaza	Informal outdoor recreation
Lions Park	Informal outdoor recreation
Community hub	Place of assembly
Community hub accessible parking and drop off	Ancillary
Lions Park Parking	Ancillary car parking
Rail Trail	Informal outdoor recreation
Native and exotic tree and shrub planting	Ancillary
Path to Silos	Ancillary
Native Planting and seating	Informal outdoor recreation
Bike Hub	Ancillary
Arts Hub Event Kiosk (Lantern/Signal box)	Art and craft centre
Stage	Informal outdoor recreation
Animation viewing plaza and seating	Informal outdoor recreation
Farmers Market Plaza	Informal outdoor recreation
Market Store	Ancillary

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Service Vehicle Access (through railway gates) and new site driveway (from Audley Street)	Ancillary
Pedestrian Path	Informal outdoor recreation
Seating and Rest Areas	Informal outdoor recreation
Wayfinding and Interpretive pieces	Ancillary

Pursuant to Clause 36.04-2 a planning permit is required to:

- *Construct a building or construct or carry out works for any use in Section 2 of Clause 36.04-1. This does not apply to navigational beacons and aids.*
-
- Clause 36.02-4 sets out the requirements for planning permit applications in the TRZ1. The proposed development complies with the application requirements for use of land, including a detailed description of the proposal and potential impacts.
-
- Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The effect of the proposal on the development, operation and safety of the transport system.*
- *Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.*

Planner comments:

While the site is within the Transport Zone, this reflects the historical rather than the current use of the land. The land remains in the ownership of the relevant state government transport authority, who have consented to the development. This historic anomaly makes an assessment under the transport zone challenging, as it does not reflect the reality of the land. To the extent it's relevant, the proposal is consistent with the purpose of the zone as it has no impact on the current or future operation of the transport zone and provides a hub for human powered transport.

The site has transitioned to what is functionally a public park and recreation zone with remnant railway infrastructure from its original use. Accordingly, the proposal has elements that are considered transport infrastructure or complementary to this, such as the bike hub and new toilet block providing rail trail users with amenities for this purpose. The remainder of the development is not considered to impact the transport system; however, the development is permissible as a Section 2 use in the zone and is consistent with public land reservation. The proposed development seeks to refurbish and repurpose some heritage structures on the site to ensure that these heritage transport assets receive restoration and that the additional development proposed, respects these assets, and adds value, rather than detract, to the site.

Clause 36.04-5 – Decision guidelines

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Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework.*

Planner comments:

See assessment above.

- *The effect of the proposal on the development, operation and safety of the transport system.*

Planner comments:

The proposed development was referred to the Department of Transport (DTP), who consented subject to conditions on the permit. Additionally, Councils assets team reviewed the application and also granted consent subject to conditions. Give DTP and Councils assets teams have both granted consent, the developments impact on the transport system is acceptable.

The proposed development of the Bike Hub and toilet blocks within the site to facilitate the rail trail that connects through the site will provide additional amenity for people cycling and walking in the town and region.

The increase in facilities and support for walking and cycling will improve the operation of the transport system in the area, providing an alternative to driving to many of the region's attractions.

- *Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.*

Planner comments:

As the site is not actively used for road or rail-based transport, this guideline has limited relevance. No relevant guidelines for use or development have been identified above and beyond the usual design standards used by Council in all its projects.

The subject site is also impacted by the General Residential Zone (GRZ1) and the Commercial 1 Zone (C1Z). However, areas covered by these controls are not impacted by the proposed development as they only touch the boundaries of the site.

Overlays

Heritage Overlay Schedule 579 (HO579) – Clause 43.01

The purpose of the Heritage Overlay:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

Planner comments:

The subject site is partially affected by the Heritage Overlay. The heritage listed railway station and gates have paint controls that apply under the heritage overlay schedule 579. These heritage structures

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will be restored and painted utilising a heritage palette to maintain the heritage significance of the site. Due to the significant decay of the railway station building, a new platform consistent with the heritage values has been proposed. Additionally, other existing structures such as the Lantern/signal box will also be restored (although not heritage listed items). Furthermore, the renovation of the community hub building will also include the further installation of solar panels to help facilitate the community hub as an emergency relief centre.

These works are consistent with the objectives of the clause to protect and enhance the heritage fabric on the land, given its importance to the history of Rutherglen.

Clause 43.01-8 Decision Guidelines:

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework.*

Planner comments:

See assessment above.

- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*

Planner comments:

The proposed use and development will not adversely affect the natural or cultural significance of the heritage fabric on the site. The size, scale, bulk and design elements help to compliment the significance of the site.

- *Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.*

Planner comments:

The relevant statement of significance says:

The former railway station and gates are of historical significance as reminders of the importance of the railway to Rutherglen and the region during the late nineteenth and early twentieth century in opening up markets for pastoral and agricultural products.

The proposed buildings and works will not adversely affect these values, and by reusing these buildings supports and highlights this heritage fabric.

- *Any applicable heritage design guideline specified in the schedule to this overlay.*

Planner comments:

N/A

- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*

Planner comments:

The proposed works on the existing buildings will not adversely affect the heritage significance of the place. New built form is proposed to be located a significant distance from the heritage items, all

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development is limited to single storey, and no significant view line towards the heritage place will be impacted.

- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*

Planner comments:

The proposed buildings are sympathetic to the character and appearance of the heritage place.

Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.

Planner comments:

The buildings that will be affected by demolition, the Senior Citizens Hall, is not affected by the heritage overlay. The primary heritage building, the railway station building, will be affected by minor works that are not demolition.

- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*

Planner comments:

The proposed use and development do not adversely affect the character or appearance of the heritage place.

- *Whether the proposed subdivision will adversely affect the significance of the heritage place.*

Planner comments:

N/A

- *Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.*

Planner comments:

N/A

- *Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.*

Planner comments:

It is necessary for the functional use of the land for appropriate information and directional signage to be provided. The proposed signs won't negatively affect the heritage place.

- *Whether the lopping or development will adversely affect the health, appearance or significance of the tree.*

Planner comments:

The trees on the site proposed for removal are outside the footprint of the Heritage Overlay.

- *Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.*

Planner comments:

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The proposed solar system is located on a building outside the Heritage Overlay.

Particular provisions

Clause 52.05 – Signs

The purpose of this provision is:

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

Pursuant to Clause 36.04-6 the applicable sign category for the site is Category 1, consistent with Commercial areas.

Similar to the zone controls, signs fall into three sections, section no permit required, section 2 permit required, and section 3 prohibited. In this case, as the proposed wayfinding signs do not fall into the section 1 sign type of “directional signage”, they instead are a type of “information sign” which falls into category 2, any other sign not in section 1.

Clause 52.05-8 – Decision Guidelines

All signs:

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

The character of the area including:

- *The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.*
- *The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.*
- *The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.*
- *The consistency with any identifiable outdoor advertising theme in the area.*

Planner comments:

The proposed signs are consistent with the character of the area and have considered the natural, heritage and open space values of the area.

The proposed signs are compatible with the area.

The cumulative impact of the signs will be acceptable, given their informational nature.

The signs are not advertising, so this is N/A.

Impacts on views and vistas:

- *The potential to obscure or compromise important views from the public realm.*

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- *The potential to dominate the skyline.*
- *The potential to impact on the quality of significant public views.*
- *The potential to impede views to existing signs.*

Planner comments:

The proposed signage is minor in nature and mainly consists of wayfinding signs. The small scale will have no impact on views or vistas or impede views to existing signs.

The relationship to the streetscape, setting or landscape:

- *The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.*
- *The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.*
- *The ability to screen unsightly built or other elements.*
- *The ability to reduce the number of signs by rationalising or simplifying signs.*
- *The ability to include landscaping to reduce the visual impact of parts of the sign structure.*

Planner comments:

The proposed signs are limited in size and scale and will sit appropriately in their context on the land.

The signs are majority wayfinding purposes and will have minimal impact on the subject site and surrounding properties.

Given the scale and nature of the signs, the impact to the landscape will be minimal.

The relationship to the site and building:

- *The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.*
- *The extent to which the sign displays innovation relative to the host site and host building.*
- *The extent to which the sign requires the removal of vegetation or includes new landscaping.*

Planner comments:

The signs are at a scale and in proportions with the use of the site and the proposed buildings and works, and particularly the shade structure to which they are attached.

The signs are not notably innovative.

The signs do not require any vegetation removal.

The impact of structures associated with the sign:

- *The extent to which associated structures integrate with the sign.*
- *The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.*

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Planner comments:

No impacts are anticipated from any structures.

The impact of any illumination:

- *The impact of glare and illumination on the safety of pedestrians and vehicles.*
- *The impact of illumination on the amenity of nearby residents and the amenity of the area.*
- *The potential to control illumination temporally or in terms of intensity.*

Planner comments:

Not applicable. The signage will not be illuminated.

The impact of any logo box associated with the sign:

- *The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.*
- *The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.*

Planner comments:

Not applicable. No logo boxes are proposed.

The need for identification and the opportunities for adequate identification on the site or locality.

Planner comments:

With the size and spread of the new facilities across the land, and the number of new activities on the land, appropriate wayfinding signs are a requirement.

The impact on road safety. A sign is a safety hazard if the sign:

- *Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.*
- *Obstructs a driver's view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.*
- *Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.*
- *Is at a location where particular concentration is required, such as a high pedestrian volume intersection.*
- *Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.*
- *Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.*
- *Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.*
- *Is within 100 metres of a rural railway crossing.*

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- *Has insufficient clearance from vehicles on the carriageway.*
- *Could mislead drivers or be mistaken as an instruction to drivers.*

Planner comments:

The proposed signs are located far enough from roads they should have no impact on road safety.

Clause 52.06 – Car parking

The purpose of this provision 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.*

Planner Comments

The proposal requires a car parking waiver, as the total number of available spaces is less than the 146 required. The site provides 31 spaces, requiring a waiver of 115 spaces.

The proposed waiver is consistent with the purpose of this provision because:

- It is consistent with the municipal planning strategy and the planning policy framework.
- The number of spaces provided is suitable for the uses of the land, especially given the ease of pedestrian and cycling accessibility.
- Similarly, the ease of access supports alternatives to car-based transport.
- The Rutherglen town centre, most of which is within walking distance of this park, provides significant quantities of on and off-street parking, most of which can be used for multi-purpose trips.
- No adverse impacts have been identified from the parking provided.

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As discussed below, car parking meets the require technical standards.

Use	Rate (Column A)	Measure	Parameter	Requirement
Art and Craft Centre	4	100sqm net floor area	140sqm	5.6
Market	8	100sqm of site area	1205sqm	96.4
Place of assembly	0.3		Hall – 64 patrons Kitchen – 4 patrons Co working area – 7 patrons Meeting room – 5 patrons Consult room – 4 patrons multi-purpose - 64 patrons	44.4
				146.4

Clause 52.06-8 - Requirements for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.
- Any other matter specified in a schedule to the Parking Overlay.

Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Planner comments:

A car parking plan has been prepared in accordance with these requirements. The plan shows the required information and has been approved by Council's assets/engineering team.

Clause 52.06-10 – Decision Guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

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- *The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.*

Planner comments:

The location of the proposed car parking, along Douglas Street, is the logical location. It is close to the Senior Citizens centre and new arts hub in the old railway station building. This is consistent with the higher demand and more formal uses that are likely to occur here. Douglas Street is a lower traffic road, away from the arterial roads, and as a result is less busy and with less risk of conflict between vehicles. Other nearby locations would be less suitable than the proposed location.

- *The ease and safety with which vehicles access and circulate within the parking area.*

Planner comments:

The proposed road is one way, which increases safety in the area by reducing conflicts between vehicles. The parking arrangements are obvious and easy to follow, which should also increase safety.

- *The provision for pedestrian movement within and around the parking area.*

Planner comments:

Access from most of the parking to the main use areas of the new park and the upgraded buildings is via constructed footpaths, ensuring a safe separation from vehicles. This is an upgrade from the current arrangements, where no paths or other separated access is provided.

- *The provision of parking facilities for cyclists and disabled people.*

Planner comments:

The proposed car parking area does not include specific bicycle infrastructure, as the whole site has a bicycle focus and there are numerous locations on the land for the safe parking and storage of bicycles. 2 disabled spaces are proposed for the site.

- *The protection and enhancement of the streetscape.*

Planner comments:

The proposed parking arrangement will add more definition to the existing parking arrangements, which are presently informal. This will result in neater and more attractive streetscape. While some tree removal is proposed, this is offset by the additional plantings proposed within the site.

- *The provisions of landscaping for screening and shade.*

Planner comments:

Trees are retained where possible to ensure shading remains available.

- *The measures proposed to enhance the security of people using the parking area particularly at night.*

Planner comments:

The general improvement to the site will result in more use of the land, and as a result more passive surveillance and more safety. Appropriate lighting will be required as part of the proposed changes.

- *The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.*

Planner comments:

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As the proposed parking involves formalising existing arrangements, any amenity impacts are expected to be generally minor. The overall improvement in safety and appearance outbalances these minor amenity impacts.

- *The workability and allocation of spaces of any mechanical parking arrangement.*

Planner comments:

Not applicable

- *The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.*

Planner comments:

Compliance with correct design standards will be required by permit condition.

- *The type and size of vehicle likely to use the parking area.*

Planner comments:

The proposed parking spaces are large enough to contain the car expected to primarily use the site.

- *Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.*

Planner comments:

Compliance with the required standards will be required by condition and appears to currently comply.

- *The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.*

Planner comments:

N/A.

- *Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).*

Planner comments:

All parking spaces, including disabled spaces, will be constructed in accordance with the dimensions specified in Australian Standards and the Building Code of Australia. This will be reinforced by permit condition.

- *The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.*

Planner comments:

Not applicable.

- *Any other matter specified in a schedule to the Parking Overlay.*

Planner comments:

There is no Parking Overlay or schedule that applies to this site.

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Clause 52.17 – Native vegetation

The purpose of this provision is:

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

Pursuant to Clause 52.17-1 a permit is required to remove, destroy or lop native vegetation, including dead native vegetation.

However, the requirement to obtain a permit does not apply to:

Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.

This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.

As the proposed vegetation removal involves vegetation planted by Council, consent has been obtained for the removal, and no planning permit is triggered.

Clause 65.01 – Approval of an application

Before deciding on an application or approval of a plan, the responsible authority must consider the relevant decision guidelines. An assessment of the proposal against the relevant general decision guidelines at clause 65.01 - Approval of an application or plan appears below:

Guideline	Assessment
<i>The matters set out in Section 60 of the Act</i>	The proposal is consistent with the requirements of the Act.
<i>Any significant effects the environment, including the contamination of land, may have on the use or development</i>	No adverse impacts have been identified.
<i>The Municipal Planning Strategy and Planning Policy Framework</i>	Discussed earlier in this report and generally supportive.

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Guideline	Assessment
<i>The purpose of the zone, overlay or other provision</i>	These have been considered and support the proposal.
<i>Any matter required to be considered in the zone, overlay or other provision</i>	All relevant matters have been considered.
<i>The orderly planning of the area</i>	The proposed development represents orderly planning.
<i>The effect on the amenity of the area</i>	Some negative amenity impacts on nearby residents have been identified. These impacts will be mitigated by permit conditions, and, on balance, these effects do not justify refusing the application.
<i>The proximity of the land to any public land</i>	The impacts to the land itself are acceptable. Other nearby public land won't be adversely affected.
<i>Factors likely to cause or contribute to land degradation, salinity or reduce water quality</i>	No relevant factors have been identified.
<i>Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site</i>	This matter will be addressed by appropriate conditions.
<i>The extent and character of native vegetation and the likelihood of its destruction</i>	The proposed native vegetation removal is acceptable in the context of this development.
<i>Whether native vegetation is to be or can be protected, planted or allowed to regenerate</i>	Existing vegetation is being protected where possible, and additional plantings are proposed.
<i>The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard</i>	No increase above the background urban risk in this area.
<i>The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts</i>	Adequate facilities have been provided.
<i>The impact the use or development will have on the current and future development and operation of the transport system.</i>	The proposed development will not have any unacceptable effects on the transport network.

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CONCLUSION

This application seeks a planning permit for the development of the Rutherglen Silos Precinct public works.

The proposed development has appropriately responded to its context, the site limitations, advice from relevant referral authorities, and the planning scheme.

Given the above assessment and documentation provided, it is recommended that the proposal is approved, subject to conditions.

CONFIDENTIAL ATTACHMENTS

A confidential attachment has been provided to Councillors under separate cover. Section 197A of the Planning and Environment Act 1997 determines the way Councils are able to make certain planning documents available to the public. The Act provides that the confidential document listed below can only be made available for public inspection:

- at Council offices during business hours, or
- electronically via Council's website subject to strict public availability requirements, requiring significant editing of individual documents.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton - Director Planning and Corporate Services
- James Turner - Manager Planning & Statutory Services
- Steven Hawkins - Planning Coordinator
- Danieel Matthews - Senior Statutory Planner
- James Turner - Manager Planning & Statutory Services

Attachments

1. PA250005 - Application Form [11.3.1 - 198 pages]
2. PA250005 - Plans [11.3.2 - 31 pages]
3. PA250005 - Referral Responses [11.3.3 - 8 pages]
4. CONFIDENTIAL - PA250005 - Submission [11.3.4 - 2 pages]
5. PA250005 - Draft Conditions [11.3.5 - 7 pages]

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11.4 PLANNING PERMIT APPLICATION PA250017 - 11 SLAUGHTERHOUSE ROAD, RUTHERGLEN

James Turner - Manager Planning & Statutory Services
Planning and Corporate Services

For Decision

RECOMMENDATION

Pursuant to section 84(1) of the Planning and Environment Act (1987), if Council had been given the opportunity, it would have issued a planning permit for the staged subdivision of land into 74 lots and the removal of native vegetation at 11 Slaughterhouse Road, Rutherglen, subject to the conditions attached to this report.

RESOLUTION

Pursuant to section 84(1) of the Planning and Environment Act (1987), if Council had been given the opportunity, it would have approved planning permit application PA250017 for the staged subdivision of land into 74 lots and the removal of native vegetation at 11 Slaughterhouse Road, Rutherglen in accordance with the Land Surveys Concept Plan dated 10/09/25 (Drawing Ref 2300294_CP Rev. 1). Subject to the conditions attached to this report, which include conditions requiring amendments to the concept plan to:

- *relocate the Reserve (park of 3,635m²) from the eastern boundary of the subdivision replacing lots 35 and 36 (creating a park of 4055m²)*
- *illustrate lane ways providing the following connections*
 - *east/west to Slaughterhouse Road located between lots 21/22 and 30/31 and*
 - *north/south to Herrins Road located between lots 10/11 and 38/39;*
- *increased landscaping by an additional 40 trees to result in more than 2 trees per lot.*

Moved: Cr Bourke

Seconded: Cr Dowsley

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Price and Cr Shephard

Against: Cr Horne and Cr Landells

CARRIED

Cr Bourke tabled an updated copy of the development plan.

EXECUTIVE SUMMARY

This application was deferred from the August 2025 Council meeting to allow further discussions with the developer.

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Subsequent to the August 2025 meeting the applicant decided to lodge an application for review with VCAT against Council's failure to determine under Section 79 of the Planning and Environment Act 1987. This now requires Council to appear at VCAT and represent a position on the application.

This application proposes the creation of a 74 lot subdivision consisting of five (5) stages as well as native vegetation removal at 11 Slaughterhouse Road Rutherglen.

The subject site is located within the Low Density Residential Zone and is covered by the Development Plan Overlay. The subject site has an approved development plan, approved by Council in July 2024 under application number PP23-0174. When the approved development plan was advertised it garnered significant community interest, and issues raised included access, services, and impacts to the wider Rutherglen township. These issues were considered at the time and resolved to the extent possible. The proposed seventy-four (74) lot subdivision and native vegetation removal is generally in accordance with this approved Development Plan.

The proposed subdivision is consistent with the requirements of the planning scheme, including access, lot design, and provision of public open space. Proposed conditions address technical matters like stormwater and provision of water, power and sewerage connections. The proposal also includes upgrades to nearby roads, to the standards required by Council's assets team.

As the subject site is within the Development Plan Overlay, the proposal is exempt from notice and review. As a result, the application has not been publicly notified, therefore no objections have been received.

This application comes before Council as the proposal exceeds 10 lots, and therefore is not delegated in accordance with the adopted instrument of delegation.

Overall, the proposed development is consistent with the planning scheme and approved development plan and should be approved.

PROPERTY ADDRESS	11 Slaughterhouse Road Rutherglen
EXISTING USE OF LAND	Single dwelling and associated outbuildings
NUMBER OF OBJECTIONS	Exempt from notice (Approved development plan had 17 objections).
ZONING	Low Density Residential Zone (LDRZ)
OVERLAY	Development Plan Overlay Schedule 3 (DPO3)
STATUTORY DAYS	260 as of 26 August 2025.
DATE APPLICANT NOTIFIED OF COUNCIL MEETING	23/07/2025 and 10/09/2025.

BACKGROUND

Site and surrounds

The subject site is located at 11 Slaughterhouse Road, Rutherglen, and is just south of the existing Rutherglen built up area. The land comprises an area of approximately 21.91Ha. The subject site includes an existing residential dwelling that is proposed to be maintained as part of the development. The site

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falls gently to the east, with a steeper section in the western portion of the site, close to the existing dwelling.

The surrounding context is as follows:

- North – 1.0km to Rutherglen Main Street. The side is bordered by an existing unmade Council road, known locally as Telford Street.
- South – To the south of the site is agricultural land comprising a mix of grazing, cropping and horticulture. The site is bordered by Herrins Road, an unmade road with a basic level of construction.
- East – The site is bordered by a partially undeveloped LDRZ parcel, and another lot containing an existing dwelling.
- West – Immediately opposite the site is a small area of LDRZ and public land controlled by NE Water. More distantly, the land is agricultural, similar to the land to the south. The side is bordered by Slaughterhouse Rd, a sealed road approximately 5m with swale drains on both sides.



Figure 10 - Aerial of subject site

Relevant Site History

A development plan was approved at the Council meeting of 30 July 2024. Compliance with this approved development plan is discussed in more detail later in this report.

5.0 - The Development Plan

5.1 - Slaughterhouse Road Development Plan



Figure 11 - Excerpt from approved development plan

There is no other relevant planning history for this site.

PROPOSAL

The application seeks permission to create a seventy-four (74) lot subdivision in five stages along with native vegetation removal.

The plans show the following elements of the proposal:

- Lot sizes – ranging from 2000sqm – 4100sqm.
- Drainage reserve – 4900sqm.
- Reserve/Park – 3635sqm, including a pedestrian connection to Herrins Road.
- 5 stages.
- Upgrades to the existing surrounding roads.
- Construction of new roads in the Telford Street road reserve and on the site.
- Consideration of future connections with adjoining land to the east.
- On site effluent disposal for stage 1, connection to the existing sewerage network for subsequent stages.

