Glenelg Shire Council

Notice of Meeting and Agenda

Council Meeting Tuesday 25 July 2023

Notice is hereby given that a Council Meeting will be held in the Council Chamber, Glenelg Shire Offices, 71 Cliff Street, Portland commencing at **7:00 pm** on the above date for the purpose of transacting the business on the attached Agenda, together with such other business as the Chairperson may permit.



PAUL PHELAN
Chief Executive Officer

Date of Issue: Thursday 20 July 2023

Invited: Mayor, Councillor Scott Martin
Deputy Mayor, Councillor Jayden Smith
Councillor Michael Carr
Councillor Chrissy Hawker
Councillor Karen Stephens
Councillor Gilbert Wilson
Chief Executive Officer, Mr Paul Phelan
Director Corporate Services, Mr David Hol
Director Assets, Mr Stuart Husband
Chief Information Officer, Ms Ann Kirkham
Director Community Services, Ms Jayne Miller

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1. PRESENT

2. OPENING PRAYER

Lord, we ask you for your blessing upon Council, direct and prosper its deliberations to the advantage of Thy Glory, and the true welfare of the people whom we serve.

3. ACKNOWLEDGEMENT OF COUNTRY

On behalf of this Glenelg Shire Council, I respectfully acknowledge the traditional lands and waters of the Gunditjmara, Jardwadjali and Boandik people and their respective culture heritages. I acknowledge the elders past and present here at today's gathering and through them, to all Aboriginal people.

Aboriginal and Torres Strait Islander People provide an important contribution to Australia's cultural heritage and identity. We respectfully acknowledge the Aboriginal and Torres Strait community living throughout the Glenelg Shire and the contribution they make to the Glenelg Shire's prosperity and wellbeing.

4. RECORDING OF MEETINGS

To those present in the gallery today, by attending a public meeting of the Council you are consenting to your image, voice and comments being recorded and published. Council meetings maybe livestreamed and the Chief Executive Officer will enable a copy of the recording to the public.

5. RECEIPT OF APOLOGIES

Cr Gilbert Wilson.

6. QUESTION TIME

6.1. QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETING

5. Budget and Assets

Mr David Punton of Portland asked the following questions:

b. The rates that are sent out to ratepayers are unlawful and Council has no legal authority to ask for payment on these rates, can Council produce the documents to advise that this is lawful?

Mr Paul Phelan, Chief Executive Officer advised that this has been raised by several residents and that Council will take this question on notice and provide supporting documentation that the Local Government properly constructed body with case law to support this.

Mr David Hol, Director Corporate Services has also since providied response to Mr Punton summarising that Local Government has the right to collect rates, the Glenelg Shire Council does exist, created and continued under the *Local Government Act 2020* and the former *Local Government Act 1989* legislation (and before that the *Local Government Act 1958*). As a public authority created by Victorian statute the Glenelg Shire Council is then able to apply powers, duties and discretions imposed upon it through state based legislation. Unless or until any part of that is brought into question through a proper legal challenge, propositions questioning the validity of Local Government are without practical effect

c. *Council has works department how many on the ground employees are there and why are there seven levels of mangers above this?*

Mayor Martin advised that he would take the question on notice.

Mr Stuart Husband, Director Assets provided the following response to Mr Punton. As per the Council Budget 2023-2024 (p.32), the Assets group full-time equivalent (FTE) staffing number is 83, with a small number of these roles currently vacant. There are three (3) less positions in current budgeted FTE than the 2021-2022 Budget (FTE Assets 86). The employment profile remains a mix of full-time, part time, casual and temporary positions.

Management and oversight of Assets is made up of one (1) director and five (5) functional managers covering: Operations, Projects & Facilities, Works, Local Port Operations and Airport Operations. The number of reporting roles to each of the five (5) manager roles spans from two (2) people to 64 people, spread across key locations within the Shire and based on service delivery required at each location.

The Council's Enterprise Agreement governs skills sets and responsibilities of senior roles such as technical (eg engineering), supervision and management.

6.2. QUESTIONS FROM THE GALLERY

7. DECLARATIONS OF CONFLICT OF INTEREST

Conflict of Interest

In accordance with Section 130 (1-8) of the Local Government Act 2020, there is an obligation for Councillors and Officers to declare a conflict of interest in a matter that could come before Council.

Disclosure of Conflict of Interest

A Councillor or Officer must make full disclosure of a conflict of interest by advising the class and nature of the interest immediately before the matter is considered at the meeting. While the matter is being considered or any vote taken, the Councillor with the conflict of interest must leave the room and notify the Chairperson that he or she is doing so.

8. CONFIRMATION OF MINUTES

Recommendation

That the minutes of the Council Meeting held on Tuesday 27 June 2023, as circulated, be confirmed.

9. PRESENTATIONS

10. DEPUTATIONS

Nil.

11. NOTICES OF MOTION

Nil.

12. PETITIONS

Nil.

13. COMMITTEE REPORTS

Nil.

14. MANAGEMENT REPORTS

14.1. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER

Director: Paul Phelan, Chief Executive Officer

Executive Summary

The purpose of this report is to enable Council to consider the Councillor and Chief Executive Officer Leave of Absence Register.

Recommendation

That Council approve the Councillor and Chief Executive Officer Leave of Absence Register presented as a confidential circulation under Section 35 (1) (e) (4) (6) of the *Local Government Act 2020.*

Background/Key Information:

In accordance with Section 35 (1) (e), (4), and (6) of the *Local Government Act 2020* Councillors are entitled to take Leave of Absence.

Section 35 (1) (e), (4) and (6) of the *Local Government Act 2020* states:

35 Councillor ceasing to hold office

(1) A Councillor ceases to hold the office of Councillor and the office of the Councillor becomes vacant if the Councillor:

(e) subject to this section, is absent from Council meetings for a period of 4 consecutive months without leave obtained from the Council.

(4) The Council must grant any reasonable request for leave for the purposes of subsection (1)(e).

(6) A Councillor is not to be taken to be absent from Council meetings during the period of 6 months after the Councillor or their spouse or domestic partner:

(a) becomes the natural parent of a child; or

(b) adopts a child under the age of 16 years

and the Councillor has responsibilities for the care of the child during that period.

a. Council Plan and Policy Linkage

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b. Legislative, Legal and Risk Management Considerations

Section 35 of the *Local Government Act 2020.*

c. Consultation and/or communication processes implemented or proposed

Councillors are required to submit Leave of Absence requests in writing to the Chief Executive Officer.

The Chief Executive Officer is required to submit his Leave of Absence requests in writing to Council through the Councillor and Chief Executive Officer Leave of Absence Register.

A register will be held by the Chief Executive Officer and reported monthly to Council.

d. Financial Implications and Collaboration

Nil.

e. Governance Principles

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

Separately circulated as Confidential attachment.

14.2. COUNCILLORS QUARTERLY EXPENDITURE REPORT

Director: Paul Phelan, Chief Executive Officer

Executive Summary

This Quarterly Expenditure Report is presented to the Council Meeting on a quarterly basis in the interests of accountability and transparency.

This report is for Councillor expenditure that has been incurred during the period 1 April 2023 to 30 June 2023.

Recommendation

That Council receives the Councillors quarterly expenditure report for the period 1 April 2023 to 30 June 2023.

Background/Key Information:

In accordance with Section 40 of the *Local Government Act 2020:*

(1) A Council must reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses which the Council is satisfied-

(a) Are bona fide expenses; and
(b) Have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
(c) Are reasonably necessary for the Councillor or member of a delegated committee to perform that role.

Regulation 14 (db) of the *Local Government (Planning and Reporting) Regulations 2014* requires that expenses, including reimbursements of expenses for each Councillor and member of a Council Committee paid by the Council are to be categorised separately as:

- Travel expenses (Includes remote allowance) – TR;
- Car mileage expenses – CM;
- Childcare expenses – CC;
- Information and communication technology – IC; and
- Conference and training expenses – CT.

Under Section 41(2)(d) of the *Local Government Act 2020,* Council must have particular regard to expenses incurred by a Councillor who is a carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012*. This is a new requirement under the *Local Government Act 2020,* therefore is not addressed in *Regulation 10e, f & g* of the *Local Government (Planning and Reporting) Regulations 2020.*

Documentation is required to provide evidence of the expense specifying the business purpose for each claim.

Councillors are also required to maintain a logbook with each entry providing a clear description of the business purpose.

Following is a table of expenditure that has been incurred by Councillors during the period 1 April 2023 to 30 June 2023.

Note: In some instances, journaling of some items may not necessarily appear in the month that they were expended and will appear in the next quarterly report.

Councillor	TR	CM	CC	IC	CT	Carer	Grand Total	YTD
Carr				$668			$668	$1673
Hawker				$667			$667	$1438
Martin	$4357			$1031	$184		$5572	$13754
Rank	$104			$667			$771	$8166
Smith				$667			$667	$4309
Stephens	$297	$982		$847			$2126	$16438
Wilson	$320	$161		$668			$1149	$2830
Grand Total	$5078	$1143		$5215	$184		$11620	
YTD	$27137	$5307		$12756	$3408		$48608	$48608

In accordance with Section 39 of the *Local Government Act 2020,* Councillors are entitled to receive an allowance whilst performing their duty as a Councillor. The Mayor or a Deputy Mayor are also entitled to receive a higher allowance with the Mayor being provided full use of a vehicle.

Following is a table of Councillor allowances paid for the period 1 April 2023 to 30 June 2023:

Councillor	Amount	YTD
Carr	$7217	$27239
Hawker	$7722	$30562
Martin	$24788	$86026
Rank	$5154	$41034
Smith	$12393	$44759
Stephens	$7722	$30562
Wilson	$7723	$28286
Grand Total	$72713	$288468

a. Council Plan and Policy Linkage

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b. Legislative, Legal and Risk Management Considerations

- *Local Government Act 2020* – Section 39 Allowances for Mayors, Deputy Mayors and Councillors.
- *Local Government Act 2020* – Section 40 Reimbursement of Expenses of Councillors and members of a delegated committee.
- Regulation 10 e, f & g of the *Local Government (Planning and Reporting Regulations 2020).*
- *Carers Recognition Act 2012.*

c. Consultation and/or communication processes implemented or proposed

Councillor Expenditure is reported on a quarterly basis to the Council Meeting and Audit and Risk Committee and the quarterly expenditure is accessible via Council's website.

Councillor Expenditure is also reported annually in Council's Annual Report.

d. Financial Implications and Collaboration

Councillor Allowances and Councillor Expenditure are accounted for in the 2022-2023 Annual Council Budget.

e. Governance Principles

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

The ongoing financial viability of the Council is to be ensured.

Attachment List

Nil

14.3. CUSTOMER SATISFACTION SURVEY

Director: Paul Phelan, Chief Executive Officer

Executive Summary

This report acknowledges the receipt of the 2023 Local Government Community Satisfaction Survey and recommends that Council releases the document as public information.

Recommendation

That Council notes the results of the 2023 Local Government Community Satisfaction Survey and authorises the public release of the detailed findings for Glenelg Shire Council.

Background/Key Information:

The community satisfaction survey program has been undertaken since 1998 providing participating Council's with a snapshot of performance as indicated by residents randomly selected across the municipality. The survey asks the opinions of local people about the place they live, work and play.

Now in its twenty-fourth year, this survey provides insight into the community's views on Councils' overall performance, with benchmarking against State-wide and Council group results in the below categories:

- value for money in services and infrastructure
- community consultation and engagement
- decisions made in the interest of the community
- customer service, local infrastructure, facilities, services and
- overall Council direction.

The 2023 edition was undertaken by JWS research and coordinated by the Department of Government Services on behalf of 66 participating Councils from the 79 Municipalities in Victoria. A total of 401 Glenelg Shire residents were interviewed during the survey period from 27 January to 19 March 2023.

A statewide version of the data has previously been released by the Government and placed on the Local Government Victoria website which contains all the aggregated results, analysis and data.

Glenelg Shire Council is classified as a Large Rural Shire. A trend exists where both the large rural group of Councils and the statewide averages all declined in the past year. The survey indicates however that the overall decline experienced by Glenelg was greater than the average over similar Councils.

The top performing survey area according to the survey was Councils response to COVID, whilst Waste Management responses varied greatly in areas across the Shire.

Overall performance was rated as 47 compared to the Large Rural Average of 52, although Casterton residents rated the performance highest at 55 whilst those aged between 50-64 scored Council the lowest at 45.

The Council Customer Service rating at 67 was higher than the average of large rural with the age group 50-64 again providing the lowest outcome, whilst Casterton and the 18-34 age group rated this aspect over 70.

The lowest performing service area was local roads with Heywood residents giving Council the lowest satisfaction in this area. Unfortunately, the survey on this occasion does not list which roads were those affecting this score. Previous reports have indicated that many residents may have been influenced by the condition of state managed roads such as Highways which are not the responsibility of Council.

It is acknowledged that the results of the 2023 Community Satisfaction Survey are in contrast to the results Glenelg Shire Council has experienced for many years. This decline in the perception of Council's performance provides an opportunity for Council to implement a suite of initiatives to rebuild community confidence and ensure our residents are informed and engaged regarding actions undertaken by Council. Throughout the remainder of the 2023-24 financial year, Listening Posts have been reintroduced to improve our community consultation and engagement approach, and a greater emphasis will be placed on the sharing of key information with our community.

It is recommended that Glenelg Shire Council release the Confidential attachment on the detailed findings from the 2023 Community Satisfaction Survey for Glenelg Shire to the public.

a. Council Plan and Policy Linkage

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b. Legislative, Legal and Risk Management Considerations

Whilst there is no legislative aspects of the survey, the results do impact the Local Government Performance Reporting Framework and also affect the reputational risk of Council in the community.

c. Consultation and/or communication processes implemented or proposed

Residents are advised by public release when the survey is being undertaken.

d. Financial Implications and Collaboration

The cost of the survey is included in Council's operational budget

e. Governance Principles

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

The municipal community is to be engaged in strategic planning and strategic decision making.
Innovation and continuous improvement is to be pursued.

Attachment List

Separately circulated as a Confidential attachment.

14.4. COUNCILLOR AND STAFF INTERACTIONS POLICY

Director: David Hol, Director Corporate Services

Executive Summary

This report responds to recent findings from the Local Government Inspectorate reviewing newly implemented policies under the *Local Government Act 2020,* across all Victorian Councils. A draft Councillor and Staff Interactions Policy has now been developed for Council consideration in accordance with a recommendation in the report.

Recommendation

That Council adopt the Councillor and Staff Interactions Policy.

Background/Key Information:

The Local Government Inspectorate is the lead integrity agency for Victorian Councils. They are an independent agency that ensures Victoria's councils follow the Local Government Act.

A recent Local Government Inspectorate report "Checking Compliance: a review of Council policies" was undertaken in which all 79 Victorian Councils participated. This project reviewed the policies required under the implementation of the *Local Government Act 2020.*

The full scope of the project was to:

1. Identify which of the new and amended policies required under the Act to review

2. Request that all 79 councils provide the Inspectorate with a copy of the policies covered by the review

3. Test that each of the requested policies was adopted prior to, or on the date required by the Act

4. Randomly sample a range of requested policies to ensure they were compliant with the legislation

5. Publish a selection of example policies on the Inspectorate's website so they can be used as a resource for councils to compare their own policies against

After the review of policies received, the inspectorate provided a report and list of 9 recommendations to Councils.

Glenelg Shire staff have reviewed the recommendations and were compliant with all policy obligations. Some minor improvement recommendations which are not legislative requirements were implemented such as the formal signing of the Audit and Risk Charter.

Although also not a specific regulatory requirement, Recommendation 7 and 8 strongly encouraged Councils to develop policies covering Councillors interactions. Subsequently staff have reviewed the industry examples and similar polices at other Councils and have drafted such a policy and formatted into the Glenelg Shire Council template.

The draft policy is now provided for Council adoption.

a. Council Plan and Policy Linkage

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

Local Government Act 2020 and Local Government Act 1989.

c. Consultation and/or communication processes implemented or proposed

Industry examples, templates and copies of similar policies from other municipalities were referenced for the development of this policy and refined through comments with the Councillor Support Team and the Executive Team.

d. Financial Implications and Collaboration

The adoption of this policy does not have a direct financial implication.

e. Governance Principles

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Attachment List

1. Checking-compliance-review-of-council-policies- [**14.4.1** - 16 pages]
2. Draft Councillor and Staff Interaction Policy OPO CEO GE010 May 2023 1 [**14.4.2** - 10 pages]

January 2023

Checking compliance: A review of council policies



Local Government Inspectorate

VICTORIA State Government

Checking compliance: A review of council policies

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Acknowledgement of Country

The Local Government Inspectorate pays respect to Victoria's traditional owners and their elders past and present who have been custodians of this country for many thousands of years. Their living culture and their role in the life of Victoria is acknowledged by the Inspectorate.

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Foreword



The most significant reform of Victoria's local government law in decades came into effect at a difficult time for Victoria's 79 councils. Tasked with meeting the requirements of the new *Local Government Act 2020*, councils were also dealing with the considerable challenge of a global pandemic.

The implementation of the Act in mid 2020, placed significant governance requirements on councils across an 18 month period. It is our role to measure compliance across the local government sector, so in early 2022, we asked councils to supply us with new and updated policies required by the new legislation.

All 79 councils promptly complied with our request. This report is the result of our review of more than 1,000 individual policies and documents.

Overall, the review found that councils had very high rates of compliance with the strict deadlines required under the Act. The average compliance rate for the adoption of all policies and documents by the 79 councils was 93 per cent.

We were pleased to see that councils had acted quickly in adopting the new and updated policies required by the new Act despite the challenging circumstances in the past two years.

We also selected a random sample of policies from a range of councils for a closer look. This deep dive revealed some minor issues but overall, the quality of policies was pleasing. We have made eight recommendations in this report to help councils improve their documentation and to alert them to a small number of common errors. We have also made a further recommendation to Local Government Victoria to provide clarification on an area of the Act.

Our project also aimed to provide councils with a resource of sample policies and documents which would allow them to compare to their own policies. The policies we chose met legislative requirements and came from a cross section of councils. These sample policies are now available on our website in the 'Resources for councils' section.

We hope this policy review will help lift capability and compliance across the sector.

I would like to thank those staff in all 79 councils for their prompt responses to our request and also commend them on the quality of the material provided to us.

Michael Stefanovic AM
Chief Municipal Inspector
January 2023

Background

In 2020, the *Local Government Act 2020* came into force. The Victorian Government wanted the new Act to increase accountability and transparency as well as improving financial management and community engagement.

The Act was proclaimed in four stages, starting on 6 April 2020, with the final stage being proclaimed on 1 July 2021. The multi step process included a focus on electoral processes, transparency and community engagement, integrity and governance, strategic planning and reporting and ended with procurement, complaints handling and key regulations that articulated the powers of councils.

The implementation of the new Act required councils to develop a suite of new policies and updating or amending existing policies. The Act required councils to develop or adopt each policy within a set timeframe.

Unfortunately, councils were faced with the difficulty of dealing with the COVID 19 pandemic during the majority of the period when the new Act was being implemented. Councils had to support their local communities and had a large percentage of staff working from home. Despite this, councils were still required to adopt the new or amended policies prior to the legislated deadlines.

Our role

The Local Government Inspectorate is the lead integrity agency for Victorian councils. We are an independent agency that ensures Victoria's councils follow the Local Government Act. Our responsibilities include:

- accepting and investigating complaints about council operations, including councillors and council staff
- monitoring governance and compliance with the Act
- providing guidance and education for councils
- encouraging transparency and accountability across the sector.

Our role is to ensure compliance by investigating and prosecuting breaches of the provisions in the 2020 Act and prior to it coming into force, the 1989 Act.

We also provide guidance and education by undertaking reviews and audits and providing suggestions and recommendations to improve procedures and potential amendments to legislation.

Scope of review

In early 2022, we started a project to identify the key documentation councils were required to have in place and measure the success of each of the 79 councils' in meeting those requirements.

The full scope of the project was to:

(1) identify which of the new and amended policies required under the Act we should review
(2) request that all 79 councils provide the Inspectorate with a copy of the policies covered by our review
(3) test that each of the requested policies was adopted prior to, or on the date required by the Act
(4) randomly sample a range of requested policies to ensure they were compliant with the legislation
(5) publish a selection of example policies on the Inspectorate's website so they can be used as a resource for councils to compare their own policies against. [1]

Selected policies

We selected the following policies to review as we identified that they were fundamental to councils delivering good governance:

- Councillor Code of Conduct
- Council Expense Policy
- Gift Policy
- Audit and Risk Committee Charter
- Complaints Policy
- Procurement Policy
- Community Engagement Policy
- Public Transparency Policy
- CEO Employment and Remuneration Policy
- Governance Rules.

We also asked councils to provide evidence that Councillor inductions were completed, as required, following the 2020 council elections.

In addition, we requested councils provide us with any existing policies that covered or included councillor relationships with:

- council staff
- other councillors
- external third parties.

Review

In February 2022, we contacted all Victorian councils requesting they provide us with the above policies. We asked councils to provide us with the name of a contact person at their organisation and provided each council with a link so they could upload the documents onto our system.

Despite a number of councils missing our deadline and others having technical difficulties, we received the requested documents for all 79 councils.

The initial review of about 1,000 policies and other documents comprised of:

- recording the dates that each was adopted
- conducting a cursory review to identify those that demonstrated compliance with the Act at a high level
- checking that documentation was well presented.

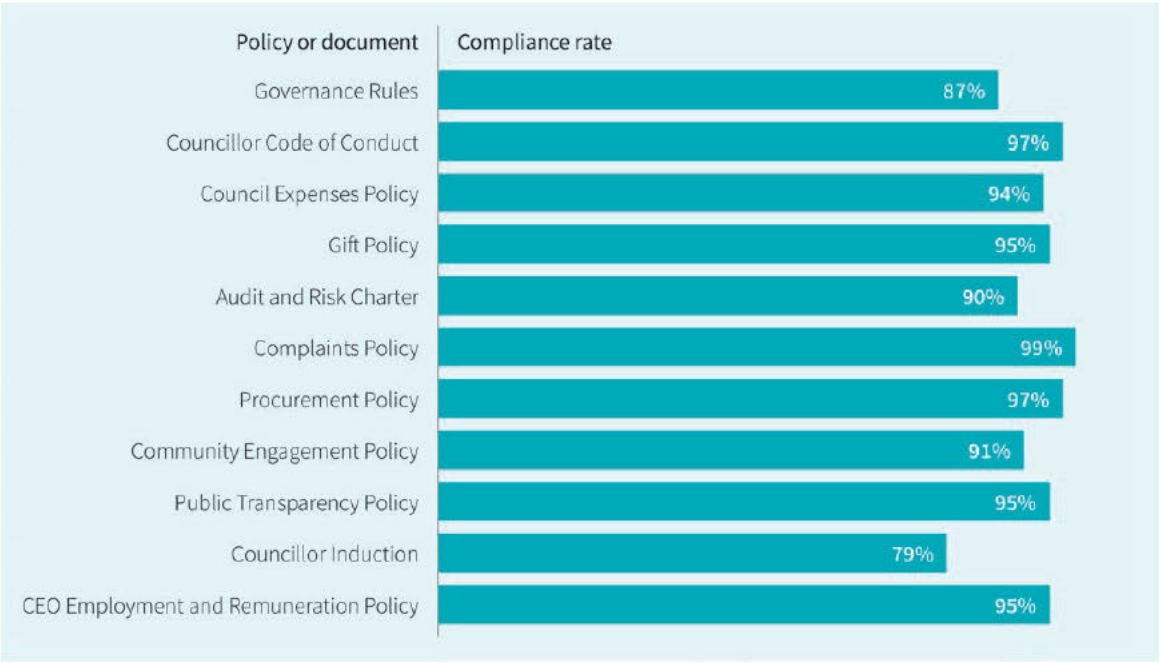
Once we had completed the initial review, we randomly chose some policies from a range of councils to take a closer look at them to assess the quality.

1 The selected policies were not necessarily best practice policies but were a cross section compliant policies that had the characteristics of a good policy.

Compliance with timeframes for adoption

The Act had strict time frames for the adoption of a number of policies and documents. The table below sets out the compliance rate for all Victorian councils for each policy or document.

Compliance rate with timeframes for adoption



The level of compliance across the sector was extremely high, with nine of the 11 topics recording compliance rates of over 90 per cent. Another topic had a compliance rate of 87 per cent. The outlier was councillor inductions with a compliance rate of 79 per cent.

Because the requirements were mandatory, it was anticipated that compliance rates would be high. While the target for councils to comply was 100 per cent, we considered that the results achieved by councils was more than satisfactory given the extraordinary circumstances that prevailed at the time.

Under section 32(1) of the Act, councillors must complete councillor induction training within 6 months after they take the oath or affirmation of office. Under section 32(3), councillors must then make a written declaration before the CEO that states that they have completed the training and then sign and date the declaration.

As the councillor induction compliance rate was significantly lower than expected, we sought feedback from a number of councils to understand why. The feedback indicated that most had facilitated the training, and it had been completed within the prescribed timeframe by each councillor, however they were unaware that each councillor was required to sign off to confirm the training had been completed.

It should be noted that under the Act, a councillor's allowance is to be withheld until they have completed their induction training and just as importantly have also made the written declaration.

Recommendation

1. Councils must ensure that:
   - the councillor induction training has been completed by councillors by the required time as per section 32 (1) of the Act
   - confirmation of the training has been signed off by councillors and the CEO to confirm it has been completed as per section 32 (3) of the Act.

Issues uncovered

We did not have the resources to review and give feedback on each policy. However, when we randomly selected councils and reviewed policies and documents in more details, we found a small number of anomalies.

CEO Employment and Remuneration Policy

A number of policies we reviewed included the statement: "*Council must appoint a CEO employment and remuneration matters advisory committee in accordance with section s45 (2)*".

Section 45(1) of the Act requires councils to adopt a CEO Employment and Remuneration Policy. Section 45(2) of the Act states:

> *A Chief Executive Officer Employment and Remuneration Policy must (a) provide for the Council to obtain independent professional advice in relation to the matters dealt with in the Chief Executive Officer Employment and Remuneration Policy; and (b) provide for the following (1) the recruitment and appointment process; (2) provisions to be included in the contract of employment; (3) performance monitoring; (4) an annual review; and (c) include any other matters prescribed by the regulations.*

There is no specific reference that mandates that councils 'must' appoint a CEO employment and remuneration matters advisory committee. For clarity, we sought advice from Local Government Victoria (LGV) which said that "…section 45(2) of the Act does not explicitly require councils to establish a CEO employment and remuneration advisory committee".

However, LGV added that "it is good practice for councils to do so, and for the committee to be constituted by all councillors and chaired by an independent person who provides professional advice in relation to the matters contained in the CEO employment and remuneration policy".

It was also noted that some councils have differently interpretated Section 45(2)(a) of the Act, in regard to obtaining independent professional advice. We sought further clarity from LGV about whether it was mandatory for an independent person to be appointed to a committee or if the committee and council policy allowed independent advice to be provided instead. LGV said:

> *"It is at councils' discretion how they go about obtaining independent professional advice under section 45(2). While it is not mandatory for councils to establish a CEO employment and remuneration advisory committee or appoint an independent person to that committee, LGV believes it is good practice for councils to do so.*
>
> *"Further, an advisory committee of this nature would not have the power to make decisions on behalf of the council. Any voting rights of committee members would only be in an advisory capacity and relate to the making for recommendations to the council for decision."*

The Inspectorate believes it would benefit councils to have this confusion clarified with formal guidance from LGV or a change to the legislation.

Recommendation

2. **LGV should provide formal guidance about whether councils should appoint a CEO employment and remuneration matters advisory committee, what its powers should be and how independent professional advice should be obtained.**

Governance Rules and Election Period Policy

Section 60 of the Act requires the development of Governance Rules, including an Election Period Policy in accordance with section 69. We commend the sector in its effort in meeting the timelines and statutory requirements.

However, when we randomly selected a number of examples of Governance Rules to review in depth, we identified some discrepancies in the interpretation and requirements of the Act.

Firstly, we saw examples of Governance Rules where clauses had been inserted relating to the use of the common seal. Section 14(2) (c)says the common seal of a council must be used in accordance with any applicable local law. Meanwhile, Section 60(1) requires councils to 'develop adopt and keep in force Governance Rules' which are outlined in Section 60 and in the *Local Government (Governance and Integrity) Regulations 2020*. However, neither s 60(1) nor the Regulations state that the common seal should be included in the Governance Rules.

Secondly, a number of councils' Election Period Policies included a requirement for the CEO to certify council publications. However, this was a requirement under Section 55D of the *Local Government Act 1989 (1989 Act)*. It is no longer a requirement. Councils should remove any references to certification by the CEO and references to Section 290 of 1989 Act.

Recommendations

3. **Councils should note that the common seal must be used in accordance with any applicable local law rather than being incorporated in the Governance Rules.**
4. **Councils should note there is no current requirement in their Election Period Policy for the CEO to certify council publications, which was required under the 1989 Act.**

Format of policies

During our review, we noticed there was no consistency in the way councils formatted their policies. This is due to the fact that there is no model policy structure or legislative requirement to follow a model structure.

The main purpose of our review was to record the date each policy was adopted to allow us to measure compliance. While some councils provided a separate record of the adopted dates, in most cases, we had to obtain the adoption date from the policy itself.

In several cases, the adoption date was not detailed on the policy, nor was there any form of document history, or version control. Most also did not include the date of the 'next review'. In those instances, we searched through council minutes to identify the adoption date.

We cannot mandate the format councils use for their policies, however we see advantages in councils formatting all policies, similarly, containing standard information. Standard information could include the adoption date, date of next review as well as version control where any changes made to the document can be recorded.

In addition, councils may consider recording where a delegated senior staff member and/or the Mayor where appropriate have signed off on new and updated policies to confirm their endorsement of the policy before it goes to the council for approval. There are benefits to each policy having a suitable audit trail.

Appendix A has a small selection of policies where the information above was included and set out in a manner which was easily identified. See Appendix A for more detail.

Recommendation

5. Councils may consider including the following on all council policies:
   - the date adopted
   - the date of next review
   - a summary of changes made to the policy.

Audit and Risk Committee

When reviewing Audit and Risk Committee Charters, it was also apparent that there were inconsistencies across the sector, particularly in terms of sign off. Councils variously had a combination of the CEO, Committee chair, Committee members, the Mayor sign off on the document, and many did not have it signed off at all.

While the Charter must go before the Council for adoption, to increase accountability, and ensure currency, the Inspectorate would like to see each charter signed off accordingly, particularly where there has been a change to the membership.

Recommendation

6. Councils should consider having the Audit and Risk Committee Charter signed off at each renewal by the:
   - CEO
   - Committee chair
   - Mayor/Committee members (at the council's discretion).

Policies covering councillor relationships

On top of the formal review of policies required under the new Act, we also requested councils provide us with internal policies that related to councillor relationships with staff, other councillors and external third parties.

The table below showed the rate of councils who had policies covering these relationships.

Percentage of councils with policies covering councillor relationships

Relationship covered by policy	Council staff	Other councillors	External third parties
Percentage of councils with a policy	49%	4%	0

This exercise confirmed that nearly half of the councils developed and maintained a document that addressed councillor and staff interactions. This document was separate to the respective codes of conduct. There is no formal requirement to do so, but it is recommended that a stand alone policy be created.

There is also no requirement to develop a policy to address conduct with other councillors aside from the code of conduct. These results show that councils have chosen not to develop a policy to guide this relationship separate to the mandatory code of conduct.

Notably, no council provided us with a document that specifically addressed interactions with external third parties. We made the request to identify whether councils specifically address interaction with third parties such as property developers or real estate agents where sharing information could compromise future decision making. There is no specific requirement for councils to have such a policy. However historically, this is an area that has raised concerns between councillors, and across local communities. These meetings are often considered as meeting with key local stakeholders, but they raise integrity issues if they are not dealt with and managed appropriately.

Recommendations

7. Councils are strongly encouraged to develop a policy to guide the relationships and interactions between councillors and council staff.
8. Councils should consider developing a policy for councillors interreacting with third parties in an open and transparent way so that the public can be confident that decision making is taking place in an unbiased way.

Sample policies for self-assessment

We have identified a number of policies which suitably meet the requirements of the Act and have published them on our website as a resource to help councils. We included these policies as we consider them to be of value to councils wishing to carry out a self assessment of their own policies by comparing them to the policies we have selected.

We chose several examples for each topic to provide a good cross section for comparison. These can be found on our website in the 'Resources for councils' section.

The policies identified are:

- Council Expense Policy
- Gift Policy
- Audit and Risk Committee Charter
- Complaints Policy
- Procurement Policy.
- Community Engagement Policy
- Public Transparency Policy
- Governance Rules.

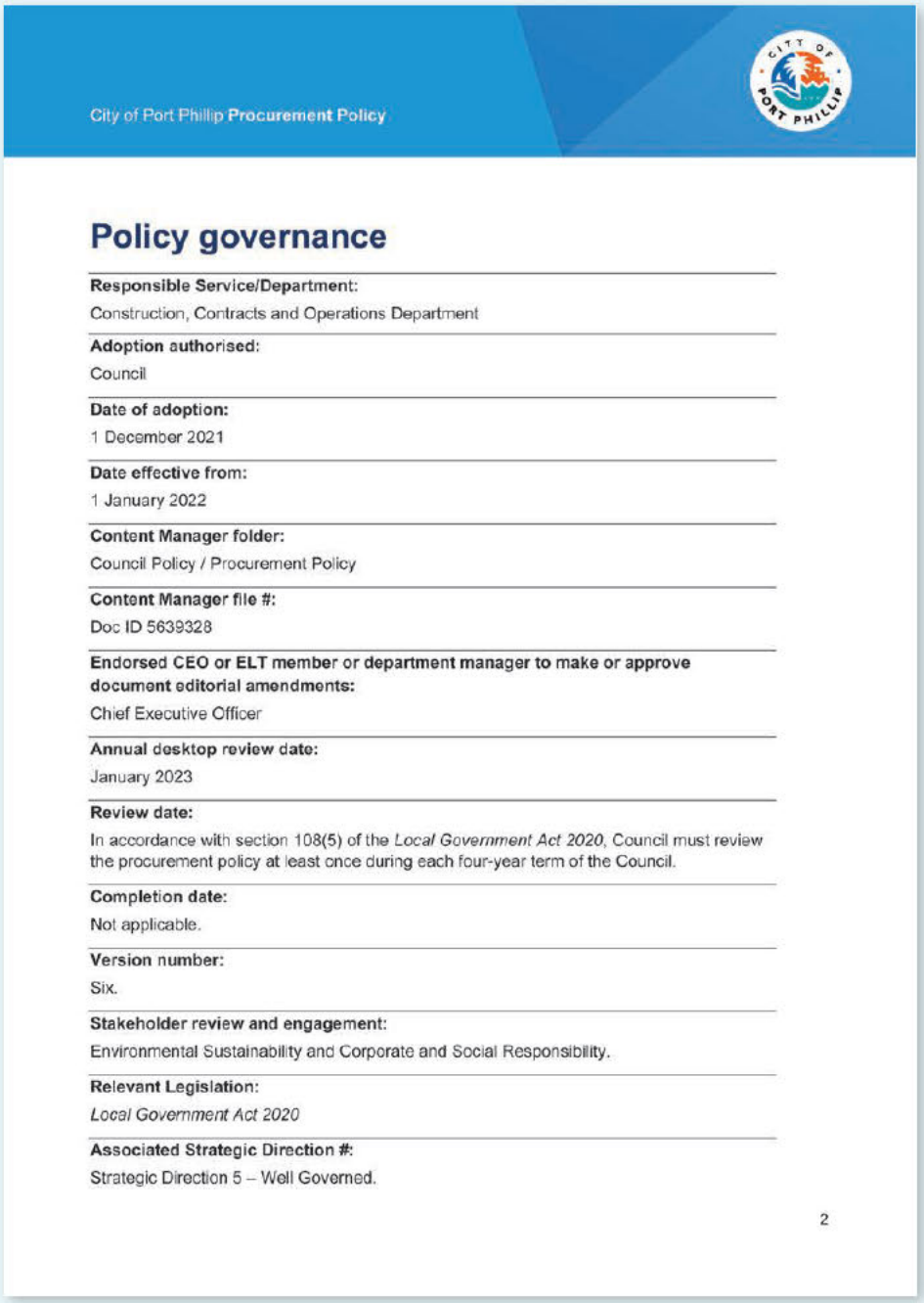
Recommendation

9. Councils should benchmark their own policies by comparing them with policies published on our website. This can be done by visiting the Inspectorate's website to review the sample policies from the cross section of policies published.