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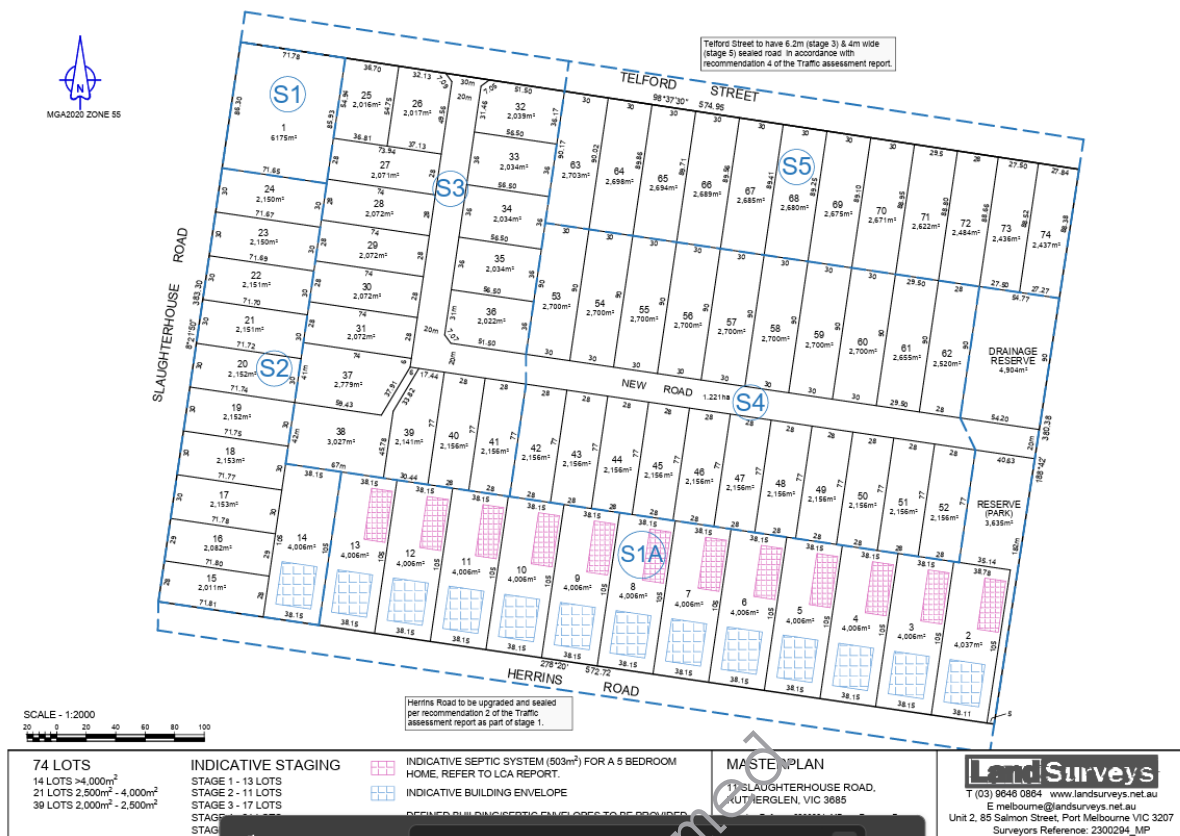


Figure 12 - Proposed plan of subdivision

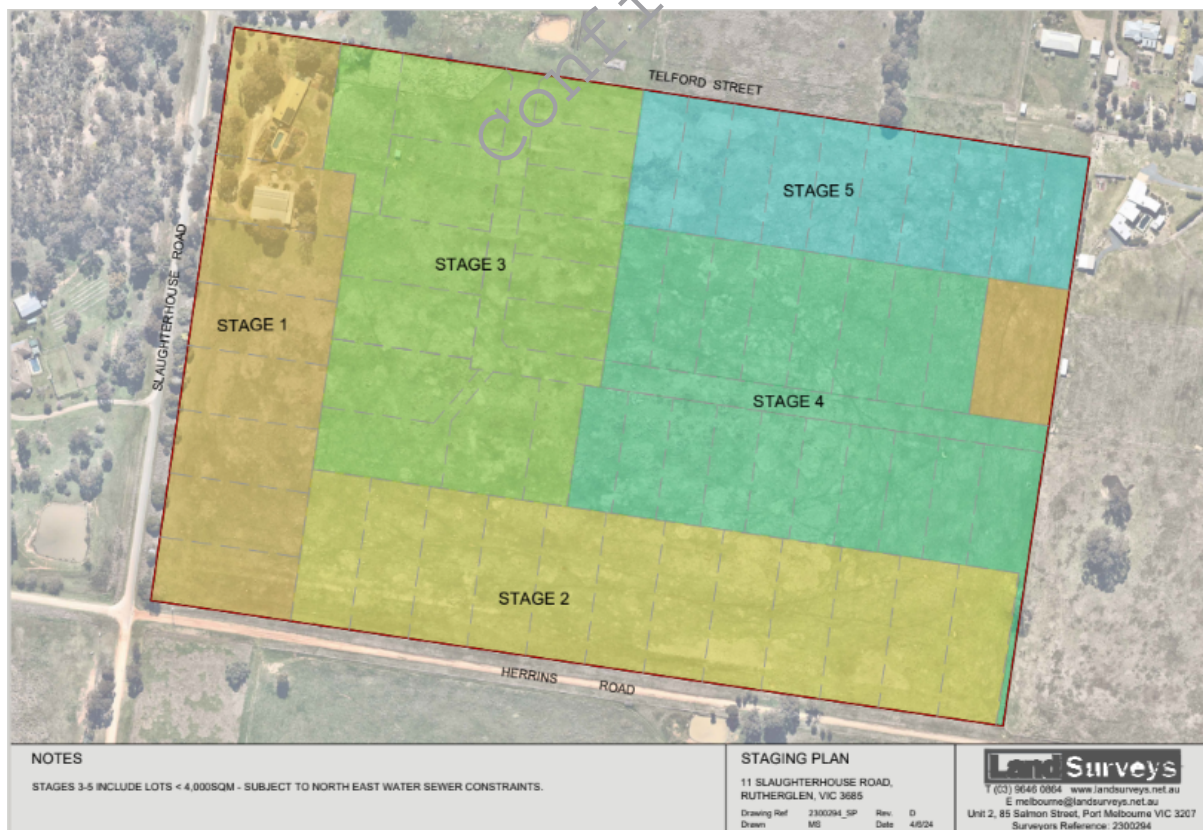
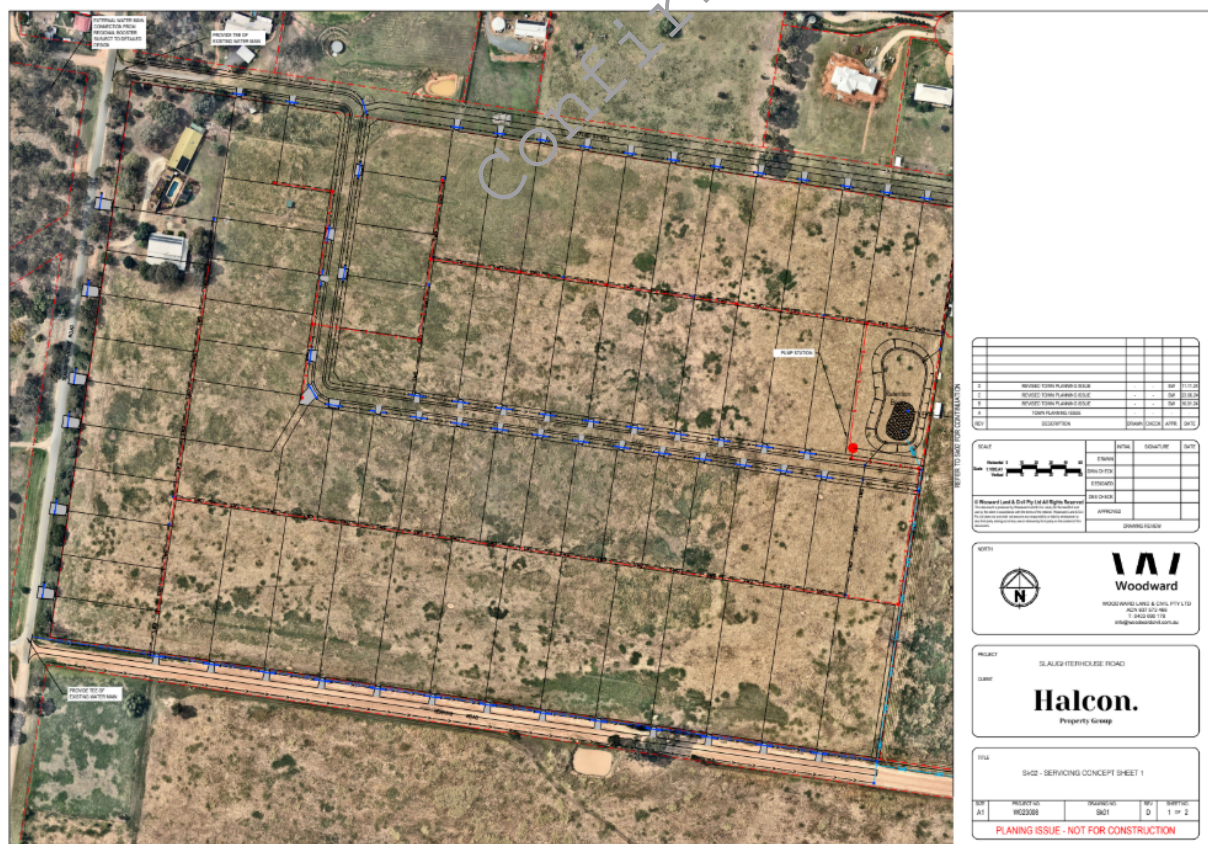


Figure 13 - Subdivision stages

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Figure 14 - Subject site



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Figure 16 - Landscape plan part 1

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Figure 17 - Landscape plan part 2

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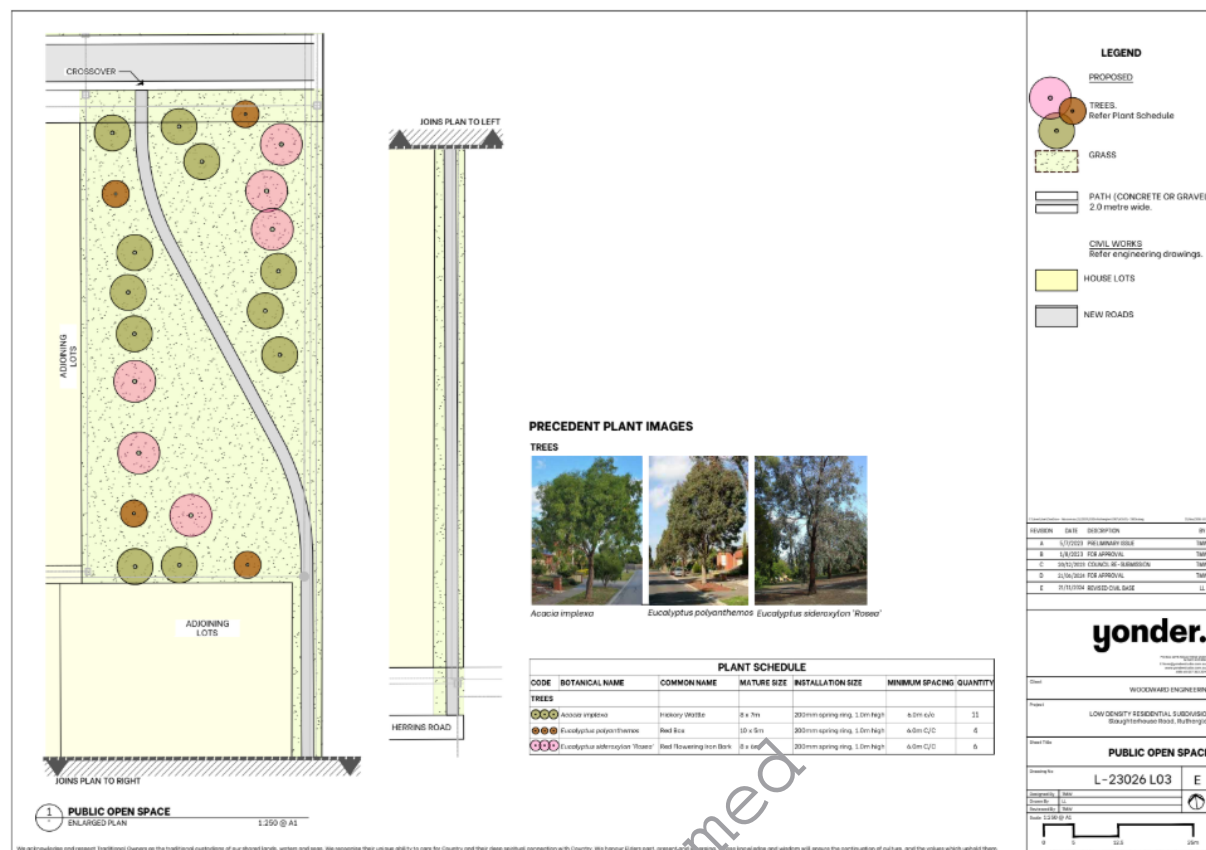


Figure 18 - Landscape plan part 3

INDIGO PLANNING SCHEME

Zoning

The subject site is located within the Low Density Residential Zone (LDRZ)

Overlays

The subject site is covered by the Development Plan Overlay Schedule 3.

Particular Provisions

The following particular provisions are relevant:

- 52.17 – Native vegetation
- 53.01 – Public Open Space Contribution and Subdivision

General Provisions

Clauses 65.01 and 65.02 contains decision guidelines relevant to the proposal.

CONSULTATION

Public Notice

No public notice was undertaken, as the proposal is exempt from notice and review.

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Referrals

The conditions of referral authorities have been included in the attached permit conditions.

The application was referred to the following external authorities:

- North East Water – No objection, subject to conditions.
- Department of Transport and Planning – No objection.
- Department of Energy, Environment and Climate Action (Native Vegetation removal) - No objection subject to conditions.
- AusNet - No objection subject to conditions.

Internally, the application was referred to:

- Infrastructure/Assets – No objection, subject to conditions.
- Environmental Health – No objection, subject to notes on the permit.

DISCUSSION

Planning Policy Framework

Clause 02.03 – Strategic Directions – Rutherglen

A number of large vacant parcels of residential land and infill opportunities can accommodate residential growth in the short to medium term. It is a strategic direction for Rutherglen to:

- Plan for a traffic bypass of the town.
- Consolidate commercial development within the commercial precinct.
- Encourage infill development that takes advantage of efficiencies gained through better use of infrastructure.

Planner comments:

The subdivision of a large undeveloped residential parcel to accommodate the growth of Rutherglen is consistent with the strategic direction of the township.

Clause 11.01-1S – Settlement

The main objective of this Clause is to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Planner comments:

The development is located within a designated low-density residential precinct at the edge of the existing township boundary and is well suited to provide for growth to accommodate demand and the expansion of Rutherglen.

Clause 11.02-3S - Sequencing of Development

The main objective of this Clause is to manage the sequence of development in areas of growth so that services are available from early in the life of new communities.

Planner comments:

The development will provide for all necessary services/amenities to accommodate the future residential dwellings. Where reticulated sewerage is not available, it has been demonstrated that the dwellings can be serviced via an on-site effluent management solution. The layout of the subdivision allows for future connection with the currently undeveloped residential land to the east.

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Clause 12.01-1S - Protection of Biodiversity

The main objective of this Clause is to protect and enhance Victoria's biodiversity.

Planner comments:

The development proposes to remove the patches of native vegetation and provide an offset in accordance with the requirements of Clause 52.17. The subdivision also encourages the integration and protection of the remaining scattered native trees on-site.

Clause 12.01-2S – Native Vegetation Management

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

Planner comments:

As stated above the development will provide offsets for any lost native vegetation. Additionally, the applicant has provided a Native Vegetation Removal report to support the biodiversity offset requirements.

Clause 14.02-2S - Water Quality

The main objective of this Clause is to protect water quality.

Planner comments:

The Stormwater Management Strategy will be implemented to ensure the drainage and water quality management meets best practice requirements.

Clause 14.02-2L-02 - Effluent Disposal and Water Quality

The main objectives of this Clause is:

- *To ensure that the density of effluent disposal systems is suitable to the soil type and topography of the locality.*
- *To provide for alternative effluent disposal systems where environmental conditions prevent the treatment of waste by septic tank.*

Planner comments:

The subdivision will provide for a diversity of reticulated sewer serviced allotments and larger low density residential allotments that will be serviced via on-site effluent management systems. Preliminary investigations have been undertaken to confirm the land is suitable for on-site effluent management. A Draft Land Capability Assessment has been completed for the initial stages of development and will be finalised as part of the proposed conditions.

Clause 15.01-3S - Subdivision Design

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

Planner comments:

The development is consistent with this clause through the provision of a logical subdivision design which ensures a well-connected and permeable road network is provided, as well as an energy efficient orientation for individual lots. The design of the subdivision allows for future integration with the land to the east through the provision of road, footpath and public open space.

Clause 15.01-5S Neighbourhood Character

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The main objective of this Clause is to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Planner comments:

The subdivision has been designed to integrate with the surrounding established low density residential character as well as providing a transition to the agricultural land to the south.

Clause 15.01-6S - Design for Rural Areas

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

Planner comments:

The development provides for a low-density residential subdivision that is respectful of the surrounding rural landscape character. Larger low-density allotments have deliberately been located along the southern property boundary as an interface to the township boundary and Rural Activity Zone to the south.

Clause 16.01-25 - Housing Supply

The main objective of this Clause is to facilitate well-located, integrated and diverse housing that meets community needs.

Planner comments:

The greenfield development site will unlock additional housing supply within the existing Rutherglen township boundary.

Clause 16.01-1L - Residential Subdivision and Development

The main objectives of this Clause are:

- *To ensure that residential development is connected to reticulated sewerage, water, power, and stormwater facilities and has access to fully constructed roads.*
- *To ensure that urban development does not adversely impact the environment and downstream water quality.*
- *To locate medium density development adjacent to community services and facilities and in proximity to commercial centres.*
- *To ensure that the design of medium density housing considers the scale, mass, form and height of other buildings particularly in heritage towns.*

Planner comments:

The proposed low density residential subdivision will deliver the necessary services to ensure the dwellings have adequate provision of infrastructure, including sewer/septic, water, power, drainage and electricity. Appropriate conditions will ensure this occurs.

Clause 16.01-2S - Housing Affordability

The main objective of this Clauses to deliver more affordable housing closer to jobs, transport and services.

Planner comments:

The development meets the intention of this clause by providing additional supply of lots which can support any demand in Rutherglen.

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Clause 18.02-4S - Roads

The main objective of this Clause is to facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

Planner comments:

The development seeks to deliver a permeable road network with appropriate connections to the established surrounding network and future developments whilst also providing for the necessary external upgrades to service the subject site. In support of the proposal a Traffic Impact Assessment has been provided and reviewed by Councils infrastructure team with no objections subject to conditions placed on any permit issued.

Zone

Clause 32.03 Low Density Residential Zone (LDRZ)

The LDRZ has the following objectives:

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

Planner comments:

The proposed subdivision is consistent with the objective of the zone, as it supports the relevant policy frameworks, and the lots identified for on-site effluent disposal are capable of absorbing wastewater.

The following requirements apply for subdivision.

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least:

- *0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.*
- *0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.*

A permit may be granted to create lots smaller than 0.4 hectare if the subdivision:

- *Excises land which is required for a road or a utility installation.*
- *Provides for the re-subdivision of existing lots and the number of lots is not increased.*

Planner comments:

The proposed Slaughterhouse Road subdivision proposes 74 lots across 5 stages for future low density residential development, consistent with the minimum subdivision areas outlined within Clause 32.03-3.

The following decision guidelines apply:

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*

Subdivision

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- *The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.*
- *The availability and provision of utility services, including sewerage, water, drainage, electricity and telecommunications.*
- *In the absence of reticulated sewerage:*
 - *The capability and suitability of the lot to treat and retain all wastewater as determined by a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed, or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017.*
 - *The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.*
- *The relevant standards of Clauses 56.07-1 to 56.07-4*

Planner comments:

The proposed subdivision has responded to the relevant policy framework.

The proposed subdivision includes some vegetation removal, which does pose a risk to environment, but these losses are appropriately addressed by offsetting. The site is not otherwise identified of being of high environmental character.

All services except sewerage are available. For those lots where sewerage is not available, a suitable land capability assessment has been prepared and demonstrates that lots can deal with wastewater.

Standards 56.07-1 to 56.07-4 relate to integrated water management. Drinking water will be available to all lots, no reused or recycled water is available, wastewater will be dealt with by on-site management or sewerage connection, and stormwater will be addressed by a mix of implementation of proposed measures and conditions.

Overall the proposal is consistent with the requirements of the zone.

Overlay

Clause 43.04 – Development Plan Overlay Schedule 3 (DPO3)

The purpose of the DPO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.*
- *To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.*

Clause 43.04-2 of the Planning Scheme outlines that where the Development Plan Overlay applies:

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

Planner comments:

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The Slaughterhouse Road Development Plan has been prepared under Schedule 3 to the Development Plan Overlay. A Development Plan was approved under permit PP23-0174 in July 2024. The proposed 74 lot subdivision is generally in accordance with the approved Development Plan.

Particular Provisions

Clause 52.17 - Native Vegetation

The purpose of this provision is:

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

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

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Planner comments:

Biodiversity Assessment has been completed by Red Gum Environmental Consulting and provided as Appendix 6 in support of the Subdivision Plan. The assessment identified three scattered native trees and patches of Plains Woodland (EVC 803) and Low Rises Grassy Woodland (EVC 175_61) to be considered as part of any future development. The Slaughterhouse Road Subdivision Plan encourages the integration and retention of the scattered native trees into private allotments. The patches of native vegetation will likely be removed as part of the works associated with the future development. The future planning application must address Clause 52.17 directly through a supporting specific Biodiversity Assessment and Native Vegetation Removal Report (NVRP), which has been provided. The NVRP report has specified a biodiversity offset score of 0.3531.

DEECA, as the relevant referral authority has consented to the removal, subject to conditions.

Clause 53.01 – Public Open Space Contribution and Subdivision

Clause 53.01 of the Indigo Shire Planning Scheme allows Council to require a public open space contribution in accordance with Section 18 of the Subdivision Act 1988.