Appendix A

The following are examples of where councils have clearly set out key information about policies, such as approval date, review date and who is responsible for the policy.

City of Port Phillip



City of Port Phillip **Procurement Policy**

Policy governance

Responsible Service/Department:
Construction, Contracts and Operations Department

Adoption authorised:
Council

Date of adoption:
1 December 2021

Date effective from:
1 January 2022

Content Manager folder:
Council Policy / Procurement Policy

Content Manager file #:
Doc ID 5639328

Endorsed CEO or ELT member or department manager to make or approve document editorial amendments:
Chief Executive Officer

Annual desktop review date:
January 2023

Review date:
In accordance with section 108(5) of the *Local Government Act 2020*, Council must review the procurement policy at least once during each four-year term of the Council.

Completion date:
Not applicable.

Version number:
Six.

Stakeholder review and engagement:
Environmental Sustainability and Corporate and Social Responsibility.

Relevant Legislation:
Local Government Act 2020

Associated Strategic Direction #:
Strategic Direction 5 – Well Governed.

2

Northern Grampians Shire Council

Procurement Policy 2020

PROCUREMENT POLICY 2021

Council Policy

Responsible director:	Director Corporate and Community Services
Responsible officer:	Manager Financial Services
Functional area:	Financial Services
Date adopted by Council:	6 December 2021
Review date:	July 2022

Review history

Date	Review details	Action
7 November, 2013	Aligned to new format and updated to include information based on the Victorian Local Government Best Practice Guidelines 2013 and MAV Model Procurement Policy (Updated).	Presented to Audit Committee 12 November, 2013 Presented to Council Briefing 18 November, 2013 Presented to Council Meeting 2 December, 2013
18 November 2014	Increase the threshold levels that have remained constant for many years to recognise inflationary increases in costs.	Presented to Audit Committee 25 November, 2014 Presented to Council Briefing 23 November, 2014 Presented to Council Meeting 1 December, 2014
4 November 2015	Altered the review process of the policy to incorporate this statement, "If the policy is deemed to require only minor changes then the review process is to inform Councillors through the Councillor Bulletin. Significant alterations to the policy will require the Council to adopt the changes."	Submitted to the Councillor Bulletin on 4 November, 2015
29 June 2017	Aligned to new format and forwarded to civic support to include in next Councillor Bulletin	Submitted to the Councillor Bulletin on 29 June, 2017
22 August 2018	*New threshold limits:* Threshold limit for going to public tender separated into 2 different dollar values being: 1. $125,001 and above relating to contracts for the purchase of goods and services 2. $170,001 and above relating to	Presented to Audit Committee 5 September 2018 Presented to Council Meeting 1 October 2018

Towong Shire Council

towongshire

Audit and Risk Committee Charter

Responsible officer:	Director Corporate and Organisational Development
Key Result Area:	Organisational Improvement
Document type:	Charter
Reference:	07/07/0010
Reviewed by:	Audit and Risk Committee
Approved by:	Council
Date approved:	1 September 2020
Date of next review:	July 2021
Date printed	21 September 2020

The Audit and Risk Committee is an independent advisory Committee to Council. The primary objective of the Audit and Risk Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

The Audit and Risk Committee is established to assist the co-ordination of relevant activities of management, the internal audit function and the external auditor to facilitate achieving overall organisational objectives in an efficient and effective manner.

As part of Council's governance obligations to its community, Council has constituted an Audit and Risk Committee to facilitate:

- the enhancement of the credibility and objectivity of internal and external financial reporting;
- effective management of financial and other risks and the protection of Council assets;
- compliance with laws and regulations as well as use of best practice guidelines;
- the effectiveness of the internal audit function;
- the provision of an effective means of communication between the external auditor, internal audit, management and the Council.

Page **1** of **5**

Macedon Ranges Shire Council

Macedon Ranges Shire Council

POLICY POLICY POLICY POLICY POLICY

Policy Title:	**Chief Executive Officer Employment and Remuneration Policy**	
Date of Adoption:	15 December 2021	
Adoption Method:	☒ **Council** ☐ **CEO** ☐ **Other** *(please specify)*	
CEO Signature:		**Date:**
Responsible Officer and Unit:	Interim Executive Manager People, Culture & Performance	
Nominated Review Period:	☐ **Annually** ☒ **Other: Every 4 years**	
Last Review Date:	Not applicable – New policy	
Next Endorsement Date:	Within 12 months of the 2024 Council Election	
Purpose/Objective:	Establish a governance framework and provide guidance/direction on the employment cycle of the Chief Executive Officer (CEO) including recruitment, performance, remuneration, and end of contract processes.	
Background/Reasons for Policy:	Compliance with Section 45 of the Local Government Act	
Definitions:	CEO	Chief Executive Officer
	Council	Macedon Ranges Shire Council
	Councillor	The individuals holding the office of a member of the Macedon Shire Ranges Council (including the Mayor)
	The Act	Local Government Act 2020
	The CEO Employment and Remuneration Committee	Responsibility for the recruitment of the CEO, determining the CEO's Performance Plan, assessing the CEO's performance against the plan and determining the remuneration of the CEO.
References:	Victorian Government Public Sector Commission Policy on Executive Remuneration in Public Entities 2020 Protecting integrity: Leading the way – Managing the Employment Cycle of a CEO, Local Government Inspectorate (Feb 2019) Victorian Government Appointment and Remuneration Guidelines July 2020	

Page 1 of 9

January 2023

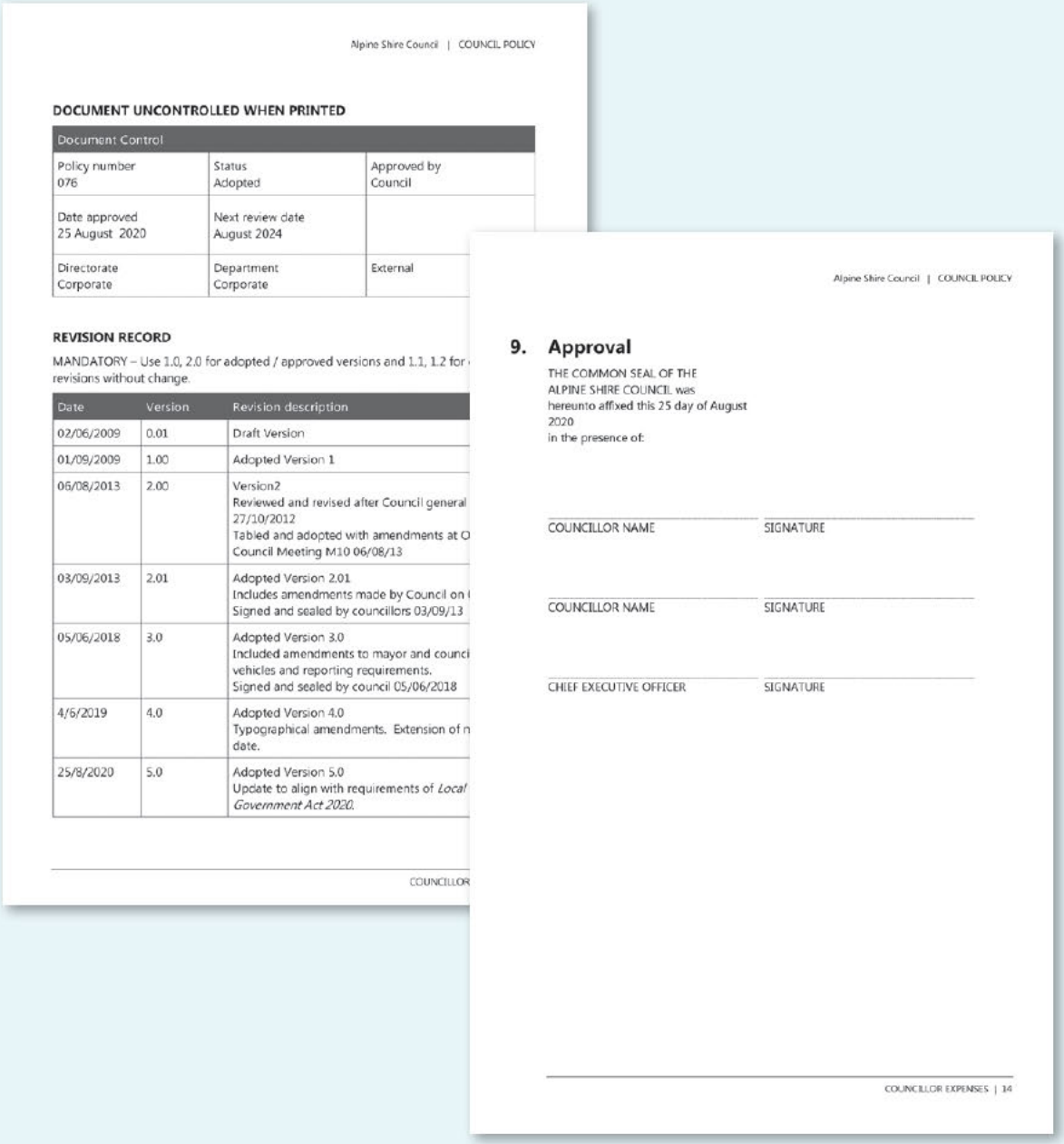
Indigo Shire Council

VERSION NUMBER:	2021
TRIM FILE NUMBER:	INTERNAL20/8562
APPROVAL DATE:	21 FEBRUARY 2021
APPROVED BY:	COUNCIL RESOLUTION
DIRECTORATE:	PEOPLE AND GOVERNANCE
DEPARTMENT:	GOVERNANCE AND RISK
RESPONSIBLE OFFICER:	SENIOR GOVERNANCE ADVISOR
NEXT REVIEW DATE:	FEBRUARY 2025
RELIANSYS OBLIGATION NUMBER:	4008
RELATED RECORDS:	• GIFTS AND HOSPITALITY POLICY (INTERNAL12/1354) • LOCAL GOVERNMENT ACT 2020 • IN THE PUBLIC INTEREST: A CONFLICT OF INTEREST GUIDE • COMMUNICATIONS POLICY (INTERNAL14/381) • CHILD SAFE POLICY (INTERNAL17/116)

3. ADOPTION

This Code of Conduct was adopted by the Council at the Council Meeting held on 23 February 2021, in accordance with Section 139(5) of the Local Government Act 2020.

Alpine Shire Council



Alpine Shire Council | COUNCIL POLICY

DOCUMENT UNCONTROLLED WHEN PRINTED

Document Control		
Policy number 076	Status Adopted	Approved by Council
Date approved 25 August 2020	Next review date August 2024	
Directorate Corporate	Department Corporate	External

REVISION RECORD

MANDATORY – Use 1.0, 2.0 for adopted / approved versions and 1.1, 1.2 for
revisions without change.

Date	Version	Revision description
02/06/2009	0.01	Draft Version
01/09/2009	1.00	Adopted Version 1
06/08/2013	2.00	Version2 Reviewed and revised after Council general 27/10/2012 Tabled and adopted with amendments at C Council Meeting M10 06/08/13
03/09/2013	2.01	Adopted Version 2.01 Includes amendments made by Council on Signed and sealed by councillors 03/09/13
05/06/2018	3.0	Adopted Version 3.0 Included amendments to mayor and counci vehicles and reporting requirements. Signed and sealed by council 05/06/2018
4/6/2019	4.0	Adopted Version 4.0 Typographical amendments. Extension of n date.
25/8/2020	5.0	Adopted Version 5.0 Update to align with requirements of *Local Government Act 2020.*

COUNCILLOR

Alpine Shire Council | COUNCIL POLICY

9. Approval

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this 25 day of August
2020
in the presence of:

COUNCILLOR NAME SIGNATURE

COUNCILLOR NAME SIGNATURE

CHIEF EXECUTIVE OFFICER SIGNATURE

COUNCILLOR EXPENSES | 14

January 2023



Level 27, 1 Spring Street, Melbourne, Vic 3000
inspectorate@lgi.vic.gov.au
1800 469 359
www.lgi.vic.gov.au

COUNCIL POLICY

TITLE:	COUNCILLOR AND STAFF INTERACTIONS POLICY
ID NUMBER:	CPO-CEO-GE-010
DEPARTMENT:	CEO
UNIT:	CEO Department
RESPONSIBLE OFFICER:	Chief Executive Officer

ADOPTED DATE AND BY WHOM:	Adopted by Council
EXPIRY DATE:	25 July 2023
REVIEW DATE:	<Insert date when next review process should begin to enable adoption prior to expiry> *This policy will be reviewed every four years or as required by any legislative or council changes.*

AVAILABILITY:	Organisation wide Public Internet	Yes ☐ Yes ☐ Yes ☐
ADVISE AVAILABILITY:	Sou Wester (Responsible Officer to prepare article)	Yes ☐ No ☐

(This document is uncontrolled when printed)

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1. References

Councillor Code of Conduct (DocSetID: 2246857)
Governance Rules (including the Election Period Policy) (DocSetID: 2726760)
Glenelg Shire Council Media Policy (DocSetID: 1454922)
Glenelg Shire Council Staff Code of Conduct (DocSetID: 1706557)
Glenelg Shire Council, Records Management Policy OPO-CORPS-RECM-001 (DocSetID: 1933907)

Local Government Act 1989
Local Government Act 2020
Privacy and Data Protection Act 2014

2. Purpose

The purpose of this Policy is to provide guidance and support for the interactions between Councillors and Council staff in the performance of their duties. It complements the Councillor and Staff Codes of Conduct and supports compliance with the *Local Government Act 1989 and Local Government Act 2020*.

This Policy outlines how Councillors can get the information they need to perform their role in a timely manner and through the appropriate channels.

The objectives of this policy are to:

- recognise the respective roles and responsibilities of Councillors and Council members of staff, in particular the Chief Executive Officer (CEO),
- assist Councillors and members of Council staff in respecting the roles and responsibilities of others in the organisation
- maintain transparent decision making and governance arrangements
- ensure regular reports to Council Briefings and via Councillor updates to enable informed review and discussion of Council's performance in servicing Councillor Requests.
- support compliance with the provisions of the *Local Government Act 2020*
- recognise the responsibilities of the Council in ensuring that it meets the responsibilities of the *Occupational Health and Safety Act 2004 and the Equal Opportunity Act 2010* to protect people from risks to their health and safety including harassment, bullying, violence and discrimination.

3. Scope

This Policy applies to all Councillors and Council staff of the Glenelg Shire Council.

4. Council Policy

The Glenelg Shire Council is responsible for the adoption, application and operation of this Policy.

The functions of the CEO are defined in *Section 46 of the Local Government Act 2020* which provides that the CEO is responsible for the day-to-day operations of Council and states that the Chief Executive Officer (CEO) is responsible for: “managing interactions between members of Council staff and Councillors and ensuring that policies, practices and protocols that support arrangements for interaction between members of Council staff and Councillors are developed and implemented”.

This means that Councillors are not responsible for implementing Council decisions, and do not have authority to direct Council employees (other than the CEO). This section of the Act supports the facilitation of effective administration and avoids staff being subject to conflicting directions.

Clear lines of managerial authority are critical. This does not prohibit Councillors from expressing their views about administration matters or implementation, however this must be undertaken through the CEO.

Under section 124 of the *Local Government Act 2020* Councillors are not to improperly direct or interact with Council staff. Subsequently Councillor obligations include:

- accepting that their role is one of strategy and policy development and leadership, as opposed to management or administration
- acknowledge that they do not have a role to instruct or direct or approach staff on any matters pertaining to the performance of their duties
- acknowledge that they are not responsible for implementing Council actions
- acknowledge that under the *Local Government Act 2020* they have no capacity to individually direct Council officers to perform or not perform particular functions
- not use their position to improperly influence members of staff in their duties or functions to gain advantage for themselves or others or to cause detriment to others
- respect the role of members of staff and treat them in a way that engenders mutual respect at all times
- acknowledge the professional obligation members of staff have to give advice based on their knowledge and experience and to write reports and recommendations in a professional, objective and unbiased way

- act with courtesy towards all Council employees and avoid intimidatory behaviour

- refrain from publicly criticising Council staff in a way that casts doubt on their professional competency or credibility.

Councillors should advise the CEO in a timely fashion of any concerns that they may have with any member of staff.

4.1 General Provisions

In their capacity as elected representatives of the municipal community, Councillors may have a need to request advice and /or information on a variety of matters.

A large amount of information required for Councillors to perform their roles will be provided through the Council Meeting and Workshop Agendas, Councillor updates, Councillor TEAMS and SharePoint channels and via Council's public website. Outstanding requests will be monitored through the Councillor Support Team.

However, it is recognised that the responsibility Councillors have to represent their municipal community, and in achieving the strategic priorities of the municipal community, means they may require access to other information and resources.

The Council employs the CEO, and the CEO is responsible for the operations of the organisation. Therefore, Councillors' primary point of communication is via the office of the CEO.

The CEO is responsible for the determination of the appropriate allocation of Council resources required to best support the Mayor and Councillors to undertake their roles. This includes the nomination of Council staff to provide support to the Mayor and Councillors.

The CEO manages interactions between members of Council staff and Councillors and ensuring that policies, practices and protocols that support arrangements for interaction between members of Council staff and Councillors are developed and implemented.

Councillors will also have the opportunity to interact with Council staff through a range of settings including Council Meetings, Workshops and Briefing Sessions. Councillors must not approach any member of Council staff below the level of Director directly for advice or information without the prior consent of the CEO or relevant Director.

Except for general and polite conversation, Councillors should not be approaching Council staff directly to raise issues or seek information. Councillors are prohibited from directing or seeking to influence the decision of a member of Council staff and contact with other Council staff will only be permitted in accordance with this Policy.

Where possible communication should be via email. This allows for appropriate record keeping in accordance with the relevant legislation and will assist Council to comply with its privacy obligations under the Privacy and Data Protection Act 2014 and the Freedom of Information Act 1982.

Communication between Council staff and Councillors regarding Council business, or in an official Council capacity, should not be conducted using private email addresses or phone numbers.

4.2 Communication Channels

Councillors may have direct contact with the relevant Director to seek advice, information and support to assist them in carrying out their official Councillor duties. If a request from a Councillor relates to matters which are of a whole of Council significance or relevance, then a reply will be sent to all Councillors.

All communication in relation to matters, including requests for information, which relate to confidential information must go through the CEO.

It is appropriate for Councillors to contact the Executive Assistant to the CEO in relation to their roles and responsibilities and general enquiries relating to things such as expense claim forms and calendar invitations/management.

Councillors may directly communicate with the appointed Councillor Conduct Officer for issues and questions in relation to Councillor Conduct Matters, Applications for an Internal Arbitration Process and Applications for a Councillor Conduct Panel, and issues or questions in relation to the Councillor Code of Conduct or this Policy. The Councillor Conduct Officer for Glenelg Shire is the Director Corporate Services

All other communication in relation to other matters, including requests for information, must be sent to councillor.support@cr.glenelg.vic.gov.au, this will ensure all requests are centrally received by Council and these requests are lodged in Council's electronic records management system.

It is acknowledged that although Councillors and Council staff may contact each other via email outside of business hours due to work and other commitments, the recipient is not expected to read or respond to the correspondence outside of business hours.

4.3 Responses to Councillors

If a request from a Councillor relates to matters which are of a whole of Council significance or relevance, then a reply will be sent to all Councillors through a Councillor update.

The CEO or Director should be informed of all communication between other Council staff and Councillors, and copied into emails where relevant.

Where possible, staff will clearly identify information which is Confidential Information to assist Councillors in the appropriate handling of such information, however it is the Councillors responsibility to ensure they use the information in an ethical manner in accordance with the requirements of the Act.

Attachments may also be uploaded into the relevant folder on the Councillor TEAMS / SharePoint channel, and Councillors advised of its availability.

4.4 Councillor Requests and Responses to Customers

Occasionally customers will contact Councillors with concerns relating to Council operations. Prior to Councillors taking these requests Councillors should ensure the customer has initially spoken to a Council Officer regarding their issue. Customers can report issues to Council by completing an online Service Request Form or by contacting any of the shire's Customer Service Centres.

If the customer has initially spoken to a Council Officer regarding their issue, Councillors can submit a Councillor Request Form. Councillors should include sufficient information to enable Council staff to respond, for example, the name and contact details of a resident.

Councillors should acknowledge requests received from members of the public and let the person know a member of Council staff will respond to them as appropriate. Councillors should not copy Council staff into the acknowledgment email to the member of the public.

Councillors must not commit to a particular outcome, or a response from a particular member of Council staff.

Councillors are required to treat all information provided by staff appropriately and to adhere to any confidentiality requirements. If a Councillor is unsure whether a document or advice contains Confidential Information, they should contact the CEO or relevant Director for clarification prior to releasing the information.

4.5 Information may be declined

When requesting information or the use of resources, including Council staff time, Councillors should consider the size of the request and any likely cost implications in making the request.

Councillors should not make requests where the costs cannot be justified as being in the public interest. If the costs of providing information are likely to impose an unreasonable burden on Council resources this may lead to the request being denied and the Councillor will be requested by the CEO to consider a Notice of Motion.

Councillors must also take into account the cumulative effect that multiple requests will have on the use of Council resources.

Where a Councillor's request requires the allocation of resources or expenditure of funds not allocated in the Annual Budget, this may lead to the request being denied and, the Councillor will be requested by the CEO to consider submitting the request by way of a Notice of Motion.

Some Council information may not be made available to Councillors on the basis that it is not within the ambit of the functions of Council or Councillors or in accordance with Council's privacy obligations. This information includes, but is not limited to:

- Issues related to staffing and / or employment matters;
- Confidential matters not before Council for a decision;

- Matters where an investigation is ongoing such as an infringement review or insurance claim;
- Personal information and sensitive information.

Councillors will be advised by the CEO or relevant Director when information cannot be provided and the basis on which it is not provided.

4.6 Enforcement Matters

Involvement by elected representatives in any stages of matters concerning investigation and enforcement must not occur. Council makes delegations and authorisations to various Council staff who must, without fear or favour, investigate and enforce various legislation.

Delegated and authorised officers must be able to perform investigation, determination of response, management of infringements and prosecutions in a manner that is free of improper direction or improper influence.

Consideration of appeals against the infringement notices will be reviewed in accordance with the relevant guidelines published and the internal appeals procedure. Councillors must therefore not involve themselves in matters of investigation and enforcement in a manner that may give rise to a conduct breach.

Where members of the community seek support in relation to such matters, they should be referred to the documentation already provided, including relevant staff identified and available to be contacted.

4.7 Questions and Requests for an Improper Purpose

Councillors must not ask questions or make requests for information for an improper purpose. A question or request for information is made for an improper purpose where it:

- is trivial, frivolous, vexatious, or not made in good faith
- is sent to multiple members of Council staff in multiple emails (whether worded identically or not), seeking a different answer to that already provided
- does not relate to Council business, or is not a request from a member of the public
- has been made for one or more of the following purposes:
    - to bully, intimidate or harass another person
    - to damage another person’s reputation
    - to obtain a political advantage
    - to influence a person in the exercise of their official functions or to prevent or disrupt the exercise of those functions

- to influence the Council in the exercise of its functions or to prevent or disrupt the exercise of those functions.

4.8 Improper or Undue Influence

Councillors are prohibited under Section 124 of the Act from improperly directing or influencing Council Staff.

Improper or undue influence can include:

- Disrespecting the professional opinion, skills or expertise of staff through intimidatory, bullying, harassing or disrespectful behaviour
- Using rank or position to seek information outside the processes outlined in this Policy
- Pressuring staff to make a decision outside the formal Council decision making processes
- Pressuring staff to provide information, services or assistance to one person, group or part of the community over another, outside a formal decision of Council
- Pressuring staff to make a decision to take action outside normal business process timeframes
- Pressuring staff to change a recommendation in a Council Report.

4.9 Interaction between Councillors and Staff at Council Facilities

Access is provided for Councillors to the Councillors room and the Mayoral office for the Mayor at the Portland Municipal Offices.

Visits to other Council facilities, other than as a member of the community, are to be prearranged with the CEO or the relevant Director.

4.10 Personal Interaction between Councillors and Staff

While this Policy governs the interactions between Councillors and Council Staff, it does not prevent Councillors and Council Staff from communicating generally.

Council staff may communicate with Councillors as residents / ratepayers of Glenelg Shire Council.

From time to time, Councillors and staff may be present at social and community events. In such situations, both parties must refrain from discussing matters relating to Council business.

If a Councillor and a member of Council staff have a personal relationship, they must be mindful of this and ensure any conflicts of interest which arise are declared in accordance with the Act and Council's Governance Rules.

4.11 Contact Contradictory to This Policy

Where any Councillor or staff member has concerns in regard to communications between Councillors and Council staff, the matter will be referred to the CEO.

Council staff are to inform the CEO or their Director, of any communication made directly to them by a Councillor not in accordance with this Policy.

As outlined in the Standards within the Councillor code of Conduct, Councillors are required to diligently and properly comply with this Policy. Accordingly, any alleged contravention of this Policy may be referred to internal arbitration as misconduct.

5. Records Management

All Council records created and managed as a result of implementing this policy will be managed in accordance with the Council's Records Management Policy.

The Records Management Policy assigns responsibilities for records management to employees, supervisors, volunteers and other specific positions.

No Council records are to be destroyed without consideration of the requirements of the Act(s) that govern the functions relevant to this policy. Prior to destruction, advice must be sought from the Information and Data Unit, with consideration to the requirements of the appropriate Retention and Disposal Authority (RDA).

6. Victorian State Legislation Copyright Acknowledgement

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14.5. COUNCILLOR CONDUCT HEARING OUTCOME

Director: David Hol, Director Corporate Services

Executive Summary

This report provides Council with the determination and statement of reasons received by the Arbiter appointed to consider an allegation of misconduct by a Councillor in accordance with section 147(4) of the *Local Government Act 2020*.

Recommendation

That Council:

1. **Receive the Arbiter decision and statement of reasons on this matter; and**

2. **Authorise the Arbiter decision and statement of reasons be recorded in the minutes in accordance with the requirements of section 147(4) of the *Local Government Act 2020.***

Background/Key Information:

An application from Councillors Smith, Carr, Hawker, Rank, Stephens and Wilson was lodged on the 27 March 2023 for an internal arbitration process to make a finding of misconduct against Cr Scott Martin relating to his actions whilst attending an alcohol-free twilight cinema event in January 2023.

The application has been examined by the Principal Councillor Conduct Registrar in accordance with section 144 of the *Local Government Act 2020* and an Arbiter was appointed to hear the matter.

A directions hearing was undertaken via Microsoft Teams on the 13 June and the parties agreed that the matter could be conducted by the Arbiter through the receipt of written materials.

The Arbiters decision and statement of reasons was received on the 4 July 2023 and is provided as an attachment to this report.

In accordance with section 147(4) of the *Local Government Act 2020*, a copy of the Arbiters decision and statement of reasons must be tabled at the next Council meeting after receipt of the decision and recorded in the minutes.

a. Council Plan and Policy Linkage

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

This report has been prepared in accordance with Division 6 of the *Local Government Act 2020* and the Glenelg Shire Council Councillor Code of Conduct adopted 23 February 2021

c. Consultation and/or communication processes implemented or proposed

Undertaken in accordance with the provisions of the *Local Government Act 2020* relating to Councillor conduct matters.

d. Financial Implications and Collaboration

Costs associated with Councillor Conduct matters are allocated to the operational budget for Corporate Governance.

e. Governance Principles

Council decisions are to be made and actions taken in accordance with the relevant law.

Attachment List

1. Glenelg (Smith v Martin) Final Reasons [**14.5.1** - 11 pages]

IN AN INTERNAL ARBITRATION PROCESS FOR GLENELG SHIRE COUNCIL UNDER SECTION 143 OF THE *LOCAL GOVERNMENT ACT* 2020

LGA IAP REF:	IAP 2023-3
APPLICANTS:	Crs Jayden Smith (representative), Michael Carr, Chrissy Hawker, Anita Rank, Karen Stephens, Gilbert Wilson
RESPONDENT:	Cr Scott Martin
HEARING TYPE:	On the papers
BEFORE:	Arbiter J Silver
DATE:	4 July 2023

Orders

1. The application is dismissed.

APPEARANCES

The hearing was conducted on the papers as permitted under sub-reg 11(3)(a) of the *Local Government (Governance and Integrity) Regulations* 2020.

STATEMENT OF REASONS

A. Overview

1. On 20 January 2023, Cr Scott Martin, the Mayor of Glenelg Shire, attended a screening of “Minions: The Rise of Gru” at the “grassed area next to the Portland Library” (which is the location described in the event marketing).

2. “Minions: The Rise of Gru” is a 2022 animated feature film, produced by Illumination and distributed by Universal Pictures, the latest in a franchise which began with the 2010 film “Despicable Me”.

3. “Gru” is an anti-hero voiced by the actor Steve Carell, while “the Minions” are a fictional species, defined by their unintelligible language, yellow colour, and lack of any sort of nose (amongst other things). As those characters featured in the event marketing, images of both “Gru” and “the Minions” are also contained in these reasons.

4. The screening was organised by Council’s Youth Team, with the support of partner community groups. Councillors were not officially invited, in the sense they were not sent an official invitation, and it does not seem that any official proceedings were involved. Of the Councillors, only Cr Martin attended.

5. The screening was officially a "blue light" event, meaning alcohol was not allowed. That is in contrast (I am told by Cr Martin) to other, similar events that Council had previously held or coordinated.

6. To what extent the "blue light" condition of entry was clearly communicated in the event advertising, or on the evening, is a matter I considered in these reasons.

7. On 28 February 2023, the effect of the allegations was ventilated in public question time at that day's Council Meeting.

8. On or about 23 March 2023, the applicants lodged an application concerning Cr Martin under section 143 of the *Local Government Act* 2020 ('**the Act**') with the Principal Councillor Conduct Registrar.

9. At the next Council Meeting on 28 March 2023, Cr Martin made a statement, explaining that he brought alcohol (specifically, a prosecco bottle) to the screening, unaware the event was alcohol-free, and that he did not drink it once he became aware.

10. The applicants maintained their application.

11. On 18 May 2023, the Principal Councillor Conduct Registrar appointed me as arbiter to hear the application under sections 144 and 149 of the *Local Government Act* 2020 ('**the Act**'). On 6 June 2023, I convened a direction hearing for 13 June, the parties attending from Council premises, while I participated via Microsoft Teams.

12. The parties agreed with me that the hearing could appropriately be conducted in-writing, as the facts were largely agreed, with no real challenge mounted to Cr Martin's version of events, and no intention by the applicants to call opposing witnesses.

13. The standard of conduct in schedule 1 of the *Local Government (Governance and Integrity) Regulations* 2020 relied on by the applicants was the following:[1]

> ***4. Councillor must not discredit or mislead Council or public***
>
> *(1) In performing the role of a Councillor, a Councillor must ensure that their behaviour does not bring discredit upon the Council.*

14. The applicants, represented by Cr Jayden Smith (the Deputy Mayor), agreed that the application and supporting materials would be their evidence and submissions, with Cr Martin to file materials in response. I made orders to that effect, which also referred the

[1] Although a breach of sub-s 3(c) of the standards of conduct was also raised in the application, at the directions hearing, Cr Smith agreed with my view that because no failure to follow Council's Governance Rules was being alleged (which is what that standard of conduct concerns), I did not need to consider that issue further.

parties to past reasons from internal arbitrations conducted under the Act that explained the phrase '*role of a Councillor*'.[2]

15. Having considered all of the materials, I find that that Cr Martin was *not* performing his role as a Councillor on 20 January 2023: in other words, the standards of conduct do not apply, and I will dismiss the application for that specific reason.

16. But to avoid any suggestion the application has *only* been dismissed on a technicality (that is, I would otherwise have found misconduct), I note that **even if I had decided that the standards of conduct applied** (in other words, if I am wrong in my primary conclusion), I have also reached the following conclusions:

    (a) I am not satisfied that Cr Martin has brought Council into discredit;

    (b) I would not have found otherwise if Cr Martin had also consumed any prosecco (rather than just bringing a bottle), as there is no evidence to suggest that he engaged in bad behaviour at the screening; and

    (c) even if, contrary to those two observations, I instead found that Cr Martin had contravened the standards of conduct, I would not have imposed any sanction.

17. As other members of the Arbiter Panel List have taken to doing, I note the dismissal of the application is no criticism of the Principal Council Conduct Registrar appointing an arbiter to hear this application under section 144, given the fairly narrow parameters in which the Registrar must consider an application.

18. The dismissal also does not indicate that the application had no utility, or should have been withdrawn: the public nature of the allegations against Cr Martin meant that this internal arbitration process was the appropriate way of determining them.

[2] Those reasons being *Morgan & Lew* (IAP 2021-19 and IAP 2021-23) (Stonnington, tabled 2 May 2022) (Arbiter Blacher) and *Newton & Laurence (IAP 2022-5 and IAP 2022-6)* (Darebin, tabled 14 November 2022) (Arbiter Silver)

B. The 'role of a Councillor'

19. The phrase 'role of a Councillor' in sub-standard 4(1) also appears in section 28 of the Act, where it is defined with reference to Councillors' decision-making functions.