Planner comments:

The Schedule to Clause 53.01 of the Indigo Shire Planning Scheme does not provide a specific contribution requirement for the subject site. However, the provisions of the *Subdivision Act 1988* would typically require a 5% Public Open Space contribution in the form of land or a cash equivalent contribution. The Subdivision Plan proposes to provide public open space, therefore a contribution will be required allowing a combination of land and money. This contribution will be required by conditions on the permit.

The location of the public open space is chosen to allow for integration with any future development on the land to the east and the creation of a large open space area which would be central to the two developments.

General Provisions

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Clause 65.01 Approval of an application or plan

The proposal has been considered against Clauses 65.01 and satisfies the relevant matters and issues identified under the clauses:

Guideline	Assessment
The matters set out in Section 60 of the Act	These matters are adequately addressed by consideration of elements of the planning scheme (see above).
Any significant effects the environment, including the contamination of land, may have on the use or development	There is not considered to be any significant effects from the environment on the proposed development. The land has not been identified as being potentially contaminated.
The Municipal Planning Strategy and Planning Policy Framework	See above assessment.
The purpose of the zone, overlay or other provision	See above assessment.
Any matter required to be considered in the zone, overlay or other provision	See above assessment.
The orderly planning of the area	The proposal reflects the zoning of the land and is considered to represent an orderly planning outcome.
The effect on the amenity of the area	The amenity of the area will be unaffected.
The proximity of the land to any public land	There is no public land in proximity other than road reserves.
Factors likely to cause or contribute to land degradation, salinity or reduce water quality	There are no factors stemming from the proposed development.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site	The subject site is larger enough to appropriately discharge any Stormwater run-off.
The extent and character of native vegetation and the likelihood of its destruction	The extent and type of native vegetation to be removed is assessed earlier in this report.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate	The application is requiring an offset of the vegetation removed and this is discussed earlier in the report.
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management	The development will have no impact on flood, erosion or fire risk.

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Guideline	Assessment
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	N/A
The impact the use or development will have on the current and future development and operation of the transport system.	The proposal will have negligible impact on the surrounding transport system.

Clause 65.02 – Approval of an application to subdivide land

The proposal has been considered against Clauses 65.02 and satisfies the relevant matters and issues identified under the clauses:

Guideline	Assessment
The suitability of the land for subdivision.	The land is suitable for subdivision.
The existing use and possible future development of the land and nearby land.	The subdivision has adequately considered connectivity with adjoining land and has located public open space and road links to support further subdivision to the east.
The availability of subdivided land in the locality, and the need for the creation of further lots.	There is a demand in Rutherglen for larger lots.
The effect of development on the use or development of other land which has a common means of drainage.	Adequately addressed by permit conditions.
The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.	The subdivision pattern is a reasonable response to the land and its location.
The density of the proposed development.	The density is acceptable in the context of the zoning and its context, especially the larger lots providing a buffer to the RAZ to the south.
The area and dimensions of each lot in the subdivision.	The lots sizes are suitable in the context of this site.
The layout of roads having regard to their function and relationship to existing roads.	The road layout is appropriate and will provide connection to any subdivision to the east at time when that land develops.

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Guideline	Assessment
The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.	Pedestrian and vehicle movement has been considered with connecting roads and footpaths to be created with existing networks and future developments to the east.
The provision and location of reserves for public open space and other community facilities.	Suitable public open space has been proposed and location in position that will result in an enlarged area of open space when the land to the east is subdivided.
The staging of the subdivision.	The staging is an acceptable response to the servicing constraints, and results in an acceptable outcome.
The design and siting of buildings having regard to safety and the risk of spread of fire.	The lots support adequate spacing.
The provision of off-street parking.	N/A.
The provision and location of common property.	Not proposed.
The functions of any owners corporation.	Not proposed.
The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.	Considered, and addressed by permit conditions.
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 sillage within the boundaries of each lot.	The unsewered lots are capable of treating and retaining their effluent.
Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.	Complies, to the extent relevant.
The impact the development will have on the current and future development and operation of the transport system.	No unreasonable impacts have been identified.

OTHER MATTERS

Bushfire Prone Area

The proposed development was not referred to the CFA as the development and land does not lie within a Bushfire Management Overlay (BMO) identified by the Planning Scheme.

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The site is located within an area designated as a Bushfire Prone Area (BPA). This is a different designation to the BMO. Building construction controls apply to developments in designated bushfire prone areas. These controls aim to improve bushfire protection for residential buildings and other sensitive land uses. Once development of the lots in the subdivision commence construction methods will be managed through building standards and conditions.

CONCLUSION

The proposal for a seventy-four (74) lot subdivision and native vegetation removal is considered appropriate. The proposed subdivision is consistent with the approved development plan under PP23-0174. The site contains appropriate access and lot sizes. The applicant has provided a landscape plan and has provided open space. All relevant referral authorities have provided consent subject to condition. Given the provided documentation as well as the previously approved development plan, that highly informed the pending seventy-four (74) lot subdivision and native vegetation removal, it is considered appropriate, and approval is recommended.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton - Director Planning and Corporate Services
- James Turner - Manager Planning & Statutory Services
- Steven Hawkins - Planning Coordinator
- Danieel Matthews - Senior Statutory Planner

Attachments

1. P A 250017 - Application Documents - redacted [11.4.1 - 244 pages]
2. P A 250017 - Sec 55 Referral Responses [11.4.2 - 9 pages]
3. PA250017 Conditions Updated 19 August 11 Slaughterhouse Road Rutherglen VIC 36 [11.4.3 - 15 pages]
4. P A 250017 - Plans [11.4.4 - 7 pages]



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12 COMMUNITY AND ECONOMIC DEVELOPMENT

12.1 DRAFT PEOPLE PLACE PROSPERITY INDIGO GROWTH STRATEGY 2025-2035

Sally Rice - Director Community and Economic Development
Community and Economic Development

For Decision

RECOMMENDATION

That Council endorses the Draft People Place Prosperity Indigo Shire Growth Strategy 2025-2035 to be placed on public exhibition for a period of 28 days.

RESOLUTION

That Council endorses the Draft People Place Prosperity Indigo Shire Growth Strategy 2025-2035 to be placed on public exhibition for a period of 28 days.

Moved: Cr Landells

Seconded: Cr Bourke

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

PURPOSE OF REPORT

This report provides Council with an overview of the key considerations and the overarching direction of Indigo's new economic development strategy People Place Prosperity Indigo Shire Growth Strategy 2025-2035 (PPP35). The report also outlines the process and timeline for the finalisation of the PPP35.

BACKGROUND

Local government is at the heart of fostering vibrant and sustainable communities. In Indigo Shire, the Council plays a pivotal role in driving local and regional economic development, by building the foundations for thriving, connected towns. Economic development in Indigo is about crafting a place where people want to live, work, and visit—a region alive with opportunity and innovation. The role of economic development is therefore integral to Council as it sits across all areas of Council – infrastructure, assets, planning and building, tourism, and community development.

The Indigo Shire economy is primarily made up of small family and farming businesses. In 2024, it is estimated that 2,001 businesses were operating in Indigo. 90% of these businesses are small business employing 4 or less employees. Across Indigo Shire 67% of businesses are self-employed/ non employing. Manufacturing, agriculture and construction are the largest industry sectors. Tourism is also an important sector: Indigo's retail sector is sustained by visitor spend, with 67.5% of total expenditure derived from people that live outside the LGA.

Direction

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The focus of Council's economic development team in 2024/25 has been establishing networks, engaging with industry leaders and stakeholders, understanding the challenges facing small business in our towns and across the region, identification of global trends relevant to Indigo, and business as usual projects and activities. All of which has informed Indigo's new growth strategy.

The world is developing and changing at a rapid pace. Global trends need to be considered in future planning as they offer possible solutions to some of the challenges we face. This strategy ensures that growth is not just about numbers but about enriching lives, protecting our environment, celebrating the unique spirit of our towns and shaping healthier, more resilient and inclusive places and communities. Towns have the potential to shape the way we live and encourage behaviours that reduce our carbon footprint. In the next 15 years, we need to embrace change and new behaviours — from supporting our farmers and choosing locally grown food to choosing zero-emission transport for short distances like walking and cycling. We need to reset the want for large houses and the need for two and three car households. We need to seek a balanced approach to growth.

The strategy is divided into four sections, looking at: Background; What we know; Where we are headed and What we are going to do.

DISCUSSION

PPP35 follows on from the existing Economic Development Strategy 2018- 2023. The development of the PPP35 has been impacted due to staffing turnover which has caused delays in its progress. The following section of this report describes how it has been developed:

Data for this strategy, stage 1, was gathered via:

- Online Business Vitality Survey
- Workshop with previous Councillor group November 2023
- IndiGrow roundtable December 2023
- Consultation with agencies
- Key stakeholder engagement
- Business Sentiment Survey May 2024

This intelligence was gathered and provided to Urban Enterprise who generated an economic report.

The second stage of development involved the following:

- Desktop research to benchmark other councils' economic development strategies
- Economic Development sector research and networking – to gain current economic development thinking and future direction trends
- Stakeholder engagement with businesses, industry groups, Chamber of Commerce representatives, internal working group
- Review of exiting Strategies, Place Plans and Resilience Plans
- IndiGrow Advisory Committee workshops x 3
- Urban Enterprise Report
- Statistics and data report
- Business Sentiment Survey May 2025
- Environment Advisory Committee

Consultation with IndiGrow has been an important part in developing the strategy. In December 2024, the IndiGrow committee workshopped a series of key economic development challenges. A second 2-hour IndiGrow workshop was held in May 2025, to work through the draft strategy. The committee worked through the Strategy Action Plan at the August 2025 meeting.

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OPTIONS

Economic Development is a critical function of Council. Having a well-researched strategy that has been developed with input and contribution from the business community and key stakeholders to guide workplans and priorities of the economic development unit, and wider Council team, is the recommended option.

Not reviewing the current Economic Development Strategy 2018- 2023. This would mean that Council does not have a contemporary, relevant and future focused strategy in place to decisions and activities. This is not recommended.

STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	2. Economic Resilience and Opportunity
Strategic Objective	<p>1.1 Community Infrastructure and Facilities - Develop and maintain inclusive, accessible infrastructure and facilities that enhance liveability, encourage physical activity, and strengthen community connections.</p> <p>1.2 Community Wellbeing, Inclusion and Social Connection - Foster inclusive communities where all people feel valued, connected, and have opportunities to participate in community life, access services, and enjoy positive health and wellbeing regardless of age, ability, or background.</p> <p>1.3 Township Character and Heritage - Preserve and enhance the unique character and heritage of each township while facilitating appropriate development.</p> <p>1.4 Safety and Resilience - Build community resilience and enhance safety through place-based approaches, environmental design, and emergency preparedness.</p> <p>1.6 Residential Housing and Liveability - Facilitate diverse, sustainable, and inclusive housing options that enhance neighbourhood connectivity and support residents' changing needs throughout all life stages.</p> <p>2.1 Housing Diversity and Development - Facilitate a variety of housing options that meet community needs while supporting economic growth and maintaining township character.</p> <p>2.2 Workforce Retention and Opportunity - Advocate for and facilitate connections to support local employment, education, and skills development opportunities that build pathways for residents to work and learn locally.</p> <p>2.3 Sustainable Tourism Development - Create a balanced tourism economy that benefits the community while preserving our natural environment and enhancing our cultural assets.</p> <p>2.4 Business and Investment Support - Foster a business-friendly environment that supports existing businesses while attracting new investment that aligns with our community values.</p> <p>3.3 Emergency Preparedness and Climate Resilience - Build community and infrastructure resilience to climate change and climate-related emergencies through planning, education and strategic risk management.</p> <p>3.4 Waste Reduction and Circular Economy - Transform waste management practices by embedding circular economy principles and expanding recycling programs to minimise environmental impact.</p>

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

COUNCIL PLAN 2025 – 2029	
Key Strategy	<p>1.1.1 Support communities to create vibrant and resilient places that are valued and respect local character.</p> <p>1.1.5 Enhance liveability through strategic expansion and management of tree canopy coverage to provide shade and cooling, protection from UV exposure, improve biodiversity and build climate resilience through selection of climate ready species.</p> <p>1.1.6 Improve footpath connections and extend pedestrian infrastructure, particularly addressing disconnected segments and connecting key facilities.</p> <p>1.2.2 Support families with access to early years services and support the need to be healthy, happy and safe in their communities.</p> <p>2.1.1 Support a variety of innovative and diverse housing developments that meet market demand and attract investment.</p> <p>2.1.2 Facilitate appropriate development that balances economic growth with township character preservation.</p> <p>2.1.3 Advocate for improved town water and sewer capacity to progress residential and industrial developments and support the state government’s housing growth target of 3100 houses by 2051.</p> <p>2.1.4 Support and advocate for independent living solutions for our ageing population.</p> <p>2.1.5 Deliver a Shire-wide Settlement Strategy to facilitate residential growth, attract investment and support the state government’s housing target.</p> <p>2.1.6 Support housing for workers to Indigo Shire, diverse options for short and long-term rentals.</p> <p>2.2.1 Advocate for programs that create stronger connections between young people and employment opportunities in key local industries.</p> <p>2.2.2 Support and advocate for improved access to education, training, and lifelong learning opportunities that address local workforce needs.</p> <p>2.2.3 Facilitate connections between local businesses, education providers and employment services to strengthen pathways to local employment.</p> <p>2.2.4 Promote the liveability qualities of Indigo to attract new residents, particularly families and young people, to live and work.</p> <p>2.4.1 Support sustainable business growth and innovation initiatives.</p> <p>2.4.2 Support and enable sustainable viticulture, horticulture, and agri-tourism initiatives that build on the Shire's agricultural strengths, enhance regional identity, and create economic opportunities.</p> <p>2.4.3 Plan to enable availability of industrial and commercial land to support township growth.</p> <p>2.4.4 Build collaborative relationships with local business networks and industry groups.</p> <p>2.4.5 Capitalise on proximity to the Hume Freeway and rail network to grow opportunities in Chiltern and Barnawartha.</p> <p>3.3.2 Implement community education programs on climate adaptation and resilience.</p>

SOCIAL/COMMUNITY IMPLICATIONS

Economic development must deliver net community benefit. The strategy is about strengthening community, developing networks, empowering and upskilling our youth, and retaining and growing our population. It is also about advocating for and improving housing options and affordability. This approach centres on creating vibrant, sustainable communities, now and for future generations.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

ENVIRONMENTAL IMPLICATIONS

The strategy is underpinned by sustainability. The strategy encourages people to think about balance and challenges us to adopt new approaches and ways of thinking. Australia has the largest homes in the world - a possible step towards housing affordability may be to decrease the typical footprint of our homes, in line with European countries which also have high standards of living. It prompts us to consider micromobility, car share and active transport as a new norm, rather than every person over 18 having a car.

The strategy encourages Council to take a stronger role in ensuring new houses are built with solar passive principles and with a smaller environmental footprint. It encourages us to adopt qualitative measures of happy and connected community by looking at things such as how many children ride bikes to school. This future direction is strongly aligned with Councils declaration of a Climate Emergency and Climate Action Plan.

FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	
Expense	10,000 2,000 4,500	10,000 2,000 4,500	0	Urban Enterprise economic report Urban Enterprise data report Design
Net Result	16,500	16,500	0	

This Strategy was otherwise developed in house with existing resources and expertise.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Current Risk Rating	Controls
Feedback may not be supportive of the direction of the Strategy	Unlikely	Minor	Low	The draft PPP35 has been informed by significant consultation that occurred with the business community and key stakeholders while in development

COMMUNITY ENGAGEMENT

Engagement undertaken

- IndiGrow workshops – December 2024, May 2025, August 2025
- Draft Strategy Circulated to Chambers of Commerce
- Industry groups
- Stakeholder engagement
- Business Sentiment Survey May 2024 and 2025
- Internal strategy working group
- Internal consultation – one on ones Manager Infrastructure, etc
- Councillor workshop (2023)

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

Engagement outcomes

Staged approach – data gathered in 2023 informed the Urban Enterprise report.

The draft People, Place, Prosperity Strategy was workshopped with IndiGrow Advisory Committee, May 2025. This informed changes to the draft strategy – particularly the importance of agriculture - which was boosted in the Strategy because of this consultation. In August 2025 the committee workshopped the Action Plan suggesting project priority areas and timeframes.

Engagement proposed

Public Exhibition October 2025 – review and finalise the Draft PPP35 based on the feedback received. Following this final review a report will be prepared and presented to Council with a recommendation for adoption.

CONCLUSION

Local government is at the heart of fostering vibrant and sustainable communities. In Indigo Shire, the Council plays a pivotal role in driving local and regional economic development by building the foundations for thriving, connected towns. Economic development in Indigo is about crafting a place where people want to live, work, invest and visit—a region alive with opportunity and innovation. The role of economic development is therefore integral to Council as it sits across all areas of Council – infrastructure, assets, planning and building, tourism, and community development.

This strategy will progress according to the following proposed timeline prior to adoption.

- September 2025 – Briefing - DRAFT PPP35 – review/consideration for Public Exhibition
- September 2025 – Council Meeting – release for Public Exhibition
- November 2025 – Briefing - summary of all Public Exhibition feedback
- November 2025 – Council Meeting - Final Version PPP35 - Adoption

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Sally Rice - Director Community and Economic Development
- Paige Campbell - Coordinator Economic Development
- Sally McDonald - Business Development Officer

Attachments

1. People Place Prosperity Indigo Growth Strategy 2025-2035 [12.1.1 - 33 pages]

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

12.2 EVENT GRANTS PROGRAM 2025/2026

Cr Bourke declared a material conflict of interest with this item as he is the President of the Kiewa Tangambalanga Lions Club and the Club has submitted an application for the events grant program.

Cr Dowlsey declared a conflict of interest in this item due to submitting an application on behalf of a committee in this program.

Cr Bourke and Cr Dowsley left the room at 7.39pm.

**Jess Reid - Manager Community Development
Community and Economic Development**

For Decision

Confirmed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

RECOMMENDATION

That Council:

1. Distributes \$60,000 to the 2025/2026 Indigo Shire Event Grants Program as follows; and

	Applicant Name	Project Description	Recommended funding amount
1	Australian Red Cross Society	Teddy Bears Picnic	\$3,000
2	Barnawartha Development Association	Barnawartha Development Association - Back to the 1950s	\$2,000
3	Beechworth Biennale Inc	Beechworth Biennale 2026	\$5,000
4	Beechworth Health Service	Connecting Generations through Good Food	\$2,400
5	Beechworth Old Cranks Motor Club Inc	Drive Back in Time 2026	\$3,000
6	BMF Productions Pty Ltd	Spring Ditch 2026	\$3,000
7	Chiltern Neighbourhood House	Let's Do it!	\$1,250
8	Chiltern Tourism & Development Inc	Back to the 1950's Festival	\$2,000
9	Friends of Chiltern Mt Pilot National Park	Introducing the Beautiful and Unique Chiltern Mt Pilot National Park	\$1,700
10	Kergunyah Memorial Hall	Kergunyah Community Bush dance	\$2,000
11	Kiewa Tangam Lions Club (Auspice organisation)	Tangam-Kiewa Community Carols	\$2,000
12	Old Stone Hall	Live and Intimate music, songwriting workshop pilot and visual arts exhibition	\$4,000
13	Padded Cell Productions	Metal in the Mountains 2025	\$3,000
14	Quad Events Pty Ltd	Quad Crown - The Mystic Yak	\$4,000
15	Red Knights International Fire Fighters Motorcycle Club	Red Knights Aus 14 Big Day Out	\$4,600
16	Rutherglen Agricultural Society Inc	Rutherglen Annual Agricultural Show 2025	\$4,250
17	Rutherglen Community Carols - Murray Arts Inc (Auspice organisation)	Rutherglen Carols By Candlelight	\$2,500
18	Rutherglen Golf Club Inc	The 19th Hole Experience	\$1,800
19	Sandy Creek Memorial Hall Inc	Small Halls Festival	\$2,000
20	Winterwords Autonomous Collective Inc	Winterwords 2025	\$2,000
21	Wooragee Primary School	Wooragee Easter Market 2026	\$1,500
22	Yackandandah Chamber of Commerce	Yackandandah Christmas Open House (Working Title Only)	\$3,000
		TOTAL	\$60,000

2. Thank the Event Grants Assessment Panel members for their time in contributing to the assessment process.



SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

RESOLUTION

Confirmed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

That Council:

1. Distributes \$60,000 to the 2025/2026 Indigo Shire Event Grants Program as follows; and

	Applicant Name	Project Description	Recommended funding amount
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2	Barnawartha Development Association	Barnawartha Development Association - Back to the 1950s	\$2,000
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4	Beechworth Health Service	Connecting Generations through Good Food	\$2,400
5	Beechworth Old Cranks Motor Club Inc	Drive Back in Time 2026	\$3,000
6	BMF Productions Pty Ltd	Spring Ditch 2026	\$3,000
7	Chiltern Neighbourhood House	Let's Do it!	\$1,250
8	Chiltern Tourism & Development Inc	Back to the 1950's Festival	\$2,000
9	Friends of Chiltern Mt Pilot National Park	Introducing the Beautiful and Unique Chiltern Mt Pilot National Park	\$1,700
10	Kergunyah Memorial Hall	Kergunyah Community Bush dance	\$2,000
11	Kiewa Tangam Lions Club (Auspice organisation)	Tangam-Kiewa Community Carols	\$2,000
12	Old Stone Hall	Live and intimate music, songwriting workshop pilot and visual arts exhibition	\$4,000
13	Padded Cell Productions	Metal in the Mountains 2025	\$3,000
14	Quad Events Pty Ltd	Quad Crown - The Mystic Yak	\$4,000
15	Red Knights International Fire Fighters Motorcycle Club	Red Knights Aus 14 Big Day Out	\$4,600
16	Rutherglen Agricultural Society Inc	Rutherglen Annual Agricultural Show 2025	\$4,250
17	Rutherglen Community Carols - Murray Arts Inc (Auspice organisation)	Rutherglen Carols By Candlelight	\$2,500
18	Rutherglen Golf Club Inc	The 19th Hole Experience	\$1,800
19	Sandy Creek Memorial Hall Inc	Small Halls Festival	\$2,000
20	Winterwords Autonomous Collective Inc	Winterwords 2025	\$2,000
21	Wooragee Primary School	Wooragee Easter Market 2026	\$1,500
22	Yackandandah Chamber of Commerce	Yackandandah Christmas Open House (Working Title Only)	\$3,000
		TOTAL	\$60,000

2. Thank the Event Grants Assessment Panel members for their time in contributing to the assessment process.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

Moved: Cr Harvey
Seconded: Cr Shephard
For: Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard
Against: Nil

CARRIED

PURPOSE OF REPORT

The purpose of this report is to consider the distribution of the 2025/2026 Event Grants Program funding. The assessment panel has considered all applications based on the Council approved criteria and has recommended the above distribution of funds.

BACKGROUND

The Event Grants Program opened on Tuesday 1 July 2025 and closed on Monday 4 August 2025. The program provides financial assistance to both community not-for-profit organisations and commercial entities, ensuring that residents and visitors have access to a diverse range of recreational, social, and cultural activities. By supporting events across Indigo Shire, the program celebrates local identity, fosters town vibrancy, and promotes inclusivity and accessibility for all community members and visitors.

Applications were reviewed by the assessment panel across two meetings: the first held on Thursday 28 August 2025 at the Chiltern Community Hub, and a subsequent online meeting on Tuesday 2 September 2025, convened due to the high number of submissions. The panel comprised a Councillor, one Council Officer, and representatives from Murray Arts, Sport North East, Tourism North East, and local health services.

It should be noted that the Beechworth Health Service representative was unable to attend but submitted written feedback on the applications, while representatives from Indigo North Health Service and Yackandandah Health were unable to participate and did not provide assessment notes. Despite these absences, the panel maintained strong strategic input, ensuring decisions were informed by Indigo Shires Council Plan, with a focus on community connection, inclusion, and economic development outcomes.

DISCUSSION

The Indigo Shire Event Grants Program 2025/26 provides \$60,000 in funding, with grants available from \$1,000 to \$10,000, to support events that celebrate place, foster township vibrancy, and provide inclusive and accessible recreational, social, and cultural activities. The program is open to both community not-for-profit organisations and commercial entities, provided they are incorporated or auspiced, and requires applicants to contribute through cash, in-kind, or volunteer support.

The Grant Program's aims are to ensure fair and transparent access to Council funding, to support Council Plan priorities (with particular emphasis on disadvantaged or specific-need groups), to deliver consistent and objective assessment of applications, and to provide opportunities for groups who may not have access to other funding streams.

Applications are assessed against alignment with the Council Plan themes, capacity to deliver, and the strength of budgets, with input from a panel comprising Council representatives and regional partners. By supporting a diversity of events across the Shire, the program aims to strengthen community connection, stimulate economic activity, and enhances Indigo's profile as a vibrant, inclusive, and sustainable place to live and visit.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

A total of 33 applications were received for the 2025/26 Event Grants Program, totalling \$154,994 in requested funding. The full \$60,000 available is being recommended to be awarded. Applications represented a wide range of activities across Indigo Shire, with the majority being general community events, alongside festivals and cultural programs, music and performance events, and sport and recreation. This demonstrates a strong appetite for community-led events, particularly in smaller townships, while also supporting a number of larger, established festivals.

The panel has frequently recommended partial funding, particularly where budgets were ambitious or income streams such as ticketing and sponsorship were also available. This approach allowed limited funds to be spread more widely across applications. Community celebrations and commemorations that have a limited capacity to attract alternate sources of income, like carols and local gatherings, tended to receive all, or nearly-all the requested financial support.

Panel assessments consistently highlighted the community benefit of events, with many commended for fostering inclusion, local pride, and volunteerism. At the same time, assessors placed strong emphasis on financial viability, raising concerns about applications that appeared overly dependent on grant income, did not consider potential alternative revenue sources, or lacked a clear breakdown of essential expenditure. While several events demonstrated strong potential for impact, questions arose where budgets indicated the event could proceed sustainably without Council funding, particularly when requests were directed toward donations, prizes, or supplementary items rather than core delivery costs. Events with proven capacity, well-supported budgets, and clear alignment with community and tourism outcomes were rated most highly.

The criteria for scoring the applications were:

- Alignment with Council Plan Themes (score 0-3), and
- The capacity to deliver the event by the applicant (score 0-3), and
- Evidence of a logical and well supported budget (score 0-5), and
- Applicants must provide a demonstrated need for Council's investment and support.

In addition, the panel considered the event's feasibility, including its scalability and deliverability if only partial funding were granted, as well as the impacts on geographical equity and community benefit.

Of the 33 applications received, the panel has recommended funding for 22 events. The remaining 11 applications were not supported, as other proposals demonstrated stronger alignment with the grant program criteria. Some of the unsuccessful applications may be more suitably supported through Council's Quick Response Grants Program, while others will, where possible, be provided with advice on alternative funding opportunities. This approach ensures that applicants still have pathways to assistance, while Event Grant funds are reserved for initiatives with the greatest community benefit and strategic impact.

The events that were allocated less than the amount requested were considered to ensure that the event could still be delivered based on the amount of grant funding recommended.

OPTIONS

Council could choose to not approve the recommendations of the panel or change the distribution of the funds. This is not recommended as the allocation has been made based upon Council's approved grant criteria and by an approved selection panel.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	1. Places and Communities
Strategic Objective	1.2 Community Wellbeing, Inclusion and Social Connection - Foster inclusive communities where all people feel valued, connected, and have opportunities to participate in community life, access services, and enjoy positive health and wellbeing regardless of age, ability, or background.
Key Strategy	1.2.7 Provide opportunities for communities to connect, showcase and celebrate their contributions through Council and community-led initiatives and events.

SOCIAL/COMMUNITY IMPLICATIONS

The Events Grant Program provides an opportunity to support social and cultural activities across Indigo Shire. Events provide the community and visitors with the opportunity for connection, a celebration of place and increased town vibrancy.

ENVIRONMENTAL IMPLICATIONS

Each applicant is asked to complete an Event Waste Wise Template. Successful applicants will be encouraged to have public place recycling at their events and will be encouraged to use environmentally sustainable packaging or reusable packaging for all consumer items used during the event.

FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$60,000	\$60,000	\$0	
Expense	\$60,000	\$60,000	\$0	
Net Result	\$0	\$0	\$0	

LEGISLATIVE IMPLICATIONS

- Local Government Act 2020 for transparency, accountability, conflict of interest, financial management.
- Local Government (Planning and Reporting) Regulations 2020 for reporting and financial compliance.
- Planning and Environment Act 1987 for permits for land use, temporary structures, and events.
- Road Management Act 2004 for road closures and traffic management for events.
- Liquor Control Reform Act 1998 for liquor licensing for events serving alcohol.
- Occupational Health and Safety Act 2004 for event safety, risk management, and duty of care.
- Public Health and Wellbeing Act 2008 for health and safety standards for food, sanitation, and public gatherings.
- Disability Discrimination Act 1992 (Cth) & Equal Opportunity Act 2010 for ensuring accessibility and inclusion at events.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Current Risk Rating	Controls
Event does not go ahead.	Possible	Insignificant	Low	Council staff support and assist where applicable and appropriate.
Inappropriate use of the grant provided.	Possible	Minor	Low	All successful applicants are required to acquit on grant expenditure to ensure Council funding for the event is used as authorised by the grant.

There is always some risk that an event recommended for funding does not go ahead or requires an extension to the completion date. In most cases, after discussion with Council officers, support can be given to ensure the event goes ahead. Due to part funding of projects some groups may request slight alterations to the scope of their event.

From time to time there is disappointment from an applicant who misses out on funding. To support these groups, Council, in its letter to the unsuccessful applicants provides an opportunity for the group to contact Council officers to investigate alternative methods to fund their event.

Appropriate conflicts of interest declarations and processes were followed by panel members and Council officers in relation to specific projects, as required.

COMMUNITY ENGAGEMENT

Engagement undertaken

The Event Grants Program opened on 1 July 2025 and was promoted through a media release, local newspapers, Facebook, email, Council's website, posters, and word of mouth. To support applicants, Council officers delivered drop-in sessions in Beechworth, Rutherglen, Chiltern, Yackandandah, and Tangambalanga, and also provided individual face-to-face and phone consultations, giving groups and event organisers the opportunity to discuss their proposals.

Engagement outcomes

33 applications were received under this grant round.

Engagement proposed

Council officers will write to all applicants notifying them of the outcome of their applications, and where appropriate provide advice on alternative funding sources. Successful events will be highlighted and promoted to demonstrate the purpose of the grants and the community benefit of this funding.

CONCLUSION

The panel reviewed and assessed 33 applications to the 2025–26 Event Grants Program, with 22 events recommended for funding from the \$60,000 pool. The recommended applicants represent a strong cross-shire spread and a diverse mix of cultural, recreational, and community activities. Recommendations prioritised community benefit, inclusivity, and financial viability, with some smaller applications directed to Quick Response Grants or alternative funding options. Overall, the outcomes provide a balanced investment that will celebrate place, strengthen township vibrancy, and deliver accessible opportunities for residents and visitors.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

CONFIDENTIAL ATTACHMENT

The attachment is confidential under section 3(f) of the *Local Government Act 2020* as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about a person or their personal affairs.

This section applies because the information contains details of proposed grant contributions and scoring/comments on applications, both successful and unsuccessful, submitted by community members on behalf of their community organisations and it would unreasonably expose persons. The confidential attachment has been provided to Councillors under separate cover.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Sally Rice - Director Community and Economic Development
- Jess Reid - Manager Community Development
- Penelope McGufficke - Creative Communities Coordinator

Attachments

1. Event Grants 2025-2026 - Guidelines and Assessment Criteria [12.2.1 - 6 pages]
2. CONFIDENTIAL - Event Grants Program Assessment 2025-2026 [12.2.2 - 5 pages]
3. Event Grants Program Assessment 2025-2026 Successful Applicants Review [12.2.3 - 3 pages]

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

12.3 COMMUNITY GRANTS 2025

Cr Harvey declared a material conflict of interest in this item because a close family member is a committee that applied for a grant in this program.

Cr Price declared a material conflict of interest in this item because a close family member is on a committee that applied for a grant.

Cr Harvey and Cr Price left the room at 7.49pm.

Cr Dowsley, Deputy Chair, took the position of Chair due to the Mayor's absence.

**Jess Reid - Manager Community Development
Community and Economic Development**

For Decision

RECOMMENDATION

That Council:

1. Distributes \$50,000 to the Community Grants Program 2025 as follows; and

	Applicant Name	Project Description	Recommended funding amount
1	Rutherglen Golf Club	Equipment storage shed	\$2,000
2	Beechworth Croquet Club	Watering system upgrade	\$3,000
3	Stanley Community Playgroup	Children's Art Revival	\$1,500
4	Beechworth Boomerang Bags	Boomerang Bags project	\$500
5	Yackandandah Garden Club	Streetscape wicking tubs	\$1,000
6	CWA Rutherglen Branch	CWA Coffee Connect	\$1,000
7	Chiltern Recreation Reserve	Toilet refurbishment	\$2,000
8	Rutherglen Gold Battery	Painting upgrade	\$3,000
9	Rutherglen Historical Society	Rutherglen Common School Museum	\$1,000
10	Wahgunyah Speedway	Radio upgrades	\$1,500
11	Chiltern Landcare Group	Habitat improvement	\$1,000
12	Kiewa Cricket Club	Trophy cabinet	\$1,000
13	Stanley Landcare Incorporated	Restoration and native revegetation	\$1,000
14	Chiltern Yarn Bombers	Chiltern Yarn Bombers	\$500
15	Barnawartha Development Association	Outdoor tables and seating	\$2,000
16	Wahgunyah History Group	Mill Street story board	\$500
17	Coulston Park Recreation Reserve	Replacement Park boundary fence	\$2,000
18	Beechworth Dragon Boat Club	Training equipment	\$800
19	Rutherglen Community Garden	Construction of community garden	\$2,000
20	Stanley Spring Ditch and Wetlands Reserve Committee	Safe access to the Stanley Dam and walking tracks	\$2,000

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

21	Chiltern Tourism and Development Inc	Township signage	\$2,000
22	Wahgunyah Tennis Club	Security camera installation	\$1,000
23	Yackandandah Riding Club	First Aid Training	\$600
24	Wahgunyah Lions Football Netball Club	Security camera system	\$1,000
25	Yackandandah and District Historical Society	Replacement fence	\$1,500
26	Chiltern Neighbourhood House	What's Cooking Kids program	\$1,000
27	1st Beechworth Scout Group	Trailer	\$2,000
28	Allan's Flat Recreation Reserve	Picnic tables	\$1,600
29	Kiewa Sandy Creek Football Netball Club	Air conditioning	\$2,000
30	Rutherglen Agricultural Society	Community seating	\$1,500
31	Stanley Rural Community	Stanley Food Co-op equipment	\$2,000
32	Stanley Hall and Athenaeum	Stanley Mahjong Club	\$700
33	Indigo Creek Landcare Group	iPad for Engagement, Education and Environmental Action	\$800
34	Glenview Health	Connect with a Cuppa program	\$1,000
35	Quercus Beechworth	Stronger Together program	\$2,000
TOTAL			\$50,000

2. Thank the Community Grants Assessment Panel members for their time in contributing to the assessment process.

RESOLUTION

That Council:

1. Distributes \$50,000 to the Community Grants Program 2025 as follows; and

	Applicant Name	Project Description	Recommended funding amount
1	Rutherglen Golf Club	Equipment storage shed	\$2,000
2	Beechworth Croquet Club	Watering system upgrade	\$3,000
3	Stanley Community Playgroup	Children's Art Revival	\$1,500
4	Beechworth Boomerang Bags	Boomerang Bags project	\$500
5	Yackandandah Garden Club	Streetscape wicking tubs	\$1,000
6	CWA Rutherglen Branch	CWA Coffee Connect	\$1,000
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10	Wahgunyah Speedway	Radio upgrades	\$1,500
11	Chiltern Landcare Group	Habitat improvement	\$1,000
12	Kiewa Cricket Club	Trophy cabinet	\$1,000
13	Stanley Landcare Incorporated	Restoration and native revegetation	\$1,000
14	Chiltern Yarn Bombers	Chiltern Yarn Bombers	\$500

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

15	Barnawartha Development Association	Outdoor tables and seating	\$2,000
16	Wahgunyah History Group	Mill Street story board	\$500
17	Coulston Park Recreation Reserve	Replacement Park boundary fence	\$2,000
18	Beechworth Dragon Boat Club	Training equipment	\$800
19	Rutherglen Community Garden	Construction of community garden	\$2,000
20	Stanley Spring Ditch and Wetlands Reserve Committee	Safe access to the Stanley Dam and walking tracks	\$2,000
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28	Allan's Flat Recreation Reserve	Picnic tables	\$1,600
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33	Indigo Creek Landcare Group	iPad for Engagement, Education and Environmental Action	\$800
34	Glenview Health	Connect with a Cuppa program	\$1,000
35	Quercus Beechworth	Stronger Together program	\$2,000
		TOTAL	\$50,000

1. Thank the Community Grants Assessment Panel members for their time in contributing to the assessment process.

Moved: Cr Shepherd

Seconded: Cr Landells

For: Cr Bourke, Cr Horne, Cr Landells and Cr Shepherd

Against: Cr Dowsley

CARRIED

PURPOSE OF REPORT

The purpose of this report is to consider the distribution of the Community Grants Program 2025 funding. The assessment panel has considered all applications based on the Council approved criteria and has recommended the above distribution of funds.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

BACKGROUND

The Community Grants Program aims to provide an opportunity for eligible community groups and organisations to seek funds for projects and initiatives which align with Council Plan and Municipal Public Health and Wellbeing Plan objectives.

As part of the 2025/2026 Budget process, Council allocated \$50,000 to its annual Community Grants Program.

Applications for the Community Grants Program 2025 opened on Tuesday 1 July 2025 and closed on Monday 4 August 2025. 44 applications were received in total, an increase from 28 applications in the previous year.

The Indigo Shire Community Grants and Awards Advisory Committee (ISCGAAC) assessed the applications at a meeting on Thursday 28 August 2025.

ISGAAC comprises of two Councillors, who participate in a non-voting capacity and 11 appointed community members who have voting capacity.

Applications were assessed against the following Council approved criteria:

- The project aligns with Council Plan priorities
- The project aligns with the Municipal Public Health and Wellbeing Plan
- The project benefits the local community

DISCUSSION

The 44 applications received under the Community Grants Program 2025 totalled \$134,926. ISCGAAC has recommended funding 35 applications with only two receiving the total amount requested. The unsuccessful applications will be referred to alternative funding programs i.e. Bendigo Bank, Victorian Men's Shed Association, Foundation for Rural and Regional Renewal (FRRR) etc.

OPTIONS

ISGAAC is appointed by Council to assess the Community Grants Program applications and make a recommendation to Council as to how the funding should be distributed. The applications are assessed against criteria that has been approved by Council and Councillors attend the assessment meeting. The recommended option is that Council supports the recommendation from ISCGAAC.

STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	1. Places and Communities
Strategic Objective	1.2 Community Wellbeing, Inclusion and Social Connection - Foster inclusive communities where all people feel valued, connected, and have opportunities to participate in community life, access services, and enjoy positive health and wellbeing regardless of age, ability, or background.
Key Strategy	1.2.8 Empower the community to thrive by supporting events and initiatives that enable social inclusion, community activation, recognition and improve health and wellbeing.

SOCIAL/COMMUNITY IMPLICATIONS

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

The Community Grants Program aims to provide an opportunity for eligible community groups and organisations to seek funds for projects and initiatives which align with Council Plan and Municipal Public Health and Wellbeing objectives and that benefit the community. Information regarding the grants program, including guidelines, timeframes, past recipients and the application form are available on Councils website.

FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	
Expense	50,000	50,000	0	
Net Result	(50,000)	(50,000)	0	

LEGISLATIVE IMPLICATIONS

Indigo Shire Councils Governance Team attend the assessment meeting to ensure applications are assessed against the approved criteria and assist in managing conflicts of interest. ISCGAAC declare conflicts of interest at the start of the assessment meeting and physically remove themselves from the discussion that pertains to any conflict they may have. Community Grants Program recipients are required to submit an acquittal on completion of the activity to ensure the grant has been used for its intended use.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Current Risk Rating	Controls
Project is not completed by community group.	Possible	Minor	Low	Council staff support and assist where applicable and appropriate.
Council grant funding not used for the purpose articulated in application and as supported by the council resolution.	Possible	Moderate	Low	Council maintains rigorous acquittal requirements for groups and ongoing contact with recipients ensures appropriate use of grant funds.

COMMUNITY ENGAGEMENT

Engagement undertaken

The Community Grant Program opened on Tuesday 1 July 2025 and closed on Monday 4 August 2025. The grants program was advertised via social media, email, website, Your Indigo and posters. Council officers conducted face to face information sessions in Chiltern, Rutherglen, Yackandandah, Beechworth and Tangambalanga to allow interested individuals and groups to discuss their proposal with Council. There is a mailing list community groups and members can sign up to and therefore receive updates regarding the grants program.

Engagement outcomes

The face-to-face information sessions were well attended, and Council Officers received a high volume of phone calls during the application period from groups seeking assistance with their proposals.

Engagement proposed

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Council Officers will contact all applicants notifying them of the outcome of their applications following the Council Meeting. Feedback will be provided to unsuccessful applicants with referrals to alternative grant programs where possible. Council will also release a media statement detailing the successful grant recipient details.

CONCLUSION

ISCGAAC has assessed all applications received through Council's Community Grants Program based on the criteria approved by Councillors. ISCGAAC has made a recommendation to Council for the distribution of \$50,000 available through the Community Grants Program.

CONFIDENTIAL ATTACHMENT

The attachment is confidential under section 3(f) of the *Local Government Act 2020* as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about a person or their personal affairs.

This section applies because the information contains details of proposed grant contributions and scoring/comments on applications, both successful and unsuccessful, submitted by community members on behalf of their community organisations and it would unreasonably expose persons. The confidential attachment has been provided to Councillors under separate cover.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Sally Rice - Director Community and Economic Development
- Jess Reid - Manager Community Development
- Mark De Campo - Community Development Coordinator

Attachments

1. Community Grants Program - Guidelines and Assessment Criteria 2025-26 [12.3.1 - 6 pages]
2. Community Grants Program 2025 Successful Applicants Summary [12.3.2 - 1 page]
3. CONFIDENTIAL - Community Grants Program 2025 Applications Summary - Council Meeting [12.3.3 - 1 page]

Cr Harvey and Cr Price returned to the meeting at 8.02pm after discussion on the item had concluded.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

13 INFRASTRUCTURE SERVICES

13.1 COMMUNITY SUSTAINABILITY GRANTS 2025/2026

Nathan Mullane - Acting Director Infrastructure Services
Infrastructure Services

For Decision

RECOMMENDATION

That Council:

1. Distributes \$17,070 (ex-GST) to the 2025/2026 Community Sustainability Grants Program as follows; and

Applicant	Project name	Recommended funding
Scouts Victoria 1st Yackandandah Scouts	Closing the loop	\$3,075
Corowa Rutherglen Motorsport	Lighting project (Wahgunyah)	\$3,545
Three Flats Landcare	Know the natives	\$2,100
Chiltern Landcare	Habitat Restoration along the Black Dog Creek	\$1,400
Beechworth Urban Landcare & Sustainability Inc.	Enhancing Beechworth native vegetation	\$1,950
Indigo Regen Inc.	Playing the Adaptation Game for Climate Resilience in Indigo Shire 2025-26	\$5,000
TOTAL		\$17,070

2. Thanks the Community Sustainability Grants Assessment Panel members for their time in contributing to the assessment process.

RESOLUTION

That Council:

1. Distributes \$17,070 (ex-GST) to the 2025/2026 Community Sustainability Grants Program as follows; and

Applicant	Project name	Recommended funding
Scouts Victoria 1st Yackandandah Scouts	Closing the loop	\$3,075
Corowa Rutherglen Motorsport	Lighting project (Wahgunyah)	\$3,545
Three Flats Landcare	Know the natives	\$2,100

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

Chiltern Landcare	Habitat Restoration along the Black Dog Creek	\$1,400
Beechworth Urban Landcare & Sustainability Inc.	Enhancing Beechworth native vegetation	\$1,950
Indigo Regen Inc.	Playing the Adaptation Game for Climate Resilience in Indigo Shire 2025-26	\$5,000
TOTAL		\$17,070

2. Thanks the Community Sustainability Grants Assessment Panel members for their time in contributing to the assessment process.

Moved: Cr Landells

Seconded: Cr Bourke

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

PURPOSE OF REPORT

The purpose of this report is to consider the distribution of the 2025/2026 Community Sustainability Grant program funding. The assessment panel has considered all applications based on the Council approved criteria and has recommended the above distribution of funds.