20. But as I stated in *Newton & Laurence* [IAP 2022-5; 2022-6], I agree with Arbiter Blacher's view in *Morgan v Lew* [IAP 2021-19; 2021-23] that section 28 does not exhaustively define the circumstances when a Councillor is 'performing' their role.

21. It is useful to recite what I observed in *Newton & Laurence*:

> *23. In practice, a Councillor fulfils their role whenever they engage in activities in connection with their role as Councillor, which includes publicly commenting on matters in relation to Council (including interactions with their colleagues)…*
>
> *25. Given the expansive meaning of the phrase 'role of a Councillor' in the standards, it follows that a Councillor can do much that might 'bring discredit' upon Council for the standards' purposes.*
>
> *26. 'Bring discredit' includes behaviour that harms Council's reputation.*
>
> *27. Examples of that would include using vulgar language in the Council chamber, or drunken behaviour at a Council function: however, if engaged in during a Councillor's morning walk, the same behaviour is probably not within their role (even if the deleterious effect on Council is just the same).*

22. Having used the underlined, hypothetical example of misconduct, it was perhaps inevitable that an alcohol-related allegation would come before me.

C. The evidence

23. In the orders of 13 June 2023 made following the directions hearing, I included the following notes under the heading "Other matters" (which the parties have not challenged):

Based on discussion with the parties at the directions hearing, I summarise the dispute as follows:

(a) It is not disputed that Cr Martin brought alcohol to an alcohol-free event, nor [is it] *suggested that he was drunken, disorderly, or otherwise acted improperly;*

(b) According to Cr Martin (which Cr Smith does not dispute), the Councillors were not invited to the event officially, but Cr Martin attended informally. No other Councillors were in attendance;

(c) Cr Martin says he attended with his family after seeing a Council social media post... His position is that in learning of the event on social media, he was not made aware that it was alcohol free;

(d) As it was a Council event, Cr Smith says, and even though Cr Martin attended in a private or "family" capacity (as no official invitations were sent to Councillors), it should be dealt with under the Standards.

(e) Cr Martin says that in attending, he was not performing the "role of a Councillor".

24. In his public statement at the 28 March 2023 Council Meeting, Cr Martin made the following comments (which I have taken from the written statement included in his submissions, rather than transcribing the as-read statement):

In January there was an outdoor cinema event that my family attended. This one, like previous ones, were touted as family events where the community is invited to come along and enjoy the night. Previous outdoor cinemas here and throughout the shire allowed alcohol at the events to enjoy with family picnics, in fact local wineries and beer clubs had stalls set up at these great family events.

On the evening of the event, we checked the event site on Facebook before we left home, specifically the event details section which is where one would assume the

details would be. There was no mention of blue light or freezer involvement in the event details section. Nothing to indicate that it was different from previous events.

So, we attended the outdoor cinema, set up our picnic and cheese board, popped the bottle of prosecco to go with the cheese board and whilst in that process noticed there were no wineries set up, no stalls. So… I approached one of the event staff to check if it was alcohol free or not. They were unsure if it was, went away to check and came back informing us that it was.

Upon receiving the information, we opened up our soft drinks and we all used our fancy picnic glasses to drink the lemonade and water brought along throughout the night. At the end of the night, we proceeded to tip the bottle of now warm prosecco out.

25. It was not suggested to me that this explanation was untruthful or unreliable, which I would have found difficult to accept, in any event: it is not commonsense for a public figure to bring alcohol to an event they know is alcohol-free.

26. The applicants primarily referred on an event poster which contained the words "Alcohol and Smoke Free Event" (‘**the Gru Poster**’), which is shown below:



How could Cr Martin have missed this? The answer is "rather easily," because the Gru Poster was not readily visible on the Facebook event page, and the conditions of entry were not stated in the event description on that page.

27. In his response submissions, Cr Martin attached a "screengrab" of the Facebook event page. Based on what was shown, I identified and located the page,[3] which was set up by the page "Glenelg Shire Youth" on about 15 December 2022.

[3] Accessible at the URL https://www.facebook.com/events/1595417610919486?active_tab=about

28. The Facebook event page comprised two “tabs.” The "default" tab that first appears when clicking on a link to the page, or by entering the URL into an Internet browser, is the “About” tab, which contained the following description (graphics omitted):

> Presenting The Minions: Rise of Gru
> FREE FAMILY FRIENDLY EVENT
> ~Free popcorn and drinks available~
> ~Dont (sic) forget your picnic rug~

A movie graphic of the Minions appears immediately above this tab, simply titled “minions: THE RISE OF GRU,” as shown below:



On this information, it is clear that the “About” tab did not identify the screening as an alcohol-free event.

29. The second tab on the Facebook event page was the “Discussion” tab, which only opens if the user chooses to click on the tab.

30. I located three posts in the “Discussion” tab. Two were identical posts, "re-sharing" the event page (on 21 and 23 December 2023) by the “Glenelg Libraries” and “Glenelg Shire Youth” pages, clicking which sends the user to the “About” tab.

31. The third post on the “Discussion” tab was of the Gru Poster (posted on 15 December 2022). Without scrolling, the Gru Poster was not visible immediately. Even if a user *were* to scroll down, the size and formatting of the Gru Poster made some wording difficult to read, without clicking to enlarge the image.

32. In other words, because the alcohol-free status of the screening was not clearly communicated by Council on the Facebook page, I do not accept that Cr Martin should be criticised for failing to see the Gru Poster.

33. It was not suggested to me that Council erected signage on the evening reminding attendees of the alcohol-free conditions of entry, and no evidence was presented of steps taken to enforce those conditions.

34. It is also not suggested that Cr Martin was, for example, discovered by Council staff "mid-sip" and refused to discard the alcohol, or that he refused a direction by Council staff to leave due to a breach of the conditions of entry. That would be a serious matter.

35. These observations are not intended as criticisms of Council staff, but merely confirm the circumstances in which Cr Martin made his mistake.

D. Why the standards of conduct do not apply, and Cr Scott Martin's conduct would not be misconduct in any event

36. The application raises an interesting question, which is: can a Councillor attend a Council-run event or a Council facility, without performing the role of a Councillor?

37. In my view, the answer is "yes."

38. The evidence is clear that Cr Martin had no role at the screening, official or otherwise, (for example, helping Council staff set up, or addressing attendees). He was simply there with his family, watching a movie with food and drink brought from home.

39. As Cr Martin had no role, I am unconcerned that the event was "Council run," or occurred on Council land or premises: those facts alone are not determinative.

40. Without wanting to state a rule, for a Councillor to be performing their role, it seems to me that the relevant conduct should be sufficiently connected with the decision-making functions or other associated duties, as informed by section 28 of the Act.

41. To illustrate with hypothetical examples, a Councillor is not performing "the role of a Councillor" when watching their child's Auskick game in a Council park, or attending Council premises to pay property rates.

42. While connected to Council more generally, there is no specific connection in those examples with the performance of the Councillor's role, in contrast, for example, to commenting on matters that Council may make decisions upon (which is why social media posts can come under the standards of conduct).

43. If Cr Martin had also introduced the film beforehand (as Mayor), I may have found that the standards of conduct applied, but not made a misconduct finding.

44. I say that because on the evidence, I am not satisfied that Cr Martin has brought '*discredit upon the Council*.'

45. He was not drunk, disorderly, or otherwise poorly behaved. He made an inconsequential mistake, which has not discredited Council.

46. The application is accordingly dismissed.

J A SILVER
ARBITER

14.6. FINANCIAL HARDSHIP POLICY - RATES AND CHARGES

Director: David Hol, Director Corporate Services

Executive Summary

The purpose of this report is to seek Council adoption of the revised Financial Hardship Policy for Rates and Charges. This Policy demonstrates Council's commitment to assisting ratepayers during difficult financial circumstances by providing options and assistance and ensuring that a transparent and equitable process is applied.

Recommendation

That Council adopt the revised Financial Hardship Policy for Rates and Charges.

Background/Key Information:

Glenelg Shire Council recognises that ratepayers at times will experience genuine financial hardship and is committed to helping those experiencing financial hardship and are having difficulty meeting obligations to Council.

The Financial Hardship Policy for Rates and Charges has been revised to establish a clear framework for Council to define what support is available for ratepayers who are experiencing financial hardship and the method of managing and collecting unpaid rates.

Whilst not defined in the Act, financial hardship is commonly understood to occur when someone is struggling to pay their financial obligations as and when they fall due. This could be caused for example by loss of employment, unpaid absence from work due to major illness, personal circumstances and sudden unexpected large bills. For this policy to be successful it requires the co-operation of both parties to communicate with each other openly and honestly.

The *Local Government Act 1989 (the Act)* provides for a waiver or deferral of rates, charges and interest under the grounds of financial hardship.

This Policy responds to the new *Local Government Legislations Amendment (Rating and Other Matters) Act 2022* which makes amendments to the *Local Government Act 1989* and commenced operation on 20 June 2023. This new Act requires the Minister for Local Government to set the maximum interest rate that can be charged on unpaid rates and charges, to prescribe more flexible payment plans and to issue Ministerial Guidelines on unpaid rates and charges to ensure greater consistency in how councils deal with ratepayers experiencing financial hardship. There have been no guidelines received to date from the Minister and this policy will again be reviewed following the release of any such Ministerial guidelines.

This Policy has also been revised to consider initiatives implemented by other bodies including other Local Governments and industry leaders.

The Victorian Ombudsman's Report "Investigation into how local councils respond to ratepayers in financial hardship" has also been referred to in developing this revised Policy.

The Victorian Ombudsman heard concerns from ratepayers, financial counsellors and community lawyers about the way local councils treat people who cannot afford their council rates.

The revised Financial Hardship Policy is provided as an attachment for councillor consideration.

a. Council Plan and Policy Linkage

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

Comply with the requirements of the *Local Government Act 1989* especially the provisions relating to the collection of rates and charges and determination of waivers and deferrals.

Section 170 of the *Local Government Act 1989*, enables Council to defer, in whole or in part the payment by a person of any rate or charge which is due and payable for a specified period on the grounds of hardship.

Section 171 of the *Local Government Act 1989*, enables Council to waiver a whole or part of any rate or charge or interest on the grounds of financial hardship.

The revised Policy also responds to the *Local Government Legislation Amendment (Rating and Other Matters) Act 2022*.

The *Local Government (General) Amendment Regulations 2023* have also been considered whilst reviewing the Policy document and these changes will impact the content of the notice of rates and charges sent to Ratepayers in July 2023.

c. Consultation and/or communication processes implemented or proposed

The revised Financial Hardship Policy for Rates and Charges will be available on Council's website and advertised on the Rates Notice for 2023/24.

The Rates Notice for 2023/24 will also include the following additional content:

- The ability of a ratepayer to apply for a payment plan
- The manner in which payments will be allocated to rates and charges
- The range of differential rates applied by Council
- The notice must include the name and address of the person who is liable to pay the rate or charge

These changes are set out in the *Local Government (General)Amendment Regulations 2023* and are in accordance with three of the Government's supported recommendations of the 2020 Local Government Rating System Review Final Report.

d. Financial Implications and Collaboration

Rates, charges and levies are a property tax collected by municipalities to fund the services, infrastructure and assets provided to its citizens.

Rate revenue is an important component of the Glenelg Shire's total income (contributing 45% to 50% of total income annually).

As at 30 June 2022, the total value of rates outstanding was $505,000.

As at 31 May 2023 there were approximately 440 ratepayers on a payment arrangement.

Unpaid rates will have the potential to negatively impact Council's cashflow.

Therefore, it is important that all ratepayers pay their fair contribution, that deferrals or waivers are only approved in circumstances applicable to this Policy and that Council or the ratepayer is not exposed to financial risk in the future by the creation of a rate debt that cannot or may not be repaid.

e. Governance Principles

The ongoing financial viability of the Council is to be ensured.

Attachment List

1. GSC Financial Hardship - Rates Charges Review CPO-CORPS-RV-002 [**14.6.1** - 10 pages]

COUNCIL POLICY

TITLE:	FINANCIAL HARDSHIP – RATES AND CHARGES
ID NUMBER:	CPO-CORPS-RV-002 (DocSetID: 764199)
DEPARTMENT:	Corporate Services
UNIT:	Rates
RESPONSIBLE OFFICER:	Rates and Valuations Coordinator

ADOPTED DATE AND BY WHOM:	Council -
EXPIRY DATE:	July 2027
REVIEW DATE:	*This procedure will be reviewed every four years or in accordance with any legislative or council changes.*

AVAILABILITY:	Staff - Unit only
ADVISE AVAILABILITY:	Email designated Groups & Staff

1. References

- *Local Government Act 1989* (Section170 & 171) http://www.legislation.vic.gov.au/domino/Web_Notes/LDMS/LTObject_Store/ltobjst10.nsf/DDE300B846EED9C7CA257616000A3571/763794FC6BB1A30BCA25829D001835F3/$FILE/89-11aa147%20authorised.pdf

- Local Government Legislation Amendment (Rating and Other Matters) Act 2022 – Part 2

- *Penalty Interest Rates Act 1983* *https://www.justice.vic.gov.au/justice-system/fines-and-penalties/penalties-and-values*

- Glenelg Shire Council Customer Complaint Handling Guideline (DocSetID: 2299279)

- Glenelg Shire Council Privacy Policy (DocSetID: 643084)

- Ratepayer Application form for deferral, or waiver of outstanding rates, charges and interest. (DocSetID: 764209)

- Glenelg Shire Council, Records Management Policy OPO-CORPS-RECM-001 (DocSetID: 1933907)

- The Victorian Ombudsman's Report "Investigation into how local councils respond to ratepayers in financial hardship" - https://www.ombudsman.vic.gov.au/our-impact/investigation-reports/investigation-into-how-local-councils-respond-to-ratepayers-in-financial-hardship/

2. Purpose

The purpose of this Policy is to establish a framework to define what support is available for ratepayers who are experiencing financial hardship and the method of managing and collecting unpaid rates.

This Policy aims to make it easier for ratepayers to enter into a payment arrangement and therefore utilise the hardship provisions by removing the need to formally prove financial hardship.

3. Policy Principles

- Ensure that the process undertaken is transparent and equitable and that ratepayers are treated with courtesy, respect, sensitivity and compassion.

- Provision of a comprehensive range of payment options to assist ratepayers in meeting their responsibility to pay their rates and charges.

- Provide a mechanism that enables our community to feel comfortable and supported when approaching Council to discuss their financial circumstances, including any difficulties they may be experiencing in meeting their obligations to pay rates and charges.

- Encourage a proactive approach in identifying and assisting those experiencing financial hardship.

- Encourage and support access to legal, welfare and financial counselling services.

- Reduce the number of instances that are referred to Councils' debt collection agency.

- For this policy to be successful it requires the co-operation of both parties to communicate with each other openly and honestly.

- Ensure that the collection of Council's rate revenue is maximised and undertaken with efficiency and diligence.

- Comply with the requirements of the Local Government Act 1989 and Local Government Legislation Amendment (Rating and Other Matters) Act 2022 – Part 2.

4. Scope

This policy applies to all ratepayer's principal place of residence in the Glenelg Shire municipality. Other property type owners may apply for the hardship provisions under this Policy in limited circumstances at the discretion of the Chief Financial Officer. In particular, the policy applies to those ratepayers who have been identified, either by themselves, Council Officers or by an independent accredited financial counsellor, as having the intention to pay their rates, but who do not have the financial capacity to make the required payments.

This policy applies to revenue included on the rate notice (rates, waste charges, legal costs, interest and other relevant charges).

5. Council Policy

5.1 Rates and Charges Collection

All rates and charges are raised and issued in compliance with s158-166, s181A-181E and 185A-185G of the Act.

The current instalment due dates are:
- First Instalment - September
- Second Instalment - November
- Third Instalment - February
- Fourth Instalment - May

Council also offers an in full annual payment option due in February.

If any of the above dates fall on a non-business day, the payment date is moved to the next business day.

In most circumstances interest will be charged on all overdue amounts in accordance with the rate fixed by the Minister under s172A of the Act.

5.2 Calculating Interest

Late payments are subject to interest and interest will continue to accrue on overdue amounts unless a payment arrangement exists and is being maintained.

5.3 Payment Arrangements

Council encourages all ratepayers to meet their rate commitments as they become due. When ratepayers are unable to pay their rates, charges, levies and interest, they are encouraged to enter into a payment arrangement where regular payments are made until such time as the outstanding amounts are paid. The focus of the Rate Unit is to negotiate payment arrangements that ensure that the ratepayer is able to pay their rates within an acceptable time period or to ensure that the debt does not become unmanageable.

While a payment arrangement is maintained by the property owner, interest will not apply and any legal action will be put on hold.

Arrangements reducing debt

Applications are to be made via the relevant payment arrangement application form (online, email or post) and may be considered under the following conditions:

- applications are expected to bring the account up to date within the current financial year or a twelve (12) month period from the application date.
- applications must include a payment schedule on a weekly, fortnightly or monthly basis.

Arrangements increasing debt

Any application for an arrangement where the account will be increasing in debt should be made in writing to Council's Rates and Valuations Coordinator.

Arrangements after legal action

If the outstanding payments have been referred for legal action with an external collection agency, applications may be required to be submitted to the agency for management via direct debit. Such applications would only refer to outstanding payments, and would be required to be paid in full:

- by the end of the financial year; or

- within a six (6) month period.

Arrangement Terms

Accounts on active arrangements will not accrue interest on overdue amounts. Should a ratepayer reapply where Council has previously withdrawn from an arrangement due to a default, new arrangement terms will need established.

Where rate payments are in arrears any default from the payment arrangement where no payment has been made or no new arrangement has been entered into for a 24- month period, may result in legal action.

Council's Rate Unit will be flexible regarding the type of arrangement entered into, to best suit the ratepayer's circumstances.

If the ratepayer is unable to make a regular repayment arrangement their application will be assessed under the financial hardship provisions in this policy.

5.4 Financial hardship

Financial hardship refers to difficulty meeting everyday living expenses for themselves, their family and dependents and may include the ability to provide food, accommodation, clothing, healthcare and other basic necessities.

This Policy will be used to support all financial hardship requests.

Supporting documentation may be required where:

- It appears that the financial agreement will need to be long term (exceed 12 months)
- The property owner has had payment issues with Council in the past
- The amount outstanding or remaining overdue is considered large or significant; or
- Financial Hardship has been utilised by the property owner in the past.

The Glenelg Shire provides a range of support services for citizens that are experiencing financial difficulties when they are utilising Council services or when rate payments are due.

The Financial & Consumer Rights Council of Victoria (FCRC) is the peak body for Financial Counsellors in Victoria. The FCRC can help affected persons find a financial counsellor, please visit www.fcrc.org.au for more information.

The National Debt Helpline is a not-for-profit service that helps people in Australia tackle their debt problems. This is a Government service providing free, confidential counselling for people experiencing financial difficulty. Visit www.ndh.org.au or call 1800 007 007 for more information.

5.5 Application for financial hardship

Ratepayers may apply for the following, pursuant to s170, s171A and s171B of the Act:

- Deferral of rates and charges.
- Waiver of rates, charges and interest or part thereof and legal charges invoiced to date.

5.6 Deferment of Rates and Charges

Ratepayers may have rates and charges, or part thereof, deferred subject to satisfying the following conditions:

5.6.1 Where the ratepayer is a pensioner qualified under the *Local Government Act 1989* Section 171 (1) (a) - deferment will be granted upon receipt of their application.

5.6.2 The ratepayer that submits a request for the payment deferment must reside at their principal place of residence and is, or will, experience undue and unavoidable financial hardship. Where there is more than one property owned by the applicant in the same name it may be also considered for the deferral.

5.6.3 If a deferment request is received from a tenant or occupier, the owner of the property must be advised in writing. As the owner is always primarily liable for the payment of rates and charges under the *Local Government Act 1989*, no rate deferral will be entered into without the consent of the property owner.

Where applicable, the ratepayer must enter into an agreement with Council on a payment arrangement and generally comply with such agreement.

Applications for deferral received from ratepayers for commercial, industrial and investment properties will be assessed using the criteria in this policy and will be referred to Director Corporate Services for consideration if deemed necessary.

A deferment will be deemed withdrawn on the basis of any of the following conditions:

The ratepayer advises that the hardship conditions no longer exist.

The ratepayer no longer owns or occupies the land.

The ratepayer has defaulted in meeting any agreements in regards to the deferment without prior consent from the Rate and Valuation Coordinator.

The Director Corporate Services upon receiving a recommendation from the Rate and Valuation Coordinator will determine if any deferment agreement is to be withdrawn.

If deferment agreement is withdrawn a notice is to be issued to the ratepayer providing up to 30 days' notice.

5.7 Waiving of Rates, Charges and Interest

The *Local Government Act 1989* enables the waiving of rates, charges and interest.

A ratepayer that requests the waiver of rate, charges and interest must reside at their principal place of residence and is, or will, experience undue and unavoidable financial hardship.

If a waiver request is received from a tenant or occupier, the owner of the property must be advised. As the owner is always primarily liable for the payment of rates and charges under the *Local Government Act 1989*, no wavier of rates, charges or interest will be entered into without the written consent of the property owner.

5.7.1 <u>If a request to waive rates, charges and interest is approved the following shall occur:</u>

a) Waivers on compassionate grounds and administration waivers shall be one off and ratepayers will need to re-apply if a subsequent waiver is requested.

b) For financial hardship waivers may be extended on an annual basis subject to terms and conditions contained in this policy.

c) For financial hardship waivers, no interest will be charged or legal action taken.

A waiver of rates, charges and interest for financial hardship will be presented to Council for consideration in a confidential report if deemed necessary. Administrative and compassionate waivers will be approved by the Director Corporate Services in conjunction with the Rates and Valuations Coordinator.

5.7.2 <u>A waiver of interest, rates and charges granted under clause 5.7.1 will continue unless any of the following occurs:</u>

a) The ratepayer advises that the financial hardship conditions no longer exist.

b) The ratepayer no longer owns or occupiers the land.

d) The ratepayer has defaulted in meeting any conditions of the waiver agreement.

e) Information is received that indicates that the financial hardship no longer exists.

f) On full rate payment from the date the full payment was due and instalment payments from the date the instalment was due.

g) The interest is calculated at the rate fixed under Section 2 of the *Penalty interest Rates Act 1983.*

h) If waiver agreement is withdrawn a notice is to be issued to the ratepayer providing up to 30 days' notice.

6. Definitions and Abbreviations

Term/Abbreviation	Definition
Deferment	A "deferment" (Section 170 of the Act) of payment can be provided in whole or in part and be for a specified period and subject to any conditions deemed necessary. When rates and charges are deferred, payment is not required until a notice is sent to the ratepayer requesting payment.
Waiver	A "**waiver**" (Section 171 of the Act) is a one-off abandonment, which removes the liability to pay, and may include the whole or part of any interest.
Genuine Financial Hardship	Is a situation where a ratepayer or property owner is reasonably unable, because of illness, unemployment or other reasonable cause, to discharge their financial obligations. Financial hardship involves an inability of the property owner to meet their commitments (bills), rather than an unwillingness to do so. Customer hardship can arise from a variety of situations. Common causes of hardship may include, but are not limited to: • Loss of employment of the property owner or family member; • Family breakdown; • Illness, including physical incapacity, hospitalisation, or mental illness of the property owner or family member; • A death in the family; or • Other factors resulting in unforeseen change in the property owner's capacity to meet their payment obligations, whether through a reduction in income or through an increase in non-discretionary expenditure.

Payment Arrangement	A proposal accepted by a relevant council officer, to pay the outstanding rate or charge over the agreed period of time
"the Act"	Local Government Act 1989
Property Owner	Is the registered proprietor of Rated property within the municipality, who is legally responsible to pay Rates under section 156 of the Local Government Act 1989 (Vic).
Ratepayer	The occupier of any rateable property who is liable to pay rates. This may be the property owner or a tenant who under the lease agreement is liable to pay rates.

7. Privacy and Confidentiality

The privacy of the applicant and any information provided by the applicant and the financial advisor and documentation prepared by Glenelg Shire staff relating to the application will be kept confidential.

8. Complaints and feedback

If there are disputes or complaints with the handling of the collection arrangement, property owners can make a complaint in accordance with Councils Customer Complaints Handling Guideline.

Any member of the public can make a complaint.

Complaints can be made by:

Online: Making a Formal Complaint | Glenelg Shire Council

Via the Contact Us page on the website www.glenelg.vic.gov.au

Telephone: 1300GLENELG (1300 453 635) normal business hours

Hearing or Speech Impaired:

Call us via the National Relay Service (www.relayservice.com.au) on 13 36 77 then ask for 1300 453 635.
Speak and Listen users phone 1300 555 727 then ask for 1300 453 635.

Post: Glenelg Shire Council, PO Box 152, Portland Victoria 3305

In person: Customer Service Centre

Portland – 71 Cliff Street
Casterton – 67 Henty Street
Heywood – 77 Edgar Street

Refer to full details in the Glenelg Shire Council Complaints Policy (DocSet ID 2299280)

9. Records Management

All Council records created and managed as a result of implementing this guideline will be managed in accordance with the Council's Records Management Policy.

The Records Management Policy assigns responsibilities for records management to employees, supervisors, volunteers and other specific positions.

No Council records are to be destroyed without consideration of the requirements of the Act(s) that govern the functions relevant to this guideline. Prior to destruction, advice must be sought from the Records Management Unit, with consideration to the requirements of the appropriate Retention and Disposal Authority (RDA).

10. Victorian State Legislation Copyright Acknowledgement

Extracts from legislation of the Parliament of the State of Victoria, Australia, are reproduced with the permission of the Crown in right of the State of Victoria, Australia. The State of Victoria accepts no responsibility for the accuracy and completeness of any legislation contained in this publication.

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END OF POLICY

14.7. HERITAGE GRANT APPLICATION RECOMMENDATION 134-138 HENTY STREET CASTERTON

Director: David Hol, Director Corporate Services

Executive Summary

A total of two heritage grant applications were received for the period to 7 July 2023 seeking $13,000 for projects totaling approximately $42,400.

A separate report has been submitted for each application.

Council's Heritage Advisor has provided an updated report confirming the eligibility of this application as per the Heritage Support Policy. Council officers have evaluated the application and this report presents the recommendation to support the application.

Recommendation

That Council approve the grant application of $2,000 from the heritage grants and loans restoration fund for the conservation works at 134-138 Henty Street, Casterton in accordance with the recommendations in Council's heritage advisor report and relevant permits.

Background/Key Information:

On 25 October 2022 Council updated the Heritage Support Policy. Recommendations for grants are evaluated by Council officers in consultation with Council's heritage advisor.

A heritage grant application was submitted on 26 April 2023 for works at 134-138 Henty Street, Casterton which consists of a cottage and two shopfronts. Works to the shop fronts would have been eligible for the Retail Façade Improvement Program but as this program has closed, the property owner was advised to consider applying for a heritage grant. The application has been held over to the new financial year due to lack of funds in the heritage grants and loans restoration budget. The replacement of guttering and reroofing of the cottage and the shop front verandah has an estimated cost of $6,256.

The cottage and two shops are listed as contributory buildings within the Casterton Township precinct (HO163).

Council's Heritage Advisor inspected the property on 26 March 2023 with a recommendation to provide some assistance subject to available funds and a scope of work being provided. Following the lodgment of the grant application, an updated report (2 June 2023) recommends the project receive a maximum of $2,000 instead of $3,000 requested.

The application meets all eligibility requirements of the Heritage Support Policy. It is recommended to approve $2,000.

a. Council Plan and Policy Linkage

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well planned neighbourhoods.

b. Legislative, Legal and Risk Management Considerations

There are no specific legislative, legal or risk management considerations.

c. Consultation and/or communication processes implemented or proposed

The applicant will be advised of the outcome following the Council Meeting.

d. Financial Implications and Collaboration

The Heritage Grants and Loans restoration fund has an estimated balance of $11,000 once all grants approved to date are paid. This includes the budgeted amount of $10,000 allocated for the 2023/24 financial year.

e. Governance Principles

Local, Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

The ongoing financial viability of the Council is to be ensured.

Attachment List

1. Heritage grant application 134 Henty S Treet Casterton redacted [**14.7.1** - 12 pages]

Glenelg Shire Heritage Grants 2022 2023
Glenelg Shire Heritage Loan and Grant Scheme Application Form
Application No. 13 From Mr Chris Langman
Form Submitted 26 Apr 2023, 8:02PM AEST

Heritage Grant/Loan Scheme

*** indicates a required field**

Click here to view or download a pdf copy of the Guidelines.

What are you applying for?
☐ Heritage Loan
☑ Heritage Grant

Applicant Details

Mr Chris Langman

Organisation Name (if applicable)

Postal Address

Applicant Email *

Applicant Primary Phone Number

Landowner Consent

Are you the owner of the place? *
◉ Yes ○ No

Please attach supporting documentation of landowner consent

Filename: 2Certificate of Currency _P27042200481.pdf
File size: 107.8 kB

Property Place Details

Name of Place
134-138 Henty Street

Street Address of Place
134 Henty St
Casterton VIC 3311 Australia

Current Use of Place

Glenelg Shire Heritage Grants 2022 2023
Glenelg Shire Heritage Loan and Grant Scheme Application Form
Application No. 13 From Mr Chris Langman
Form Submitted 26 Apr 2023, 8:02PM AEST

Commercial Hairdresser

Is the Place individually listed?
☐ Individually Listed
☑ Heritage Precinct

Previous Funding Status

Have you previously received funding from us? *
☐ Yes
☑ No

What is the project name of your last funded grant?
N/A

Have all previous grants or funding been acquitted?

Comments
Please provide any further information required to help us assess whether previous funding has been acquitted.

Proposed Works

Project Description *
As recommended by Heritage Officer... removal of damaged and incorrect guttering and soffits, reroofing. and box gutter repair. Replace modern fence with correct for period.
Must be no more than 100 words.
Must be no more than 100 words

Additional details if required.
No files have been uploaded
Please provide any other details that would assist in your application. Ie. financial, urgency, previous works, level of significance.

Total Project Cost
$6,000.00
Must be a dollar amount.
What is the total budgeted cost (dollars) of your project?

Total Amount Requested
$3,000.00
Must be a dollar amount.
Must be matched on a minimum $ for $ basis by the application (co-contribution). Maximum application is $10,000.

Anticipated project start date: *
03/07/2023
Must be a date

Anticipated project completion date: *
17/07/2023
Must be a date

Glenelg Shire Heritage Grants 2022 2023
Glenelg Shire Heritage Loan and Grant Scheme Application Form
Application No. 13 From Mr Chris Langman
Form Submitted 26 Apr 2023, 8:02PM AEST

Have you discussed this project with Council's Heritage Advisor Officer? *

Yes... a detailed discussion and report from Douglas Alexander.

Discussion of your project idea is strongly encouraged.

Permit Details

Have you applied for a planning permit? *

☐ Yes
☑ No

Have you applied for a building permit? *

☐ Yes
☑ No

Supporting Documents

*** indicates a required field**

Please provide relevant documents to support your application. These might include:

Current copy of Title *

Filename: Title.pdf
File size: 191.2 kB

Quote 1 *

Filename: 2023-04-26.png
File size: 125.7 kB

Quote 2

No files have been uploaded

Photographs

Filename: X23181 134-136 Henty Street Casterton Grant Eligibility.pdf
File size: 477.9 kB

Heritage Advisor Report

Filename: X23181 134-136 Henty Street Casterton Grant Eligibility.pdf
File size: 477.9 kB

Other Documents (ie Plans)

No files have been uploaded

Other documents may be requested if required.

Glenelg Shire Heritage Grants 2022 2023
Glenelg Shire Heritage Loan and Grant Scheme Application Form
Application No. 13 From Mr Chris Langman
Form Submitted 26 Apr 2023, 8:02PM AEST

Declaration and Privacy statement

*** indicates a required field**

I certify that all details supplied in this application and in any attached documents are true and correct to the best of my knowledge, and that the application has been submitted with the full knowledge and agreement of the landowner.

I have read the accompanying guidelines for applicants provided with this application form and agree to abide by all conditions contained in the Heritage Loan & Grants Scheme Guidelines,

I agree that I will contact Glenelg Shire Council immediately if any information provided in this application changes or is incorrect.

I understand that this is an application only and may not necessarily result in funding approval.

I understand that the information above will be used in accordance with relevant legislation and declare that this information is correct to the best of my knowledge.

If successful, funds must be spent on the project nominated in the application form.

I am authorised to complete this application and have read and understood the declaration and privacy statement *

◉ Yes

Applicant *

Mr Chris Langman

Date of Declaration *

27/04/2023
Must be a date

CERTIFICATE OF TITLE – VICTORIA

Volume 08587 Folio 119

124098543536P Page 1 / 1
Produced 24/06/2022 11:52 hr

Under the Transfer of Land Act 1958

I certify that the registered proprietor is the proprietor of the estate and interest in the land subject to the encumbrances, caveats and notices described

MELISSA HARRIS
REGISTRAR OF TITLES

LAND DESCRIPTION

Crown Allotment 4 Section 5 Township of Casterton Parish of Casterton.
PARENT TITLE Volume 06162 Folio 355
Created by instrument C269954 22/07/1965

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
CHRISTOPHER ROBERT LANGMAN of
AV777544S 24/06/2022

ENCUMBRANCES, CAVEATS AND NOTICES

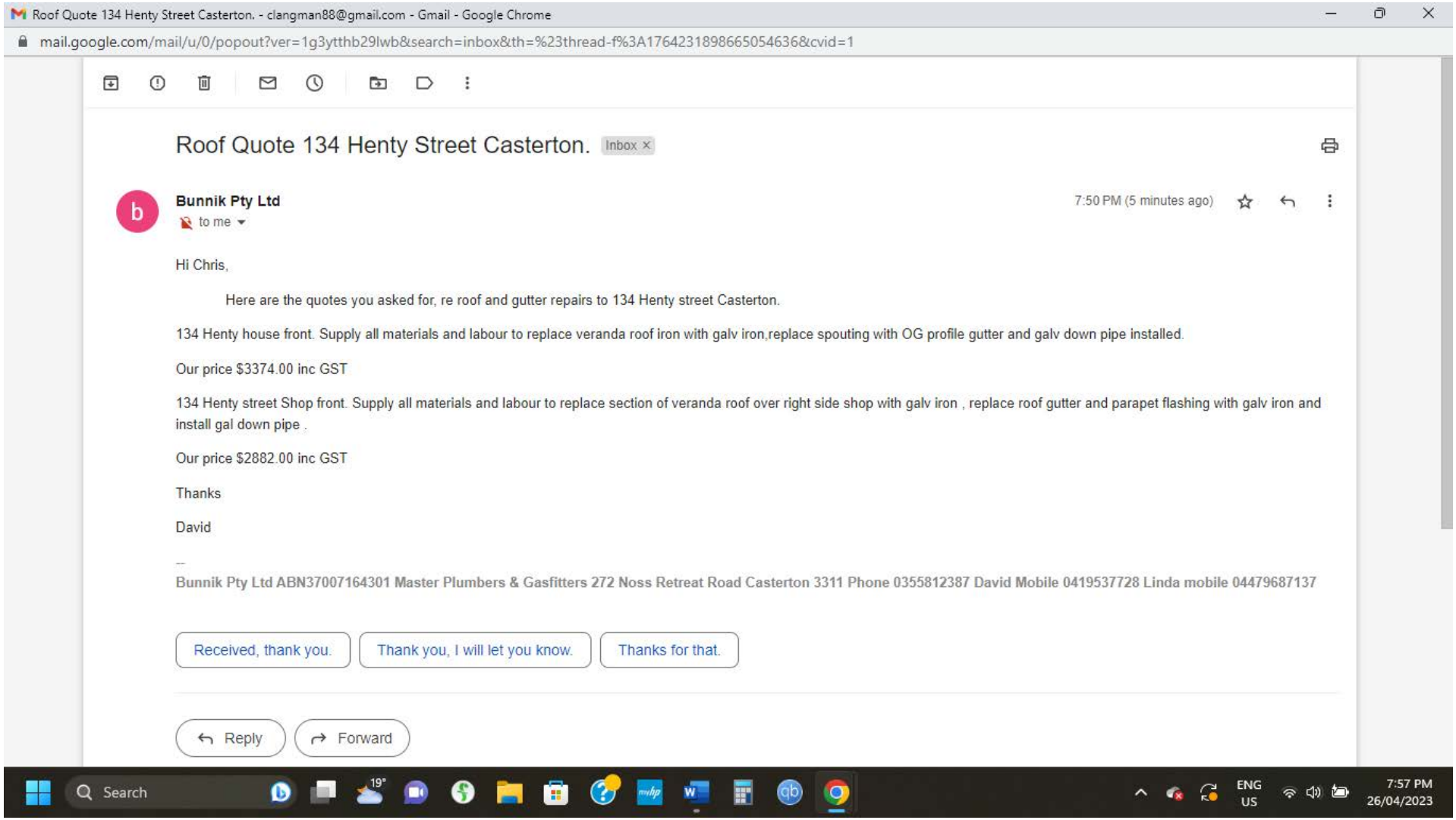
For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP407323U FOR FURTHER DETAILS AND BOUNDARIES

END OF CERTIFICATE

THIS CERTIFICATE CONTAINS INFORMATION CORRECT AT THE TIME OF PRINTING.
CURRENT INFORMATION SHOULD BE OBTAINED BY A SEARCH OF THE REGISTER.


Roof Quote 134 Henty Street Casterton. - clangman88@gmail.com - Gmail - Google Chrome
mail.google.com/mail/u/0/popout?ver=1g3ytthb29lwb&search=inbox&th=%23thread-f%3A1764231898665054636&cvid=1
Roof Quote 134 Henty Street Casterton.
Inbox ×
Bunnik Pty Ltd
to me
7:50 PM (5 minutes ago)
Hi Chris,
Here are the quotes you asked for, re roof and gutter repairs to 134 Henty street Casterton.
134 Henty house front. Supply all materials and labour to replace veranda roof iron with galv iron,replace spouting with OG profile gutter and galv down pipe installed.
Our price $3374.00 inc GST
134 Henty street Shop front. Supply all materials and labour to replace section of veranda roof over right side shop with galv iron , replace roof gutter and parapet flashing with galv iron and install gal down pipe .
Our price $2882.00 inc GST
Thanks
David
--
Bunnik Pty Ltd ABN37007164301 Master Plumbers & Gasfitters 272 Noss Retreat Road Casterton 3311 Phone 0355812387 David Mobile 0419537728 Linda mobile 04479687137
Received, thank you.
Thank you, I will let you know.
Thanks for that.
Reply
Forward
Search
19°
ENG
US
7:57 PM
26/04/2023

Glenelg Shire Council
Heritage Advisor Report

Grant Application No.:	X23181
Owner / Applicant:	**Cottage and two shopfronts**
Location:	134-136 Henty Street Casterton
Heritage Status:	HO163
Proposal:	Conservation Works
To:	Tammy Hurst
Date:	26 03 2023

Background:

An inspection occurred in March 2023.

The enquiry from the owner was of a general nature to explore possible works that may be eligible for assistance under Council's grants scheme. An application for assistance has subsequently been received.



Cottage with two shops beyond (March 2023)

Glenelg Shire Council
Heritage Advisor Report



Cottage: non original soffit to verandah
(March 2023)



Cottage: non original fencing



Cottage side view
(March 2023)

Glenelg Shire Council
Heritage Advisor Report



Two shops: shopfronts require conservation (repair) works to realign and stabilize: portions leaning inwards and outwards (March 2023)

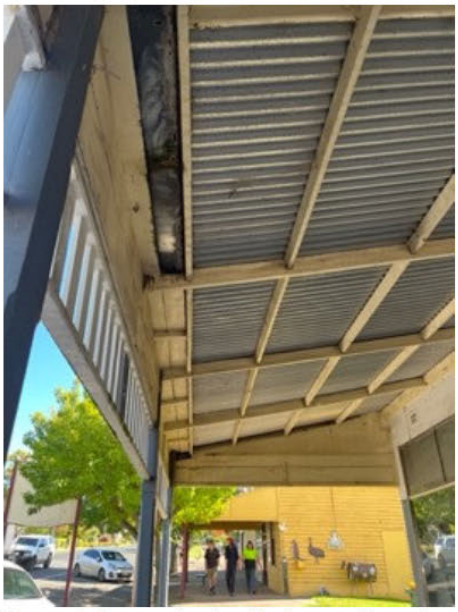


Shopfront
(March 2023)



Shopfront
(March 2023)

Glenelg Shire Council
Heritage Advisor Report



Verandah over footpath: box gutter above Boards missing (March 2023)



External hoarding with Box Gutter behind

Grant Application

The grant application is for the following works, compared with the earlier advice provided:

Cottage		Eligibility	This grant application
Fence	Replacement of non-original picket fence would not be eligible unless a reconstruction based on an historical photograph.	Unlikely	Not included with this application
Cottage Verandah	Re-roofing in corrugated galvanised profile and removal of the non-original soffit lining	Yes	Included with this application
Guttering	Replacement guttering in OG profile	Yes	Included with this application
Downpipe	Discharges openly to street: consider vertical downpipe in round galvanised	Yes	Included with this application
Verandah over footpath			
Signage hoarding	Review materials	Possible	Not included with this application
Box gutter boards	Require reinstatement in places	Yes	Not included with this application
Part Verandah Roof	Reroof, replace gutter, flashing and downpipe (not considered previous report)	Yes	Included with this application
Shopfronts			
General	While non original the replacement to original would	Yes	Not included with this application

Glenelg Shire Council
Heritage Advisor Report

	need to be informed by historical photograph. The existing are considered to make a reasonable contribution and clearly require repair work to overcome outward and inwardly leaning glass. Further investigations required	Yes	
Parapet			
General	While non original or possibly a relining of original the replacement to original would need to be informed by historical photograph. Further investigations required	Yes	Not included with this application

Grant eligibility

Grant Scheme
The heritage grant scheme provides funds for eligible works that promote the conservation of recognised heritage buildings, sites or objects of heritage value in the Glenelg Shire.
Grants are available up to a maximum of $3,000 for Contributory Places within a Heritage Overlay, such as this cottage and shops.

Grants are co-contribution and must be matched on a minimum dollar for dollar basis by the applicant.

A lesser amount may be approved after consideration has been given to the application.

Council also reserves the right to withdraw the grant approval if the works do not meet appropriate standards and/or differs from the work that was proposed in the grant application.

Individuals may apply for funding for multiple projects but the maximum amount granted will be $3000 per financial year.

Recipients will allow Council to photograph the completed project for records purposes and promotional material if required.

Eligibility Criteria
Applications for a grant under this scheme will only be considered if they meet the following criteria:

- Works have not commenced or been completed prior to applying.
- Where required, a planning permit and/or building permit must be obtained.
- Must not have previously been granted/received $3,000 in the current financial year.

Satisfies

The project involves carrying out work on any of the following:
- A heritage asset, object or place listed in the Glenelg Planning Scheme's Heritage Overlay

Glenelg Shire Council
Heritage Advisor Report

Satisfies

Type of Work Eligible

- Urgent work that is necessary to ensure the survival of the building or structure (eg. Roof repairs, damp protection, restumping or stabilisation works).
- Reconstruction work (for joinery or masonry detail, verandah or fence) for contributory and individually listed places of heritage significance which will enhance the function and/or appearance of the place. This work must be based on clear evidence of the original feature or element, such as remaining physical evidence, original photographs or documentation.
- Conservation works on contributory or individually listed places of heritage significance.

Scope of Work has been refined and sufficient detail provided. refer table above for indication of eligibility

Type of Work Ineligible

- Labour provided by the applicant/owner.
- New works which do not contribute to the conservation, restoration or reconstruction of the original heritage features.
- Routine maintenance works considered as general upkeep including painting.
- Rear and side fencing that is not a listed heritage feature behind buildings and not addressing a street frontage.

Scope of Work has been refined and sufficient detail provided.

Assessment criteria

- The relationship of the project to approved conservation principles (eg. the Burra Charter);
- The importance of the restoration project to the heritage value of the town or place;
- The urgency/need for the works to preserve the heritage place;
- Whether the proposed work is publicly visible or in publicly accessible parts of the building, structure or place;
- Adherence to original features and credible evidence of the proposed reconstruction; and
- Whether the proposed works have received funding from any other Council grant program.

Applicant Eligibility

- Must be owner or occupier of the asset

Satisfies

Recommendation:

The proposed scope of work is eligible. The maximum grant of $3000 is being sought, based on a project cost of $6256 excluding GST. The applicant has been previously advised a grant would be subject to available funds and timing. Funds are limited to $10000 for the 23-24 Financial Year.

Given the limited funds, it is recommended this project receive a maximum of $2000.

Heritage Advisor:

Douglas Alexander

14.8. HERITAGE GRANT APPLICATION RECOMMENDATION 7 JULIA STREET PORTLAND

Director: David Hol, Director Corporate Services

Executive Summary

A total of two heritage grant applications were received for the period to 7 July 2023 seeking $13,000 for projects totaling approximately $42,400.

A separate report has been submitted for each application.

Council's Heritage Advisor has provided a report confirming the eligibility of these works as per the Heritage Support Policy. Council officers have evaluated the application and this report presents the recommendation to support the application.

Recommendation

That Council approve the grant application of $5,000 from the heritage grants and loans restoration fund for the conservation works at 7 Julia Street, Portland in accordance with the recommendations in Council's heritage advisor report and relevant permits.

Background/Key Information:

On 25 October 2022 Council updated the Heritage Support Policy. Recommendations for grants are evaluated by Council officers in consultation with Council's heritage advisor.

A heritage grant application was submitted on 28 June 2023 for reroofing and the replacement of guttering and downpipes with an estimated cost of works totaling $34,000 (not including scaffolding hire). The applicant requested $10,000 in funding but has been advised of the revised policy amount of $5,000.

The two-storey bluestone building at 7 Julia Street, Portland was erected pre 1853 and is an interesting example of commercial design dating from these times. The prominent local heritage place is an individually State listed heritage property (HO69).
Council's Heritage Advisor inspected the property on 21 March 2023 and advised the works were urgently required to conserve and enhance the external features on a prominent Julia Street building.

The application meets all eligibility requirements of the Heritage Support Policy. It is recommended to approve the maximum amount of $5,000 due to the urgency of the works and the visibility of the building to the public realm.

a. Council Plan and Policy Linkage

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well planned neighbourhoods.

b. Legislative, Legal and Risk Management Considerations

There are no specific legislative, legal or risk management considerations.

c. Consultation and/or communication processes implemented or proposed

The applicant will be advised of the outcome following the Council Meeting.

d. Financial Implications and Collaboration

The Heritage Grants and Loans restoration fund has an estimated balance of $11,000 once all grants approved to date are paid. This includes the $10,000 allocated in the budget for 2023/24.

e. Governance Principles

Local, Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

The ongoing financial viability of the Council is to be ensured.

Attachment List

1. Heritage grant application 7 Julia Street Portland redacted [**14.8.1** - 15 pages]

Glenelg Shire Heritage Grants 2022 2023
Glenelg Shire Heritage Loan and Grant Scheme Application Form
Application No. 15 From Mr Roger Haldane
Form Submitted 28 Jun 2023, 11:43AM AEST

Heritage Grant/Loan Scheme

*** indicates a required field**

Click here to view or download a pdf copy of the Guidelines.

What are you applying for?
☐ Heritage Loan
☑ Heritage Grant

Applicant Details

Mr Roger Haldane

Organisation Name (if applicable)

Postal Address

Must be an Australian post code

Applicant Email *

Applicant Primary Phone Number

Landowner Consent

Are you the owner of the place? *
◉ Yes ○ No

Please attach supporting documentation of landowner consent
No files have been uploaded

Property Place Details

Name of Place
7 Julia Street

Street Address of Place
7 Julia St
Portland VIC 3305 Australia

Current Use of Place
commercial premises

Glenelg Shire Heritage Grants 2022 2023
Glenelg Shire Heritage Loan and Grant Scheme Application Form
Application No. 15 From Mr Roger Haldane
Form Submitted 28 Jun 2023, 11:43AM AEST

Is the Place individually listed?
☑ Individually Listed
☐ Heritage Precinct

Previous Funding Status

Have you previously received funding from us? *
☐ Yes
☑ No

What is the project name of your last funded grant?
n/a

Have all previous grants or funding been acquitted?

Comments
Please provide any further information required to help us assess whether previous funding has been acquitted.

Proposed Works

Project Description *
Re-roofing to two storey bluestone building as urgent repairs required to address corrosion and leaks.
Must be no more than 100 words.
Must be no more than 100 words

Additional details if required.
No files have been uploaded
Please provide any other details that would assist in your application. Ie. financial, urgency, previous works, level of significance.

Total Project Cost
$34,000.00
Must be a dollar amount.
What is the total budgeted cost (dollars) of your project?

Total Amount Requested
$10,000.00
Must be a dollar amount.
Must be matched on a minimum $ for $ basis by the application (co-contribution). Maximum application is $10,000.

Anticipated project start date: *
22/07/2024
Must be a date

Anticipated project completion date: *
22/08/2023
Must be a date

Have you discussed this project with Council's
Yes, a meeting on site was held 20th March 2023 with council planner and council's heritage advisor. Application

Glenelg Shire Heritage Grants 2022 2023
Glenelg Shire Heritage Loan and Grant Scheme Application Form
Application No. 15 From Mr Roger Haldane
Form Submitted 28 Jun 2023, 11:43AM AEST

Heritage Advisor Officer? *
for a heritage grant was supported in discussion and subsequent heritage advice report.
Discussion of your project idea is strongly encouraged.

Permit Details

Have you applied for a planning permit? *
☑ Yes
☐ No

Have you applied for a building permit? *
☐ Yes
☑ No

Supporting Documents

*** indicates a required field**

Please provide relevant documents to support your application. These might include:

Current copy of Title *
Filename: Lot-1-PS715567-(ID424729014)-Vicplan-Planning-Property-Report.pdf
File size: 246.8 kB

Filename: Title - Pages from 7 Julia St s32 signed Jul 2022.pdf
File size: 628.7 kB

Quote 1 *
Filename: quote for roofing works - Malcolm Alexander.jpg
File size: 73.4 kB

Quote 2
No files have been uploaded

Photographs
No files have been uploaded

Heritage Advisor Report
Filename: X23201 7 Julia Street Portland.pdf
File size: 3.0 MB

Other Documents (ie Plans)
Filename: 7_Julia_St,_Aerial_and_Street_View.pdf
File size: 1.9 MB

Filename: Proposed external repair and restoration works for 7 Julia Street.docx
File size: 13.1 kB

Glenelg Shire Heritage Grants 2022 2023
Glenelg Shire Heritage Loan and Grant Scheme Application Form
Application No. 15 From Mr Roger Haldane
Form Submitted 28 Jun 2023, 11:43AM AEST

Other documents may be requested if required.

Declaration and Privacy statement

*** indicates a required field**

I certify that all details supplied in this application and in any attached documents are true and correct to the best of my knowledge, and that the application has been submitted with the full knowledge and agreement of the landowner.

I have read the accompanying guidelines for applicants provided with this application form and agree to abide by all conditions contained in the Heritage Loan & Grants Scheme Guidelines,

I agree that I will contact Glenelg Shire Council immediately if any information provided in this application changes or is incorrect.

I understand that this is an application only and may not necessarily result in funding approval.

I understand that the information above will be used in accordance with relevant legislation and declare that this information is correct to the best of my knowledge.

If successful, funds must be spent on the project nominated in the application form.

I am authorised to complete this application and have read and understood the declaration and privacy statement *

◉ Yes

Applicant *

Mr Roger Haldane

Date of Declaration *

28/06/2023
Must be a date

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 12165 FOLIO 787 Security no : 124107438232R
Produced 07/07/2023 09:37 AM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 715567J.
PARENT TITLES :
Volume 08209 Folio 104 to Volume 08209 Folio 105
Volume 10406 Folio 793 to Volume 10406 Folio 798
Created by instrument PS715567J 19/11/2019

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
ROGER JOHN HALDANE of
AW090783S 21/09/2022

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS715567J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 18386W TAITS LEGAL MANAGEMENT PTY LTD
Effective from 21/09/2022

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS715567J

DOCUMENT END

Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	**Plan**
Document Identification	**PS715567J**
Number of Pages (excluding this cover sheet)	**2**
Document Assembled	**07/07/2023 09:42**

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The document is invalid if this cover sheet is removed or altered.

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PLAN OF SUBDIVISION

UNDER SECTION 32A OF THE SUBDIVISION ACT 1988

LRS use only

EDITION 1

Plan Number

PS715567J

Location of Land

Parish: PORTLAND
Township: PORTLAND
Section: 3
Crown Allotment: Parts 8 & 9
Crown Portion: ———
Title References: Vol.10406 Fol.793
Vol.10406 Fol.794 Vol.10406 Fol.795
Vol.10406 Fol.796 Vol.10406 Fol.797
Vol.8209 Fol.104 Vol.8209 Fol.105
Last Plan Reference: PS306620P,TP520394M & TP593338L
Postal Address: 3, 5A, 7 & 7A JULIA STREET
PORTLAND VIC 3305
MGA Co-ordinates: E 552 800
(Of approx. centre of plan) N 5755 130 Zone 54

Council Name: Glenelg Shire Council

Council Reference Number: S16016-CH
Planning Permit Reference: P14130
SPEAR Reference Number: S090584H

Certification

This plan is certified under section 11 (7) of the Subdivision Act 1988
Date of original certification under section 6: 20/02/2018

Statement of Compliance

This is a statement of compliance issued under section 21 of the Subdivision Act 1988

Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made

Digitally signed by: Matthew Peter Berry for Glenelg Shire Council on 04/06/2018

Vesting of Roads or Reserves

Identifier	Council/Body/Person
Nil	Nil

Notations

Depth Limitation: Does not apply

Staging This is not a staged subdivision
Planning Permit No. ———

BOUNDARIES SHOWN BY THICK CONTINUOUS LINES ARE DEFINED BY BUILDINGS

LOCATION OF BOUNDARIES DEFINED BY BUILDINGS EXTERIOR FACE: ALL BOUNDARIES

The whole of Easement E-2 for "Right of Way" created in PS306620P and Easement for "Carriageway" coloured green shown on TP593338L (Vol.8209 Fol.105), created by Inst.A621100 are to be removed by authorisation in Planning Permit P14130.

THIS IS A SPEAR PLAN

Survey:– This plan is based on survey.
To be completed where applicable.
This survey has been connected to permanent marks no(s). 240, 241 & 417
In proclaimed Survey Area no. 38

LOTS IN THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS.
For details of Owners Corporation(s) including; purpose, responsibility and entitlement and liability, see Owners Corporation search report, Owners Corporation rules and Owners Corporation additional information.

Easement Information

Legend: E – Encumbering Easement or Condition in Crown Grant in the Nature of an Easement.
A – Appurtenant Easement R – Encumbering Easement (Road)

EASEMENTS AND RIGHTS IMPLIED BY SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLY TO ALL THE LAND IN THIS PLAN

Subject Land	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
A–1	Way and Drainage	See diag. sheet 2	LP18758	Land in LP18758
A–2	Way	See diag. sheet 2	X313903C	Land in PS306620P
A–3	Way	See diag. sheet 2		Lot 1 on TP520394M
E–1, E–3, E–4 E–5, E–6 & E–7	Carriageway	See diag. sheet 2	This plan	Lot 2 on This Plan
E–2, E–5 & E–7	Sewerage	See diag. sheet 2	This plan	Lot 2 on This Plan & Lot 1 on LP18758
E–3, E–4 & E–5	Supply of Water	1m	This plan	Lot 2 on This Plan
E–6 & E–4	Sewerage	See diag. sheet 2	This plan	Lot 1 on LP18758
E–8 & E–11	Drainage	1m	This plan	Lot 3 on This Plan
E–9	Sewerage	2m	This plan	Lot 1 on TP422172D
E–10	Sewerage	3m	This plan	Wannon Region Water Corporation.
E–11	Way	1m	This plan	Lot 3 on This Plan

BERRY & WHYTE SURVEYORS PTY. LTD.
LICENSED LAND SURVEYORS & DEVELOPMENT CONSULTANTS
160A PERCY ST. PORTLAND
Ph 03 5523 3377 A.C.N. 006 502 870

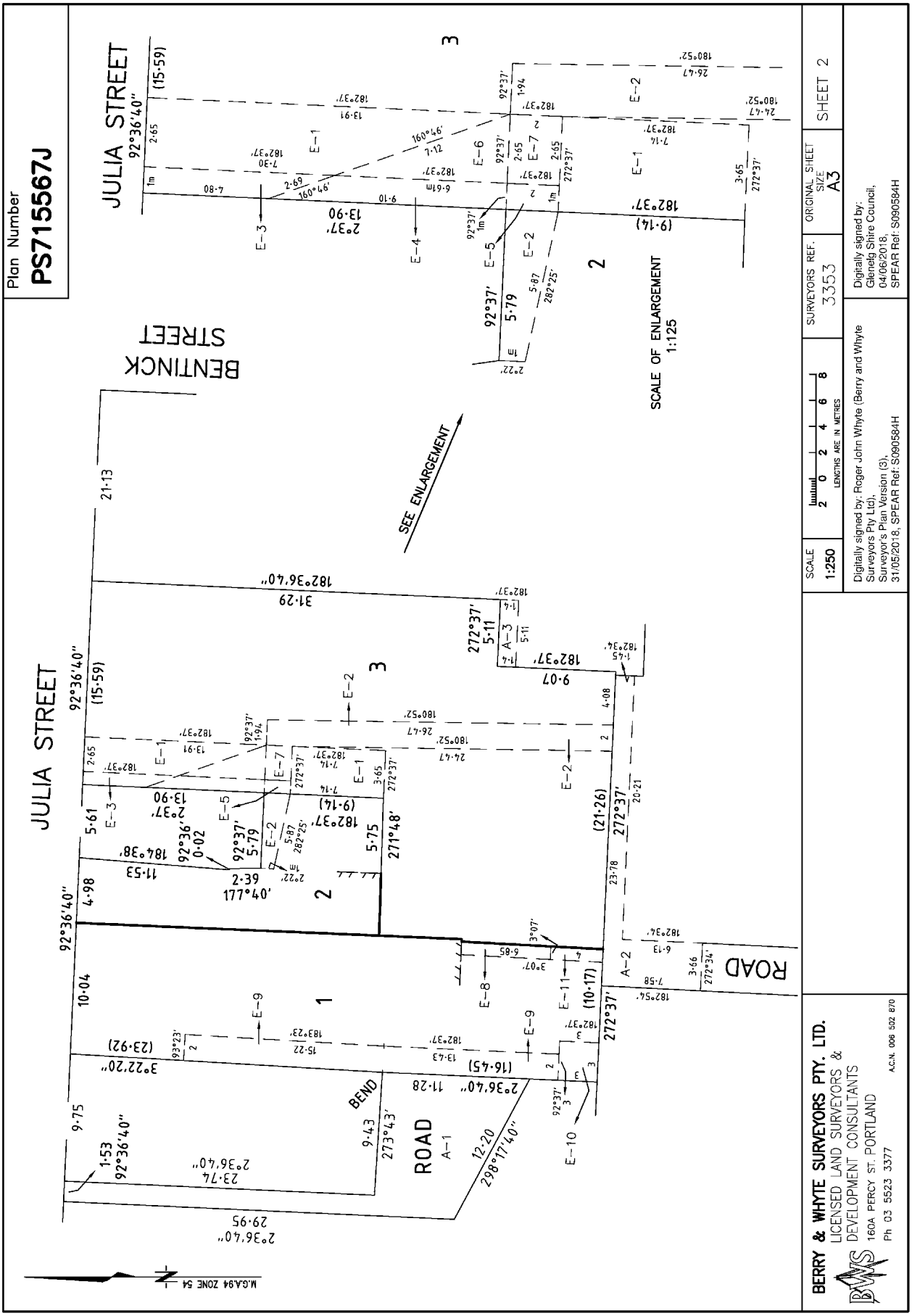
REF 3353

Digitally signed by: Roger John Whyte (Berry and Whyte Surveyors Pty Ltd), Surveyor's Plan Version (3), 31/05/2018, SPEAR Ref: S090584H

ORIGINAL SHEET SIZE: A3 SHEET 1 OF 2 SHEETS

PLAN REGISTERED
TIME: 3:59 pm DATE: 19/11/2019
Tarek Mahmoud
Assistant Registrar of Titles

Delivered by LANDATA®, timestamp 07/07/2023 09:42 Page 2 of 2



Description of proposed external repair and restoration works for 7 Julia Street, Portland

(Consistent with heritage advisor recommendations)

Roofing (excluding veranda and rear single storey brick portion)

Corrugated profile, standard depth and continuous sheet length.

Colorbond ultra finish for added corrosion protection (and considerate of availability issues of galvanised sheeting)

Colour: Colorbond Shale grey (to mimic dull galvanised)

Fixings to manufacturer's recommendations

Gutter – OG profile to match existing - Colorbond Night Sky (Black) – including repair and painting of timber fascia to match

Downpipes – round steel using neat stand off brackets from wall. Finish to match Colorbond Shale grey roofing.

Flashings – Scribed, rolled top flashings to hip and ridge

Scaffolding proposed for work at heights.

Internal inspection of roof by roofing plumber confirms that existing timber roof structure in good condition. (see photos)

Associated works while scaffold is in place:

Condition of chimneys and stone work will be checked and former restaurant sign will be removed while scaffold is in place also.

Window repair

Front second storey windows – proposed change of colour to White (Dulux White Calm) to match existing side windows.

On Wednesday, 14 June 2023 at 08:40:19 pm AEST, <goraeorganics@gmail.com> wrote:

Hi Skye,

Hope everything is going as well as can be expected, never sure what is a convenient time.

Scaffold should be available in July some time!

Canton palace roof, in colourbond ultra, sisalation paper,colourbond guttering, downdipes including scaffolding ,labour and gst $34,000. I haven't included removal of the power line to the building to enable the scaffold to be erected but estimate $2000.

[redacted].

I may require a sisalift and that would be extra,depending on Worksafe if they need more safety.

Regards, Malcolm

Sent from Mail for Windows

Glenelg Shire Council
Heritage Advisor Report

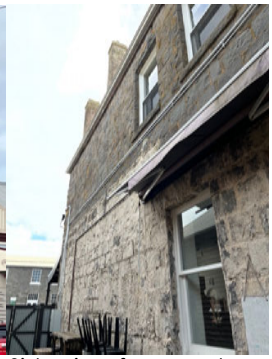
Pre Application No.:	X23201
Owner / Applicant:	**Skye Haldane**
Location:	7 Julia Street Portland
Heritage Status:	HO69
Proposal:	Re-roofing, window repair, air conditioning and solar panels
To:	Tammy Hurst
Date:	21 03 2023

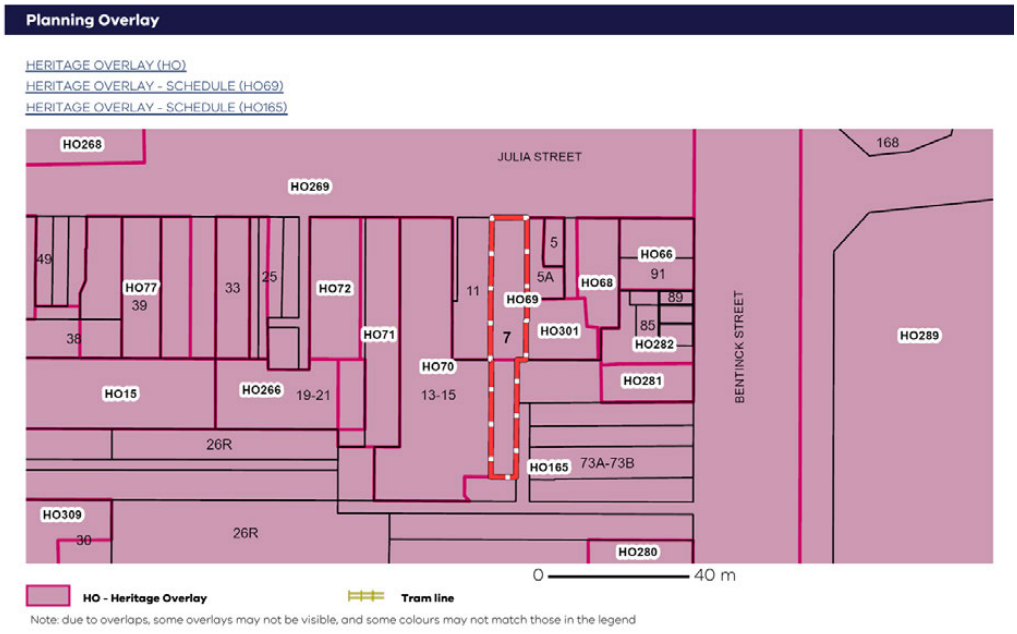


Julia Street



Sideview (from south east)


Side view from west



Issues:

The proposal a prominent Local Heritage Place and involves:

- Re-roofing of main original bluestone, two storey part including gutters and downpipes.

The existing roof and gutters are badly corroded.

This report includes:

1. a permit assessment
2. Grant Assessment

Glenelg Shire Council
Heritage Advisor Report

Advice provided:

The following advice was provided:

Roofing (excluding verandah and rear single storey brick portion)	
Profile	Corrugated
Depth	Preference for deeper profile although this has had availability issues. If not available Custom Orb is acceptable.
Sheet length	Continuous sheeting acceptable (ridge to gutter)
Finish	Galvanised was preferred finish. However given the proximity to the sea the manufacturer may seek Colorbond Ultra to give added protection for corrosion Unpainted Zincalume not preferred
Colour	If Colorbond or similar to be used, the following colours give a good representation of dull galvanised: • Windspray • Shale Grey • Bluegum Basalt may be too dark against the bluestone walling.
Fixings	Use manufacturer recommended fixings
Gutters	OG profile to match existing: Finish dependent on roof finish chosen. Black Colorbond may be an option
Downpipes	Suggest round steel gutters using neat stand-off brackets from wall. Finish dependent upon roof
Flashings	Scribed, rolled top flashings to hip and ridge
Scaffold	Scaffold or similar compliant working at heights platform required
Tie Downs	Check within roof space to see if tie downs are in evidence. Check rafter size and spacing, purlin size and spacing and any other cross ties such as underpurlins, wall plates and struts. Check condition of timber and any evidence of movement at junctions as this may require strapping to Timber Code
Fascia Timber and gutter scotias	Review condition of fascia timber: external painting involving a change in colour requires Planning Permit
Chimneys	Opportunity to review condition of chimneys while scaffold in place
Stonework	Opportunity to review pointing and condition while scaffold in place.
Window repair (while scaffold in place)	
Front windows	Check putty, glazing, operation, sash cords and paint. Change of colour requires Planning Permit.
Side windows	As above: appeared no change of colour proposed (white)
Colour	The proposed white is acceptable.
Air Conditioning	
Type and Location	No window mounted units

Glenelg Shire Council
Heritage Advisor Report

	Split system recommended with internal fan coil units (floor ceiling or wall mounted) Ground mounted condenser in discreet location (some systems can be grouped ie three fan coil units off one consdenser)
Air Conditioning	
Type and Location	Roof mounted acceptable Planning Permit required if visible from street Check roof framing has load capacity

In terms of any Permit Application, the following assessment is provided.

1. **Comments: permit assessment**

In response to the relevant Victorian Planning Provision strategies relating to Heritage Conservation, at Clause 15.03-1L:

General strategies

Support development that respects the significance of the heritage place as identified in the Statement of Significance.

Restoration, reconstruction and surface treatment strategies

Retain the original heritage fabric of the place.

Conserve external features of significant and contributory heritage buildings.

Encourage the restoration and reconstruction of the original or early appearance of contributory fabric, particularly when seen from the street, if:

- The reconstruction will enhance the heritage significance of the heritage place.
- Evidence exists to support the accuracy of the reconstruction.

The proposal will conserve external features on a prominent Julia Street building.

In response to the relevant Decision Guidelines included in the Heritage Overlay to the Planning Scheme, at Clause 43.01-8:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

The proposal will conserve and enhance the place.

Recommendation:

That a planning permit application, if required for the reroofing and external painting would be supported on the above basis.

2. **Comments: Grant Scheme**

Glenelg Shire Council
Heritage Advisor Report

The heritage grant scheme provides funds for eligible works that promote the conservation of recognised heritage buildings, sites or objects of heritage value in the Glenelg Shire.

Grants are available up to a maximum of $5,000 for individually listed heritage places, subject to available funds.

Grants are co-contribution and must be matched on a minimum dollar for dollar basis by the applicant.

A lesser amount may be approved after consideration has been given to the application. Council also reserves the right to withdraw the grant approval if the works do not meet appropriate standards and/or differs from the work that was proposed in the grant application.

Individuals may apply for funding for multiple projects but the maximum amount granted will be $5,000 per financial year, subject to funds being available.

Eligibility Criteria

Applications for a grant under this scheme will only be considered if they meet the following criteria:

- Works have not commenced or been completed prior to applying.
- Where required, a planning permit and/or building permit must be obtained.
- Must not have previously been granted/received $5,000 in the current financial year.

Satisfies the above

The project involves carrying out work on any of the following:

- A heritage asset, object or place listed in the Glenelg Planning Scheme's Heritage Overlay;

Type of Work Eligible

- Urgent work that is necessary to ensure the survival of the building or structure (eg. Roof repairs).
- Conservation works on individually listed places of heritage significance.