BACKGROUND

Community Sustainability Grants Program overview:

- Council allocated \$21,745 (ex-GST) for the Community Sustainability Grants Program in 2025/26.
- The Program was open to receive applications between 1 July and 4 August 2025.
- This is the eighth year of the program (previously named Community Facilities Energy Upgrade Grants). Information about past projects funded through this program is contained on Council's 'Our climate action' platform <https://climateaction.indigoshire.vic.gov.au/actions/37>
- The Program provides financial assistance to community groups and organisations to implement and build capacity for renewable energy, energy efficiency, biodiversity and climate change related projects.
- Since 2024/25, this program has aligned with Council's other grants programs to improve efficiency and reduce confusion.
- As in previous years, the Program was administered using Council's Smartygrants platform. Using Smartygrants has significantly increased efficiencies across the whole grant process, not only for the guideline documentation and application process, but also the evaluation and administration.

Assessment of 2025/26 applications:

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

- As per Council's Grants Governance Policy (Version 1C) and the ISC Community Sustainability Grants 2025/26 Guidelines, an assessment panel consisting of Council Environment & Sustainability staff (Isla Fitridge) and two members of the Indigo Environment Advisory Committee (Rik Thwaites, Philippa Noble) was established.
- All panel members have declared that they do not have a Conflict of Interest.
- Assessment of applications was as per the Assessment Criteria outlined on page 3 of the Program Guidelines attached to this Council report.
- Each assessor independently scored each application according to the criteria, providing an overall score.
- A panel discussion was held on 29 August and again on 3 September to consider the assessments and agree on recommendations.

DISCUSSION

Applications:

- A total of seven organisations submitted applications, of which:
 - Six applications were from new applicants.
 - Applications were received from across the Shire which is reflective of engagement efforts by Council staff which extended across the shire.
 - The total funding amount recommended by the evaluation panel to be allocated is \$17,070 (ex-GST).

Below is a summary of the assessment panel's recommendations.

1. Scouts Victoria 1st Yackandandah Scouts.

Project: Closing the loop

Funding requested: \$3,075 (ex GST)

Total cost: \$3,732.50 (ex GST)

Funding recommended: \$3,075 (ex GST)

1st Yackandandah Scout Group, in collaboration with Yackandandah Community Centre [YCC] & Plasticwise Yackandandah [PWY], are planning to host their second annual Yackandandah Community Garage Sale day on 8 November 2025. The event aims to support a more environmentally friendly & climate positive attitude in the community, and support the community towards driving a more circular economy. To advertise & promote this event annually they would like assistance to purchase 4 large professionally designed, reusable, recycled and recyclable, closed loop corflute banners to be placed strategically throughout the town each year, and 50 smaller individual garage sale signs, in the same closed loop corflute, to loan to participating households in order to discourage the use of non-recyclable/non-degradable materials such as balloons and create a sense of inclusion and partnership across the community.

2. Corowa Rutherglen Motorsport.

Project: Lighting project (at Wahgunyah Speedway)

Funding requested: \$3,545 (ex GST)

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

Total cost: \$3,545 (ex GST)

Funding recommended: \$3,545 (ex GST)

The project proposes to replace high bay lighting with energy efficient LED fixtures, to support the organisation to reduce greenhouse gas emissions and improve overall energy efficiency. LED lights consume up to 70% less energy than metal halide. By reducing electricity demand, the project lowers reliance on fossil-fuel-generated power, directly decreasing the carbon footprint of the organisation and helping mitigate the impacts of climate change. The club has expressed a commitment to greater environmental responsibility, and this is a first step towards a more sustainable future.

3. Three Flats Landcare - Auspiced by Kiewa Catchment Landcare Group.

Project: Know the natives

Funding requested: \$2,350 (ex GST)

Total cost: \$3,535 (ex GST)

Funding recommended: \$2,100 (ex GST)

The project will provide a community education event that introduces participants to the importance of planting native species on their properties. The workshop will include a walk and talk with a local ecologist that will help people learn how to recognise valuable native species. This session will also cover how to propagate some of the easier species to give people confidence to try propagating natives. As part of the project, workshop participants will be provided with a selection of native plants, guards and stakes to take home to begin revegetation works on their land.

This application is recommended to be funded, but at a slightly reduced amount because an appropriate quote for the workshop speaker for the proposed event was not provided.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

4. Chiltern Landcare Group Inc.

Project: Habitat Restoration along the Black Dog Creek

Funding requested: \$1,400 (ex GST)

Total cost: \$3,535 (ex GST)

Funding recommended: \$1,400 (ex GST)

This project aims to improve the habitat values of a section of the Black Dog Creek, either side of Dillon's Bridge on Mackay Street and through to Skerry St, Chiltern. The project requires several Landcare working bees and the removal of invasive weed species, followed by revegetating with 200 native tube stock. The increased quantity of vegetation in the area will help to capture and store carbon and thereby reduce greenhouse gas emissions. The Chiltern area is home to many threatened and unique native species; by providing additional habitat the project hopes to support more of these animals to survive and thrive in the area, despite changing climatic conditions and increased urbanisation. The project has been requested by community members and fits well with the work that the Group has already completed on other public land in the township.

5. Beechworth Urban Landcare & Sustainability Inc.

Project: Enhancing Beechworth native vegetation

Funding requested: \$3,270 (ex GST)

Total cost: \$9,335 (ex GST)

Funding recommended: \$1,950 (ex GST)

Consistent with the Indigo Shire Environment Strategy, this project seeks to protect and restore the natural environment by controlling invasive weeds and revegetating areas of public land with local native species. The project would involve work at the following 3 locations in Beechworth: The Glades near Lake Sambell, a new site adjacent to the Claybanks at Lake Sambell, and a 'forgotten' reserve adjoining the rail trail between Mellish St and Radcliffe Road. Increasing cover of local native species will increase carbon sequestration and modify temperatures through shading. Local participation in the project will improve community understanding of the links between native vegetation management and climate change mitigation. The project will help with climate change adaption and improve biodiversity outcomes through increasing the cover of local native plant species and removing weeds, and will increase participation in sustainability initiatives through the involvement of community volunteers.

The assessment panel is supportive of this project but has recognised that part of the project cost for weed spraying is covered by Council through an operational budget. Hence, the recommended grant amount is less than the requested amount.

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6. Indigo Regen Inc.

Project: Playing the Adaptation Game for Climate Resilience in Indigo Shire 2025-26

Funding requested: \$5,000 (ex GST)

Total cost: \$17,115 (ex GST)

Funding recommended: \$5,000 (ex GST)

This project aims to enhance climate change awareness, improve disaster preparedness and foster community resilience within Indigo Shire. Indigo Regen will purchase and facilitate the playing of The Adaptation Game (TAG) with communities in Indigo Shire townships. TAG is an inclusive story-telling experience that scales climate change and disaster preparedness down from overwhelming global fears to local, human risks and realities. As an interactive, table-top game, TAG is designed to prepare us for the impacts of climate change, including natural disasters, in a non-threatening, experiential and informative way designed to engage and motivate participants to take action. Using scientific research and local data, TAG simulates how we might respond to climate-related challenges now and in the future. It promotes discussion on climate resilience and emergency preparedness, and strengthens connection between and across local community groups, businesses and organisations, bringing awareness and understanding of the skillsets and knowledge each group can offer our community.

OPTIONS

Options for unspent funds have been proposed in the Financial Implications section of this report. Officers seek Council evaluation of recommendations and decision for these proposals.

STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	3. Environment and Heritage
Strategic Objective	3.1 Climate Action - Demonstrate leadership in climate action by committing to achieving net zero greenhouse gas emissions by 2035 while supporting, enabling and advocating for community-led climate initiatives through strategic partnerships, education, and collaborative projects.
Key Strategy	3.1.3 Identify and support priority adaptation and mitigation climate actions in our community.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

The Community Sustainability Grants Program also aligns with objectives outlined in several of Council's guiding documents to support and develop a sustainable, thriving and resilient community through leadership and partnerships. These include:

- Climate Change Policy
- Environment Strategy 2019
- Greenhouse Action Plan 2009
- Climate Emergency Strategic Action Plan 2020
- Climate Emergency Declaration 2019
- Emissions Reduction Plan 2021
- Council's climate action platform - <https://climateaction.indigoshire.vic.gov.au/>

SOCIAL/COMMUNITY IMPLICATIONS

The Community Sustainability Grants Program supports the wonderful efforts of a wide variety of groups and not-for-profit organisations across Indigo Shire. The Program was developed in response to community sentiment seeking additional support to help address rising energy costs, and to improve the long-term sustainability of service delivery.

The aim of the Program is to also improve overarching sustainability awareness, broaden response and preserve high levels of participation across community groups. By strengthening the operational efficiencies of facilities, Council can improve community connections, user comfort, organisational health, and the delivery of a suite of community-based health and wellbeing activities. Council can also support the community to undertake capacity building activities, including education and awareness campaigns which will help support future decision making and action.

Several of the 2025/26 applications demonstrate leadership and pilot-type programs that could enhance the capacity and reputation of our communities, considering our climate change challenges.

ENVIRONMENTAL IMPLICATIONS

All projects recommended for funding in this report represent a positive environmental implication as a result of reduced greenhouse gas (GHG) emissions, environmental education and capacity building.

FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	nil
Expense	21,745	17,070	4,675	nil
Net Result	(21,745)	(17,070)	4,675	nil

GST: Treatment of GST will be based on the advice provided by the Australian Taxation Office.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

LEGISLATIVE IMPLICATIONS

In some cases, approvals/permits may be required to complete the proposed project. This may include building, planning, heritage, or structural approvals. For example, the structural capability of the building to support solar panels may need to be confirmed by third-party engineering assessment. These actions are the responsibility of the applicant. Applicants should discuss their project with any responsible regulatory body (e.g. Council or a Victorian Government Department or agency) and the building owner prior to submitting their application. The Victorian Climate Change Act 2017, and Local Government Act 2020 provide clear commentary on the how councils need to consider climate change impacts holistically, in all of Council operations, and decision making, including budget allocation and support and development of communities.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Current Risk Rating	Controls
Project is not completed to the description articulated in the council resolution.	Unlikely	Minor	Low	Conditions placed on approved grants as required. Council staff to guide and support groups to successfully deliver their projects. Council maintains rigorous acquittal requirements for groups and ongoing contact with recipients ensures appropriate use of grant funds.

COMMUNITY ENGAGEMENT

Engagement undertaken

The Program was advertised via Council's website, Facebook, the Indigo Environmental Advisory Committee (IEAC), and direct email to the shire's numerous community groups (e.g. Community Energy Groups, Landcare Groups, and Lions) and forums (e.g. NERSA, GMCA).

The Program was also advertised in the local media.

The program was also promoted extensively through direct contact by Council's Environment & Sustainability team, and in drop-in sessions at local libraries promoting all of the grant streams, facilitated by Council's Community Development team.

Engagement outcomes

Grant engagement occurs through both promotion of the funding stream and organically through grant requirements for project submissions. This interaction helps Council inform the funding delivery each year.

Engagement proposed

The grant acquittal process invites feedback each round.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

CONCLUSION

The assessment panel has reviewed the applications in this current round of the Community Sustainability Grants Program and have recommended 6 out of 7 applications receive funding in line with published grant guidelines and Council's strategic agenda.

CONFIDENTIAL ATTACHMENT

The attachment is confidential under section 3(f) of the *Local Government Act 2020* as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about a person or their personal affairs.

This section applies because the information contains details of proposed grant contributions and scoring/comments on applications, both successful and unsuccessful, submitted by community members on behalf of their community organisations and it would unreasonably expose persons. The confidential attachment has been provided to Councillors under separate cover.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Ian Ellett - Acting Chief Executive Officer
- Nathan Mullane - Acting Director Infrastructure Services
- Isla Fitridge - Environment and Sustainability Coordinator

Attachments

1. CONFIDENTIAL - Community Sustainability Grants Assessments 2025 2026 [13.1.1 - 2 pages]

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

13.2 ROAD MANAGEMENT PLAN 2025

Rachel Dimmack – Acting Manager Municipal Operations
Infrastructure Services

For Decision

RECOMMENDATION

That Council adopts the Road Management Plan 2025.

RESOLUTION

That Council adopts the Road Management Plan 2025.

Moved: Cr Shephard

Seconded: Cr Landells

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

PURPOSE OF REPORT

To present to Councillors the proposed Road Management Plan (RMP) 2025, including the Review Report detailing changes made to the 2021 RMP, for approval.

BACKGROUND

Council manages approximately 1,500km of gravel and sealed local roads and close to 100km of pathways. There are many parts to the “management system” of these assets and a number of different documents that relate to or govern different components of what we do.

To provide some context of the “Road Management” puzzle, the following is a list of the key documents and elements of the broader road management system.

- Road Management Plan
- Register of Public Roads
- Road, Bridge and Footpath Maintenance operating procedures
- Road Asset Management Plan (also Bridge AMP & Pathway AMP)
- Capital Works (renewal, new & upgrade) on Roads, Bridges and Footpaths
- Roadside Conservation Management Plan
- Road Fire Management Strategy
- Permits – Consent for Working in Road Reserves
- Permits – Consent to Collect Firewood from Roadsides

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

- Streets & Roads Local Law (Local Law No. 1)
- Native Vegetation Management on Roadsides – State and Council Planning Provisions

This list shows clearly that the **Road Management Plan** (which is the subject of this report) is but one component of the overall management system for roads and associated infrastructure. It sits alongside the **Register of Public Roads** and provides a description of the inspection and repair system for hazards which appear in our road and footpath system. It is primarily a risk management tool to protect Council from litigation related to incidents arising from the condition of these assets.

The Road Management Act 2004 (the Act) was developed to provide a more efficient and safer Victorian road network, and is based on the following key principles:

- Clear allocation of road asset ownership and management;
- Establishing processes and accountabilities for policy decisions and performance standards;
- Provision of operational powers to achieve targets and performance standards; and
- Clarification of civil liability laws for the management of roads.

The Road Management Act 2004 impacts Local Government Authorities in the following ways:

- It enables Road Authorities to put their own reasonable road management plan and maintenance policies and procedures in place;
- It provides consistent and updated road provisions for declared arterial roads and freeways managed by Department of Transport and Planning (DTP), and public roads managed by municipalities and other Government organisations;
- It establishes through a Code of Practice the allocation of responsibility between Road Authorities for managing the different parts of the road reserve (e.g. roadway, footpath, service road);
- It defines powers and obligations in regard to traffic management, access management and road works by utilities and others;
- Section 110 imposes a minimum threshold amount on financial claims against a road authority for property damage that has resulted from road conditions. This threshold is subject to incremental increases in line with CPI;
- It provides for Department of Transport and Planning, Councils and other Road Authorities to enter into arrangements to transfer or delegate responsibility from one authority to another, for any operational or coordinating functions.

The purpose of the attached Road Management Plan is to:

- establish a system for the road management functions of Indigo Shire Council which is based on policy, operational objectives, available resources and risk management; and
- specify the relevant standards and management system in relation to the discharge of duties in the performance of those road management functions.

The Road Management Plan sets minimum standards for inspections, scale of defects & hazards, and response times to rectify defects. It relates only to Road Infrastructure and Road Related Infrastructure.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

This review of the **RMP** and the preparation of the **RMP Review Report** have been conducted in accordance with the Road Management (General) Regulations 2016. The Review Report, which is a requirement of the Regulations, details the review process and key changes recommended to the RMP. Both the revised RMP and the RMP Review report are provided as attachments.

DISCUSSION

The RMP is required to be reviewed every four years and must be adopted by 31 October in the year following Council elections.

There is a provision in the Regulations that where the service standards are not lowered following a revision of the RMP, (subject to certification by the CEO) it is not required to give notice of the proposed amendment. In this instance the CEO has provided such certification.

As shown in the attached Review Report, all changes have been classified as either minor changes, of an administrative nature, or result in a higher level of service. As such, public notice is not required.

Register of Public Roads

The Register of Public Roads is a reference document to the RMP and is available on Council's website and at customer service centres. The Register is a separate document, and the requirements of the Regulations relate only to the RMP.

As such this review of the RMP does not include a review of the Register, which is updated from time to time as new subdivisional roads are added in, or existing roads are changed or reclassified, in accordance with the definitions in the RMP.

STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	1. Places and Communities
Strategic Objective	1.1 Community Infrastructure and Facilities - Develop and maintain inclusive, accessible infrastructure and facilities that enhance liveability, encourage physical activity, and strengthen community connections.

SOCIAL/COMMUNITY IMPLICATIONS

The road and footpath networks are extremely important for the community both for the safe movement of people but also to help ensure community connectedness.

Maintaining these networks to minimise risks to users and to minimise the risk of claims being made against Council is also extremely important.

ENVIRONMENTAL IMPLICATIONS

None of the changes proposed will have an environmental impact. Note that Council has separate processes, codes of practice, a Road Fire Management Strategy, and other roadside conservation management plans that are separate to the RMP. It is important to note that the RMP is a document that satisfies Council's obligations under the Road Management Act 2004 in setting standards for inspections, defect classification and response times for road or road-related infrastructure only.

FINANCIAL IMPLICATIONS

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

The adoption of the RMP proposes no change in resources. The new plan proposes the same or slightly higher level of service as the existing plan, and is considered to be achievable based on assessment of our past performance in meeting the RMP requirements under current resource levels.

LEGISLATIVE IMPLICATIONS

Section 8(3) of the *Road Management (General) Regulations 2016*, Indigo Shire Council *must conduct and complete a review of its road management plan within the period referred to in section 125 (1) of the Local Government Act 1989 or, if that period is extended in accordance with section 125 (4) of that act, within that extended period.* This section of the LGA 1989 is however no longer in force, and the equivalent section of the *Local Government Act 2020* is section 90, which specifies 31 October 2025. This period referred to is in line with the period allowed for preparation of the Council Plan at the commencement of a new Council term. This means the review must be conducted by 31 October 2025.

Section 9 (2) states that after a road authority has completed a review of its road management plan, it must produce a written report summarising the findings and conclusions of the review. The attached RMP Review report satisfies that requirement for Indigo Shire Council for its 2025 review.

The RMP is required to be reviewed every four years at the same time as the Council Plan is being prepared, under the *Road Management (General) Regulations 2016*. This process has been carried out in accordance with those regulations.

RISK & OPPORTUNITY MANAGEMENT

The Road Management Plan is primarily a risk management document for Council's road management activities so that we meet the legal requirement to inspect and maintain our public roads. In preparing and reviewing the document, the Infrastructure Services Directorate has included knowledge from operational and Assets staff, as well as Council's Risk Officer.

Further advice from the MAV Insurance advisors and comparison with other, similar sized councils was taken into account in preparing the various thresholds, inspection frequencies and response times.

COMMUNITY ENGAGEMENT

Engagement undertaken

There has been no specific community engagement for this revision of the Road Management Plan. The nature of the RMP is that it sets minimum (rather than desirable) service standards and is heavily influenced by Council's liability Insurer as well as maintaining consistency with other councils' RMP's.

The Regulations require that a written report summarising the findings and conclusions of the review (i.e. the RMP Review Report) be produced and that it be made available for public inspection.

And, due to the fact that there is no proposed reduction in service standards as a result of the review, the Regulations do not require that a public notice be placed in relation to the proposed amendment.

Engagement proposed

Following Council endorsement, the plan will be available on Council's website.

CONCLUSION

The RMP and the Review Report have been submitted for Council's consideration and have been done in accordance with the relevant legislation.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

The review has concluded that the current RMP is appropriate and that our levels of service for the management of the Road and Pathway network, from a risk perspective, are reasonable. There is a number of minor administrative changes incorporated into the recommended revision. It is not anticipated that any of the proposed changes will impact on Council's resources required for its inspection and response activities.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Ian Ellett - Director Infrastructure Services
- David Carroll - Manager Municipal Operations
- Rachel Dimmack – Acting Manager Municipal Operations

Attachments

1. Road Management Plan Rev 7.1 - 2025 FINAL [**13.2.1** - 15 pages]
2. Road Management Plan Review Report 2025 - UPDATE 10.09.2025 [**13.2.2** - 3 pages]

The Council agreed to adjourn the meeting for five minutes at 8.17pm for a short break. The meeting recommenced at 8.23pm.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

13.3 DRAFT PUBLIC TOILET STRATEGY

Nathan Mullane - Acting Director Infrastructure Services
Infrastructure Services

For Decision

RECOMMENDATION

That Council endorses the Draft Public Toilet Strategy for public exhibition for a period of at least 28 days.

RESOLUTION

That Council endorses the Draft Public Toilet Strategy for public exhibition for a period of at least 28 days.

Moved: Cr Horne

Seconded: Cr Shephard

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

PURPOSE OF REPORT

The purpose of this report is to present the draft Public Toilet Strategy, which was substantially developed in 2024 and recently finalised, for endorsement.

BACKGROUND

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

The development of a Public Toilet Strategy was an action in the 2021 – 2025 Council Plan. The strategy was largely completed in 2024 but not before the Council election. Consequently, completion of the strategy has been held over for completion by the current Council.

The scope of the strategy was to review the public toilet offerings across the shire with a particular focus on 24 public toilets owned, managed and cleaned by Council, plus another four which Council cleans but which are otherwise under the management of DEECA, as well as any priority needs for new facilities.

The strategy recognises the existence of other toilet facilities within the shire which are available to the public, typically which appear on the National Public Toilet Map (federal government hosted website).

The strategy also assessed the public toilet availability at the major recreation reserves across the shire which are a combination of DEECA controlled and council-managed facilities and which vary in terms of the availability outside of events such as regular weekend sport.

Cofutures was appointed to develop the strategy, having developed a number of similar documents for other Victorian Councils.

DISCUSSION

Development of the strategy involved inspection and assessment of public toilet facilities across the Shire, community input and interaction with Councillors, both prior to and following the 2024 Council election.

The scope of the Public Toilet Strategy for Indigo Shire required the following actions:

- Inspect and assess Council-owned and managed public toilets throughout Indigo Shire to evaluate their condition, compliance with standards, and improvement opportunities.
- Evaluate accessibility of all toilets and assess opportunities for Changing Places facilities.
- Review all relevant masterplans (eg Recreation Reserves, Beechworth Historic Precinct, various Place Plans etc) and relevant Policies to ensure consistency between Toilet Strategy recommendations and strategic Council documents.
- Consider other publicly available facilities and their suitability to help determine gaps or suitable shire-wide public toilet coverage.
- Identify opportunities to collaborate or partner with other facility owners/managers in relation to public toilets throughout the shire.
- Determine priorities for upgrading, replacing or developing new facilities.
- Conduct a gender impact assessment.
- Make recommendations for priority works, additional facilities, or closure/demolition of any surplus facilities.
- Review public toilets at various Recreation Reserves throughout the Shire.