Satisfies the above

Type of Work Ineligible

- Labour provided by the applicant/owner.

The roofing works will be undertaken by a qualified roof plumber

Assessment criteria

- The relationship of the project to approved conservation principles (eg. the Burra Charter);
- The importance of the restoration project to the heritage value of the town or place;
- The urgency/need for the works to preserve the heritage place;
- Whether the proposed work is publicly visible or in publicly accessible parts of the building, structure or place;
- Adherence to original features and credible evidence of the proposed

Glenelg Shire Council
Heritage Advisor Report

reconstruction; and

• Whether the proposed works have received funding from any other Council grant program.

The reroofing, guttering and downpipes are urgently required. Some new timber fascias will be required. Satisfies the above.

Applicant Eligibility

• Must be owner or occupier of the asset; or

Satisfies

Grant Recommendation:

That a grant application, would be supported, to the maximum available funds, subject to the availability of funds and timing.

Heritage Advisor:

Douglas Alexander

14.9. P23042 45 WINDHAM STREET NARRAWONG POST OFFICE SHOP AND PACKAGED LIQUOR

Director: David Hol, Director Corporate Services

Executive Summary

This report request Council determination on planning permit application P23042, which seeks planning approval for use and development for a retail premises (postal agency and sale of packaged liquor), business identification signage and access to Transport Zone 2 at 45 Windham Street, Narrawong.

The application has been referred to Council for determination in line with Council's Planning Delegation and Decision Guidelines Policy. Consultation and deputations to Councillors on this application was conducted on 18 July 2023.

Recommendation

That Council issue a notice of decision to grant a permit for use and development for a retail premises (postal agency and sale of packaged liquor) business identification signage and access to Transport Zone 2 at 45 Windham Street, Narrawong, in accordance with plans circulated in Attachment 1 and Notice of Decision conditions in attachment 6.

Background/Key Information:

Application P23042 seeks approval for use and development for a retail premises (postal agency and sale of packaged liquor), business identification signage and access to Transport Zone 2.

The proposal is to relocate the existing Narrawong Post Office to 45 Windham Street, Narrawong. The proposed location will be accessed off Princes Highway (Windham Street), into Cambridge Street with parking available onsite. Other than signage, parking and landscaping there are no external building works with this application. Full details of the proposal are contained in Attachment 1.

A total of 10 objections have been received for this application and are attached in Attachment 2.

The key issues raised in the objections include:

- Location is not appropriate – needs to be at former Narrawong Store
- Lack of detail on proposal
- Traffic congestion and safety
- Amenity concerns of noise, light spill, signage clutter, licence to sell alcohol, 24/7 access to post boxes

A large number of submissions in support of this proposal have been received, with a total of 65 received at the time of writing this report. Refer to Attachment 3.

The proposal was referred to the Head of Transport, where no objection was provided subject to condition of upgrading the entrance of the Princes Highway. Refer to Attachment 4.

The subject site is zoned Township Zone where the use requires permission under the Zone. Permit triggers also include signage under Clause 52.05, liquor licence under Clause 52.27 and access to a Transport Zone under Clause 52.29.

The Officer report in Attachment 5 details the processing of this application and assessment against the planning scheme. Assessment recommends that the application can be supported.

a. Council Plan and Policy Linkage

Our Education, Employment and Industry - Adapting and growing a diverse economy to embrace employment of the future and educational opportunities.

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well planned neighbourhoods.

Our Access, Transport and Technology - Making it easier for people to connect in and around the Glenelg Shire.

b. Legislative, Legal and Risk Management Considerations

The *Planning and Environment Act 1987* gives a legal basis for the Glenelg Planning Scheme. The Glenelg Planning Scheme sets out policies and provisions for use, development and protection of land. Planning schemes are legal documents prepared by the Council or the Minister for Planning and approved by the Minister.

c. Consultation and/or communication processes implemented or proposed

The application was publicly notified and referred in accordance with the Section 52 of the *Planning and Environment Act 1987*. Ten objections were received in response to this notice.

Deputations to Councillors from all submitters were invited as part of considering this application. Consultation was held on 18 July 2023 with 7 speakers.

d. Financial Implications and Collaboration

The assessment of permit applications is part of regular operations of the Planning Unit of which it receives application fee.

e. Governance Principles

Local, Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Attachment List

1. Attachment 1 P 23042 Application Documents [**14.9.1** - 75 pages]
2. Attachment 2 P 23042 Objections [**14.9.2** - 31 pages]
3. Attachment 3 P 23042 Submissions in Support [**14.9.3** - 73 pages]
4. Attachment 4 P 23042 Do T Referral Response [**14.9.4** - 2 pages]
5. Attachment 5 P 23042 Assessment report (2) [**14.9.5** - 19 pages]
6. Attachment 6 P 23042 Notice of Decision [**14.9.6** - 6 pages]

Office Use Only

Application No.: Date Lodged: / /

Application for a **Planning Permit**

The Land

Address of the Land Complete the Street Address and one of the Formal Land Descriptions

Street Address *

Unit No: | St. No.: 45 | St. Name: Windham Street

Suburb/Locality: Narrawong | Postcode: 3285

Formal Land Description *

Complete either A or B

If this application relates to more than one address, attach a separate sheet setting out any additional property details

A Lot No.: ○ Lodged Plan ○ Title Plan ○ Plan of Subdivision No.:

OR

B Crown Allotment No.: 1 | Section No.: 14

Parish/Township Name: Township of Narrawong Parish of Narrawong

The Proposal

For what use, development or other do you require a permit? *

Use of land for shop (Post Office and Sale of Packaged Liquor): Clause 32.05-1

Works associated with the use of land for shop (Post Office and Sale of Packaged Liquor): Clause 32.05-10

Business ident fication signage: Clause 52.05-13

Application for a Licensed Premises (Packaged Liquor Licence) under the *Liquor Control Reform Act 1998:* Clause 52 27

A teration of Access from a Transport Zone 2 (Principal Road Network): Clause 52.29-2

Estimated cost of development *

Cost $50,000

You may be required to verify this estimate
Insert '0' if no development proposed

Existing Conditions

Describe how the land is used and developed now *

See enclosed town planning report.

Title Information

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement of other obligation such as an easement or building envelope?

○ Yes, see enclosed town planning report for additional information.

☑ No

○ Not applicable (no such encumbrance applies)

Document Set ID: 3078747
Version: 1, Version Date: 20/04/2023

Applicant and Owner Details

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit

Name:

Title: | First Name: Dan | Surname: Pech

Organisation: Myers Planning Group

Postal address: | **If it is a PO Box, enter the details here:**

Unit No: | St. No.: | St. Name: PO Box 207

Suburb/Locality: Warrnambool | State: V C | Postcode: 3280

Provide at least one contact phone number *

Contact information for applicant OR contact person below

Business phone: (03) 5562 9443 | Email: admin@myersplanninggroup.com au

Mobile phone: | Fax: --

Where the preferred contact person for the application is different from the applicant, provide details of that person

Name: Same as applicant ☑

Title: | First Name: | Surname:

Organisation:

Postal address: | **If it is a PO Box, enter the details here:**

Unit No: | St. No.: | St. Name:

Suburb/Locality: | State: | Postcode:

Owner *

The person or organisation who owns the land

Name:

Title: | First Name: Kyla | Surname: Brown

Organisation: J&K Brown Pty Ltd

Postal address: | **If it is a PO Box, enter the details here:**

Unit No: | St. No.: 123 | St. Name: Blackers Road

Suburb/Locality: Narrawong | State: V C | Postcode: 3285

Declaration

This form must be signed by the applicant *

I declare that I am the applicant, and that all the information in this application is true and correct; and the owner has been notified of the permit application.

Signature: DP | Date: 17 April 2023

Has there been a pre-application meeting with a council planning officer?

☑ No ○ Yes | If 'Yes', with whom?:

Date: day/month/year

Document Set ID: 3078747
Version: 1, Version Date: 20/04/2023

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10960 FOLIO 771 Security no : 124105343876Q
Produced 13/04/2023 12:18 PM

LAND DESCRIPTION

Crown Allotment 1 Section 14 Township of Narrawong Parish of Narrawong.
Created by Application No. 103846Q 28/07/2006

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
J&K BROWN PTY LTD of 123 BLACKERS ROAD NARRAWONG VIC 3285
AT742312E 02/11/2020

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AT742313C 02/11/2020
PERPETUAL CORPORATE TRUST LTD

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP889095M FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: 45 WINDHAM STREET NARRAWONG VIC 3285

ADMINISTRATIVE NOTICES

NIL

eCT Control 19219M PURCELL PARTNERS
Effective from 02/11/2020

DOCUMENT END

Document Set ID: 3078747
Version: 1, Version Date: 20/04/2023

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Number of Pages (excluding this cover sheet)	**1**
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TITLE PLAN

EDITION 1

TP889095M

LOCATION OF LAND

PARISH: NARRAWONG
TOWNSHIP: NARRAWONG
SECTION: 14
CROWN ALLOTMENT: 1
CROWN PORTION:
LAST PLAN REFERENCE:
DERIVED FROM:
DEPTH LIMITATION: NIL

NOTATIONS

EASEMENT INFORMATION

E - ENCUMBERING EASEMENT. R - ENCUMBERING EASEMENT (ROAD). A - APPURTENANT EASEMENT.

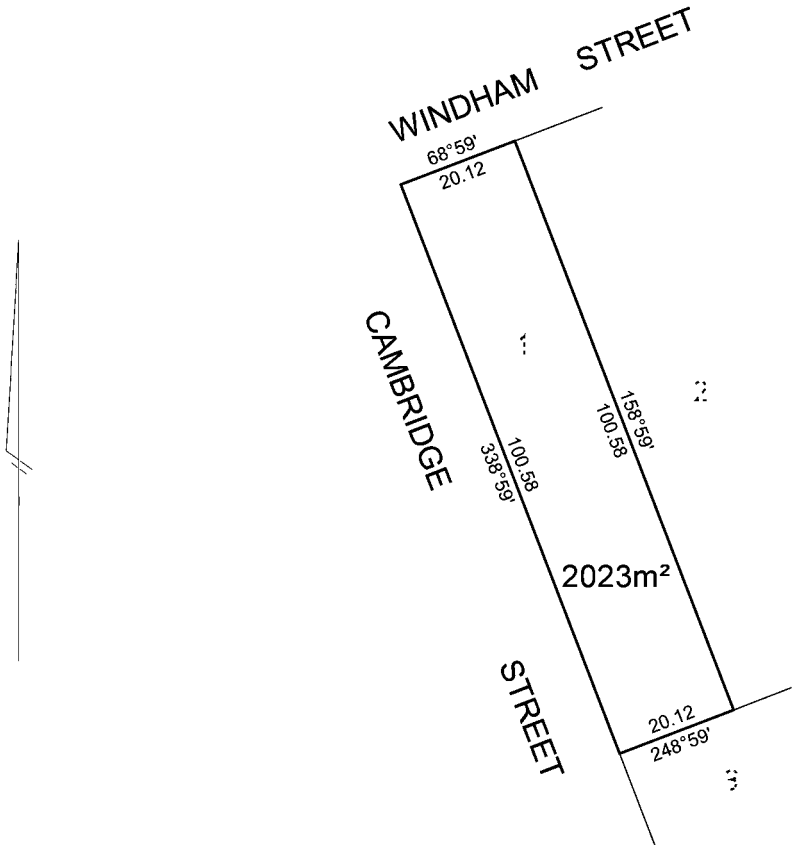
Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefited / In favour of

THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES

Checked by: J.F.S.

Date: 2/8/06

Assistant Registrar of Titles



LENGTHS ARE IN METRES	SCALE	DEALING / FILE No: AP103846Q	DEALING CODE: 14
		GOVERNMENT GAZETTE No:	SHEET 1 OF 1

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Department of Environment, Land, Water & Planning

Electronic Instrument Statement

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

Produced 15/07/2021 04:53:03 PM

Status	Registered	Dealing Number	AT742312E
Date and Time Lodged	02/11/2020 04:56:02 PM		

Lodger Details

Lodger Code	19219M
Name	PURCELL PARTNERS
Address	
Lodger Box	
Phone	
Email	
Reference	

TRANSFER

Jurisdiction VICTORIA

Privacy Collection Statement
The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

Land Title Reference
10960/771

Transferor(s)

Given Name(s)	ANGELA MARY
Family Name	HUCKER

Estate and/or Interest being transferred
Fee Simple

Consideration
$AUD 355000.00

Transferee(s)

Tenancy (inc. share)	Sole Proprietor
Name	J&K BROWN PTY LTD
ACN	644137164
Address	
Street Number	123
Street Name	BLACKERS

Department of Environment, Land, Water & Planning

Electronic Instrument Statement

Street Type	ROAD
Locality	NARRAWONG
State	VIC
Postcode	3285

Duty Transaction ID
4934190

The transferor transfers to the transferee their estate and/or interest in the land specified for the consideration, subject to any restrictive covenant set out or referred to in this transfer.

Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferee or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of	J&K BROWN PTY LTD
Signer Name	TANIA KAY JASPER
Signer Organisation	SOUTH WEST CONVEYANCING
Signer Role	LICENSED CONVEYANCER
Execution Date	30 OCTOBER 2020

Execution

1. The Certifier has taken reasonable steps to verify the identity of the transferor or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of	ANGELA MARY HUCKER
Signer Name	CASSANDRA JANE MCMILLAN
Signer Organisation	SOUTH WEST CONVEYANCING
Signer Role	LICENSED CONVEYANCER
Execution Date	30 OCTOBER 2020

File Notes:
NIL

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.

Myers
Planning & Associates

Planning Permit Application

45 Windham Street, Narrawong
Prepared for J&K Brown Pty Ltd

Issued for client review
18 April 2023
www.myersplanning.com.au

Dispensary Lane (Rear of 190 Timor Street)
Warrnambool VIC 3280
(03) 5562 9443

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Overview

Background	
Applicant / Owner	Kyla Brown / J&K Brown Pty Ltd
Address	45 Windham Street, Narrawong
Lot Description	Crown Allotment 1, Section 14, Township of Narrawong Parish of Narrawong
Relevant Planning Controls	
Municipal Planning Strategy	Clause 02.01 Context Clause 02.02 Vision Clause 02.03-3 Strategic Directions: Environmental Risks and Amenity - Bushfire Clause 02.03-6 Strategic Directions: Economic Development – Employment and Industry; Tourism Clause 02.04 Strategic Framework Plans
Planning Policy Framework	Clause 11 Settlement Clause 13 Environmental Risks and Amen ty Clause 15 Built Environment and Her tage Clause 17 Economic Development Clause 18 Transport Clause 19 Infrastructure
Zone	Township Zone
Overlays	None
Particular Provisions	Clause 52.05 Signs Clause 52.06 Car Parking Clause 52.27 Licensed Premises Clause 52.29 Land Adjacent to the Principal Road Network Clause 52.34 Bicycle Facil ties Clause 53.18 Stormwater Management in Urban Development
Strategic Planning Documents	None applicable
Permit Application Details	
Description of Proposal	Use of Land for Shop (Post Office and Sale of Packaged Liquor) Business Identification Signage: Clause 52.05-13 A teration of Access from a Transport Zone 2 (Principal Road Network): Clause 52.29-2
Permit requirement	Clause 32.05-2: Township Zone – Use. A perm t is required for a Section 2 Use.

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	Clause 32.05-10: Township Zone – Buildings and works associated w th a Section 2 Use. Clause 52.27: Licensed Premises – A permit is required to use land to sell or consume liquor. Clause 52.29-2: Land Adjacent to a Principal Road Network – A perm t is required to create or a ter access to a road in a Transport Zone 2.

Acknowledgement of Country



We acknowledge the Traditional Owners of the Country on which this application applies and recognise their continuing connection to the land, water and culture. We pay our respects to their Elders past, present and emerging.

We care about our community



We donate a fixed percentage of our income each year to local organisations that work towards a better world. We also advise and represent a select group of clients on a reduced cost of pro bono basis.

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Quality assurance

Town Planning Report
45 Windham Street, Narrawong
Prepared for J&K Brown Pty Ltd

Project Number
22-1040

Revision
00

Prepared By
DP

Reviewed By
DP

Project Lead
DP

Issued
17 April 2023

Revision	Date	Issue
00	18 April 2023	FINAL Town Planning Report

Document Set ID: 3078750
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1. Introduction

1.1. Purpose

This report has been prepared by Myers Planning Group on behalf of Kyla Brown in support of a planning perm t application for the use of the land for a shop (postal agency and sale of packaged liquor). The proposal includes the a teration of access to a road within a Transport Zone 2 (Windham Street) and business identification signage. The proposal also includes the provision of on-s te car parking spaces and bicycle facilities compliant w th Clause 52.06 and 52.34 (respectively) and the requirements of the Glenelg Planning Scheme.

The subject land is s tuated at Crown Allotment 1, Section 14, Township of Narrawong Parish of Narrawong, 45 Windham Street, Narrawong (the 'S te').

The proposal triggers the following permit requirements:

- 32.05-2: Township Zone – Table of Uses. 'Shop' is a Section 2 Use.
- 32.05-10: Township Zone – Buildings and works associated w th a Section 2 Use.
- 52.05-6: Signs – Category 3 High Amen ty Areas. A permit is required for a Business Identification Sign.
- 52.27: Licensed Premises – A permit is required to use land for the sale of packaged liquor for consumption off the premises.
- 52.29: Land Adjacent to a Transport Zone 2 – A permit is required to create or alter access to a road in the Transport Zone 2.

Having considered the proposal with respect to the Glenelg Planning Scheme, it is the conclusion of this report that the proposal is consistent with both state and local planning policy. As such, this report recommends, and requests Council issues a perm t for the proposal.

The following documents should be read in conjunction w th this report and are provided as part of the application:

- Cert ficate of title
- OneMap S te Report
- Site Photos
- Town Planning Drawings by Myers Planning and Associates.
- Aboriginal Cu tural Heritage Process checklist

1.2. Limitations

This report has considered the following documents:

- Glenelg Planning Scheme (as of 17 April 2023);
- Cert ficate of Title (dated 13 April 2023);
- Planning Practice Note 61 Licenced Premises: Assessing Cumulative Impact (June 2015); and
- Packaged Liquor Code of Conduct (January 2019).

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2. Site and surrounds

2.1. Site description and title particulars

Site address	45 Windham Street, Narrawong
T tle details	Crown Allotment 1, Section 14, Township of Narrawong Parish of Narrawong (Volume 10960, Folio 771).
Site description	The S te consists of one lot, created in 2006. The S te is located to the south of Windham Street, and the east of Cambridge Street. S te area: approximately 2,023 square metres. S te shape: regular rectangle. S te road frontages: approximately 20.12 metres to Windham Street (RDZ1). S te road frontages: approximately 100.58 metres to Cambridge Street. The Site is wholly within an area of cultural her tage sensitiv ty as defined under the Aboriginal Heritage Regulations 2018. The S te is wholly within a designated bushfire prone area as identified under the Building Regulations 2018.
Landowners	For the purposes of Section 48 of the Planning and Environment Act 1987, the registered landowner of the property is 'J&K Brown Pty Ltd'.
Easements, restrictions or covenants	The S te is not affected by any easements. The S te is not encumbered by any further easements or restrictions. There are no S.173 Agreements applying to the Site.

Refer to **Appendix A** - Certificate of T tle.

2.2. Site analysis

The Site contains a building used for short-term accommodation, two small garden sheds and a large water tank. The building was previously used as a church in a different location, and relocated to the S te. There is no vehicle access to the Site from the frontage to Windham Street. Vehicle access is provided from the boundary to Cambridge Street via an informal track and crossover to Windham Street.

The frontage to Windham Street has a recently upgraded picket fence (50% transparent, 1.2 metres in height) w th pedestrian gateway. There is extensive planted garden vegetation on the S te, including w thin the front setback.

The building setbacks are approximately:

- 20 metres from the northern boundary (frontage to Windham Street);
- 4.2 metres from the western boundary (frontage to Cambridge Street);
- 2.5 metres from the eastern boundary;
- 61.5 metres from the southern boundary.

The footprint of the building is approximately 150 square metres (not including verandahs/pergolas).

The Site has a gentle slope from north down to south. The total fall is approximately 2 metres, from approximately 12 metres Australian Height Datum (AHD) to 10 metres AHD.

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See Existing Site Plan **Appendix D** in Town Planning Drawings.

Refer to Figure 1 - Aerial Local ty Plan for details.



Figure 1: Aerial Plan

2.3. Site Context

The Site is w thin the Narrawong settlement boundary. It is approximately 14 kilometres to the north-east of the commercial centre of Portland.

The S te is located approximately 500 metres to the north-west of the coast at its nearest point. It is located approximately 480 metres to the east of the Surrey River at ts nearest point.

Windham Street bisects the settlement, being the continuation of the Princes Highway. Windham Street is within the Transport Zone 2.

The Site and immediate locality are within the Township Zone. The Township Zone is adjoined by land within the Rural Living Zone to its north, west and east, and land w thin the Public Parks and Recreation Zone and the Rural Conservation Zone to ts south.

The existing levels of amenity surrounding the subject s te are consistent with a township which does not comprise a well-defined commercial core. The township has been predominantly developed for residential and rural-residential uses but also comprises essential community services (i.e. Narrawong Fire Station and Narrawong District Primary School) and home-based businesses. The Licensed Post Office (LPO) premises for Narrawong is currently located at 96 Windham Street, and is approximately 500 metres west from the S te.

A commercial property (and former Post Office site) is located at 114 Windham Street, approximately 600 metres weest from the Site. A Public Transport Victoria bus stop is located at these premises as well as an informal hard stand area which often caters for rest stops by passing traffic.

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The Site's key interfaces are described in the table, below:

East 43 Windham Street	Township Zone: Residential lot, containing one dwelling. Area approximately 0.2 hectares, similar shape to subject site. Dwelling is set on common boundary of subject site. North-western corner of dwelling is approximately 2.5 metres to the east of the south-eastern corner of subject building.
West Road Reserve 47 Windham Street	Township Zone: The 20 metres wide road reserve of Cambridge Street does not contain a formal carriageway. A well-worn track provides access from the carriageway of Windham Street to the gate set on the subject site's north-western boundary. The road reserve of Cambridge Street also provides access to the dwelling at 47 Windham Street to the west of the road reserve. 47 Windham Street consists of two lots, w th a total area of approximately 0.4 hectares. The north-eastern corner of dwelling is approximately 43 metres to the south-west of the south-western corner of subject building.
South 36 The Esplanade	Township Zone: Residential lot, containing one dwelling. Area approximately 0.2 hectares. North-western corner of dwelling is approximately 80 metres to the south of the south-eastern corner of existing building on the subject s te.
North Road Reserve 46 Windham Street	Transport Zone 2: The 30 metreswide road reserve of Windham Street contains a sealed carriageway, being two travel lanes, one in each direction. The speed zone is 60 kilometres per hour. There is a sealed footpath w thin the southern verge, adjacent to the residential lot boundaries. The southern verge is approximately 9.8 metres wide. Township Zone: To the north of the road reserve, there is a lot that appears to have mixed use. It contains one dwelling, and several large outbuildings that are oriented to Windham Street. The lot has an area of approximately 0 5 hectares.

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Figure 2: Aerial Context Plan

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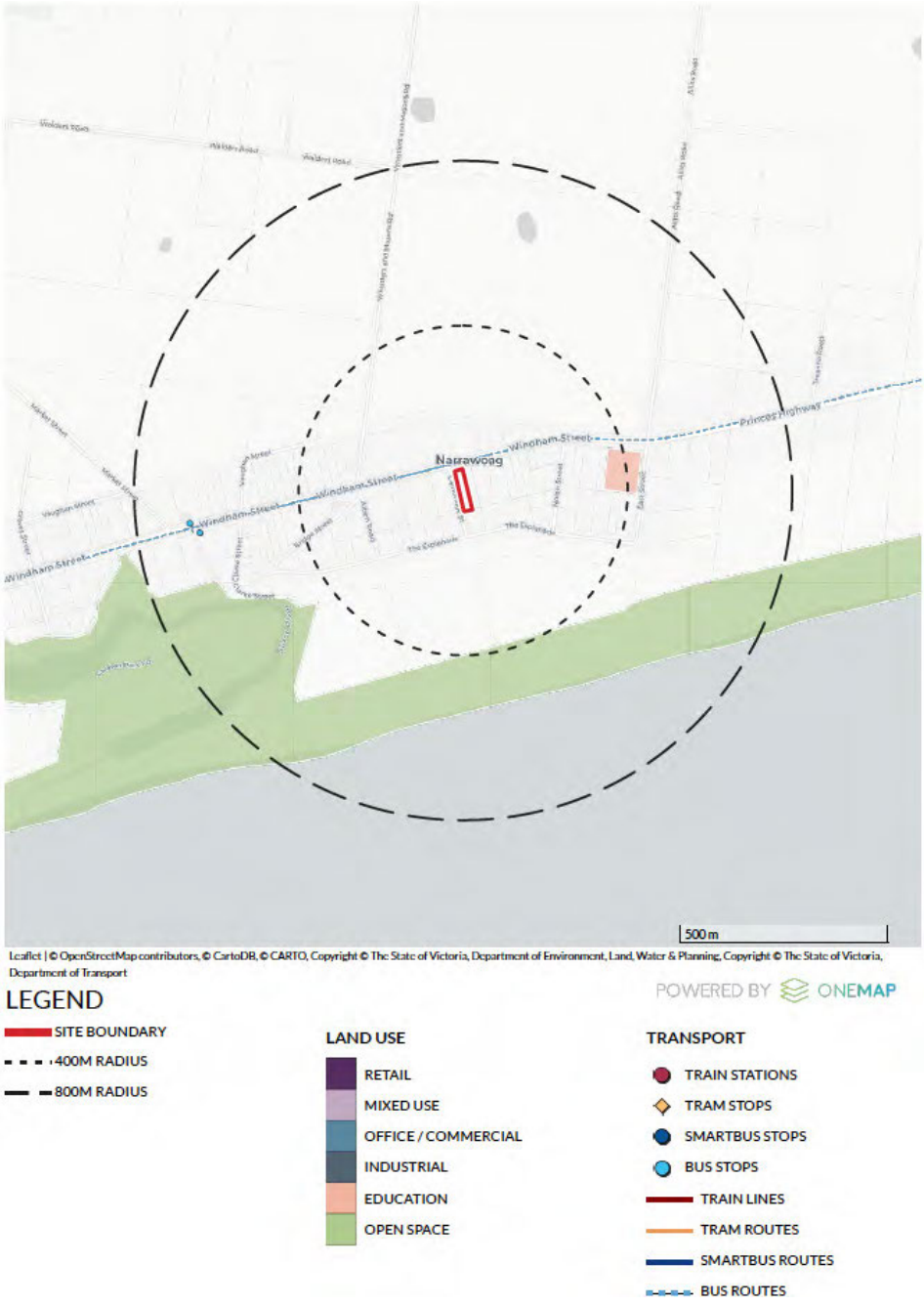


Figure 3: OneMap Site Context Plan

Refer to **Appendix B** - OneMap S te Report.

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3. Proposal

3.1. Overview

The proposal seeks approval for the for the use of the land for 'Shop', comprising a postal agency (the Planning Scheme term for 'Post Office') and the sale of packaged liquor (packaged liquor licence). The proposal includes the a teration of access to a road within a Transport Zone 2 (Windham Street) and installation of a business identification sign fixed to an existing boundary fence. The proposal also includes minor works for the provision of access to Windham Street, on-s te car parking spaces, bicycle rails and widening of an existing undercover deck on the eastern boundary of the existing building on the premises.

Refer to the enclosed Town Planning Drawings (**Appendix D**) for full details of the proposal.

Note: Branding is being finalised. The Proposed Site Plan nominates the location for a business ident fication sign. However, no elevation advertising plans have been supplied at the time of wr ting this report. I

A cond tion is inv ted on any planning permit to be granted requiring amended plans showing advertising elevation plans prior to the commencement of the use and development of the site for 'shop' (postal agency and sale of packaged liquor).

The intent of the proposal is to provide a new premises for the licensed post office (LPO) currently situated at 96 Windham, Street, Narrawong, and transfer the existing twenty (20) post office boxes and other postal agency functions to 45 Windham Street.

3.2. Planning permit triggers

In accordance with the provisions of the Glenelg Planning Scheme, the proposal triggers the following planning permit requirements:

- 32.05-2: Township Zone – Table of Uses. Food and Drink Premises is a Section 2 Use.
- 32.05-10: Township Zone – Buildings and works associated w th a Section 2 Use.
- 52.05-13: Signs – Category 3 High Amenity Areas. A perm t is required for a Business Identification Sign.
- 52.27: Licensed Premises – A permit is required to use land to sell or consume liquor.
- 52.29-2: Land Adjacent to a Principal Road Network – A perm t is required to create or a ter access to a road in the Transport Zone 2.

3.3. Key elements

Key elements of the proposal include:

Works associated w th 'Shop' (Postal Agency and Sale of Packaged Liquor):

- Minor accessibil ty works to the exterior and interior of the subject building consistent w th the relevant requirements/specifications outlined in the 'access to premises standards' for commercial premises catering for less than 20 patrons.
- Minor internal works required to define customer and point of sales areas (i e. moveable refrigeration un ts, shelving, counter tops and patron barriers).
- Exterior works to the subject building to install ramps compliant w th disabil ty access standards.
- Baffled external lighting fixtures for adequate surveillance and patron safety.
- Works will be undertaken to install four (4) on-site bicycle parking rails providing secure space for at least eight bicycles.
- Seven (7) on-site car parking spaces will be provided, with ample space for a compliant accessible parking space f required.
- Car parking spaces will comprise a mix of geofabric and semi-permeable crushed rock/hard stand materials constructed on top of the existing natural ground level.
- Vehicle access from the carriageway of Windham Street (Transport Zone 2) will be a tered to the satisfaction of the Department of Transport.
- Vehicles will continue to use road reserve of Cambridge Street to reach the western boundary of the site.

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Operational practices associated with use for 'Shop' (Postal Agency):

- Hours of operation for the 'shop' (postal agency) premises are proposed as follows:
    - Outdoor post office boxes access and collection:
        - All hours between Monday-Sunday (inclusive).
    - Indoor areas of the proposed postal agency:
        - Monday-Friday: 9am to 6pm.
- Approximately 20 post office boxes are to be installed for external access by post office box patrons.
- The timing of external deliveries and dispatch associated w th the proposed postal agency will l kely occur between 10am-1pm, via the proposed parking and internal access road hardstand areas.
- No more than one staff member (s te supervisor) will be present on site at any one time, during normal business hours.

Operational practices associated with use for 'Shop' (Postal Agency):

- The applicant is seeking a packaged liquor licence which will permit the consumption of liquor off the licensed premises (i e takeaway liquor). No consumption of liquor will be perm tted to take place on the licensed premises.
- Packaged liquor to be sold for consumption off the premises will include small quant ties of packaged wine, beer and pre-mixed spir ts sourced primarily by local providers.
- Only one (1) refrigeration unit is proposed to display packaged liquor for consumption off the premises.
- When designing the 'red line' area, consideration has been given to the proposed operation of the venue. It has been designed to ensure that areas for display and access by patrons can be easily supervised and managed from a compliance perspective.
- The hours sought after for the sale of packaged liquor are well within the defined 'ordinary trading hours' under the *Liquor Control Reform Act 1998* (the Act) and are as follows:
    - Monday to Friday – 9am until 6pm.
- These proposed trading hours are not considered as high risk, being limited to 11pm, and it is proposed that these hours are relevant to the entire red line area noted above.
- The timing of external deliveries and dispatch (i e. supply deliveries and waste collection) associated with the proposed licenced premises is between 9am-5pm, via the proposed parking and internal access road hardstand areas.
- No more than one staff member (s te supervisor) will be present on s te at any one time.
- To ensure compliance with the provisions of the *Liquor Control Reform Act 1998* (the Act), the proposed licensee will ensure that the Responsible Service of Alcohol (RSA) provisions of the Act are adhered to by staff involved w th the sale/supply of liquor to be over the age of 18 and RSA trained.

  An appropriate RSA training register will also be maintained as required by the Act. Staff will also be subject to an appropriate staff induction program as part of their employment orientation.

See **Appendix D** (Town Planning Drawings) for further details.

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4. Planning policies and controls

4.1. Municipal Planning Strategy (MPS)

The Municipal Planning Strategy (MPS) sets out the context, vision, strategic directions and strategic framework plans for the City of Warrnambool. The MPS provides local policy content to supplement the Planning Policy Framework.

Clause 02 Municipal Planning Strategy

- **Clause 02.01 - Context –** Glenelg Shire's economy is primarily based on productive rural land that supports agriculture and timber production. The Shire is projected to experience slow population growth over the next 25 years.
- **Clause 02.02 - Vision –** The relevant objective in the Glenelg Shire Council Plan (2018-2021) is "Growing Glenelg – Sustaining and growing a diverse economy and social prosperity."
- **Clause 02.03 - Strategic directions -** Relevant local strategic directions for this application are contained in:
    - Clause 02.03-3 Environmental risks and amenity
        - Bushfire: Narrawong is one of the towns with a sign ficant township interface to bushfire hazards. The Shire seeks to manage bushfire risk by discouraging development in areas prone to bushfire risk and supporting planning and development considerations that minimise the impact of fire.
    - Clause 02.03-6 Economic development
        - Employment and industry: Key industry sectors in the Shire include agribusiness and tourism. The Shire will promote employment and industrial growth by supporting use and development that increases employment in the Shire particularly in Glenelg's key employment/industry sectors.
- **Clause 02.04 – Strategic Framework Plan –** Glenelg Shire Council Strategic Framework Plan indicates that Council will encourage natural and cu tural heritage based tourism.

4.2. Planning Policy Framework (PPF)

To ensure the overarching objectives of planning in Victoria are met, policies contained within the Planning Policy Framework (PPF) must be considered. The PPF clauses of most relevance the S te and the proposal are set out below.

To ensure the overarching objectives of planning in Victoria are met, policies contained within the Planning Policy Framework (PPF) must be considered. The PPF clauses of most relevance the S te and the proposal are set out below.

Clause 11 Settlement

- **Clause 11.01-1S – Victoria - Settlement -** Seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.
- **Clause 11.01-1R – Settlement: Great South Coast -** Seeks to attract more people to the region.
- **Clause 11.01-1L – Settlement -** Seeks to restrict future development to the identified township growth areas and minimise detrimental impacts on environmentally sensitive areas from the expansion of identified growth areas.
- **Clause 11.03-4S – Planning for Places - Coastal settlement -** Seeks to plan for sustainable coastal development.
- **Clause 11.03-4L – Coastal settlement -** Seeks to confine development to w thin coastal settlements.
- **Clause 11.03-6S – Planning for Places - Regional and local places -** Seeks to facilitate place-based planning, including consideration of the distinctive characteristics and needs of regional and local places in planning for future land use and development.