The Strategy aims to provide an economically viable public toilet framework that meets the present and future needs of the Indigo Shire community, promoting wellbeing, convenience, and a positive image of the Shire to residents and visitors alike.

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OPTIONS

One option is to seek further changes to the draft strategy before endorsing it for public exhibition. This would come at additional cost if CoFutures were asked to make further changes as it has already been revised on a number of occasions following feedback from both staff and Councillors on previous occasions.

It is recommended to not make major changes at this point and wait until the community has had a chance to provide comments on the draft strategy.

STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	1. Places and Communities
Strategic Objective	1.1 Community Infrastructure and Facilities - Develop and maintain inclusive, accessible infrastructure and facilities that enhance liveability, encourage physical activity, and strengthen community connections.
Key Strategy	1.1.4 Improve/upgrade public amenities to align with community expectations and contemporary standards.

SOCIAL/COMMUNITY IMPLICATIONS

Developing a public toilet strategy for Indigo Shire has meaningful social and community implications, particularly around inclusion and accessibility. Access to clean, safe, and well-located public toilets supports the dignity and independence of all community members. For many people, such as the elderly, parents with young children, people with disabilities, and those with health conditions, knowing that facilities are available can make the difference between engaging with the community or staying home.

ENVIRONMENTAL IMPLICATIONS

The Public Toilet Strategy considers sustainable and environmentally sensitive practices, ensuring that the design, construction, and maintenance of facilities minimise environmental impact. This approach aligns with Indigo Shire's commitments under the Climate Change Adaptation Action Plan, supporting long-term resilience and responsible resource use.

FINANCIAL IMPLICATIONS

The 10-year Capital Works Program makes provisions for investment into public toilet improvements. Following finalisation of the Strategy, details of proposed works can be refined.

LEGISLATIVE IMPLICATIONS

The Public Toilet Strategy acknowledges relevant legislative obligations, including compliance with the Disability Discrimination Act 1992, the Building Code of Australia, and public health regulations. These frameworks guide the design and provision of accessible, safe, and hygienic facilities. By aligning with

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these requirements, the strategy helps ensure that Indigo Shire meets its legal responsibilities while promoting equitable access for all members of the community.

COMMUNITY ENGAGEMENT

Engagement undertaken

A council briefing with the consultant was held at the commencement of the project to help develop a scope for the Strategy.

Engagement included internal (staff) and external stakeholders, engagement objectives were as follows:

- To gather input from Council staff that have a strategic and/or operational role in the management of Public Toilets in Indigo Shire.
- To gather input from our communities in relation to our Public Toilets tapping into diverse knowledge, perspectives, and experiences of Public Toilets in Indigo Shire.

This was accomplished through the following methods and the information received was used in the development of the strategy:

- Targeted stakeholder conversations - Meetings and interviews with representatives of groups / committees that work with various public toilet user groups across the Shire.
- Community survey - Short survey to understand public toilet usage, design preferences, community needs, and level of support for the Draft Strategy's vision and strategic principles.
- Interactive map - Users could place pins to comment on existing facilities, or suggest where new facilities are needed.

Written submissions - Community members could provide written feedback to Council.

Engagement outcomes

Community feedback has been used to inform the development of the strategy and a number of the recommendations within.

Engagement proposed

Public exhibition for a minimum 28 days following Council endorsement of the draft Strategy.

CONCLUSION

The Strategy aims to provide an economically viable public toilet framework that meets the present and future needs of the Indigo Shire community, promoting wellbeing, convenience, and a positive image of the Shire to residents and visitors alike

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Ian Ellett - Director Infrastructure Services

Attachments

1. Draft Public Toilet Strategy for Exhibition - August 2025 [13.3.1 - 111 pages]

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13.4 CONTRACT EXTENSION - CONTRACT 23/6341 SUPPLY OF MOBILE MAINTENANCE SERVICES ON COUNCIL'S PLANT, EQUIPMENT AND FLEET

Jacqui Garvey - Acting Manager Assets & Property
Infrastructure Services

For Decision

RECOMMENDATION

That Council:

1. Awards a one-year extension on Contract 23/6341 for the Supply of mobile maintenance services on Council's Plant, Equipment and Fleet to Spanners & Sparks; and
2. Notes the total value of works delivered under the contract varies annually, typically between \$350,000 and \$400,000 p.a.

RESOLUTION

That Council:

1. Awards a one-year extension on Contract 23/6341 for the Supply of mobile maintenance services on Council's Plant, Equipment and Fleet to Spanners & Sparks; and
2. Notes the total value of works delivered under the contract varies annually, typically between \$350,000 and \$400,000 p.a.

Moved: Cr Bourke

Seconded: Cr Harvey

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

PURPOSE OF REPORT

The purpose of this report is to provide a recommendation for a contract extension to the existing mobile maintenance service contract to service and maintain Council's fleet and heavy plant.

BACKGROUND

At its meeting on 25 July 2023, following a publicly tendered procurement process, Council resolved to:

"Award Contract 23/6341 to Spanners & Sparks Supply of mobile maintenance services on Council's Plant, Equipment and Fleet for an initial one-year term and with two optional extensions, each of a further two years, each extension being at the option of Council."

At its meeting on 27 August 2024, Council resolved to:

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“Award a one-year extension on Contract 23/6341 for the Supply of mobile maintenance services on Council’s Plant, Equipment and Fleet to Spanners & Sparks.”

At the time, the incumbent contractor had requested that Council consider a further one-year extension rather than two.

Council owns a fleet of motor vehicles and a range of heavy plant including graders, backhoes, excavators, trucks, trailers and mowers with a total replacement value of over \$4 million. This equipment is critical in conducting over \$3 million dollars of maintenance work annually and around \$2 million in capital works.

For several years, the maintenance has been delivered using a fully mobile maintenance contractor which has proved to be an effective delivery method. Under current arrangements, the contractor is required to supply their own transport, and equipment to carry out maintenance works at each of Council’s four depot sites and respond to breakdowns on the roadside or construction site where it is deemed safe to do so.

Most of the annual servicing and repair of Council’s plant and equipment is delivered through this contract. The annual expenditure on this contract varies but has averaged around \$370,000 over the last few years (including labour, travel, parts, and materials).

DISCUSSION

The current contract was advertised as a three-year contract with a two-year extension option, but following negotiation with the preferred tenderer, the contract was awarded for an initial period of only one year (commencing in August 2023). Upon completion of the initial one year contract, the incumbent contractor requested that Council consider the original two year extension be split into two one-year periods. Council awarded a one year extension (commencing August 2024).

An evaluation was completed in 2024 which assessed the cost of employing in-house mechanics to carry out this function as an alternative. This assessed the in-house model as being less cost effective on an annual basis plus it has the additional requirement of purchasing tools and establishing a workshop. In 2025, the evaluation was reviewed by an external consultant (Johnson’s MME), which has supported the findings from the initial framework evaluation.

The incumbent mechanic has the ability within their contract to outsource works where and when required, and this option is taken up with large plant services, or major complex repair tasks.

Based on the assessment referred to above, it is not considered viable to source internal mechanical services at this time. Hence, the existing service delivery model is seen as continuing to better suit Council’s needs.

STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	4. Governance and Financial Sustainability
Strategic Objective	4.1 Financial sustainability and strategic resource management - Ensure Council's long-term financial viability through prudent asset management, collaborative service delivery, and proactive planning that balances current needs with future sustainability.
Key Strategy	4.3.1 Review service delivery to align with community priorities, workforce capacity, risk mitigation strategies, and financial sustainability.

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This contract plays a crucial role in ensuring that the Council fulfils its requirements to manage its assets sustainably and protect the safety of its staff operating plant, fleet, and equipment.

SOCIAL/COMMUNITY IMPLICATIONS

The contract will utilise local suppliers and contractors. This can have a positive impact on the community by providing employment and contributing to the local economy.

ENVIRONMENTAL IMPLICATIONS

The contract specification requires the recycling of used lubricants and ensures recycled products are used as much as possible. The kilometres travelled by this contractor in their vehicle will be captured with a view to be included in the Council's greenhouse gas emissions.

FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	
Expense	\$370,000 p.a.	\$370,000 p.a.	0	Estimated amount per annum including parts and materials
Net Result	(\$370,000 p.a.)	(\$370,000 p.a.)	0	

All expenditure incurred in the Plant, Equipment and Fleet Maintenance budget is covered by the relevant maintenance and capital budgets associated with the plant & equipment utilisation.

Note that the annual expenditure includes approximately \$200,000 in parts and materials. The total costs for the contract are estimated at approximately \$370,000 p.a.

LEGISLATIVE IMPLICATIONS

The tender has been conducted in accordance with requirements of Council's Procurement Policy.

The contract was developed to cover the wide range of potential works and also allow the flexibility for quoting and adding additional works, or using alternative contractors or service providers as suits Council.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Current Risk Rating	Controls
Servicing without a contract in place would likely be unreliable, expensive, (uncertain or ad-hoc)	Possible	Moderate	Low	Mechanical services contract in place
Unmaintained or non-compliant plant and equipment can cause safety hazards for operational works crews and public.	Unlikely	Moderate	Low	Mechanical services contract in place

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The contractor is required to adhere to all OH&S conditions as stipulated and a Risk Assessment and maintenance of an OH&S system is required before undertaking the works. Failure of the successful contract to meet all these requirements can result in termination of the contract by Council.

CONCLUSION

The recommendation is to endorse the one-year extension on the contract awarded to Spanners n Sparks.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Ian Ellett - Acting Chief Executive Officer
- Jacqui Garvey – Acting Manager Assets & Property

Attachments

Nil

Confirmed

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13.5 BEECHWORTH CARAVAN PARK LEASE

Nathan Mullane - Acting Director Infrastructure Services
Infrastructure Services

For Decision

RECOMMENDATION

That Council:

1. Notes that no submissions were received in response to the public notice advising of the proposed Beechworth Caravan Park lease following the decision of Council at its February meeting;
2. Accepts the Expression of Interest and subsequent negotiations of lease terms and approves that a lease be offered to Mexicala Pty Ltd (and/or Nominee, provided any nominee is satisfactory to Council's Chief Executive Officer having regard to the EOI process) for the operation of Beechworth Caravan Park at Lake Sambell, commencing on 1 April 2026 and for a period of 21 years and with the following terms (with details provided in the confidential attachment):
 - a) The annual rental amount payable will be based on a percentage of the Caravan Park's annual revenue determined by the competitive EOI process including a minimum rent guarantee;
 - b) The lessee will be required to invest into developing the park in line with the adopted Masterplan;
 - c) Council commits to funding its share of capital works to support the implementation of the Masterplan; and
 - d) Council comments to putting aside 10% of the annual rental income into a Council-controlled reserve to support maintenance and minor capital works on Council-owned infrastructure within the park.
3. Notes that a Funding Agreement between both parties to the Lease detailing Council's financial commitment to implementing the Masterplan will be developed and be an attachment to the final lease;
4. Delegates authority to the CEO to finalise the details and execute lease documents (including the Funding Agreement) on its behalf,
5. Approves the transfer of the current lease to Mexicala Pty Ltd (and/or Nominee, provided any nominee is satisfactory to Council's Chief Executive Officer having regard to the EOI process) from 1 December 2025 (or any other negotiated settlement date between the current and proposed new tenant) until the lease expiry on 31 March 2026, and
6. Notes that both the current and proposed new leases are crown leases and require the consent of DEECA to transfer or establish.

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RESOLUTION

That Council:

1. Notes that no submissions were received in response to the public notice advising of the proposed Beechworth Caravan Park lease following the decision of Council at its February meeting;
2. Accepts the Expression of Interest and subsequent negotiations of lease terms and approves that a lease be offered to Mexicala Pty Ltd (and/or Nominee) for the operation of Beechworth Caravan Park at Lake Sambell, commencing on 1 April 2026 and for a period of 21 years and with the following terms (with details provided in the confidential attachment):
 - a) The annual rental amount payable will be based on a percentage of the Caravan Park's annual revenue determined by the competitive EOI process including a minimum rent guarantee;
 - b) The lessee will be required to invest into developing the park in line with the adopted Masterplan;
 - c) Council commits to funding its share of capital works to support the implementation of the Masterplan; and
 - d) Council commits to putting aside 10% of the annual rental income into a Council-controlled reserve to support maintenance and minor capital works on Council-owned infrastructure within the park.
3. Notes that a Funding Agreement between both parties to the Lease detailing Council's financial commitment to implementing the Masterplan will be developed and be an attachment to the final lease;
4. Delegates authority to the CEO to finalise the details and execute lease documents (including the Funding Agreement) on its behalf;
5. Approves the transfer of the current lease to Mexicala Pty Ltd (and/or Nominee) from 1 December 2025 (or any other negotiated settlement date between the current and proposed new tenant) until the lease expiry on 31 March 2026, and
6. Notes that both the current and proposed new leases are crown leases and require the consent of DEECA to transfer or establish.

Moved: Cr Bourke

Seconded: Cr Landells

For: Cr Bourke, Cr Harvey, Cr Landells, Cr Price and Cr Shephard

Against: Cr Dowsley and Cr Horne

CARRIED

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PURPOSE OF REPORT

The purpose of this report is to seek Council's approval for a lease for the Beechworth Caravan Park at Lake Sambell following a public Expression of Interest (EOI) process to identify a suitable operator.

BACKGROUND

Indigo Shire is the appointed land manager for four caravan parks that are situated on crown land in Rutherglen, Yackandandah, Beechworth and Chiltern.

The Beechworth Caravan Park lease is due to expire on 31 March 2026.

In December 2022, Council adopted the Caravan Park Masterplans for each of the parks which included a 10-year aspirational plan and identified opportunities and options for the management, infrastructure, investment and economic/tourism benefits for each of the parks.

Council considered this matter at its February 2025 meeting and resolved as follows:

That Council:

1. Endorses its intention to negotiate a lease for the Lake Sambell Reserve Caravan and Camping in Beechworth with the following terms:
 - a) A 21-year lease term with a suitably experienced Caravan Park operator;
 - b) The annual rental amount payable will be a commercial amount determined by a competitive process, ideally based on a percentage of the Caravan Park's annual turnover;
 - c) The lessee will be required to invest into developing the park in line with the adopted Masterplan; and
 - d) Council will similarly be required to commit to funding its share of upgrades required in the Masterplan;
2. Notes that a Public Notice advising of the proposed lease arrangements will be placed and that submission be received for period of 28 days in accordance with Council's Community Engagement Policy;
3. Endorses the evaluation criteria for the expression of interest process as outlined in this report; and
4. Notes that a further report will be presented to Council at a future meeting for a final decision in relation to the proposed Lease.

A public notice was placed in accordance with part 2 of the above resolution. No submissions were received.

An Expression of Interest (EOI) process to identify a new lessee was advertised in late March and was open for seven weeks (closed 9 May). The EOI process sought to identify experienced and suitable operators with a vision for improving the park and investing capital funds to develop it in line with the adopted masterplan.

DISCUSSION

As part of the competitive EOI process, applicants were required to specify the annual rental they proposed to pay for the lease, along with the proposed investment for park development in line with the Masterplan (by both the park operator and Council). They were also required to outline their experience in managing similar parks and their vision for park development and improved occupancy rates.

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The proposal is for a percentage rent model, where the tenant will pay a percentage of the gross revenue from accommodation and site sales. This percentage will be calculated directly from the park's reservation system and independently audited as necessary. The proposed rent rate has been established through a competitive process and subsequent negotiation and was nominated in the EOI documentation as preferably in the range of 16 – 24% of annual gross revenue. To safeguard the interests of the Council in the event that revenues do not match those projected in the EOI response, a guaranteed minimum rent has been established which is indexed at CPI over the life of the lease. The negotiated contractual detail is *Commercial in Confidence* and is provided separately in the confidential attachments.

A review panel comprising the *Director Infrastructure Services*, the *Manager Finance*, and an external consultant evaluated the submissions received in response to the advertised EOI.

Expressions of Interest were evaluated on the following criteria as advertised in the EOI documentation:

- Relevant Management Experience and Operating Model 35%
 - Local jobs and workforce framework
 - Management and Operations Structure
- Financial Benefit to Council 30%
- Completion of Masterplan 25%
 - Commitment to Masterplan
 - Community Engagement and Involvement
- Support of Park Vision 10%
 - Alternatives/initiatives to deliver Park Vision and/or Economic Outcomes

The Panel evaluated each of the submissions received and shortlisted those that best responded to the above criteria. Shortlisted companies were invited to a follow-up interview where they were able to expand on their relevant experience and their commitment to investment into the Park and growing the Park's offering.

The Panel assessed that Mexicala Pty Ltd's submission was the best option and scored the highest when assessed against the evaluation criteria. The Panel has recommended that Mexicala's tender offer be accepted and that it be offered a lease to operate the park.

Mexicala has over 20 years of experience in the caravan park industry and currently owns a number of caravan parks elsewhere in Victoria as well as interstate. It was able to demonstrate a strong vision for the park and will commit through the lease to investing in capital works to develop the park in line with the masterplan adopted by Council.

An Evaluation Report by the review panel is provided as a confidential attachment.

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Transition Plan

Mexicala has advised that it has reached agreement with the current operator in terms of acquiring assets and transitioning into the park should Council resolve to offer a lease. The proposal is for the current lease to run through to its expiry on 31 March and for the new lease to commence on 1 April 2026.

However, the two parties have also negotiated to transfer the current lease to Mexicala on or about 1 December 2025. This is supported by officers as it provides for orderly transition into a new lease. The transfer of the current lease however, requires both Council approval and consent of the relevant Minister or their delegate.

Probity Advisor

A probity advisor (from Johnsons MME, Chartered Accountants) was appointed to oversee the Expression of Interest process and to offer guidance on probity or governance issues. The Advisor oversaw the evaluation panel's assessment process and scoring of the submissions against the criteria set out in the EOI documents. The Advisor also sat in and observed some, but not all, of the panel's meetings.

All panel members completed Conflict of Interest Declarations and no such conflicts were identified.

Throughout the process, the Advisor did provide guidance on some matters but raised no concerns whatsoever in terms of how the EOI and subsequent evaluation process was conducted.

OPTIONS

One option is to accept Mexicala's tender submission and offer a lease in line with the recommendations in this report. This will facilitate an orderly and smooth transition of business and aligns with Council's vision in developing and adopting the caravan park masterplans.

Or Council could choose to offer a lease to a different operator from the EOI process. This is not recommended as it would not be choosing an operator that best met the EOI assessment criteria.

If Council chose to not offer a lease to Mexicala, it is uncertain what management arrangements would be in place following the expiry of the current lease at the end of March.

In terms of Council's financial commitments in the proposed lease, Council could choose to invest a different amount than what is suggested. This would then vary from Mexicala's EOI submission and would likely have some effect on the park revenue over the term of the lease.

STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	2. Economic Resilience and Opportunity
Strategic Objective	2.3 Sustainable Tourism Development - Create a balanced tourism economy that benefits the community while preserving our natural environment and enhancing our cultural assets.
Key Strategy	2.3.7 Strategically develop and manage tourism infrastructure assets, including caravan parks, to enhance visitor experiences, extend length of stay, and maximise sustainable returns to the community while preserving local character and environmental values.

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SOCIAL/COMMUNITY IMPLICATIONS

A focus of the EOI process is to attract an operator that will work with local businesses, the tourism sector and local community to maximise the benefits to the local economy.

Development of the park is expected to increase visitation both to the park itself but also to the town and the region.

ENVIRONMENTAL IMPLICATIONS

Part of the EOI requirements is to implement priority elements of the masterplan, which was developed around maintaining and enhancing environmental elements of the park.

Mexicala has an environmental policy which it adheres to and, while unable to commit to it at this stage, is willing to ecotourism and accessibility accreditation.

FINANCIAL IMPLICATIONS

The adoption of Masterplans for the four parks (in December 2022) provided a platform for a significant shift in the financial performance of each of the parks moving forward as each lease renewal came up in turn. Beechworth is the second of the four parks to have a lease expiry since the masterplans were adopted.

As outlined above, the EOI process and the draft lease have sought to identify Operators willing to invest in the park and increase turnover. The annual rental will be based on a nominated percentage of annual revenue, significantly increasing the annual rental payable. Refer top attached confidential report.

It is also recommended that 10% of Council's annual rental income be put aside into a reserve (controlled by Council) to support the maintenance and minor capital works on Council owned infrastructure throughout the park. This is similar to the existing lease which requires a percentage of the annual rent to be re-invested back into the park to support maintenance of Council owned infrastructure.

The proposed lease also requires capital investment by both the Operator and Council (details in the attached confidential report). It is expected that Council's contribution will be funded from borrowings. A Funding Agreement detailing the terms of this contribution is being developed and will be an attachment to the final lease.

LEGISLATIVE IMPLICATIONS

Terms of the lease will be checked by Legal representatives of both parties and submitted to DEECA for its approval before being signed.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Current Risk Rating	Controls
This is a significant opportunity to see investment in the Beechworth Caravan Park and to boost economic benefits	Likely	Moderate	High	Controls to be built into lease contract.
Inability to secure a lessee for the Park	Unlikely	Minor	Low	

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COMMUNITY ENGAGEMENT

Engagement undertaken

The process in developing the Caravan Park Masterplans involved significant community engagement. Through this process, residents, stakeholders, and interested parties were provided with a platform to voice their opinions, concerns, and ideas, ensuring a comprehensive understanding of the diverse needs of the community.

Prior to presenting this report, a public notice has been placed informing the community of the intention to enter into a new lease in accordance with the Community Engagement Policy. No submissions were received by the advertised deadline.

CONCLUSION

The Expression of Interest process has been conducted professionally and has been successful in attracting competent and experienced caravan park operators willing to invest in the park. The assessment panel has evaluated and made a recommendation for the operator assessed as best meeting the assessment criteria published in the EOI.

To support a smooth transition to a new lease, officers are also supportive of the current lease being transferred to Mexicala (and/or its Nominee) for its final four months as negotiated between the current and the proposed new tenant.

CONFIDENTIAL ATTACHMENTS

The attachments are confidential under Section 3(1)(g)(iv) of the Local Government Act 2020, because they contain private commercial information, being information provided by a business, commercial or financial undertaking that, if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

The reason this section applies is the attachments contain sensitive business information, including details of internal business plans and business processes, and details of the evaluation panels scoring and commentary relating to this which identifies applicants strengths and weaknesses against the selection criteria which would unreasonably expose the business by providing an unfair advantage to their competitors in future tender processes and would impact the applicants' public reputation. The confidential attachments have been provided to Councillors under separate cover.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Ian Ellett - Acting Chief Executive Officer
- Nathan Mullane — Acting Director Infrastructure Services
- Phil Garoni – Manager Finance

Attachments

1. CONFIDENTIAL - EOI Evaluation Report - Beechworth Caravan Park [13.5.1 - 4 pages]
2. CONFIDENTIAL - Appendix 1 - Assessment Matrix - Beechworth Caravan Park EOI [13.5.2 - 1 page]
3. CONFIDENTIAL - Appendix 2 - Mexicala Financial Projections - Beechworth Caravan Park [13.5.3 - 1 page]
4. CONFIDENTIAL - Appendix 3 - Financial Analysis - Beechworth Caravan Park EOI [13.5.4 - 1 page]

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13.6 MONTHLY CAPITAL WORKS REPORT - AUGUST 2025

Nathan Mullane - Acting Director Infrastructure Services
Infrastructure Services

For Decision

RECOMMENDATION

That Council notes the August 2025 Capital Works report and year to date progress in the delivery of the Capital Works Program.

RESOLUTION

That Council notes the August 2025 Capital Works report and year to date progress in the delivery of the Capital Works Program.

Moved: Cr Bourke

Seconded: Cr Dowsley

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

PURPOSE OF REPORT

The purpose of this report is to update Council on the progress of the 2025/26 Capital Works Program, to flag any current or upcoming issues, and to provide a summary of any highlights or specific details on key individual projects.

BACKGROUND

At the June Council meeting, Council adopted the 2025/26 annual budget and capital works program which included an allocation of \$13,353,502 total budget (\$11,869,183 Capital, \$1,484,319 Non-ISC). The budget included a combined \$5,685,346 of income (\$4,552,346 Capital, \$1,133,000 Non-ISC).

	Budgeted Expenditure			Budgeted Income		
	Capital	Non-ISC	Combined	Capital	Non-ISC	Combined
2025/26 Adopted Budget	11,869,183	1,484,319	13,353,502	(4,552,346)	(1,133,000)	(5,685,346)

The year to date (YTD) expenditure and income as at the end of August is shown in the table below.

	YTD Expenditure			YTD Income		
	Capital	Non-ISC	Combined	Capital	Non-ISC	Combined
Aug 2025 YTD Actuals	335,060	5,820	340,880	(1,161,984)	(500,000)	(1,661,984)

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DISCUSSION

Details of individual project year-to-date expenditure and income are included in the Aug Capital Works Monitor attached to this report.

CAPITAL WORKS ACTIVITIES OF NOTE

Beechworth Bowling Club Roof (\$49.5k)

The replacement of the roof at the Beechworth Bowling Club has been completed, with all site works finished off, and the contract closed out. The re-roofing, and drainage improvements, will ensure the integrity of the facility for years to come.

Swimming Pool Renewal Works (\$37.6k)

Regular maintenance and renewal of our pools is needed to keep them in an operational condition, and in order to prolong their service life. Recently completed works on painting of the pool shell at Chiltern, and repairs to the balance-tanks at Beechworth and Chiltern, will work to support other seasonal maintenance activities.

IT Projects (\$15.3k)

The delivery of several key computer, telecommunications, and business system renewal projects continues, to ensure that our customer services levels are able to meet expectations, and to support staff with their work processes. Procurement of replacement IT Hardware, the development of a new Human Resource System, and the development of a robust Project Management Framework and documentation have continued.

Library Services (\$7.5k)

Our Library staff have a strong focus on ensuring that the library resources and materials are relevant for users, of a suitable quality, and regularly refreshed. With a 2025/26 budget of over \$70,000 for this purpose, they are able to make frequent purchases of new stock.

Bridge Renewal Works (\$11.9k)

Site investigations been carried out for a significant bridge renewal project – Soldiers Road, Frying Pan Creek, Barnawartha - to be completed this year. The works will address issues with the bridge abutments, preserving the integrity of the bridge. Additionally, some further work was completed at the recently installed new bridge on Boorhaman East Road.

CAPITAL WORKS COMMENTARY

Program Delivery

The 2025/26 Capital Works Program is taking some time to get moving, with only approximately 2.5% of the budgeted program having been delivered as at the end of August (16% into the year). This is less than in recent years, where we have typically had a number of projects that were already in progress and carrying over. It is expected that capital delivery will ramp up quickly however, with a number of contracts either recently commenced, or awarded and soon to commence. We need to focus efforts on the areas of the capital budget that are both high value and high risk for completion, to ensure we can deliver the infrastructure and projects in support of 'making life better in Indigo Shire'.

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STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	1. Places and Communities
Strategic Objective	1.1 Community Infrastructure and Facilities - Develop and maintain inclusive, accessible infrastructure and facilities that enhance liveability, encourage physical activity, and strengthen community connections.

There is no specific reference in the Council Plan about the broader capital works program, however many of the individual projects and programs are referred to.

SOCIAL/COMMUNITY IMPLICATIONS

Capital works projects often have a direct positive impact on the community. Project staff engage closely with the community and stakeholders to identify the project scope and ensure that external expectations align with the project deliverables.

ENVIRONMENTAL IMPLICATIONS

Project staff continue to consider potential environmental impacts in all aspects of their works and to adopted works practices to minimise the impact.

Each discrete project's environmental impact is assessed by project officers during the planning and implementation of the project. When required an Environmental Management Plan (EMP) is developed to control and minimise the potential impacts.

FINANCIAL IMPLICATIONS

Details of expenditure and income are set out in the Capital Works Monitor attached to this report. This report details the progress of the capital works program.

LEGISLATIVE IMPLICATIONS

Council is required to responsibly manage and report on the budget at least quarterly including capital works. The procurement requirements of the Local Government Act and Council's Procurement Policy are adhered to with all expenditure.

RISK & OPPORTUNITY MANAGEMENT

Every project has unique risks and opportunities. Risk management is conducted at the project level and is embedded as part of the project delivery methodology.

COMMUNITY ENGAGEMENT

Community and other stakeholder engagement is done on a project level and varies according to the project deliverables and impacts on the community.

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CONCLUSION

Delivery of the 2025/26 Capital Works program as at August is lower than it has historically been. It is anticipated that the program will rapidly progress and gain momentum. With the Quarter 1 budget adjustments, we will have a better picture of our carry-overs from 2024/25, as well as new projects to be added to the program through successful grant and funding announcements. The program has a number of key community projects that will deliver substantial benefit across the shire, and officers are working hard to see them realised.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Ian Ellett - Director Infrastructure Services
- Nathan Mullane - Manager Capital Works and Waste

Attachments

1. Capital Works Monitor - August 2025 [13.6.1 - 7 pages]

Confirmed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

14 OFFICE OF THE CEO

14.1 COMMUNITY ENGAGEMENT POLICY

Melinda Collis - Executive Manager Customer Experience & Engagement
Office of the CEO

For Decision

RECOMMENDATION

That Council adopts the Community Engagement Policy.

RESOLUTION

That Council adopts the Community Engagement Policy.

Moved: Cr Shephard

Seconded: Cr Landells

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

PURPOSE OF REPORT

This report presents the Community Engagement Policy for Council adoption.

BACKGROUND

Under Section 56 of the *Local Government Act 2020*, Council must adopt and maintain a community engagement policy that gives effect to the community engagement principles outlined in the Act.

Council adopted its first Community Engagement Policy in February 2021 in response to the new legislative requirements. The policy has served Council well over the past four years, supporting significant investment in community engagement capabilities and establishing strong frameworks for meaningful consultation.

With the commencement of the new Council term, it is appropriate to present an updated policy that reflects Council's enhanced understanding of community engagement and strengthens our commitment to inclusive participation.

The Policy has been on public exhibition for 21 days and community members were invited to review and make submissions. No submissions were received.

DISCUSSION

Indigo Shire has a highly engaged community which has made it clear that it wants to have a greater say in decisions that affect residents and/or the Shire.

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Over the past five years, Council has made a significant investment in community engagement in terms of resources and capability to ensure that it not only meets the requirements of the Act, but also the needs of the community.

It has developed a community engagement framework which includes the policy adopted in 2021, Community Engagement Strategy, tools, templates and guidelines to assist all staff when undertaking community engagement. A number of staff have also participated in IAP2 training (International Association for Public Participation).

Council has also invested in a dedicated digital platform, ENGAGED INDIGO, to host all engagement opportunities. Since launching in July 2023, the site has had 37,763 visits, 4,520 contributions and 490 people have registered to the platform.

Recent Feedback

During the recent Council Plan engagement process, the community provided valuable feedback specifically about Council's community engagement practices. This feedback has directly influenced the development of this updated policy.

Positive feedback acknowledged:

- Recognition that Council provides various opportunities for engagement
- Appreciation for helpful and responsive staff

Areas for improvement identified and addressed in this policy:

- Concern about "directive" consultation: The updated policy strengthens commitments to genuine two-way engagement and clearer articulation of how community input will influence decisions
- Feedback incorporation: Enhanced "closing the loop" requirements ensure community input is demonstrably considered and outcomes communicated back to participants
- New dedicated section (6.1) specifically addressing Traditional Owner engagement protocols and requirements
- Community meeting frequency: Policy supports increased face-to-face engagement opportunities and diverse participation methods

This feedback reinforced that while Council has strong engagement infrastructure, the community seeks more genuine influence in decision-making processes. The updated policy directly responds to these concerns through enhanced accountability measures and clearer commitments about how community input will shape Council decisions.

Key improvements in the updated Policy

- Greater emphasis on inclusivity and accessibility (aligning with Council's Diversity, Equity and Inclusion Policy 2024)
- Enhanced accountability and transparency
- Recognition of marginalised groups

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- Inclusion of engagement with Traditional Owner groups
- Stipulating that no engagement occur over public holidays and the Christmas/New Year period
- Minor updates to language and inclusion of more related policies
- Greater clarity on our commitment to engagement

The policy has been subject to a gender impact assessment.

OPTIONS

1. Adopts the policy
2. Does not adopt the policy and request further updates.

STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	4. Governance and Financial Sustainability
Strategic Objective	4.2 Community engagement - Foster meaningful community participation in Council decision-making through diverse engagement approaches, transparent communication, and demonstrating how community input shapes outcomes.
Key Strategy	4.2.5 Build Council's engagement capability through staff training, techniques, and embedding engagement principles in project management processes.

This draft policy directly supports Council's strategic commitment to accountability and community engagement, providing the framework for meaningful participation in Council decision-making.

SOCIAL/COMMUNITY IMPLICATIONS

- Strengthens democratic participation and community voice in local government
- Enhances accessibility for diverse community groups
- Builds trust and transparency between Council and community
- Recognises and respects Traditional Owner rights and protocols

ENVIRONMENTAL IMPLICATIONS

Nil direct implications. The policy will support community engagement on environmental initiatives and climate action.

FINANCIAL IMPLICATIONS

There are no direct financial implications from adopting this policy. Implementation will be managed within existing budget allocations.

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LEGISLATIVE IMPLICATIONS

Under Section 55 of the Local Government Act 2020, A Council must adopt and maintain a community engagement policy.

A community engagement policy must:

- (a) be developed in consultation with the municipal community; and*
- (b) give effect to the community engagement principles; and*
- (c) be capable of being applied to the making of the Council's local laws; and*
- (d) be capable of being applied in relation to the Council's budget and policy development; and (e) describe the type and form of community engagement proposed, having regard to the significance and complexity of the matter and the level of resourcing required; and*
- (f) specify a process for informing the municipal community of the outcome of the community engagement; and*
- (g) include deliberative engagement practices which must include and address any matters prescribed by the regulations for the purposes of this paragraph and be capable of being applied to the development of the Community Vision, Council Plan, Financial Plan and Asset Plan and*
- (h) include any other matters prescribed by the regulations.*

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Current Risk Rating	Controls
Policy does not meet legislative requirements	Unlikely	Minor	Low	Policy has been developed with careful reference to LGA 2020 requirements and legal review
Community dissatisfaction with engagement levels	Likely	Minor	Low	Policy strengthens existing good practices and addresses feedback from recent engagements
Resource implications for enhanced accessibility	Possible	Minor	Low	Implementation can be staged and managed within existing budgets

Opportunities:

- Enhanced community trust and participation
- Improved decision-making through better community input
- Stronger relationships with Traditional Owner groups
- Model practice for other councils

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COMMUNITY ENGAGEMENT

Engagement undertaken

Community engagement was conducted in developing the 2021 policy, and extensive engagement has occurred since then across numerous Council initiatives, including the development of the revised 10-year Community Vision and Council Plan 2025-2029, providing valuable insights which have been incorporated into this policy update.

The policy was placed on exhibition for 21 days following the July Council meeting and submissions invited. There were no submissions received.

Engagement proposed

There is no further engagement proposed.

CONCLUSION

The Community Engagement Policy represents an evolution in Council's commitment to meaningful community participation. Building on the strong foundation established in 2021, this updated policy enhances inclusivity, recognises Traditional Owner engagement, improves operational clarity, and strengthens accountability measures.

The policy reflects Council's maturity in community engagement practice and responds to community feedback while ensuring full legislative compliance. It provides a robust framework for the next four years while maintaining the flexibility needed to adapt to changing community needs.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Trevor Ierino - Chief Executive Officer
- Melinda Collis - Executive Manager Customer Experience & Engagement

Attachments

1. Community Engagement Policy [14.1.1 - 10 pages]

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14.2 COUNCILLOR PROFESSIONAL DEVELOPMENT POLICY

Carla Hanlon - Executive Manager People & Governance
Office of the CEO

For Decision

RECOMMENDATION

That Council adopts the Councillor Professional Development Policy.

RESOLUTION

That Council adopts the Councillor Professional Development Policy.

Moved: Cr Landells

Seconded: Cr Dowsley

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

PURPOSE OF REPORT

The purpose of this report is to present the Councillor Professional Development Policy to Council for the purpose of adoption. The policy is required under recent legislative amendments and establishes the framework for mandatory induction and professional development training for Councillors.

BACKGROUND

Recent reforms to the Local Government Act 2020 and the Local Government (Governance and Integrity) Regulations 2020 have introduced mandatory training requirements for all Councillors, including Mayors and Deputy Mayors. These changes aim to improve the effectiveness, integrity, and accountability of Councils by ensuring elected representatives are equipped with the knowledge and skills required for their complex roles.

Under the revised legislation, Councils must now ensure the delivery of:

- Mayoral training (within one month of appointment),
- Induction training for all Councillors (within four months of taking the oath of office), and
- Annual professional development training (by 31 December each year, or 1 September in an election year).

Despite these being legislative obligations, the training is not merely administrative; it is designed to support elected representatives in making sound decisions, navigating complex governance responsibilities, and working constructively with peers and staff to serve the community effectively. The draft Policy has been developed with reference to Local Government Victoria guidance and model frameworks provided by the Victorian Local Governance Association (VLGA). It outlines the structure,

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content and delivery expectations for induction, ongoing professional development, and mayoral-specific training.

The draft policy was presented to Council on 29 July 2025. Council endorsed a public exhibition period from 30 July to 20 August 2025. No feedback was received.

DISCUSSION

The Councillor Professional Development Policy sets out a structured and tailored approach to meeting these new obligations. It outlines the required content and timing of mandatory training, supported by design principles including progressive learning, local flexibility and relationship-building. In addition, the policy reinforces the importance of continuous development by recognising that while Councillors bring varied skills and lived experience to the role, most will require training to navigate governance frameworks, planning systems, integrity obligations, financial oversight and community leadership expectations.

The Councillor Professional Development Policy supports the provision of high-quality, relevant and accessible training for elected representatives. The policy:

- Outlines mandatory training content and delivery timeframes;
- Embeds design principles such as progressive learning, accessibility, and alignment to legislative requirements;
- Provides for tailored and group-based learning, informed by Councillor self-assessments and identified development needs; and
- Details certification, reporting and compliance mechanisms, including allowance withholding provisions as required under the Act.

Appendix A of the policy outlines the proposed 2025 Councillor Training Program. Implementation of the policy will be coordinated by the Executive Manager People and Governance, in consultation with internal subject matter experts and external providers as appropriate.

OPTIONS

1. Adopt the policy (recommended). This allows Council to meet legislative timelines and seek community input on the draft framework.
2. Do not adopt the policy. Council would not meet its statutory obligations and would be non-compliant with the Act.
3. Adopt an alternative policy. Other options were considered but the proposed policy is tailored to Indigo Shire Council's context while remaining compliant.

STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	4. Governance and Financial Sustainability
Strategic Objective	4.5 Governance and Transparent Decision Making - Uphold the highest standards of integrity, transparency, and accountability in Council operations and decision-making processes through robust governance frameworks and an engaged, responsible workforce culture.
Key Strategy	4.5.5 Strengthen governance frameworks to reinforce accountability in decision-making, organisational integrity, and compliance with regulatory and legislative requirements.

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The Policy directly supports Council's strategic commitment to strengthening governance and organisational capability.

SOCIAL/COMMUNITY IMPLICATIONS

The policy promotes equitable access to professional development and supports the capacity of Councillors to represent diverse community interests. It includes specific reference to gender equality, inclusive engagement and leadership development, reflecting community expectations for capable and accountable representation.

ENVIRONMENTAL IMPLICATIONS

There are no direct environmental impacts arising from this policy. However, training on legislative responsibilities may include content related to Council's climate and sustainability goals.

FINANCIAL IMPLICATIONS

The delivery of the Councillor Professional Development Program in 2025 will continue to be accommodated within Council's approved training and development budget of \$15,000. The proposal is budget-neutral, with no variance anticipated. Costs include internal coordination, training materials, and engagement of external facilitators where required.

LEGISLATIVE IMPLICATIONS

Mandatory training is a legislated requirement, with defined content, frequency, and enforcement mechanisms including certification and allowance implications. The policy supports Council's compliance with:

- Local Government Act 2020 (sections 27A, 32, and 33A)
- Local Government (Governance and Integrity) Regulations 2022

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Current Risk Rating	Controls
Failure to comply with training obligations	Unlikely	Moderate	Medium	Adoption and implementation of policy; delivery of annual training program

The key risk associated with this policy is non-compliance with legislated training requirements under the *Local Government Act 2020*, which could result in underperformance and reputational damage and the withholding of Councillor allowances. This risk is mitigated through the timely adoption of the policy, structured training planning and ongoing oversight by the CEO. The policy also presents significant opportunities to build Councillor capability, strengthen governance practices and improve decision-making. By embedding a consistent and progressive approach to learning, Council can foster a more effective and cohesive elected group throughout the term.

COMMUNITY ENGAGEMENT

Engagement undertaken

Internal consultation with the Executive Leadership Team and review against sector guidance materials (e.g. VLGA, Local Government Victoria).

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Engagement proposed

The Policy was placed on public exhibition from 30 July to 20 August 2025. Community members were invited to provide feedback via Council's engagement platform. No feedback was received.

CONCLUSION

The Councillor Professional Development Policy establishes a clear, structured and compliant framework for Councillor training. It ensures Indigo Shire Council is well positioned to meet its legislative obligations while fostering capable and confident elected representatives.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Carla Hanlon - Executive Manager People & Governance

Attachments

1. Policy - Councillor Professional Development [14.2.1 - 30 pages]

Confirmed

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14.3 DRAFT ADVOCACY ACTION PLAN

Melinda Collis - Executive Manager Customer Experience & Engagement
Office of the CEO

For Decision

RECOMMENDATION

That Council:

1. Endorses the draft Advocacy Action Plan 2025-2029 for public exhibition for a period of 28 days, from 1 October 2025 and invite submissions;
2. If no submissions are received during the public exhibition period, the plan is adopted from 29 October 2025; and
3. If submissions are received during public exhibition, the plan is to be brought to a future Council meeting for adoption.

RESOLUTION

That Council:

1. Endorses the draft Advocacy Action Plan 2025-2029 for public exhibition for a period of 28 days, from 1 October 2025 and invite submissions;
2. If no submissions are received during the public exhibition period, the plan is adopted from 29 October 2025; and
3. If submissions are received during public exhibition, the plan is to be brought to a future Council meeting for adoption.

Moved: Cr Shephard

Seconded: Cr Horne

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

PURPOSE OF REPORT

This report presents the draft Advocacy Action Plan 2025-2029 for Council endorsement. The plan establishes a strategic framework for advocacy activities over the next four years. It prioritises our advocacy efforts using a three-tiered approach and identifies key stakeholders and advocacy priorities that will help secure external funding and policy changes needed to bridge the gap between community expectations and our financial capacity.

BACKGROUND

As a small rural council serving a large geographic area with multiple small towns, Indigo Shire faces significant financial constraints that impact our ability to deliver services and implement strategic

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priorities. Rate capping severely limits revenue growth despite the need to maintain separate facilities and services across dispersed communities.

Strategic advocacy has become essential to securing external funding that helps bridge the gap between community expectations and our financial capacity. This includes advocating for fairer funding models, increased grants, and government investment in essential infrastructure and services that our community needs but we cannot fund alone.

DISCUSSION

The draft Advocacy Action Plan establishes a comprehensive framework for representing and advancing the interests of our community over the next four years. The plan is structured around the four key themes of our new Council Plan:

1. **Places and Communities** - Healthcare, infrastructure, telecommunications, and community facilities.
2. **Economic Resilience & Opportunity** - Water infrastructure, tourism development, business investment, and workforce development.
3. **Environment and Heritage** - Climate resilience, renewable energy, heritage conservation, and emergency management.
4. **Governance & Financial Sustainability** - Rate capping reform, financial assistance grants, and shared services.

Three-tiered approach

The plan uses a strategic three-tiered approach to prioritise advocacy efforts:

- **Tier 1: Planned and Proactive** - Highest priority issues requiring sustained, intensive advocacy (e.g., ambulance response times, regional hospital, water infrastructure, rate capping reform).
- **Tier 2: Opportunistic** - Important issues where we pursue opportunities as they arise (e.g., telecommunications, tourism development, heritage conservation).
- **Tier 3: Responsive** - Issues requiring timely responses to emerging needs or policy changes (e.g., community facility upgrades, emergency management).

OPTIONS

1. Endorse the draft plan and place on public exhibition for 28 days.
2. Not endorse the draft plan and suggest further changes.

STRATEGIC CONTEXT

COUNCIL PLAN 2025 – 2029	
Theme	4. Governance and Financial Sustainability
Strategic Objective	4.4 Advocacy and Intergovernmental Relations - Build strategic partnerships and alliances to effectively represent community interests and secure equitable support from other levels of government and relevant agencies.

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COUNCIL PLAN 2025 – 2029	
Key Strategy	<p>4.4.1 Foster strong and productive relationships with Governments, local MPs and relevant agencies organisations.</p> <p>4.4.2 Build alliances with other councils on shared challenges.</p> <p>4.4.3 Advocate for equitable Federal and State Government financial support.</p>

All advocacy priorities directly align with Council Plan strategic objectives and address the key challenges identified in our Community Vision, including long-term financial sustainability, infrastructure maintenance, housing affordability, climate resilience, and community connection.