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Clause 13 Environmental Risks and Amenity

- **Clause 13.02-1S – Bushfire - Bushfire planning -** Seeks to strengthen the resilience of settlements and commun ties to bushfire through risk-based planning that priorities the protection of human l fe.
- **Clause 13.05-1S – Noise - Noise abatement -** Seeks to assist the control of noise effects on sensitive land uses.
- **Clause 13.07-1S – Amenity and Safety - Land use compatibility -** Seeks to safeguard community amen ty while facil tating appropriate commercial, industrial or other uses w th potential off-site effects.

Clause 15 Built Environment and Heritage

- **Clause 15.01-1S – Built Environment - Urban design -** Seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- **Clause 15.01-5S – Built Environment - Neighbourhood character -** Seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place.
- **Clause 15.02-1S – Sustainable Development - Energy and resource efficiency -** Seeks to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Clause 17 Economic Development

- **Clause 17.01-1S – Employment - Diversified economy -** Seeks to strengthen and diversity the economy.
- **Clause 17.02-1S – Commercial - Business -** Seeks to encourage development which meets the commun ty's needs for retail, entertainment, office and other commercial services.

Clause 18 Transport

- **Clause 18.02-1S – Movement Networks – Sustainable personal transport -** Seeks to promote the use of sustainable personal transport.
- **Clause 18.02-3S – Movement Networks - Road System -** Seeks to manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.
- **Clause 18.02-4S – Movement Networks - Car parking -** Seeks to ensure an adequate supply of car parking that is appropriately designed and located.

Clause 19 Infrastructure

- **Clause 19.03-2S – Development Infrastructure - Infrastructure design and provision -** Seeks to provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.
- **Clause 19.03-2L – Infrastructure design and provision -** Seeks to provide a consistent approach to the design and construction of infrastructure across the municipality.
- **Clause 19.03-3S – Development Infrastructure - Integrated water management -** Seeks to sustainabil ty manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.
- **Clause 19.02-4S Social and cultural infrastructure** - to provide fairer distribution of and access to, social and cultural infrastructure.

See **Section 5.2.1** of this report for an assessment of the proposal against the policies of the PPF and MPS.

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4.3. Township Zone

The Site is located w thin the Township Zone (Clause 32.05). The purposes of the Township Zone include:

- To encourage development that respects the neighbourhood character of the area.
- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage development that respects the neighbourhood character of the area.
- To allow educational, recreational, religious, commun ty and a limited range or other non-residential uses to serve local commun ty needs in appropriate locations.

Pursuant to Clause 32.05-2, a perm t is required to use land for 'shop', comprising 'postal agency' and sale of packaged liquor.

Pursuant to Clause 32.05-10, a permit is required for buildings and works associated with a Section 2 use.

See **Section 5.2.2** of this report for an assessment of the proposal against the relevant decision guidelines pursuant to Clause 32.05-10.

4.4. Overlays

The Site is not affected by any overlays.

Refer to **Appendix B** - OneMap Site Report for the location of zones and overlays.

4.5. Particular Provisions

The particular provisions are spec fic prerequisites or planning provisions for a range of particular uses and development and apply consistently across the State.

4.5.1. Clause 52.05 Signs

The relevant purposes of Clause 52.05 include:

- To regulate the development of land for signs and associated structures.
- To ensure signs are compatible with the amen ty 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 bui t environment or the safety, appearance or efficiency of a road.

Pursuant to Clause 32.05-15, the Township Zone is in Category 3 for Signs.

Pursuant to Clause 52.05-13 'Category 3 – High amen ty areas, the purpose of this clause is:

- To ensure that signs in high-amen ty areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Business Ident fication signs are in Section 2. A perm t is required.

Pursuant to Clause 52.05-6, an application must be accompanied by information, as specified at Clause 52.05-6 under the headings 'S te Context' and 'S te Details' (as appropriate).

See **Appendix D** Town Planning Drawings for the required information.

See **Section 5.2.3** of this report for an assessment of the proposal against the relevant decision guidelines pursuant to Clause 52.05-8.

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4.5.2. Clause 52.06 Car Parking

The relevant purposes of Clause 52.06 include:

- To ensure the provision of an appropriate number of car parking spaces having regard to the demand l kely to be generated, the activities on the land and the nature of the local ty.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Pursuant to Clause 52 06-2, before a new use commences, the number of car parking spaces required under Clause 52 06-5 must be provided to the satisfaction of the responsible authority.

Pursuant to Clause 52.06-5, a shop should have four (4) car parking spaces to each 100 square metres of leasable floor area.

The subject building to be used for the purposes of the postal agency and sale of packaged liquor comprises a floor area of approximately 130 square metres. This is considered to align w th the leasable floor area as intended by the scheme.

The number of car parking spaces to be provided is calculated in accordance w th the table at Clause 52.06-5 as 6.4.

Pursuant to Clause 52 06-5, if in calculating the number of car parking spaces the resu t is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

The number of car parking spaces to be provided on the land should be five (5).

The proposal includes the provision of seven (7) on-site car parking spaces. In accordance w th Clause 52.06-8, see **Appendix D** Town Planning Drawings for the car parking plan, included on the proposed site plan.

The proposal complies with the requirements and provisions of Clause 52.06.

No permit is triggered under the provisions of Clause 52.06.

4.5.3. Clause 52.27 Licensed Premises

The relevant purposes of Clause 52.27 include:

- To ensure that licensed premises are situated in appropriate locations.
- To ensure that the impact of the licensed premises on the amen ty of the surrounding area is considered.

Pursuant to Clause 52.27, a permit is required to use land for the sale of packaged liquor, f a licence is required under the *Liquor Control Reform Act 1998*. The proposal does not meet any of the exemptions.

An application must be referred and notice of the application must be given in accordance w th Clause 66 of this scheme. Clause 66.03 states that applications in association w th a licensed premises for a bar, hotel or nightclub that is to operate after 1am must be referred to the Victorian Commission for Gambling and Liquor Regulation. The proposal licence is not for any of these purposes, and seeks to operate up to 6pm. It follows, that the application is not required to be referred Clause 66.03.

See **Appendix D** Town Planning Drawings for the proposed red line area.

See **Section 5.2.3** of this report for an assessment of the proposal against the relevant decision guidelines pursuant to Clause 52.27.

4.5.4. Clause 52.29 Land Adjacent to the Principal Road Network

The relevant purposes of Clause 52.29 include:

- To ensure appropriate access to identified roads.

Pursuant to Clause 52.29, a perm t is required to create or a ter access to a road in a Transport Zone 2.

The proposal does not meet any of the exemptions.

An application must be referred to the Head, Transport for Victoria under section 55 of the Act. Clause 66.03 states that the Head, Transport for Victoria is a determining referral author ty.

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See **Appendix D** Town Planning Drawings for the required information.

See **Section 5.2.4** of this report for an assessment of the proposal against the relevant decision guidelines pursuant to Clause 52.29-6.

4.5.5. Clause 52.34 Bicycle Facilities

The relevant purposes of Clause 52.34 include:

- To encourage cycling as a mode of transport
- To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facil ties.

Pursuant to Clause 52.34-1, before a new use is commenced, the required bicycle facil ties and associated signage must be provided on the land.

Pursuant to Clause 52.34-5, the requirements for bicycle facil ties are set out in Tables 1, 2 and 3. The land use description that best fits the proposal is 'Shop'.

For employees, 1 bicycle space should be provided for each 600 square metres of leasable floor area only if the leasable floor area exceeds 1000 square metres.

For vis tors/shoppers, 1 bicycle space should be provided for each 500 square metres of leasable floor area only if the leasable floor area exceeds 1000 square metres.

The proposal includes the provision of four (4) bicycle rails, that is, facil ties for at least twelve (8) bicycles to be secured.

See **Appendix D** Town Planning Drawings for the location of the bicycle rails included on the proposed site plan.

Pursuant to Clause 52.34-5, showers and change rooms are not required to be provided.

The bicycle rails have been designed and located in accordance w th the design standards at Clause 52 34-6.

It is considered that given the site context (a small rural town, on a site where the bicycle rails will be prominent upon entry to the s te), bicycle signage is not necessary.

The proposal complies with the requirements and provisions of Clause 52.34.

No permit is triggered under the provisions of Clause 52.34.

4.5.6. Clause 53.18 Stormwater Management in Urban Development

Pursuant to Clause 53.18-1, Clause 53.18 applies to an application under a provision of a zone to construct or carry out works. The application does not meet any of the exemptions.

Pursuant to Clause 53.18-3, the application:

- must meet the stormwater management objectives of Clause 53.18-5 and should meet all the parts of standard W2 at Clause 53.18-5.
- must meet the site management objectives of Clause 53.18-6 and should meet all the parts of standard W3 at Clause 53.18-6.
- Must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

See **Section 5.2.5** of this report for an assessment of the proposal against the relevant decision guidelines pursuant to Clause 53.18-7.

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4.6. Other planning considerations

4.6.1. Aboriginal Cultural Heritage Sensitivity

The Site is identified as being within an 'area of cultural heritage sensitivity' pursuant to the Aboriginal Heritage Regulations 2018. These areas relate to landforms and soil types where Aboriginal places are more likely to be located.

A Cultural Heritage Management Plan (CHMP) is required for an activity if the activity is a 'high impact activity' and falls in whole or part within an area of cultural heritage sensitivity. Division 2 of the Aboriginal Heritage Regulations 2018 set out various exempt activities for which a CHMP is not required, including Regulation 41(2).

The Aboriginal Heritage Regulations 2018 defines 'significant ground disturbance' as "disturbance of the topsoil or surface rock layer of the ground or a waterway by machinery in the course of grading, excavation, digging, dredging, or deep ripping, but does not include ploughing other than deep ripping". It is considered likely that the activity area may have undergone significant ground disturbance, therefore an examination of land use history information has been undertaken.

Imagery from 2007 shows the site as extensively developed and surrounded by extensively built-up areas. (Figure 4).

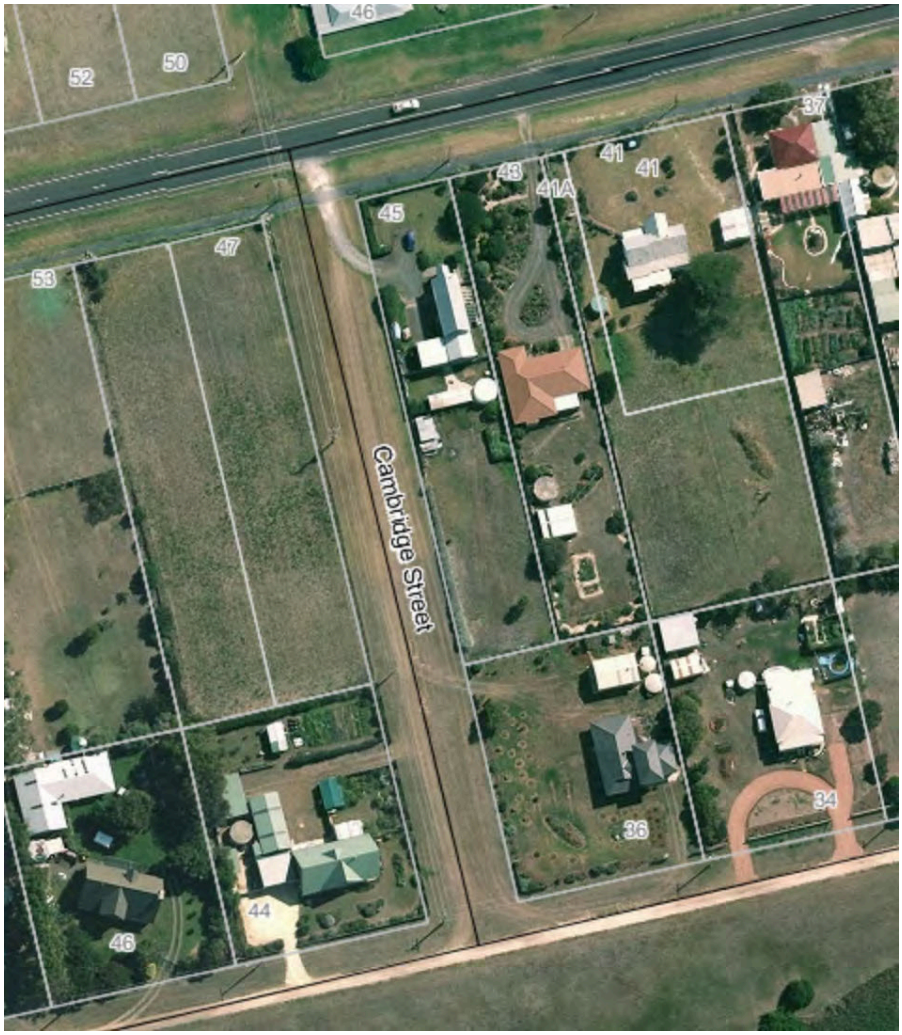


Figure 4: Aerial Plan (2007) sourced from Glenelg Shire Council GIS Database (https://map.glenelg.vic.gov.au/connect/analyst/mobile/#/main?mapcfg=PUBLIC%20General%20Map)

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Currently, the activ ty area contains a large domicile, a hardstand/driveway, multiple outbuildings and garden areas likely to have undergone previous cut and clearance.

Activities involved in the removal of vegetation, preparation of the ground for original construction and the construction of structures, hardstand areas and driveways within the activity area would have included grading, scraping, cutting, and the depos tion of introduced filling materials, together w th the installation of sub surface util ties. These activ ties would have l kely disturbed all natural topsoils from w thin the affected activ ty area, causing sign ficant ground disturbance, as defined by the Aboriginal Heritage Regulations 2018.

While the proposed activ ty is considered a high impact activ ty, it is concluded that the entirety of the activity area is l kely to have been subject to sign ficant ground disturbance as defined by the Aboriginal Heritage Regulations 2018 (r. 5), and therefore no longer constitutes an area of cultural her tage sensitivity.

Consequently, in this instance r.41(2) of the Aboriginal Her tage Regulations 2018 applies and a mandatory CHMP, is not required.

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5. Planning Assessment

5.1. Overview

The following chapter outlines the key planning considerations of the proposal in response to relevant policy and the provisions of the Glenelg Planning Scheme. In summary, the following key considerations are relevant to the assessment of the proposal:

- Is the proposal consistent w th the Municipal Planning Strategy and Planning Policy Framework?
- Does the proposal appropriately respond to the purpose and decision guidelines of the Township Zone?
- Does the proposal appropriately respond to the purpose and decision guidelines of Clause 52.05 Signs?
- Does the proposal appropriately respond to the purpose and decision guidelines of Clause 52 27 Licenced Premises?
- Does the proposal appropriately respond to the purpose and decision guidelines of Clause 52 29 Land Adjacent to the Principal Road Network?
- Does the proposal appropriately respond to the objectives, standards and decision guidelines of Clause 53.18 Stormwater Management in Urban Development?
- Does the proposal appropriately respond to the decision guidelines at Clause 65.01?

5.2. Key considerations

5.2.1. Is the proposal consistent with the Municipal Planning Strategy and Planning Policy Framework?

The proposal has integrated the relevant planning considerations for the S te, particularly with regard to the Site's location on the principal highway in a rural coastal village w th high amen ty with regard to the natural environment, and low amenity with regard to the provision of local retail premises. (Clause 02.04 **Strategic Framework Plans**, Clause 11 03-6S **Regional and local places**).

The PPF seeks to promote the sustainable growth and development of Victoria, ensuring that settlements are planned in accordance with their relevant regional growth plan, being the Great South Coast Regional Growth Plan for Glenelg Shire. Narrawong is ident fied as a small town, and while there is less expectation to drive growth, the PPF notes that development and investment in small towns should be supported within settlement boundaries, provided that detrimental impacts on environmentally sens tive areas are minimised. (Clause 02.01 **Context**, Clauses 11.01-1S and 11 01-1L **Settlement**, Clause 11.01-1R **Settlement – Great South Coast**, Clause 11.03-4L **Planning for Places – Coastal Settlement**). The MPS and PPF state that tourism plays a significant role in the local economy of Glenelg Shire, and throughout Victoria generally. The natural coastal environs of Narrawong in the rural hinterland setting are attractive to visitors. Council seeks to facilitate business and employment in the Shire by supporting proposals that will be attractive and will not detriment the character of townships as well as meeting the needs of the community (Clause 02.02 **Vision**, Clause 02 03-6 **Economic Development**, Clause 17.01-1S **Diversified economy**, Clause 17 02-1S **Business**).

The proposal will fill an essential need within the local commun ty, by providing for a postal agency and enabling the transfer of the current licenced postal office (LPO) to a larger premises to better serve ts commun ty. The proposed business model has a direct relationship w th the commun ty, by supplying predominantly locally sourced packaged liquor beverages to provide supplemental income for the postal agency business. In doing so, t has a direct link with the local agricu tural network by supply locally grown and produced products.

It is widely accepted that licenced premises contribute to the vibrancy and economic strength of a municipality, and that well managed licensed premises can contribute pos tively to a commun ty. The proposed business model for the licenced premises is associated with a proposed postal agency, which proposes to operate with a packaged liquor licence. The proposed licence and venue type is generally considered as a low risk venue given that on and off-site impacts are limited due to the lim ted nature of sales for a premises of this size, and by eliminating the ability to consume liquor on the premises (i.e. take away only).

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The proposed use will attract a small number of shoppers to the s te for the postal agency and sale of packaged liquor. The proponent will upgrade the access from Windham Street to ensure that access by vehicles from the main road is safe and compliant with the requirements of the responsible authorities (Clause 18.02-3S **Road System**, Clauses19.03-2S and 19.03-2L **Infrastructure design and provision**). The proponent will ensure that there is adequate space for on-s te car parking, including potential spaces compliant w th disability standards, f required (Clause 18.02-4S **Car Parking**). The proponent seeks to encourage patrons to commute to the site via sustainable transport options, by providing multiple bicycle parking rails (Clause 15.02-1S **Energy and resource efficiency**, Clause 18 02-1S **Sustainable personal transport**).

The streetscape character of Narrawong is valued by its residents and forms part of the attraction for visitors, due to ts uncrowded and unpretentious residential development. The proposal will maintain the existing character of the subject building and the attractive garden setting, in accordance with the objectives of Clause 15.01-1S **Urban design** and Clause15.01-5S **Neighbourhood character**). The proposed signage dimensions are lim ted and no add tional structures are proposed to affix the signage to. The nature of signage is small-scale and well-su ted to the character of the neighbourhood and wider township.

The residents of Narrawong enjoy high amen ty w th regard to the peaceful enjoyment of their properties. The proponent is conscious of the expectations from residents that this peaceful enjoyment should be respected and protected. The proposal for a license to allow the sale of packaged liquor for the premises, in association with the postal agency, is considered to be acceptable. The size of the premises and licence type, is such that the behaviour of patrons can be well managed. The premises will not operate past 6pm on any evening. All staff will be trained in responsible service of alcohol. A Premises Manager will be present at all times to ensure that noise levels associated w th the premises are reasonable and controlled. Signs will be displayed w thin the premises and in the car parking areas, reading "Please respect our Neighbours and Leave the Venue Quietly". The proposal is in accordance with the objectives of Clause 13.05-1S **Noise abatement** and Clause 13.07-1S **Land use compatibility**).

No add tional waste water load is anticipated as a result of the change of use, due to the limited number of patrons to be perm tted on the premises at any one time (20 patrons). The proposal will maintain the area of permeable land on the s te. The proposal is in accordance w th the objectives of Clauses 19.03-3S and 19 03-3L **Integrated water management**.

All of the land in Narrawong is ident fied as bushfire prone area. The proposal will not increase risk from bushfire (Clauses 02.03-3 **Environmental risks and amenity: Bushfire** and 13.02-1S **Bushfire planning**).

The proposal is consistent with the PPF and the MPS.

5.2.2. Does the proposal appropriately respond to the Township Zone?

The proposal complies with the purpose of the Township Zone, particularly with regard to providing for a small scale commercial use in a small town in an appropriate location that will serve commun ty needs, and with regard to being a use and development that respects the neighbourhood character of the area.

A response to the decision guidelines of Clause 32.05-13 is provided in the table below:

Clause 32.05-13 Decision Guidelines	Response
The Municipal Planning Strategy and the Planning Policy Framework	The Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF) have been considered in this report. Please see **Section 5.2.1**.
The objectives set out in a schedule to this zone.	There are no objectives set out in the schedule to the Township Zone.
The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.	The proposal will bring an appropriate use to an attractive building that has been located in the settlement. The proposed use will ensure that the garden and building is maintained in a manner that will contribute pos tively to the existing character of the streetscape.

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Clause 32.05-13 Decision Guidelines	Response
The availabil ty and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.	The building is already connected to reticulated electricity and telecommunications. The building is provided with potable water supply from bore water and harvested stormwater stored onsite in a tank. The building is provided w th a domestic wastewater management system. No additional waste water load is anticipated as a result of the change of use, due to the lim ted number of patrons to be perm tted on the premises at any one time (20 patrons). The proposal includes works to create seven (7) on-site car parking spaces, and appropriate access to the site from the road reserves of Windham Street (TRZ2) and Cambridge Street. The area of permeable land on the site will not decrease. Stormwater management and drainage will be maintained to the satisfaction of the responsible authority.
In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.	There is no reticulated sewerage within Narrawong. The building is provided with a domestic wastewater management system. No additional wastewater load is anticipated as a result of the change of use, due to the lim ted number of patrons to be perm tted on the premises at any one time (20 patrons).
The design, height, setback and appearance of the proposed buildings and works including provision for solar access.	The building will remain essentially unchanged. The proposed works on the S te comprise the installation of ramps for accessibil ty, minor additions to the existing side decking and the provision of on-site car parking and vehicle access. There will be no adverse visual impact due to the proposed works. There will be no impact on solar access to the buildings on the S te or adjoining land.
The need for a verandah along the front or side of commercial buildings to provide shelter for pedestrians.	Not applicable - the building does not sit on the common boundary to the road reserves, and therefore is not in a pos tion to provide shelter for passers-by.
Provision of car and bicycle parking and loading bay facilities and landscaping.	The proposal includes car parking and bicycle parking facil ties in excess of the minimum requirements of the scheme. See discussion at **Sections 4.5.2** and **4.5.5**. The site contains attractive landscaping. This will be maintained and gradually enhanced. Loading bay facilities are not considered to be necessary for a proposal of this scale, given the s te context. There is ample areas to accommodating loading/unloading within the proposed internal access road and car parking areas.

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Clause 32.05-13 Decision Guidelines	Response
The effect that existing uses on adjoining or nearby land may have on the proposed use.	Existing nearby land uses comprise residential uses within detached dwellings. The proposed use, including the consumption of liquor in accordance with the proposed liquor license, will operate no later than 6pm on a daily basis. This is considered to be compatible with preserving the reasonable amen ty of the adjoining and nearby dwellings. All adjoining and nearby landowners and occupants will have an opportun ty to comment during the period of notice.
The scale and intensity of the use and development.	The maximum number of patrons is proposed to be 20. The operating hours will be no later than 6pm on a daily basis. The proposed scale and intensity of use is considered to be acceptable for a s te w thin the Township Zone with frontage to a highway. The Glenelg Planning Scheme supports proposals that are intended to be attractive to tourists, and l kely to generate local employment.
The safety, efficiency and amen ty effects of traffic to be generated by the proposal.	The level of traffic expected to be generated by the proposal is considered to be acceptable w th regard to safety, efficiency and amen ty impacts. The premises will have a maximum patron capacity of 20 persons. The travelling speed of Windham Street within the settlement boundary is lim ted to 60km/h. The proposal includes works to create/alter the existing informal track that provides access from Windham Street to the s te, so that it will be compliant with the requirements of the responsible authorities. This will result in a safe and efficient access to the Site.
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.	Not applicable.
Any other decision guidelines specified in a schedule to this zone.	There are no other decision guidelines specified in the schedule to the Township Zone.

The proposal complies with the purpose and provisions of the Township Zone.

5.2.3. Does the proposal appropriately respond to the purpose and decision guidelines of Clause 52.05 Signs?

The proposal complies w th the purpose of Clause 52.05, particularly with regard to ensuring that the proposed signage is compatible w th the amen ty and visual appearance of the streetscape of Narrawong, and that the proposed signage does not adversely affect the safety, appearance or efficiency of a road.

Pursuant to Clause 52 05-6, an application must be accompanied by spec fic information. The following table (overleaf) lists the relevant information provided in the application documents.

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Clause 52.05-6 Application Requirements	Response
Site Context	Information regarding the location and purpose of the signage, and the context of the s te, has been provided as part of this report and attachments.
Sign Details	The details of the proposed signs are contained in **Appendix D** Town Planning Drawings, and w thin **Section 3.3** of this report.

Clause 52 05-8 lists the decision guidelines that must be considered when assessing an application for signage.

The following table (below and overleaf) provides an assessment against the relevant decision guidelines.

Clause 52.05-8 Decision guidelines	Response
The character of the area.	The streetscape character consists of dwellings, generally well set back from the road reserve with ample garden area within the front setback. The dwellings are mostly well established, with mature gardens. There are often considerable gaps between dwellings due to undeveloped lots, or dwellings constructed over two or more lots. There are occasional community buildings, including the Narrawong Fire Station and the Narrawong District Primary School. There are views to the rural hinterland and the coastal environs easily visible from most points along Windham Street within the Narrawong settlement boundary. There appear to be only four businesses within the settlement that display business ident fication signage, being: - An agricu tural contracting business - A landscaping business. - A general store. - A camping and caravan park. The streetscape character is therefore considered to being largely residential, having high amenity due to the rural and coastal vistas. The proposed signage has been designed to respect the high visual amen ty of the local ty due to it's size and location. The cumulative impact of the additional signage within Narrawong is considered to be reasonable and acceptable for the local ty.
Impacts on views and vistas.	The proposed signage will have an acceptable impact on the coastal and rural vistas that form part of the streetscape character of Narrawong.
The relationship to the streetscape, setting or landscape.	The proposed signage has modest dimensions w th regard to the area of the façade. The location and quantity of signage on the frontage is normal and expected for small-scale commercial premises near highway locations. Placing the signage away from the building is also appropriate to maintain the arch tectural heritage design of the existing building.
The relationship to the site and building.	The scale and form of the signage is considered to be appropriate for the aesthetic qualities of the subject building. The signage is considered to be appropriate for the site, in the context of a lot w th frontage to the main highway and main street in a rural coastal village.

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Clause 52.05-8 Decision guidelines	Response
The impact of structures associated w th the sign.	Not applicable. There are no new structures associated w th the proposed signage, as the sign will be affixed to the existing northern boundary fence.
The impact of any illumination.	Not applicable. No external or internal illumination of signage is proposed.
The impact of any logo box associated w th the sign.	Not applicable. No logo boxes are proposed.
The need for identification and the opportunities for adequate ident fication on the site or local ty.	The proposed signage is associated w th a new business venture on the subject s te. Signage for business ident fication purposes, to the extent proposed, is normal and reasonable.
The impact on road safety.	The proposed signage will not const tute any hazard to road safety. The design of the signage will be modest and clear. The design will be conservative, and designed to ident fy the business, without causing undue distraction to drivers and road users.

Note: Branding is being finalised. The Proposed Site Plan nominates the location for a business ident fication sign. However, no elevation advertising plans have been supplied at the time of wr ting this report.

A condition is inv ted on any planning perm t to be granted requiring amended plans showing advertising elevation plans prior to the commencement of the use and development of the site for 'shop' (postal agency and sale of packaged liquor).

The proposal is considered to respond satisfactorily to the decision guidelines and is considered to comply w th the purpose of Clause 52.05 'Signs'.

5.2.4. Does the proposal appropriately respond to Clause 52.27 Licenced Premises?

The proposal complies with the purpose of Clause 52.27, particularly w th regard to ensuring that impact on the amen ty of the surrounding residential area is reasonable and appropriate, and ensuring that the location is appropriate for the context of Narrawong.

The following table (below and overleaf) provides an assessment of the relevant decision guidelines of Clause 52.27.

Clause 52.27 Decision guidelines	Response
The Municipal Planning Strategy and the Planning Policy Framework.	The Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF) have been considered in this report. Please see **Section 5.2.1**.

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Clause 52.27 Decision guidelines	Response
The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area. The impact of the hours of operation on the amenity of the surrounding area.	Amenity is described under the Liquor Control Reform Act 1998 as being, '*The quality that the area has of being pleasant and agreeable*'. It is noted that the sale of packaged liquor is not the same as a general liquor licence or on-premises licences (bar/restaurant/café) and is primarily defined by the following: - No onsite consumption. - Packaged liquor is purchased to be consumed offsite. - Sales will typically occur during the day. - Limited patron numbers. The factors to be generally considered in determining whether a proposed packaged licence premises will impact upon the amenity of the area, and whether to grant a packaged liquor licence, include: - **Noise levels:** In this regard, the proposed liquor licence is associated with a postal agency outlet, operating within typical trading hours which do not exceed 9am-6pm. No live music will be played on the premises. The proponent is not applying for a licence that permits amplified music to be played at a level above background noise levels. The control of noise can be controlled through an amenity condition to any permit granted and any subsequent license issued. It follows, that noise is not likely to be an issue, given the nature of the proposed use and proposed hours of operation. - **Hours of operation:** the above hours of operation are well within the conventional hours for a business operation and well within the permissible hours stipulated under the Liquor Control Reform Act 1998 for a packaged liquor licence premises. - **Compatibility with surrounding land use:** unacceptable impacts on the amenity of the surrounding land are not likely or expected given the proposed hours of operation and limited nature and scale of commercial activities proposed on the premises. - **Safety and health:** training, incidence and compliance history, the type of licence, design of the premises, hours of operation and patron capacity are large factors in considering the level of risk posed by a proposed licenced premises. All staff will be trained in the appropriate Responsible Service of Alcohol procedures. A Premises Manager (aged 18 years or over) will be present at all times to ensure that patron behaviour and noise levels associated with the premises are reasonable and controlled. Signs will be displayed within the premises and in the car parking areas, reading "Please respect our Neighbours and Leave the Venue Quietly".

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Clause 52.27 Decision guidelines	Response
	The hours of operation will be no later than 6pm. Patron access and departure will be spread out depending on the conclusion of meals for each group of patrons. Late-night trading, large patron numbers and licences permitting on and off-premises consumptions are considered to be medium or high-risk applications. It follows, that a well-managed packaged liquor licence premises with relatively limited operating hours (as proposed) should be considered to be low risk. The design of the premises is considered to be safe and secure and adequate to deter anti-social behaviour. The proposal is not expected to generate large patron numbers or areas of congestion. Vehicle access to the Site will be via the proposed Windham Street crossover and Cambridge Street crossovers. The proposed number of car parking spaces on the s te meets the requirement of the planning scheme. Conclusion: It is considered that the sale of alcohol on the premises for off premises consumption can be appropriately managed, such that the potential negative amen ty impacts of a licensed premises in a Township Zone can be m tigated to an acceptable level. As there are no current premises selling packaged liquor within the township, it is considered that the proposal will not resu t in the township being oversaturated by packaged liquor sales.
The cumulative impact of any existing licensed premises and the proposed licensed premises on the amen ty of the surrounding area.	**Not applicable.** Planning Practice Note (61) – Licensed Premises: Assessing Cumulative Impact describes cumulative impact as *the positive and negative impacts that can result from clustering a particular land use or type of land use.'* There are no existing licensed premises in Narrawong. The nearest licensed premises is the Tyrendarra Sporting Club, 7.2 kilometres to the north-east, which holds a lim ted licence. Other licensed premises are located in Portland, at least 10 kilometres to the south-east. As discussed in this table, the amenity impact arising from the proposed premises being the only licenced premises in the settlement can be appropriately managed to an acceptable degree.

The proposal is considered to respond satisfactorily to the decision guidelines and is considered to comply w th the purpose of Clause 52.27 'Licenced Premises'.

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5.2.5. Does the proposal appropriately respond to Clause 52.29 Land Adjacent to the Principal Road Network?

The relevant purposes of Clause 52.29 include:

- To ensure appropriate access to identified roads.

Pursuant to Clause 52.29, a permit is required to create or alter access to a road in a Transport Zone 2 (TRZ2).

The proposal does not meet any of the exemptions.

An application must be referred to the Head, Transport for Victoria under section 55 of the Act. Clause 66.03 states that the Head, Transport for Victoria is a determining referral authority.

See **Appendix D** Town Planning Drawings for the required information.

The proposal complies with the purpose of Clause 52.29, with regard to ensuring appropriate access between Windham Street and the site, via Cambridge Street.

The following table (below) provides an assessment of the relevant decision guidelines of Clause 52.29-6.

Clause 52.29-6 Decision guidelines	Response
The Municipal Planning Strategy and the Planning Policy Framework.	The Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF) have been considered in this report. Please see **Section 5.2.1**.
The views of the relevant road authority.	The application must be referred to the Head, Transport for Victoria under section 55 of the Act. Clause 66.03 states that the Head, Transport for Victoria is a determining referral authority. The proponent will ensure that the access between the carriageway of Windham Street, and the site boundary, via Cambridge Street, is designed and constructed to the satisfaction of the responsible authorities. This can be a condition on a permit.
The effect of the proposal on the operation of the road and on public safety.	The proponent will ensure that the access between the carriageway of Windham Street, and the site boundary, via Cambridge Street, is designed and constructed to the satisfaction of the responsible authorities, in order to achieve safe and efficient vehicle access and egress to and from the Site, with regard to the arterial road and the pedestrian path in the road reserve. This can be a condition on a permit.
Any policy made by the relevant road authority pursuant to Schedule 2, Clause 3 of the *Road Management Act 2004* regarding access between a controlled access road and adjacent land.	Not applicable.

The proposal is considered to respond satisfactorily to the decision guidelines and is considered to comply with the purpose of Clause 52.29 Land Adjacent to the Principal Road Network.

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5.2.6. Does the proposal appropriately respond to Clause 53.18 Stormwater Management in Urban Development?

The proposal complies with the purpose of Clause 53.18, with regard to ensuring that stormwater in urban development, including retention and reuse, is managed to m tigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local hab tat and amen ty benef ts.

See **Appendix D** Town Planning Drawings and for details of the proposed works associated with vehicle access and vehicle parking.

The following table (below and overleaf) provides an assessment of the proposed works against the objectives of Clauses 53.18-5 and 53.18-6, Standards W2 and W3, and the decision guidelines set out at Clause 53.18-7.

Clause 53.18 Stormwater Management in Urban Development	Response
Clause 53.18-5: Stormwater management objectives for buildings and works	
To encourage stormwater management that maximises the retention and reuse of stormwater. To encourage development that reduces the impact of stormwater on the drainage system and fi ters sediment and waste from stormwater prior to discharge from the s te. To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces. To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.	The proposed car parking area, and the proposed vehicle access to be constructed between the carriageway of Windham Street and the site, via Cambridge Street, will be permeable. Geofabric and semi-pervious materials will be laid down on the carparking areas for soil stability and permeabil ty. All stormwater associated with these works, that exceeds to the permeable capac ty of the land, will be directed to the legal point of discharge. The proposed drainage infrastructure will prevent any contamination or pollutants affecting the adjacent wetlands.
Standard W2:	
The stormwater management system should be designed to: - Meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater – Best Practice Environmental Management Guidelines* (Victorian Stormwater Comm ttee, 1999). - Minimise the impact of chemical pollutants and other toxicants including by, but not lim ted to, bunding and covering or roofing of storage, loading and work areas. - Contribute to cooling, improving local hab tat and providing attractive and enjoyable areas.	The stormwater management system has been designed to best practice for infrastructure in small rural towns, taking into account the proximity of the sens tive coastal environs.
Clause 53.18-6: Site management objectives	
To protect drainage infrastructure and receiving waters from sedimentation and contamination. To protect the s te and surrounding area from environmental degradation prior to and during construction of subdivision works.	The construction period for the proposed works will be managed to best practice for road works and permeable car parking areas that are located in rural settlements, taking into account the proximity of the sens tive coastal environs.

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Clause 53.18 Stormwater Management in Urban Development	Response
(continued)	A condition can be included on a perm t for a construction management plan to be submitted, if required.
Standard W3 – An application should describe how the s te will be managed prior to and during the construction period and may set out requirements for managing: - Erosion and sediment - Stormwater - L tter, concrete and other construction wastes - Chemical contamination	A condition can be included on a perm t for a construction management plan to be submitted, if required.
Clause 53.18-7: Decision guidelines	
Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.	See **Section 5.1.2** for discussion with reference to Clause 19.03-3 **Integrated Water Management**.
The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.	The permeable area of the Site is not proposed to change. Stormwater will continue to be captured and detained ons te.
Whether the development has utilised alternative water sources and/or incorporated water sens tive urban design.	The development will continue to utilise the existing bore water supply, and the existing stormwater harvesting system.
Whether stormwater discharge from the s te will adversely affect water quality entering the drainage system.	The quantity and quality of stormwater discharge from the s te is unl kely to change sign ficantly.
The capac ty of the drainage network to accommodate add tional stormwater.	The drainage network for Narrawong in this local ty is reasonably expected to have capacity for the stormwater generated by the proposed works.
Whether the stormwater treatment areas can be effectively maintained.	The stormwater and drainage infrastructure associated with the s te can continue to be effectively maintained in conjunction w th the proposed use and proposed upgrades to the access and car parking areas.
Whether the owner has entered into an agreement to contribute to off-s te stormwater management in lieu of providing an on-s te stormwater management system.	**Not Applicable.**

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5.2.7. Does the proposal appropriately respond to the decision guidelines of Clause 65.01?

In accordance with Section 60 of the Planning and Environment Act 1987, this report has considered the Glenelg Planning Scheme. The objectives of planning in Victoria have been considered, particularly the objective to provide for the fair, orderly, economic and sustainable use and development of land in Victoria.

This report has assessed the proposal against the relevant objectives, strategies and policies of the Municipal Planning Strategy and Planning Policy Framework, the purpose and provisions of the Township Zone, and the purpose and provisions of Clauses 52.05 Signs, 52.06 Car Parking, 52 27 Licensed Premises, 52.29 Land Adjacent to a the Principal Road Network 1, 52.34 Bicycle Facilities, and 53.18 Stormwater Management in Urban Development.

The proposal is considered to be orderly planning. The proposed use and development the Site is considered to be in accordance w th the objectives, policies and strategies of the scheme.

The proposal is expected to have an acceptable impact on the amenity of the area. This includes the consideration of the impact of a licenced premises in a local ty that currently does not have any licenced premises. The proposal will not contribute to land degradation. The proposal will have the capac ty to appropriately manage the stormwater associated with the proposed use and associated works, to the satisfaction of the responsible author ty. There is no remnant native vegetation on the site. The proposal will not have any impact on the existing level of flood, erosion or fire hazard, or the existing m tigation for these hazards. The proposal will not resu t in any likely adverse increase in traffic intensity beyond the capability of the existing transport network's ability to cater for, with the works proposed. Any increase is considered to have an acceptable impact to the existing amen ty, traffic flow and road safety of the Site and locality.

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6. Conclusion

This report has described the proposal for the land at 45 Windham Street, Narrawong (Crown Allotment 1, Section 14, Township of Narrawong Parish of Narrawong). The application seeks approval for use of the land for a 'Shop' (Postal Agency and Sale of Packaged Liquor) and minor associated works. The proposal includes the a teration of access to a road within a Transport Zone 2 (Windham Street) and modest business identification signage.. The proposal also includes the provision of the appropriate number of on-site car parking spaces and bicycle facil ties in accordance w th the Glenelg Planning Scheme.

This report has assessed the proposal against relevant policy and planning controls of the Glenelg Planning Scheme, including the matters set out in Section 60 of the Act.

It is the conclusion of this report that the application is consistent w th the purposes and intent of the planning controls and policy framework of the Glenelg Planning Scheme, in particular with regard to the provision of an essential community service (postal agency) required for the orderly planning of local communities. In add tion to meeting an essential community need, the business model and management arrangements of the proposed licenced premises (packaged liquor licence) is shown to produce no likely adverse amenity impacts. Importantly, the proposal will provide employment opportun ties for local people.

It follows as the recommendation and request of this report that Council issue a planning permit for the proposal.

We look forward to working with Council during the assessment of the application.

Myers Planning Group

April 2023

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Appendices

Appendix A	Certificate of T tle
Appendix B	OneMap S te Report
Appendix C	S te Photos
Appendix D	Town Planning Drawings

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Appendix A – Certificate of Title

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Appendix B – OneMap Site Report

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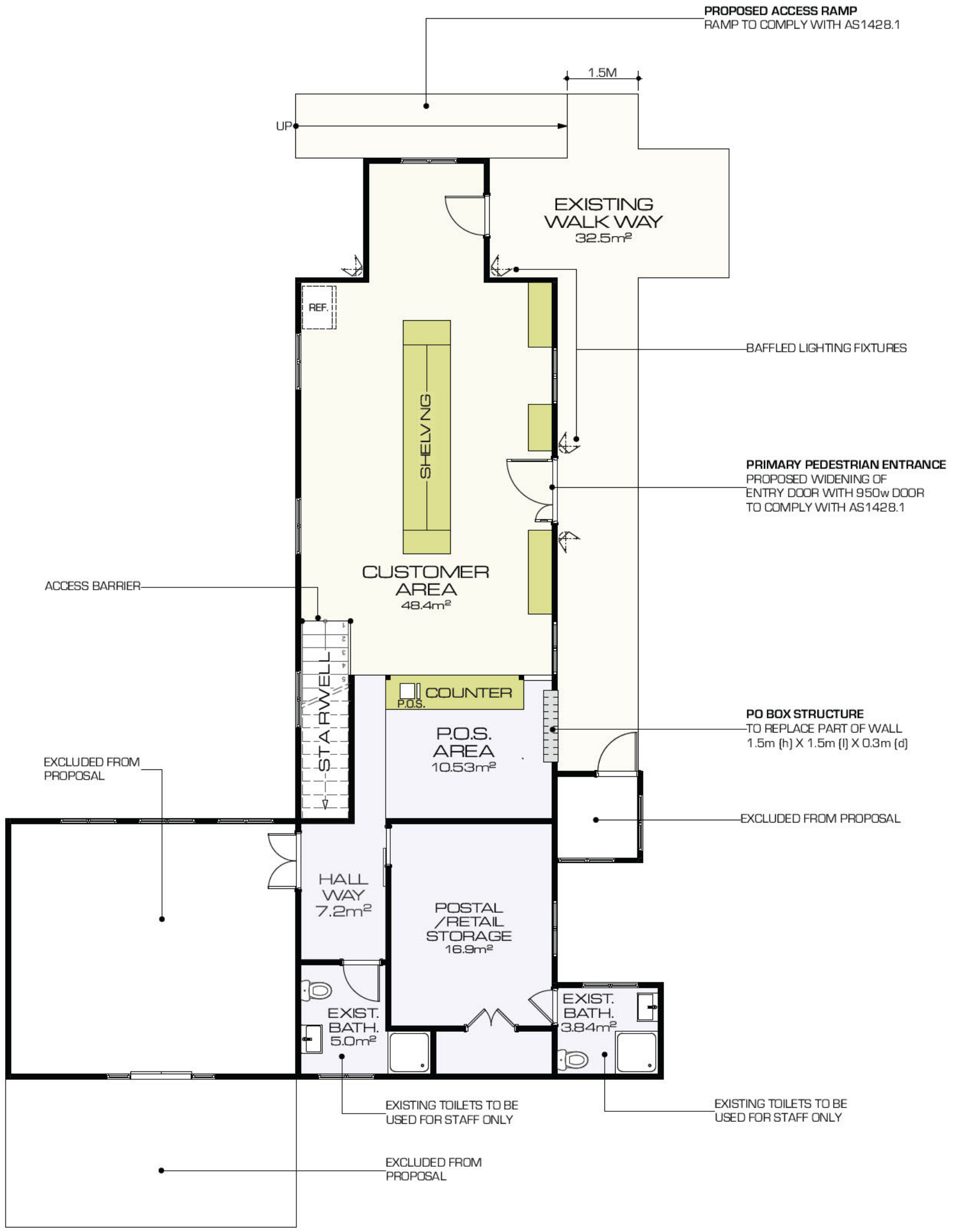
PROPOSED SITE PLAN

1:600

SK1

Myers Planning & Associates **Co.Lab, Dispensary Lane** Warrnambool VIC 3280 Phone: (03) 5562 9443 **ABN** 53253414622 © MYERS PLANNING AND ASSOCIATES 2023	project: POST OFFICE & PACKAGED LIQUOR PREMISES @ 45 WINDHAM STREET NARRAWONG VIC. 3285 client: KYLA & JASON BROWN drawing title: PROPOSED SITE PLAN	rev: description: date: - - - date: APRIL 2023 scale: AS SHOWN **A3** designed by: CD/DP drawn by: CD project no.: **23-1073** rev.: /	dwg no: **SK1** of A2

23-1073 Post Office 45 Windham St Narrawong TP.pln



PROPOSED FLOOR PLAN

1:75

-
SK2

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Warrnambool VIC 3280
Phone: (03) 5562 9443
ABN 53253414622

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project:
POST OFFICE & PACKAGED LIQUOR PREMISES @ 45 WINDHAM STREET NARRAWONG VIC. 3285

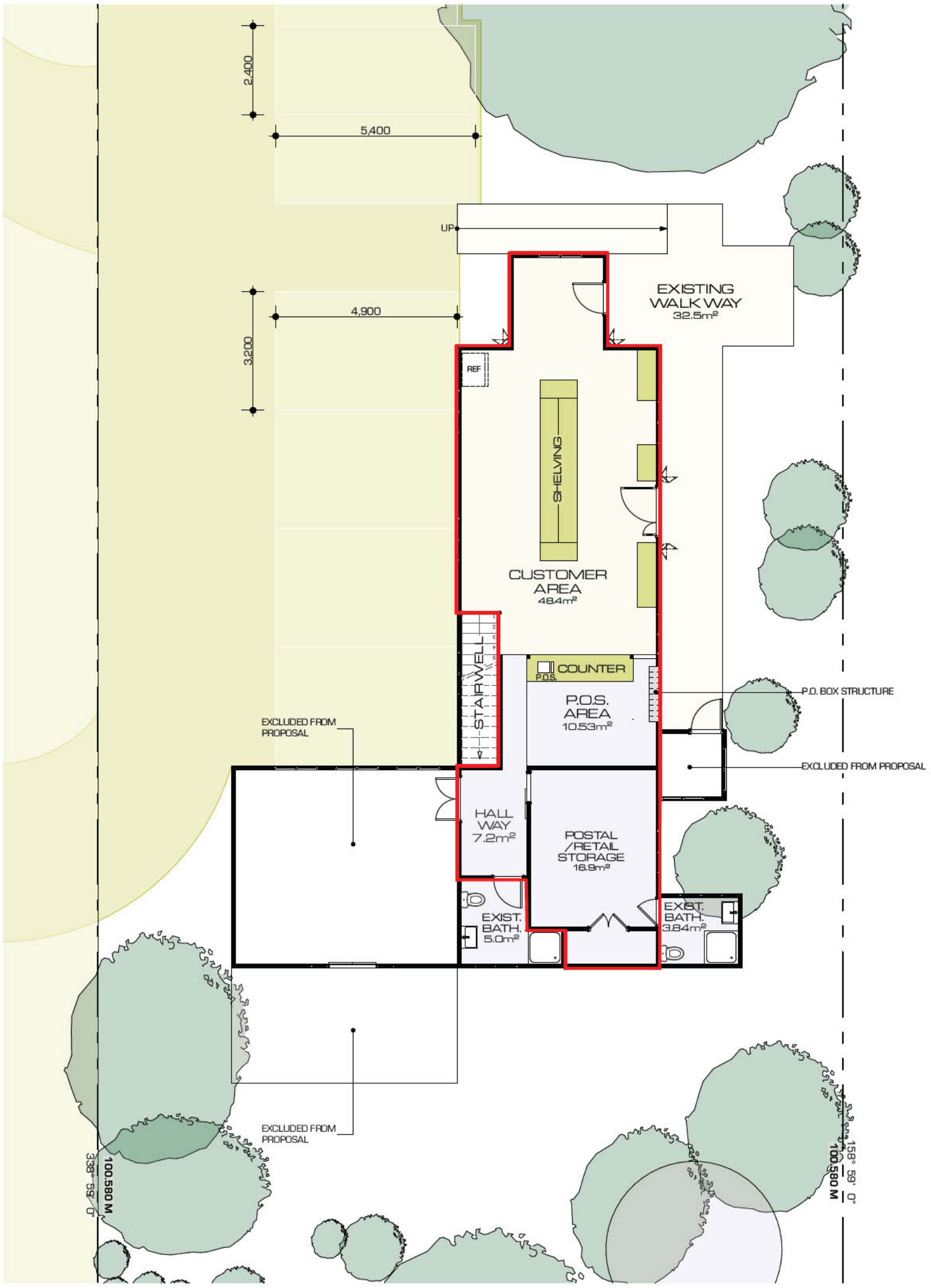
client:
KYLA & JASON BROWN

drawing title:
PROPOSED GROUND FLOOR PLAN

rev:	description:	date:
-	-	-

date: APRIL 2023
scale: AS SHOWN A3
designed by: CD/DP
drawn by: CD
project no.: 23-1073
rev.: /
dwg no: SK2 of A2

23-1073 Post Office 45 Windham St Narrawong TP.pln



RED LINE PLAN

1:100

SK3

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Phone: (03) 5562 9443
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project:
POST OFFICE & PACKAGED LIQUOR PREMISES @
45 WINDHAM STREET NARRAWONG VIC. 3285

client:
KYLA & JASON BROWN

drawing title:
RED LINE PLAN

rev:	description:	date:
-	-	-

date: APRIL 2023
designed by: CD/DP
drawn by: CD
scale: 1:100 A3
project no.: 23-1073 rev.: /

dwg no: SK3 of A2

23-1073 Post Office 45 Windham St Narrawong TP.pln

Advertising and Referral Checklist

INSERT MAP HERE



Admin Section

Excel spreadsheet – entities list

ADDRESS LOCALITY

46 WINDHAM STREET NARRAWONG

50 WINDHAM STREET NARRAWONG

36 THE ESPLANADE NARRAWONG

43 WINDHAM STREET NARRAWONG

44 THE ESPLANADE NARRAWONG

47 WINDHAM STREET NARRAWONG

41 WINDHAM STREET NARRAWONG

Document Set ID: 3081697
Version: 2, Version Date: 04/05/2023

Advertising by Council Required

Advertising method	**Information required for advertising.**
✓ Letters & Website ✓ Sign (No of signs ___1___) ☐ Newspaper	✓ Application ✓ Title ✓ Plans ✓ Planning Report ☐ Site and Context Design Response ☐ BMP ☐ BMS ☐ Other (please specify)

Referrals Required

Internal
✓ Engineering: ✓ Drainage ✓ Access ☐ Other (please indicate)
✓ Building
✓ Health
☐ Heritage Advisor

External	S52/55
☐ CFA (Specify clause …)	Choose an item.
☐ Powercor	Choose an item.
☐ Downer	Choose an item.
☐ Wannon Water	Choose an item.
✓ VicRoads	S55
☐ Heritage Victoria	Choose an item.
☐ GHCMA	Choose an item.
☐ DEECA (Formerly DELWP)	Choose an item.
☐ DTP (Formerly DELWP)	Choose an item.
☐ Parks Vic	Choose an item.
☐ AAV	Choose an item.
✓ Victoria Police	S52

☐ All referrals sent via Spear

Notes:

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Planning & Associates

Patron Management Plan

45 Windham Street, Narrawong

Document Set ID: 3093718
Version: 1, Version Date: 22/06/2023

Prepared for:

J&K Brown Pty Ltd

45 Windham Street, Narrawong

Prepared by:

Myers Planning and Associates

ABN 53 253 414 622

Quality Information

Document:	Patron Management Plan
Reference:	23-1037
Date:	June 2023
Amended:	n/a
Prepared by:	Dan Pech

Disclaimer

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Document Set ID: 3093718
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Schedule of Documents

Appendix A – Site Plan

Appendix B – Signage

Appendix C – Complaints Handling Procedure

Appendix D – Complaints Logbook

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1 Introduction

The proposed Narrawong Post Office is to be located at 45 Windham Street, Narrawong. The facility is to provide a modest shop offering, including items typically associated with a postal agency and also packaged liquor as a secondary offering.

The proposal includes safe and accessible facilities required for up to 20 patrons only.

This Patron Management Plan has been prepared in order to:

- Provide a framework for the operations of the licensed activity for the proposed 'Narrawong Post Office' (herein referred to as 'the Premises').
- Enhance control and clarity of operational processes for management and staff associated with the licensed activity for the Premises.
- Minimise any impact of the operations on nearby sensitive receptors and to protect the beneficial uses enjoyed by residential properties.

All staff shall be made familiar with this Patron Management Plan as part of their induction and orientation.

This Patron Management Plan contains procedures for the liquor licence operation, which is proposed to take place on the Premises.

These procedures should also be read in conjunction with the Liquor licensing Code of Conduct for Packaged liquor licenses (January 2019).

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2 Hours of operation

Should a planning permit be granted for Planning Permit No. P23042 (yet to be determined), the packaged liquor component of the Premises will operate within the following days and operating hours:

- Monday-Friday: 9am to 6pm.

3 Staffing numbers

The Premises Manager will be responsible for ensuring the use operates in accordance with this plan.

A maximum of one (1) staff will be present on the Premises at any-one-time.

Staff will comprise either a shop attendant or the Premises Manager.

4 Noise sources

Noise sources originating from the Premises which may impact on the amenity of the surrounding area include:

- Persons entering the Premises.
- Persons leaving the Premises.
- Patron vehicle noise.
- Persons present within the public realm once they have vacated the Premises.
- Voices.
- Disposal of rubbish.
- Collection of rubbish and deliveries (collected during normal business hours).

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5 Management plan

5.1. Overall management

At all times during the operation of the Premises, a nominated person above the age of 18 years will be present and will be responsible for the good conduct of the Premises (i.e. shop attendant or the Premises Manager).

The shop attendant and/or the Premises Manager will be required to:

- Monitor noise while the use is operating to ensure noise is not excessive.
- Ensure packaged liquor is being served responsibly and to ensure no alcohol is provided to any intoxicated person/s.
- Ensure no liquor is consumed on the Premises.
- Ensure the Premises closes at the allotted time.
- Supervise the departure of patrons from the Premises to ensure noise and disturbance is minimised.
- Not facilitate in any manner and discourage any patron from waiting, queuing, lingering or congregating outside the Premises or on the street.

5.2. Amenity of the neighbourhood

Management shall consider the amenity of neighbours and shall take all reasonable measures to ensure the conduct of the Premises does not impact adversely on the surrounding area.

Management will take all reasonable measures to ensure the behaviour of staff and patrons when entering or leaving the Premises does not detrimentally affect the amenity of the neighbourhood. Signs will be displayed along internal accessways and car parking areas within the Premises to read: "Please respect our Neighbours and Leave the Premises Quietly" and “No more than 20 patrons are permitted on the premises at any one time”.

The Premises shall be conducted in such a manner as not to interfere with, or materially affect, the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, vapour, steam, soot, ash, dust, wastewater, waste products, grit, oil, or otherwise.

5.3. Lighting

The Premises will be provided with lighting to ensure adequate patron safety and site security.

External lighting must be motion sensorsed and located, directed and baffled to limit light spill.

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5.4. Behaviour of patrons

All staff shall take reasonable steps to control the behaviour of patrons as they enter and leave the Premises in order to maintain the quiet and good order of the locality.

Patrons will not be allowed to consume liquor on the premises. This policy will be enforced at all times by the Premises Manager and rostered staff

The Premises Manager and staff shall complete an approved course in the Responsible Service of Alcohol.

Management will maintain a register containing copies of the certificates showing the satisfactory completion of Responsible Service of Alcohol course undertaken staff required to complete that course. The register shall be made available for inspection on request by a Police Officer or Special Inspector.

Management and staff reserve the right to refuse service of alcohol when a patron is:

- Intoxicated.
- Quarrelsome or argumentative.
- Aggressive.
- Showing signs of intoxication.

Should patrons arrive intoxicated, these patrons will be asked to leave the Premises and a taxi will be arranged if no alternative travel arrangements are possible. Any person who is intoxicated shall be denied entry to the Premises.

Management will ensure approved Liquor Licensing Law signage is displayed in any area of the Premises where alcohol is served (**Appendix B**) during events catered with liquor under a temporary limited licence.

No person under the age of 18 years shall be served alcohol on the Premises. Production of photographic identification will be required where age is an issue. The only acceptable proofs of age identification shall be:

- Australian driver license
- Victorian learner Permit
- Current Australian or foreign passport
- Proof of age card

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- Keypass card.

The Premises will display signage indicating that there is to be no smoking on the premises, with signage highlighting the Premises' smoking policy. Management will monitor the behaviour of patrons utilising all areas to ensure this policy is complied with.

5.5. Removal of liquor from the Premises

Staff and management shall discourage patrons from leaving the Premises with any opened liquor to reduce the risk of unsociable patron behaviour arising from the sale of liquor.

5.6. Noise

No amplified or live music will be played on the premises. Noise levels must be within the prescribed limits of EPA Publication 1826.4 *Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues.*

5.7. Complaints

All complaints relating to noise or other nuisance are to be recorded in a logbook maintained on the Premises. Management will seek to respond to the complaint immediately upon receipt of the complaint, and will seek to resolve the complaint within 14 days with the complainant.

Complaints may be received via telephone, email or in person and will be recorded in a complaints logbook.

The complaints logbook must be available for inspection by an authorised officer of the responsible authority (Glenelg Shire Council) or Victoria Police upon request.

See **Appendix C for** a copy of a Complaints Handling Procedure and **Appendix D** for a copy of the Complaints Logbook.

Formal training must be undertaken as part of the Responsible Service of Alcohol, which comprise modules for dealing with difficult people. All staff and event organisers will be oriented with the procedures for dealing with complaints prior to events commencing on the Premises.

5.8. Incident monitoring and reporting

Staff will be connected to the Premises Manager by mobile phone, when the Premises Manager is not on site. There will be constant monitoring of patron areas by any on-site staff.

An incident report will be raised when a potential risk to harm or obstruct persons in the facility is identified, including any near miss events or incidents of personal injury or property damage.

These reports are to be completed by the first respondent and reviewed by the Premises Manager so that appropriate action can be taken immediately to minimise current and future risks.

5.9. First aid

The Narrawong Post Office will be classified as a low-risk workplace and will contain first aid facilities for staff and patrons commensurate with this level of risk.

First aid services and appropriate equipment, including but not limited to fully stocked first aid kits, will be located within the Premises to ensure timely responses to any incidents.

5.10. Delivery and waste disposal

Management shall ensure all deliveries or collections generated by the licensed premises activity are made within the following hours:

- Between 9.00am and 6.00pm weekdays.

All wastes generated by the licensed premises activity shall be stored in designated garbage areas prior to being removed for disposal by appropriate contractors.

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6 Review

This Patron Management Plan will be reviewed annually and on an “as-needs” basis to ensure consistency with any changes to relevant regulations or improvements to operational practices.

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APPENDIX A – SITE PLAN

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APPENDIX B - SIGNAGE FOR PACKAGED LIQUOR LICENCE



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LIQUOR LICENSING LAW *Liquor Control Reform Act 1998*

Under 18?
No supply*

It is against the law:

- for a licensee to sell liquor to under 18s
  Penalty exceeds $19,000
- for any person to supply liquor to under 18s
  Penalty exceeds $19,000
- for under 18s to purchase, receive, possess or consume liquor
  Penalty exceeds $800

*Exceptions apply

Staff have the right to request ID

We accept the following ID:


Australian driver licence


Victorian learner permit


Keypass card




Australian or foreign passport



Proof of age card

Victorian Commission for Gambling and Liquor Regulation

www.vcglr.vic.gov.au

VICTORIA State Government

VCGLR0042018V1

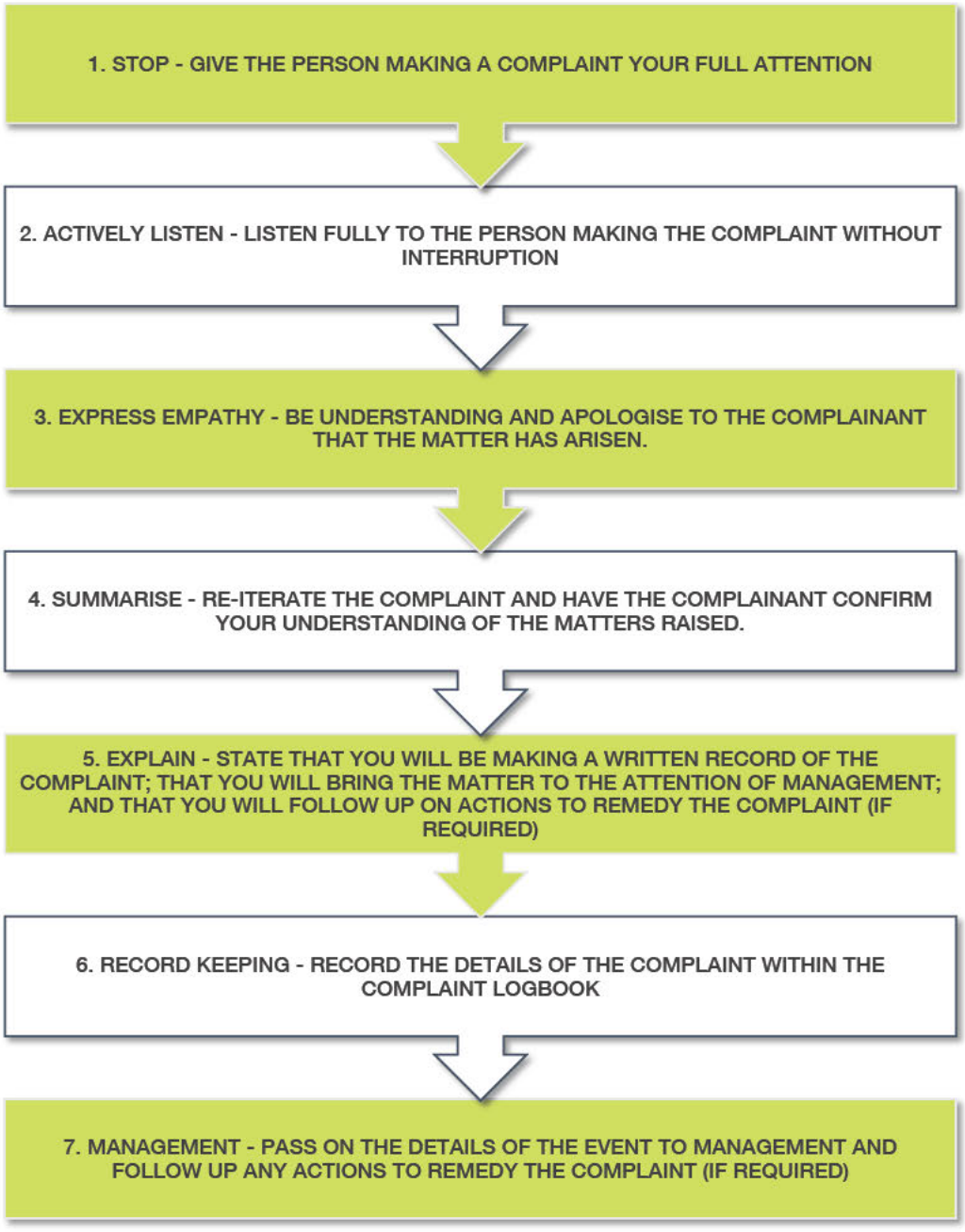
Please respect our Neighbours and Guests and Leave the Premises Quietly

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No more than 20 patrons are permitted on this premises at any one time.

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APPENDIX C – COMPLAINTS HANDLING PROCEDURE

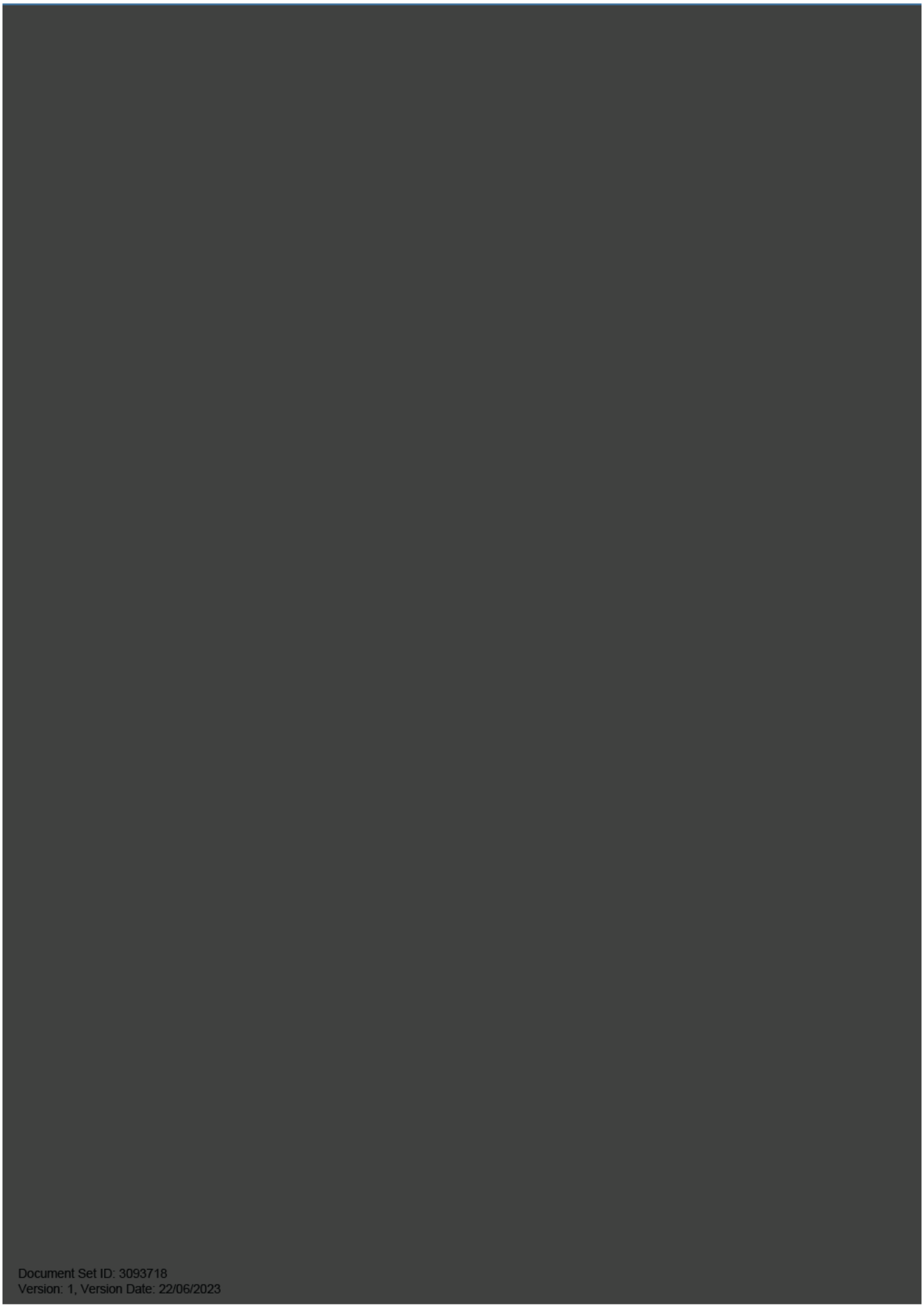


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APPENDIX D – COMPLAINTS LOGBOOK

DATE	TIME	COMPLAINT DETAILS	COMPLAINANT DETAILS	ACTIONS

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22 June 2023

Matthew Berry
Glenelg Shire Council
PO BOX 152
PORTLAND VIC 3305

By email only: planning@glenelg.vic.gov.au

Dear Matthew,

RE: Planning Permit Application No. P23042, 45 Windham Street, NARRAWONG VIC 3285

We continue to act on behalf of Kyla and Jason Brown (J&K Brown Pty Ltd) with regard to the above planning permit application.

Please find enclose a response to the twelve (12) submissions, received in relation to P23042.

At the time of writing this letter, ten (10) submissions of objection have been received and two (2) submissions of support have been received.

We note that no department or agency referral responses have been made available for our review at the time of writing this letter.

The matters of town planning merit that have been articulated through submissions are listed broadly, below.

1. Detail of 'shop'
2. Land use compatibility, rubbish, amenity and patron behaviour.
3. Traffic

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We note, that only matters of town planning merit have been listed, above. Meaning, matters such as valuation of property, speculation over previous work and planning permit applications (among others), which are not valid town planning issues have not been addressed or responded to within this letter of response. In particular, the market value of properties is not a matter that can be considered under the Victorian Planning Provisions and the *Planning and Environment Act 1987*, in a responsible authority's decision on a planning permit application.

We also note, that of the twelve (12) submissions received, (10) were made by those within the Narrawong locality and two (2) were made by those outside of the Narrawong locality. A map showing the location of submitters is provided at **Appendix A**.