SOCIAL/COMMUNITY IMPLICATIONS

- Strengthens Council's ability to secure funding and policy changes that benefit the community.
- Enhances democratic representation and community voice at state and federal levels.
- Builds community confidence in Council as a proactive advocate.
- Supports delivery of services and infrastructure that improve quality of life.
- Addresses equity issues facing rural communities.

ENVIRONMENTAL IMPLICATIONS

The plan includes specific advocacy priorities for climate resilience funding, renewable energy support, and emergency management capacity that will support environmental outcomes and community adaptation to climate change.

FINANCIAL IMPLICATIONS

There are no direct financial implications from adopting this plan.

LEGISLATIVE IMPLICATIONS

There are no direct legislative implications. The plan supports Council's advocacy for legislative and policy changes at state and federal levels that would benefit our community and address rural council sustainability challenges.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Current Risk Rating	Controls
Advocacy efforts do not achieve desired outcomes	Possible	Minor	Low	Regular reviews and update priorities as required

COMMUNITY ENGAGEMENT

Engagement undertaken

The advocacy priorities align with community feedback received during development of the Council Plan 2025-2029, where the community clearly indicated expectations for Council to advocate on their behalf for better services and infrastructure.

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Engagement proposed

The draft plan will be placed on public exhibition and submissions invited prior to final adoption by Council.

CONCLUSION

The draft Advocacy Action Plan 2025-2029 provides a strategic framework for maximising Council's advocacy impact within our resource constraints. The plan's tiered approach ensures we focus effort on the highest priority issues while maintaining flexibility to respond to opportunities and emerging needs.

By working strategically with other councils, peak bodies, and all levels of government, we can amplify our voice and address the funding inequities that challenge small rural councils. The plan positions Council as a proactive advocate for our community and provides clear direction for the next four years.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Melinda Collis - Executive Manager Customer Experience & Engagement

Attachments

1. Indigo Shire Advocacy Plan 2025-2029 [**14.3.1** - 16 pages]

Confirmed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

14.4 ADVISORY COMMITTEE MINUTES

Carla Hanlon - Executive Manager People & Governance
Office of the CEO

For Decision

RECOMMENDATION

That Council accepts the attached unconfirmed meeting minutes for the following Advisory Committees:

1. Indigo Community Access Committee; and
2. IndiGrow.

RESOLUTION

That Council accepts the attached unconfirmed meeting minutes for the following Advisory Committees:

1. Indigo Community Access Committee; and
2. IndiGrow.

Moved: Cr Dowsley

Seconded: Cr Horne

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shepherd

Against: Nil

CARRIED

PURPOSE OF REPORT

The report provides the minutes, recommendations and accompanying officer comments from Council's advisory committees for Council noting and endorsement of Management Recommended Actions.

BACKGROUND

Council currently has seven advisory committees. The role of an advisory committee is to provide information and advice on issues relating to the committee's specific area of expertise (i.e., the Environment Committee provides advice on environmental issues).

Each advisory committee meets regularly (the frequency of which depends on the committee) and records minutes and resolutions for Council decision. Each resolution reported to this month's meeting is highlighted in the table below and has an accompanying officer comment.

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DISCUSSION

COMMITTEE	DATE OF MEETING	RECOMMENDATION	MANAGEMENT RECOMMENDED ACTION
Indigo Community Access Committee	26 May 2025	Nil	Nil
IndiGrow	1 August 2025	Nil	Nil

OPTIONS

The recommended action is to receive the attached minutes and endorse any accompanying management recommended actions.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.5 Our Councillors and organisation are committed to the highest level of governance practices and conduct.
Strategic Action	N/A

The provision of advisory committee minutes and resolutions to Council at the monthly meeting ensures that Council considers the advice of the committees. This allows transparent decision-making and highest level of governance practices and conduct.

SOCIAL/COMMUNITY IMPLICATIONS

The community are assured that Council committees are operating in alignment with their Terms of References by viewing Committee minutes.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications with this report.

FINANCIAL IMPLICATIONS

There are no financial implications with this report.

LEGISLATIVE IMPLICATIONS

Council's advisory committees are established by Council but do not have any delegated decision-making powers. Instead, they work under terms of reference and provide advice to Council. The advice occurs in a variety of forms, including advice to relevant Council departments, as well as advice contained within resolutions that are reported to Council.

Some advisory committee meetings are open to the public and some are closed, however all minutes are reported to Council (apart from the Audit & Risk Committee - these meetings are held 'in camera' and the minutes are not available to the public – reporting to Council occurs as per the requirements under the Local Government Act 2020).

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Current Risk Rating	Controls
That advisory committee minutes and recommendations are not duly reported to Council, and the utility and confidence of the committees are undermined.	Unlikely	Insignificant	Low	Governance team follow up with officer secretariats to ensure that all meetings are reported to Council as soon as practicable.

CONCLUSION

The advisory committee minutes included in this report are presented to Council for noting.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Carla Hanlon - Executive Manager People & Governance
- Annabel Harding - Governance Coordinator
- Cassandra Horne - Governance Officer

Attachments

1. Indigo Community Access Committee Minutes 26 May 2025 [14.4.1 - 3 pages]
2. IndiGrow Advisory Committee Minutes 1 August 2025 [14.4.2 - 4 pages]

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

14.5 INFORMAL MEETING OF COUNCILLORS RECORD

Carla Hanlon - Executive Manager People & Governance
Office of the CEO

For Decision

RECOMMENDATION

That Council accepts the attached Informal Meetings of Councillors records.

RESOLUTION

That Council accepts the attached Informal Meetings of Councillors records.

Moved: Cr Horne

Seconded: Cr Shephard

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

This report tables the Informal Meetings of Councillors as required under Council's governance rules. Informal Meetings of Councillors Records are only required for meetings closed to the public.

PURPOSE OF REPORT

The report presents Informal Meetings of Councillors records to Council for recording in the minutes in accordance with Governance Rule 72(b)(iii).

BACKGROUND

Governance Rule 70 defines an Informal Meeting of Councillors as:

1. a meeting of an advisory committee of Council, if at least one Councillor is present, or
2. a planned or scheduled meeting of at least half the Councillors and one member of Council staff which considers matters that are intended or likely to be:
 - a. the subject of a decision of the Council; or
 - b. subject to the exercise of a function, duty or power of the Council that has been delegated to a person or a committee.

The Governance Rules specifically excludes the following meetings:

- Council Meetings
- Delegated Committee Meetings
- Community Asset Committee Meetings

Informal meetings of Councillors do not include meetings which are open to the public.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

DISCUSSION

Under Governance Rule 72(b)(iii), the CEO is required to provide a summary of matters discussed at Informal meetings of Councillors, which is to be tabled at the next Scheduled Council meeting and is to be recorded in the minutes.

The attached Informal Meetings of Councillors records are presented to Council for acceptance as summarised in the following table.

MEETING	DATE
Council Briefing	5 August 2025
Council Briefing	12 August 2025
Planning Site Visit – 1 High Street	19 August 2025
Planning Site Visit – Stebbings Lane	19 August 2025
Planning Site Visit – High Street	19 August 2025
Council Briefing	19 August 2025
Council Briefing	26 August 2025
Slaughterhouse Road Feedback Session	4 September 2025
Reconciliation Action Plan – Working Group	4 September 2025

NOTE:

The timing of the agenda distribution will sometimes make it difficult to provide a complete month. Please note that any items not included will carry forward to the following month.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.5 Our Councillors and organisation are committed to the highest level of governance practices and conduct.
Strategic Action	N/A

An Informal Meeting of Councillors record is a mechanism for Councillors and officers to openly declare and report any conflicts that may have arisen during a defined informal meeting of Councillors. This demonstrates to Council and the community that the meetings are conducted with transparency and good governance.

FINANCIAL IMPLICATIONS

There are no financial implications with this report.

LEGISLATIVE IMPLICATIONS

Informal Meetings of Councillors are dealt with under the Governance Rules.

RISK & OPPORTUNITY MANAGEMENT

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

Description	Likelihood	Consequence	Current Risk Rating	Controls
That a defined Informal Meeting of Councillors is not reported to Council, and public confidence in transparency is undermined.	Likely	Insignificant	Medium	Regular reminders to officers about the requirement to report defined meetings. Follow up of missing records for known meetings.

CONCLUSION

The Informal Meetings of Councillors records attached to this report are a true and accurate record of all defined meetings reported since the last report to Council.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Carla Hanlon - Executive Manager People & Governance
- Annabel Harding - Governance Coordinator
- Cassandra Horne – Governance Officer

Attachments

1. Informal Meeting of Councillors Record - Council Briefing - 5 August 2025 [**14.5.1** - 2 pages]
2. Informal Meeting of Councillors Record - Council Briefing - 12 August 2025 [**14.5.2** - 2 pages]
3. Informal Meeting of Councillors Record - Planning Site Visit - 1 High St - 19 August 2025 [**14.5.3** - 2 pages]
4. Informal Meeting of Councillors Record - Planning Site Visit - Stebbings Lane - 19 August 2025 [**14.5.4** - 2 pages]
5. Informal Meeting of Councillors Record - Planning Site Visit - High Street - 19 August 2025 [**14.5.5** - 2 pages]
6. Informal Meeting of Councillors Record - Council Briefing - 19 August 2025 [**14.5.6** - 2 pages]
7. Informal Meeting of Councillors Record - Council Briefing 26 August 2025 [**14.5.7** - 2 pages]
8. Informal Meeting of Councillors Record - Slaughterhouse Road Feedback Session - 4 September 2025 [**14.5.8** - 2 pages]
9. Informal Meeting of Councillors Record - Reconciliation Action Plan Working Group - 4 September 2025 [**14.5.9** - 2 pages]

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

15 NOTICES OF MOTION

Nil reports

Confirmed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

16 COUNCILLOR REPORT

16.1 COUNCILLOR REPORTS

- Cr Horne - recounted her attendance at the 137th Rutherglen Wine Show.
- Cr Landells - spoke about three events - Geoff Craig Lecture at Stanley Hall (attended with Cr Bourke) - Indigenous history in the North East area; weather station at Thompson's Cherry Farm in Stanley - assists vigneron and horticulturalists by enabling micro climate monitoring; also attended Murray Arts Cultural Council (with Cr Dowsley)
- Cr Bourke - also commented on the Geoff Craig Lecture and its interesting content.

Confirmed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

16.2 MAYOR'S DIARY

Ian Ellett – Acting Chief Executive Officer
Office of the CEO

For Information

Mayor Price attended the following functions/events/meetings in August 2025:

DATE	TIME	FUNCTION / EVENT / MEETING	LOCATION
1 August	9.00am	Rural Councils Victoria Annual Forum	Yarrawonga
4 August	7.15am	Media – ABC Goulburn Murray	
4 August	10.00am	Meeting with CEO and Deputy Mayor	Beechworth
5 August	9.00am	Council Briefing	Beechworth
6 August	5.00pm	Extraordinary Hume Region Local Government Meeting	Online
8 August	1.00pm	Murray Darling Association (MDA) Meeting	Albury
10 August	12.30pm	Hospital Community Rally	Towong
11 August	10.00am	Meeting with CEO and Deputy Mayor	Beechworth
12 August	9.00am	Council Briefing	Beechworth
14 August	11.00am	Visit to Chiltern Bowling Club	Chiltern
14 August	2.00pm	Hume Regional Local Government Network (HRLGN) – Mayor Meeting	Online
14 August	3.00pm	Hume Regional Local Government Network (HRLGN) – Joint Mayor and CEO Meeting	Online
18 August	10.00am	Meeting with CEO and Deputy Mayor	Beechworth
18 August	11.45am	Meeting with Consultant - CEO Employment and Remuneration Committee	Beechworth
19 August	9.00am	Council Briefing	Beechworth
19 August	2.30pm	Site Visit – 1 High Street, Yackandandah	Yackandandah
19 August	3.00pm	Site Visit – Stebbings Lane, Yackandandah	Yackandandah
19 August	3.30pm	Site Visit – High Street, Yackandandah	Yackandandah
21 August	10.30am	Albury Wodonga Regional Local Health Alliance	Wodonga
21 August	12.00pm	Meeting with Mayor, Wodonga Council	Wodonga
25 August	9.00am	Meeting with CEO and North East Water Executives	Wodonga
25 August	10.15am	Meeting with CEO	Wodonga

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

DATE	TIME	FUNCTION / EVENT / MEETING	LOCATION
26 August	4.00pm	Council Briefing	Beechworth
26 August	6.30pm	Council Meeting	Beechworth
27 August	10.00am	MAV & Goulburn Ovens Murray Region Intergovernmental Relations & Advocacy Workshop	Wangaratta
28 August	2.00pm	Beechworth Senior Citizens 50 th Celebration	Beechworth
29 August	12.15pm	Meeting with CEO and representative from Dr Helen Haines' Office	Online
29 August	12.30pm	Meeting with CEO and Cr Shephard	Beechworth

Confirmed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

17 DECISIONS REGISTER

Ian Ellett - Acting Chief Executive Officer
Office of the CEO

For Information

The report outlines actions from Council Resolutions as at 26 August 2025, including those not previously listed as completed, but not including resolutions to note a report.

Meeting date	Item	Name	Resolution	Status
26 Aug 2025	8	Confirmation of Minutes from Previous Meeting(s)	That the Minutes of the Council Meeting held on 29 July 2025, as published on Council's website, be confirmed.	Completed
26 Aug 2025	11.1	July 2025 Finance Report	That Council accepts the July 2025 Finance Report noting the progress against Council's budget.	Completed
26 Aug 2025	11.2	PA240189 - 1 High Street, Yackandandah	<p>That Council issues a notice of decision to grant a planning permit for the subdivision of land into two (2) lots at 1 High Street Yackandandah, subject to the following conditions:</p> <p>Endorsed Plans - Subdivision</p> <ol style="list-style-type: none"> 1. The subdivision allowed by this permit and shown on the plans endorsed to accompany the permit must not be amended for any reason unless with the prior written consent of the Responsible Authority. <p>Mandatory Conditions - Subdivision</p> <p>Mandatory Condition – Telecommunications Pt 1</p> <ol style="list-style-type: none"> 2. The owner of the land must enter into an agreement with: <ul style="list-style-type: none"> • a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and • a suitably qualified person for the provision of fibre ready 	Completed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

			<p>telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.</p> <p>Mandatory Condition - Telecommunications Pt 2</p> <p>3. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:</p> <ul style="list-style-type: none"> • a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and • a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre. 	
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SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

			<p>Mandatory Condition – Subdivisions that do not require referral Pt 1</p> <p>4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.</p> <p>Mandatory Condition – Subdivisions that do not require referral Pt 2</p> <p>5. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.</p> <p>Car Parking</p> <p>Parking management plan</p> <p>6. Prior to statement of compliance, a traffic and parking management plan must be approved and endorsed by the responsible authority. The plan must:</p> <ul style="list-style-type: none"> a. be prepared to the satisfaction of the responsible authority b. be submitted to the responsible authority in electronic form c. must include the following details for Lot 1: <ul style="list-style-type: none"> i. the means by which the on-site car parking spaces will be allocated and managed ii. the location of all areas on- and/or off-site to be used for staff and patron parking iii. the proposed loading zone Lot 1. <p>The responsible authority may consent in writing to vary any of these requirements.</p> <p>Vehicle manoeuvring</p>	
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SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

			<p>7. All car parking spaces must be designed to allow all vehicles to drive forwards when entering and leaving the property.</p> <p>Loading/unloading</p> <p>8. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading zone as determined by the endorsed Parking Management Plan and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the responsible authority.</p> <p>Time Limits</p> <p>Permit Expiry - Subdivision</p> <p>9. This permit will expire if one of the following circumstances applies:</p> <ol style="list-style-type: none"> The plan of subdivision has not been certified under the Subdivision Act 1988 within 2 years of the issued date of this permit. A statement of compliance is not issued within 5 years of the date of certification. <p>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.</p>	
26 Aug 2025	11.4	PA250006 - Stebbings Lane, Yackandandah	<p>That Council resolves to issue a notice of decision to refuse a Planning Permit for development of land for a dwelling, at Stebbings Lane, Yackandandah, for the following reasons:</p> <ul style="list-style-type: none"> The proposal is inconsistent with the purpose and decision guidelines of Clause 42.03 The significant landscape overlay – Schedule 2, which relates to rural landscapes. The proposal is inconsistent with the strategic directions of Clauses 02.03-2 and 02.03-5 The Municipal planning strategy. The proposal is inconsistent with the objective and strategies of Clause 12.05-2S Landscapes. The proposal is inconsistent with an objective of Clause 15.01-2S Building design. 	Completed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

			<ul style="list-style-type: none"> The proposal is inconsistent with the strategies of Clause 15.01-6S Design for rural areas. The proposal is inconsistent with the objectives and a strategy of Clause 16.01-3L-01 Rural building siting and design. 	
26 Aug 2025	11.5	PA250017 - 11 Slaughterhouse Road, Rutherglen	That Council defers this item to a future meeting to allow further discussions with the developer.	Completed
26 Aug 2025	12.1	Draft Indigo Shire Municipal Public Health and Wellbeing Plan 2025 - 2029 - Public Exhibition	That Council endorses the draft Indigo Shire Municipal Public Health and Wellbeing Plan 2025-2029 to be placed on public exhibition for a period of 21 days commencing 27 August 2025.	Completed
26 Aug 2025	13.1	Road and Place Naming Policy	That Council: <ul style="list-style-type: none"> Adopts the attached Draft Road and Place Naming Policy; and Notes that it supersedes the previous Place Naming Policy/Procedure from 2013. 	Completed
26 Aug 2025	13.2	Asset Plan	That Council adopts the updated Asset Plan.	Completed
26 Aug 2025	13.3	Annual Reseal Contract 2025/26	That Council: <ul style="list-style-type: none"> Awards contract No. 2526-002 Annual Resealing Contract 2025-26 to Boral Resources (VIC) Pty Ltd for the amount of \$746,523.74 (excluding GST); Authorises the CEO to sign and seal the contract documents; and Authorises the CEO the financial delegation to approve contract variations up to a total of 10 per cent of the signed contract value. 	Completed
26 Aug 2025	13.4	Monthly Capital Works Report - July 2025	That Council notes the July 2025 Capital Works report and year to date progress in the delivery of the Capital Works Program.	Completed
26 Aug 2025	14.1	2021-2025 Council Plan - Report on Achievement	That Council notes the report on the achievement of the 2021-2025 Council Plan for: <ul style="list-style-type: none"> Actions scheduled for the 2024/25 year; and Actions for the four-year life of the Plan. 	Completed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

26 Aug 2025	14.2	Advisory Committee Minutes	That Council receives the attached unconfirmed meeting minutes for the following Advisory Committees and endorses the officer recommended actions: <ul style="list-style-type: none"> 1. Indigo Cultural Heritage Committee 2. Indigo Environment Advisory Committee 3. Finance Committee 	Completed
26 Aug 2025	14.3	Informal Meeting of Councillors Record	That Council accepts the attached Informal Meetings of Councillors records.	Completed
26 Aug 2025	14.4	Appointment of Acting Chief Executive Officer	That Council: <ul style="list-style-type: none"> 1. Appoints the Director Infrastructure Services, Ian Ellett, as Acting Chief Executive Officer for the period 22 September 2025 to 21 October 2025 inclusive; 2. Authorises Ian Ellett to exercise all powers and authorities reposed in the position of Chief Executive Officer for the period of the appointment as Acting Chief Executive Officer; and 3. Notes that should the Chief Executive Officer be unable to undertake the leave within this period, or otherwise resumes duties during this period, he will automatically resume all delegations and powers. 	Completed
26 Aug 2025	19.1	PUBLIC ART ADVISORY PANEL NOMINATIONS (Confidential)	That Council: <ul style="list-style-type: none"> 1. Appoint the following nominees to the Panel (term): <ul style="list-style-type: none"> Kirsten Coates (4 years) Kirrily Anderson (4 years) Nina Machielse Hunt (6 years) Simone Nolan (6 years) 2. Maintain confidentiality until the appointees are notified, following which the appointments will be made public; and 3. Write to each applicant and thank them for their application and advise them of the outcome of the application process. 	Completed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

Attachments
Nil

Confirmed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

18 GENERAL BUSINESS

- Cr Shephard thanked Carla Hanlon, Executive Manager People & Governance for her commitment and contribution to her role and acknowledged her upcoming departure from Council.
- Cr Horne asked for an update on Main Street Rutherglen and traffic safety. Ian Ellett indicated that the DoT have recently tendered for works and are currently evaluating tenders. They anticipate being able to award a contract in October, and hopeful that works will be commenced in November 2025.
- Cr Harvey - asked for an update on the sauna at Lake Sambell. Greg Pinkerton indicated that the ELT have inspected the site. It has now moved to its permanent location.

Confirmed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

19 CONFIDENTIAL ITEMS

RECOMMENDATION

That the Council Meeting be closed to the public in accordance with Section 66 of the *Local Government Act 2020*.

RESOLUTION

That the Council Meeting be closed to the public in accordance with Section 66 of the *Local Government Act 2020*.

Moved: Cr Shephard

Seconded: Cr Harvey

For: Cr Bourke, Cr Dowsley, Cr Harvey, Cr Horne, Cr Landells, Cr Price and Cr Shephard

Against: Nil

CARRIED

This meeting moved into Confidential; members of the gallery were asked to leave; recording and live streaming ceased.

19.1 SLAUGHTERHOUSE ROAD VCAT INSTRUCTION

Greg Pinkerton - Director Planning and Corporate Services
Planning and Corporate Services

For Decision

This matter is considered to be confidential under Section 3(1)(a) of the Local Government Act 2020, as it deals with Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

19.2 CEO EMPLOYMENT AND REMUNERATION COMMITTEE - 2025 CEO ANNUAL PERFORMANCE REVIEW

Carla Hanlon - Executive Manager People & Governance Office of the CEO

For Decision

This information is confidential under section 3(1)(f) of the Local Government Act 2020 because it deals with personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. The reason this section applies is because it relates to the personal employment performance of a Council officer which an officer would not reasonably expect would be made public in detail, and it would therefore be unreasonable to disclose this information.

Confirmed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

19.3 RETURN TO OPEN MEETING

Returned to public session at 9.53pm.

Live streaming and recording recommenced at 9.53pm.

Confirmed

SCHEDULED COUNCIL MEETING MINUTES - 30 SEPTEMBER 2025

20 MEETING CLOSURE

Meeting Concluded at 9.54pm.

Next Meeting: Tuesday 28 October 2025 at 6:30pm

Confirmed