In addition to the above matters, we also advise that the proprietor has updated their instruction on the number of post office boxes to be installed on site. The previous reporting identified 20 post office boxes to be installed. The proposed number of post office boxes to be installed is 48. Given the likelihood of staggered trips by those accessing the post office boxes, it is concluded that the proposed limits to patronage can be reasonably managed to ensure that no more than 20 patrons will be able to access the premises at any one time. The scope of the proposal remains unchanged as a result of the updated instruction from the proprietor.

Please see the table below for a response to the matters outlined above. In responding to the issues, care has been taken to avoid unnecessary duplication or repetition of matters already addressed within the detailed Town Planning Report and Town Planning Drawings outlined in the original submissions.

Objection Item	Response
1. Detail of 'shop'	
The proposal is accompanied by a detailed Town Planning Report describing the proposed 'shop' (postal agency and packaged liquor) use and Town Planning Drawings illustrating the associated shop fit and associated internal refurbishments. The above withstanding the following additional information is provided to clarify the proposed type of goods to be sold on the premises: - Postal supplies (envelopes, stamps and packaging); - A limited range of small goods as a secondary offering to the post office/agency, comprising similar goods contained within the existing postal office premises. - Locally crafted beer, wine and spirits. We note, that a minute portion of the proposed floor area is to be taken up by refrigeration and dry storage associated with packaged liquor, with the remaining floor area comprising shelf storage for postal supplies and a limited range of small goods (highlighted above).	

Objection Item	Response

It is the conclusion of the original submission and this letter of response, that the details of the proposal are adequate to allow Council to make a full assessment and decision on the proposal. The additional detail provided above does not change the scope or characterisation of the proposal.

2. Land use compatibility, rubbish, amenity and patron behaviour (packaged liquor).

The Narrawong Township is located primarily within the Township Zone. The purpose of the Township Zone is to encourage a range of '*commercial, industrial and other uses in small towns*', and also to allow for a '*limited range of other non-residential uses to serve local community needs in appropriate locations*'. The Township Zone largely sets the strategic framework for the Narrawong Township, including which uses can/should be considered subject to a planning permit application.

The appropriateness and compatibility of the proposed use and associated works has been assessed in detail against the decision guidelines of Clause 32.05-13 (Township Zone), the decision guidelines of Clause 52.05-8 (Signs) and the decision guidelines of Clause 52.27 (Licensed Premises).

Beyond these detailed assessments contained in the original town planning submission, the combability of the proposal with surrounding uses and infrastructure is reflected (in part) by the low-scale nature of the proposed works to ready the site for the proposed and intended use. These works are limited to the following:

- For external works: basic line marking for car parking and laying of geofabric, modest signage (which is a frequent 'sight' along Windham Street), minor improvements to doorways and entrances, installation of post office boxes, baffled and motion sensor light fixtures and alterations to the road and unmade road reserve.
- For internal works: basic shelving, carpentry, security and safety refurbishments.

We also draw attention to the distance between submitters raising amenity impacts and the proposed Premises.

The land is buffered by the Windham Street and Cambridge Street road reserve to the north and west, providing a variable set back of 20-40 meters between submitter households and the Premises. This separation which will act as a suitable buffer between patron noise sources and nearby sensitive uses. We also note that the licensed activity operations are within normal business hours (9am-6pm), and the premises is sited close to Windham Street which carries a higher background noise level due to the presence of typical highway noise.

The subject site is well fenced, and provides adequate screening to reduce down any potential risk of unacceptable overlooking or lightspill into adjoining premises (let alone premises further located from the site). Lightspill by vehicles is unlikely due to the proposed time of operation (daytime hours).

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Objection Item	Response
	In addition to the above, we draw attention to the enclosed Patron Management Plan contained at **Appendix B** of this letter, which address operational matters such as patron behaviour, security, amenity, lighting, noise, waste disposal, complaints management, monitoring and reporting. The proprietors of the proposed Narrawong Post Office welcome Council to review the Patron Management Plan, and if necessary require the plan be endorsed to ensure that detailed operational practices proposed to manage amenity and patron behaviour can be enforced and reviewed. A condition is invited on any permit to be granted requiring that the proposal be undertaken in accordance with the endorsed plans, including the attached Patron Management Plan. There is recent history of packaged liquor sales being undertaken safely and without adverse impacts to the community, formerly associated with the Narrawong General Store, and it is not uncommon for postal services to be coupled with a local community or commercial building in rural communities. Beyond the above observations, assessments and plans, we also note that one submission of support has been received from an adjoining property (47 Windham Street). This submission of support has not raised any issues with the proposal and is likely the most impacted (by proximity). This submission has commended the proprietor for their initiative and the quality of the proposed operation and intended use. It is the conclusion of the original submission and this letter of response, that the proposal remains to be consistent with the relevant planning controls and compatible with the character of the area, which comprises a mix of residential, community, emergency services, commercial and home-based business activities. The application remains consistent with the purposes and intent of the planning controls and policy framework of the Glenelg Planning Scheme, in particular with regard to the provision of an essential community service (postal agency) required for the orderly planning of local communities. In addition to meeting an essential community need, the business model and management arrangements of the proposed licenced premises (packaged liquor licence) is shown to produce no likely adverse amenity impacts.

Document Set ID: 3093718
Version: 1, Version Date: 22/06/2023

Objection Item	Response
3. Traffic	
We draw attention to the parking quotas stipulated in Clause 52.06-5 of the Glenelg Planning Scheme. These quotas are far from conservative and provide accurate guidance on the parking and (subsequently) likely vehicle generation by a proposal. The proposal comprises more than adequate parking facilities for a 'shop' premises comprising approximately 130 square metres and permitting no more than 20 patrons. Specifically, the proposal provides for seven (7) on-site car parks and formal bicycle facilities for eight (8) bicycles to be secured. This is evident by the supply of car parking and bicycle spaces above the proposed quotas stipulated in the Glenelg Planning Scheme under Clause 52.06-5. It remains the conclusion of the original submission and this letter of response, that the proposed measures and facilities for car parking are more than adequate to cater for expected patronage. This is further supported by the Glenelg Planning Scheme, by virtue of the fact that no car parking or bicycle parking waiver is required. In addition to the above, we draw attention to the works to upgrade the existing access to Windham Street via the Cambridge Street road reserve. While it is acknowledged that the proposal will result in additional vehicle generation above the existing conditions, the proposal is shown to improve the existing condition of road infrastructure commensurately with the scale of the proposal and anticipated vehicle generation. In relation to site access, it is noted that the Cambridge Street road reserve is utilised by few properties. The proposed increase in traffic will only affect the northern portion of the site, between the Windham Street road reserve and the proposed site access via Cambridge Street. The proprietor is willing to undertake works to part of the Cambridge Street road reserve, where there is a nexus between the additional vehicle generation created and the proposal, including some maintenance to this section of Cambridge Street, which will ultimately result in an improved condition to the existing road asset (an unmade road reserve). In relation to risks to school traffic, it is noted that the proposal is located an additional 500 metres closer to the Narrawong Primary School, than the existing Post Office location at 96A Windham Street. However, with the proposed hours of operation, provision of adequate on-site parking facilities and the site's location on a relatively low-usage T-intersection, the proposed additional traffic generation does not pose an unacceptable risk to school traffic or other road users.	

We trust this information is satisfactory to allow Council to complete its final assessment.

Should you have any questions or require further information, please do not hesitate to contact me on 03 5562 9443 or dan@myersplanninggroup.com.au.

Yours sincerely,

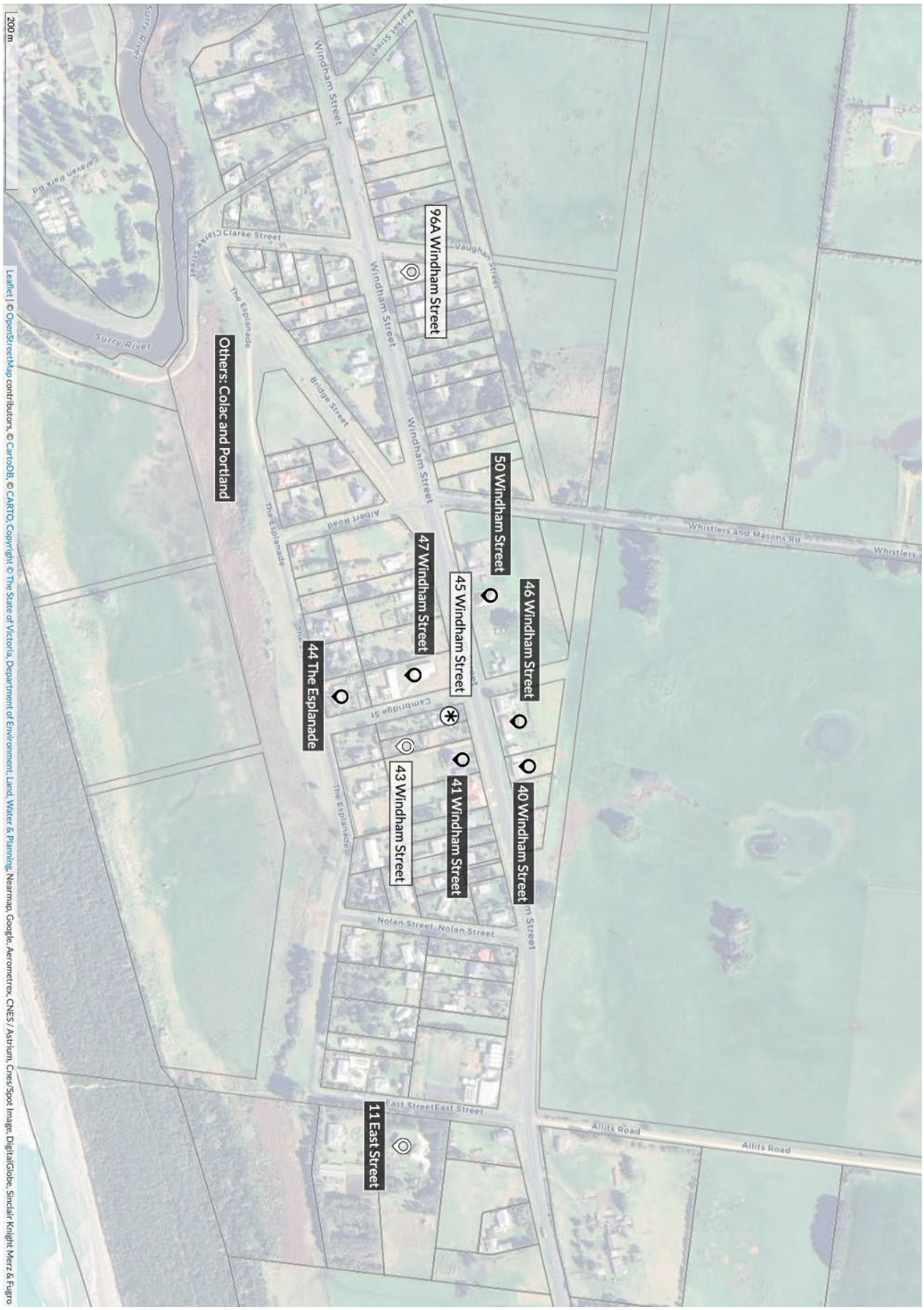


Dan Pech
Group Director – Planning
Myers Planning and Associates

Document Set ID: 3093718
Version: 1, Version Date: 22/06/2023

APPENDIX A – SUBMITTER MAP

Document Set ID: 3093718
Version: 1, Version Date: 22/06/2023


96A Windham Street
50 Windham Street
47 Windham Street
45 Windham Street
46 Windham Street
44 The Esplanade
43 Windham Street
41 Windham Street
40 Windham Street
11 East Street
Others: Colac and Portland
Windham Street
Clarke Street
Vaughan Street
The Esplanade
Bridge Street
Albert Road
Cambridge St
Nolan Street
East Street
Whistlers and Masons Rd
Allits Road
Surry River
200 m
Leaflet | © OpenStreetMap contributors, © CartoDB, © CARTO, Copyright © The State of Victoria, Department of Environment, Land, Water & Planning, Nearmap, Google, Aerometrex, CNES / Astrium, Cnes/Spot Image, DigitalGlobe, Sinclair Knight Merz & Fugro

From:
Sent: Mon, 29 May 2023 19:22:44 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Objection P23042
Attachments: Glenelg, Shire objection.pdf
Categories: to action

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Please find attached objection letter to planning permit, P23042

Document Set ID: 3087728
Version: 1, Version Date: 30/05/2023

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details			
Submitter's Name:			
Address:			
Email:		**Phone:**	
Postal Address: **(If different from above)**			

Details of Permit Application	
Applicant Name:	
Application Number:	P23042

Details of submission: How does this application directly affect you?

I object to 45 Windham st being used as a post office, for a number of reasons.

- My elderly mother's property is of the post post office. Her Boundary is 20m from theirs. Having a post office and business operating so close to my mother's property will take away her right to enjoy and be comfortable in her own property.
- I am concerned about the noise pollution and light pollution caused by people having conversations and security lighting.
- My mother's property is completely visible from 45 Wyndham Street, and she is anxious about the idea of everyone in Narrawong being able to see her sitting on her back deck having her morning coffee etc.
- I'm concerned about the added traffic turning in an out of Cambridge Street and how this will affect my mother turning safely into and out of her driveway. Will the applicants be putting turning lanes on Wyndham (Princess Highway)? In my opinion, turn lanes are the only safe option.
- I am concerned that the applicants will use this as a steppingstone to transition the post office into the restaurant they originally wanted but could not get approved. The fact they have already completed some of the building works which are included in this application indicate they are not concerned with their council's approval process and will gradually transition from post office general store to a fully operating restaurant. They seem to have an ask for forgiveness rather than permission mindset.
- This whole process has given my mother a lot of unnecessary stress and anxiety this area of Narrawong has always been and should always be a quiet residential area.

Submitter's Signature:		**Date:**	

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision-

From:
Sent: Thu, 25 May 2023 15:55:38 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Planning Objection to P23042
Attachments: Page 1 with signature.png, Page 2 and 3 Post Office Objection.doc

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Hello,

I do not know if I have used the right form. Anyway attached is page 1 on the wrong form and Page 2 and 3 in a separate document.
I am trying to write an objection to the Planning Permit P23042 .

I object to this planning permit being granted because of its adverse effects to the immediate and general amenity of my area and because of a lack of detail I am unable to analyse other unknown impacts, which is unfair. Details are still required for a full analysis of the project.

1. Inappropriate Location

As a residential area, since surveyed in 1856, the degree of traffic and people visiting the site will be a massive increase and therefore will definitely undermine the peace and amenity of the whole of the South side of Narrawong, or South of the Highway, which is the most closely settled of Narrawong.

2. Insufficient Detail Provided

There are no labels on the internal shop drawings provided to indicate where the alcohol is to be stored or displayed and whether the counter for the alcohol purchases are to be the same as at the postal counter. If children in particular are to enter the premises to collect mail, there is no information supplied in the plans to show how they can be protected from the sale of alcohol and bottle shop activities. The combination of an essential service, (Post), accessed by all people of all ages and alcohol, prohibited for sale to over 18 years of age is a disturbing balancing act, if the design cannot be judged. Postal clients have a right to an alcohol free zone, where alcohol.

3. Traffic Congestion and Safety

The existent church building has a very narrow frontage and narrow verge separating it from the Princes Highway by very few metres. Therefore there is little proper room for parking at the front of the property, or opposite the church property. Especially given it is on a corner.
Even though 7 car parking spaces have been allotted on the property, lazy motorists, or the ever increasing vehicles towing caravans and trailers, as well as the trucks, will park on the highway rather than turn into Cambridge Street, which is actually an unmade road. There is nowhere for these longer vehicles to turn, so those that do parallel park along Cambridge Street will become through traffic going forward into the Esplanade through the only part of the town with density. These vehicles will therefore change the traffic flow into a residential zone. They will have to travel along the Esplanade and return to the highway via: Nolan, East, Albert or Clark Streets. That would add tho the school congestion where it is a 40km limit as the school is two streets away from this proposed project.
At school zone times especially in the afternoon when the traffic slows to 40 km the congestion and danger to children and parents using the footpath to commute to and from school along the Highway will be more dangerous with vehicles turning and backing when parking to visit the Post Office/Shop?/ Bottle Shop.

Document Set ID: 3087085
Version: 1, Version Date: 29/05/2023

Cars and trucks parking opposite the church will cause an extra problem to a highway that has slowed to 40 kms with the addition of pedestrians crossing the highway, holding packages of alcohol.
Foot, car and bicycle traffic into the area will increase dramatically at times when the Narrawong Caravan Park is busy.
During holidays, when the highway is bumper to bumper full of tourists and holiday makers that are passing traffic as they stop to buy alcohol supplies it will drive up the congestion on the highway.

3. Repugnant and Embarrassing Aesthetic for the town

On the South Side of the Highway, in the village section of Narrawong along the Prince's Highway there are attractive public amenities: Narrawong Primary School, the Community Hall, the Anzac Memorial and town green with three flag masts, and the CFA. To have a building that was a church and clearly still looks like a church potentially be the site of signage showing it sells alcohol is a poor cultural combination and it will not be lost on some passing through the town. It will degrade the corner church building's appearance and be at odds with the history of the town.

4. Destruction of the Amenity of the Area

Alcohol will attract passing traffic as well as some local traffic. A Post Office will be visited by every household in Narrawong, East Narrawong and Tyrendarra most days. The increase in traffic has to be at a guess a thousand fold so of course it will affect the environment and the neighbourhood dramatically. The sheer volume of people and cars coming and going will change the residential area and burden all residents with the effects of people and traffic in their streets. A tranquil area would be damaged permanently.

5. "Shop" what kind, no detail?

There is a mention of a shop along with Post Office and Packaged Alcohol and no details as to what goods will be sold. This means basically it could be anything. No one can object to whatever it may be without explanation. Is it hardware, Postal Supplies, Food???
A commercial premises that would be so busy, is ill suited to this location. If it were on the site of the historic Narrawong Inn/General Store none of these objections would be relevant.

[redacted]

GLENELG SHIRE

Application for Secondary Consent Minor Amendment to Endorsed Plans

Planning and Environment Act, 1987

Permit Application Number:	P23042

Applicant's Details	
Name:	[redacted]
Address:	
Phone/Mobile:	
Email:	
Postal Address: (if different from above)	

Details of changes sought to the plans or any other documents endorsed under the permit (attach plans/documents)

I object to this planning permit being granted because of its adverse effects to the immediate and general amenity of my area and because of a lack of detail I am unable to analyse other unknown impacts, which is unfair. Details are still required for a full analysis of the project.

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As a residential area, since surveyed in 1856, the degree of traffic and people visiting the site will be a massive increase and therefore will definitely undermine the peace and amenity of the whole of the South side of Narrawong, or South of the Highway, which is the most closely settled of Narrawong.

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Signature:	[redacted]	**Date:**	25/05/2023

Glenelg Shire Council, PO Box 152, PORTLAND VIC 3305 **Phone: 1300 GLENELG (453 635)**
National Relay Service: 13 36 77 email: planning@glenelg.vic.gov.au **website:** www.glenelg.vic.gov.au

The personal information requested on this form is being collected by the Glenelg Shire Council for municipal purposes as specified in the *Local Government Act 2020*. The Council will use this information only for the specific purpose of collection or for directly related purposes. The information will not be disclosed except as required or specifically authorised by law. You may request access to any personal information that Council may have collected about you. Also, you may request correction of your personal information if you can establish that it is not accurate or complete. Such requests should be directed to Council's Privacy Officer on telephone 03 5522 2305.

Note: All requests must be accompanied by the appropriate Application Fee.

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The existent church building has a very narrow frontage and narrow verge separating it from the Princes Highway by very few metres. Therefore there is little proper room for parking at the front of the property, or opposite the church property. Especially given it is on a corner.

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A commercial premises that would be so busy, is ill suited to this location. If it were on the site of the historic Narrawong Inn/General Store none of these objections would be relevant.

Sincerely,

[redacted]

From: [redacted]
To: Planning
Subject: Fwd: P23042
Date: Sunday, 28 May 2023 5:53:07 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

[redacted]
Begin forwarded message:

[redacted]

Begin forwarded message:
From:
Date: 28 May 2023 at 5:22:56 pm AEST
To: "Cr. Martin"
Subject: Fwd: P23042

Subject: P23042

I strongly object to 45 Windham Street being used for a Post Office,"Shop" and sale of Packaged Liquor.
I find the fact that my home has once again been totally disregarded even though our boundaries are

20 metres apart to be very disrespectful. I also find 4.6,1. figure 4, an aerial photo taken in 2007 deceptive in this submission. The photo clearly shows the subdivision of my property which was not even thought of in 2007. The subdivision was granted on 26/10/2022. Why point this out and leave out the fact that the vacant lots in the photo to the West of Cambridge Street are not vacant? There are houses built or in the process of being completed on every block to the West and on every lot on the Southern side of Windham Street due to a relatively new subdivision.
This shows just how much thought and care has been given to our residential neighbourhood. Allowing this submission to proceed will completely change the demographics of our residential neighbourhood this will change the amenity of my lifestyle.

1. The 'Church' has been a domestic household since it was moved from my property to its current location in 1992. The current owners have been using the premises for a B&B for the past few years which is acceptable for our zoning.
2. My boundary is 20 meters from-the East side of the 'Church, lighting will directly impact

my home. Even though it is stated “baffled lighting “ it will still impact my home by lighting up the Eastern veranda which will be very visible from my home. I can see a great deal of Narrawong and not one house leaves lights on all night, everyone is very mindful of their neighbours and keep light pollution in our residential neighbourhoods to the bare minimum. Will any other lighting be allowed such as fairy lights, solar lights ect? This would be very disturbing and disruptive especially if they flicker,

3. Noise from people accessing the “Church “ 24/7. Even though a new fence has been erected on the eastern boundary, shoulders and heads are still visible which means that all conversations from goodness knows how many people will be very loud and disruptive. They have said they will ask people to be respectful of neighbours but have not demonstrated this to date. The tradesmen have been very vocal and music can be heard easily during the preparation of the

building. Because of the floorboards in the “Church” every step is heard. People will use the covered Eastern veranda as a social meeting area as is the practice at the Post Office’s current location. This is a quiet residential neighbourhood and my amenity will be taken from me if P23042 is allowed to proceed. We are all used to hearing neighbours, but this is a business, why do I need to be exposed to extra noise. I didn’t move next to a business yet they try to impose their business on me.

4. Windham Street is an extension of the Princess Highway and is a very busy road that caters to a large amount of trucks. This is just an accident waiting to happen with the amount of new traffic that will be turning onto Cambridge Street, a grass road. One scenario: If cars approaching from the West have to wait to make a right hand turn onto Cambridge Street, traffic can backup. Just imagine the cars backed up decide to go around the car waiting to turn, then what is going to happen if

cars are waiting too turn right into the immediate 4 driveways on the South Side of Windham Street or cars turning left into theirs driveways on the North Side ? This is going to be very dangerous. No mention has been submitted for patrons who are driving something larger than a car. People will be stopping in cars with caravans, travel trailers, cars and boats and the possibility of trucks stopping to access the “Shop” and packaged Liquor . They will be parking on the nature strips on either side of Windham Street. This is going to cause visual site impediments for residents to safely exit their driveways and will be unsafe with trying to cross the highway. Is a new pedestrian crossing on Windham Street going to be created for safety reasons?

5. The “Shop” has not been defined at all. What are they planning on stocking? In the building layout all we see are a bunch of squares marked out with little or no explanation for use. This is extremely

important as it could mean a larger influx of traffic and people. Typically a Post Office Shop consists of articles relating to a post office and recently merchandise promoted on television. Consumable goods are not associated with post office shops. It has been stated the post office will be closed on weekends which is normal. Will the "shop be opened at anytime over weekends for the sales of packaged alcohol and or groceries?

6. License to sell Packaged liquor is one of the more disturbing aspects of this proposal. Alcohol has not been sold in Narrawong for many years and this is a positive. Narrawong Primary School is around 0.67 kilometres from the "Church", the school children will be exposed to and from school and when entering the Post Office. Is this normal for children to associate going to the "Church" to pick up the mail and Mom or Dad also pick up their alcohol ? There has been such a huge campaign targeting children and

teenagers to the dangers of alcohol, trying to change the image, driving home the point that consuming alcohol is harming their lives. Sporting clubs and schools have been trying to teach of the inherent dangers and social impact that alcohol can have. But if P23042 is allowed this will contradict all of the goodness that has already been achieved by exposing the children everyday who walk to school or run in to get the mail. Domestic violence and alcohol abuse are on the rise, with so many other outlets available in Portland opening a point of sales in Narrawong is making temptation too easy for problem drinkers. I personally and unfortunately have been exposed to alcoholic people and alcoholism my entire life. I am very pleased to say I gave up drinking 11 years ago and I feel the sale of alcohol will not enhance the neighbourhood, I find it repugnant to be exposed every day, this is the complete opposite of amenity and Safety. I will not feel secure knowing

that this old building will be stocked with alcohol, a break in waiting to happen.

7. P23042 is asking for a building permit to enlarge the Eastern verandah and to lengthen the roof line and to install disability access. Has a building permit been issued as these works have already been completed . There is no building permit displayed and I wonder if all safety measures have been put in place and all inspections done concerning the completed disability access and the new altered veranda and roof.
8. Will the new veranda be used for any other purposes than proposed? At the Post Offices current location the Narrawong Food Collective has a permanent stall for people to share produce that is in abundance. A wonderful thing, but it also means extra traffic, extra people that I will be exposed to.
9. P23042 states that it will be moving 20 Post Office boxes to the East veranda. The location of the boxes has not been labeled in the plans. There are currently 48 P.O. Boxes at the

P.O. Are they moving the extra 28 boxes to 45 Windham Street? If so this is in breach of the application requirements which require no more than twenty people can be in attendance at any one time. P.O. Boxes are accessible 24/7 so people could be checking for mail at anytime throughout the night. This will be very disruptive and completely ruin my peace of mind and I will not feel safe knowing that people could be wandering about late at night. A true invasion of privacy.

10. The owner states applying to Vic Roads to complete the road works for an access to Transport Zone 2. A crossover from Windham Street to Cambridge Street involving a well used footpath. They have also proposed to complete the works themselves. Are they qualified to do this work? This is nothing like installation of a driveway, this is a street. Cars will be turning up a steep gradient and crossing over a pedestrian walkway to turn onto a grass-street. Who is going to maintain Cambridge Street?

What is going to detour cars from traveling down Cambridge Street and using the Esplanade or vice a versa? This could potentially add traffic to East Street where the Narrawong Primary School is located. I am sure they don't wish for extra traffic passing the school bus pickup area especially if alcohol is involved.

11. How many people go through the current Post Office 24/7?
12. How many cars use the current Post Office 24/7?
13. Will a traffic flow survey be done so these two questions 11 and 12 can be answered?
14. Will a traffic flow survey be done on the traffic using Windham Street 24/7.
15. Please define "shop" and what will be stocked.
16. Please include what steps are being taken to secure the entire old "Church " so that our neighbourhood is safe.

There is a better site for this proposal and that is the old general store that has the road infrastructure, Vline bus service, school buses drop off and parking. A month ago the local newspaper reported

the new owner is renovating and has a team of builders in place and a business plan.
If P23942 goes ahead you are moving a huge problem and the repercussions will be massive for my neighbourhood . I predict a headache for all involved and would like to reiterate that this is and always has been a residential area. Please remember I did not buy knowing I was moving next to a post office.

I recently and prematurely put my house on the market. When I heard whispers of the post office moving to 45 Windham Street I literally freaked and stressed out. It was only 15 months ago that all my thought and time was obsessed with the previous proposal for a restaurant at 45 Windham Street . And now they are trying once again to impose an unwanted business in a residential neighbourhood. I have been planning on selling my house but due to health reasons I may have to take the house off the market. I truly believe that if p23042 is allowed to go ahead it will significantly devalue my property. Nobody wants to live next door to a post office. From the east side veranda on the church there's direct line of sight into my home. And I can't do anything to block them out since my house is significantly higher than any others. This will be a complete invasion of privacy and will ruin my amenity.

Sincerely,

[redacted]

From: [redacted]
Sent: Mon, 29 May 2023 16:59:42 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Objection to P23042
Attachments: Objection to P23042.pdf

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Please find attached my letter of objection to P23042

Regards,

[redacted]

Document Set ID: 3087722
Version: 1, Version Date: 30/05/2023

[redacted]

Narrawong VIC 3285

Glenelg Planning Permits

71 Cliff Street

Portland 3205

RE: Objection to Permit Application – reference number P23042

Dear Sir/Madam

I am herby submitting a written objection to the proposed planning permit application – P23042 – Use and development for a shop (post office and the sale of packaged liquor) at 45 Windham Street Narrawong VIC 3285, CA 1 Sec 14 Township of Narrawong.

I have multiple issues with the aspects of the application.

- The proposal states that there will be application to Vic Roads to complete the road works for an access to Transport Zone 2. There is also the crossover from Windham Street to Cambridge Street involving a well used footpath by residents and children walking to and from Narrawong Primary School. They have also proposed to complete the works themselves.

  Are they qualified to do this work?

  Who is going to maintain Cambridge Street?

  Windham Street is an extension of the Princess Highway and is a very busy road that caters to a large amount of trucks and other vehicles travelling the Princes Highway.

  If cars approaching from the West have to wait to make a right hand turn onto Cambridge Street which will cause a traffic backup. There is not roadside/verge extension that will allow for traffic to pass a turning vehicle. This is going to be very dangerous.

  There has been no discussion in regards to patrons who are driving something larger than a car. People will be stopping in cars with caravans, trailers, cars and boats and the possibility of trucks stopping to access the "Shop" and packaged Liquor . There is a good chance that they may park on the nature strips on either side of Windham Street. This is going to cause a dangerous, visual sight impediment for residents to safely exit their own driveways and will be unsafe with trying to cross the highway.

- The "Shop" has not been defined at all. What are they planning on stocking? In the building layout all we see are squares marked out with little or no explanation for use. This is extremely important as it could mean a larger influx of traffic and people. Typically, a Post Office Shop consists of articles relating to a post office and recently merchandise promoted on television. Consumable goods are not associated with post office shops. It has been stated the post office will be closed on weekends which is normal. Will the shop be opened at anytime over weekends for the sales of packaged alcohol and or daily consumables?

- In the written proposal, P23042, it states that it will be moving 20 Post Office boxes from the current post office location to the East veranda of the new address. The location of the boxes has not been labelled in the plans. However, there are currently 48 P.O. Boxes at the P.O. What will happen to the remaining 28 boxes and the residents that occupy them currently?

  P.O. Boxes are accessible 24/7 so people could be checking or collecting mail at any time throughout the morning, day or night. This will be very disruptive and disrupts my amenity within the township. There is also the safety aspect knowing that people could be wandering about late at night. Once again, a disruption to my peaceful amenity of the area.

- Permit to sell Packaged liquor is one of the more disturbing aspects of this proposal. Alcohol has not been sold in Narrawong for many years and this is a positive. It is not an item that is needed to be sold in Narrawong. There are enough establishments in Portland that can cater to alcohol purchasing. There has been such a huge campaign targeting children and teenagers to the dangers of alcohol; trying to change the image; driving home the point that consuming alcohol is harming their lives.
  Being a veteran Ambulance Paramedic of 34 years, I have seen and dealt with a large aspect of alcohol abuse. Narrawong as it stand currently is well situated that it does not need a venue selling any style of liquor

There is a better site for this proposal and that is the old general store that has the road infrastructure, Vline bus service, school bus drop off and parking.

In conclusion, the current proposal will detrimentally affect my amenity of my space being situated so close to this proposed change in status from a residential dwelling to a business that has multiple issues if it were to proceed.

I hope you seriously take into account my concerns in regards to P23042 and decide that it is not worthy of the permits being issued.

[redacted]

From: [redacted]
Sent: Tue, 23 May 2023 21:22:13 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Planning application P23042 Att. Sanket Gurikar

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Dear Sanket,

We refer to the planning application reference P23042 45 Windham Street Narrawong.

Being the owners of property in Narrawong, we would like to make an objection to the the application for the following reasons:

1. Additional traffic and traffic noise, especial at holiday times when the caravan Park is busy. There are not other such commercial activities in the vicinity of this proposed establishment, it would be bringing significant additional traffic to this area. Its a quiet corner of Narrawong, especially on weekends.
2. Changes to the appearance of the corner. There is no development to the southern entrance to the Cambridge Street road easement, traffic into the premises woudl require development of the corner that would change the appearance.
3. Risk of informal parking. The car parking shown on the plan seems insufficient creating the risk that it would spill over onto the surrounding road edges causing damage to the grasses and spoiling the appearance of the area.
4. Better site elsewhere. There is already a position in the centre of Narrawong, where the old store is, that is much more suitable for such an enterprise having more space, a history of traffic there including traffic to the current Post office site.
5. Signage will spoil the view. There is a window in our small house that is position specifically to take in the view over the road to the marshland, dune and to the bay. This would be significantly cluttered by the signage.

Thank you for including our concerns in your considerations for the granting of this

permit. [redacted]

Document Set ID: 3086153
Version: 1, Version Date: 24/05/2023

From: [redacted]
Sent: Wed, 24 May 2023 07:55:04 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Expression of concern
Attachments: planning submission 24052023.pdf
Importance: Normal

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Sent from Mail for Windows

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details			
Submitter Name:	[redacted]		
Address:			
Email:		Phone:	
Postal Address: (if different from above)			

Details of Permit Application	
Applicant Name:	Myers Planning Group
Application Number:	P23042

Details of Submission – How does this application directly affect you?

- Current application for for alteration for transport zone to alter access to a road does not include access to proposed shop from Cambridge Street road reserve from the Esplande.
- Current road reserve is maintained by the land owners of the four properties adjacent to it.
- Concerns that residents who live on the south side of Windham Street will increase traffic through road reserve via the Esplande to proposed business
- Road reserve is mainly grass and would be significantly affected by increase through traffic.
- Costs to maintain road reserve and any issues such as potholes which affect access to residence(s) due to increase in traffic have not been considered

Submitter's Signature:	[redacted]	Date:	22/05/2023

Document Set ID: 3086118
Version: 1, Version Date: 24/05/2023

GLENELG SHIRE

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details			
Submitter Name:	[redacted]		
Address:	Portland		
Email:		Phone:	
Postal Address: (if different from above)			

Details of Permit Application
Dan Pech

ectly affect you?

sale of alcohol
a buisness

...th a
catter for the safe passage of

This , oads especially those who will turn off the hyway at the school and do that loop, if there are alcohal sales some people will avoid leaving via the hyway and use these same back roads.
Alcohol sales will increase litter within the community as experienced in the past when Narrawong store had alcohol sales there was much more broken glass and general disgarded bottles especially around the Surry River.

Submitter's Signature:	[redacted]	Date:	29-5-2023

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council r r any person to inspect free of charge under Section 51 of the Ac elg Shire Council will not be able to advise you of any consultat ion regarding this matter, but you may access this informati 2187.

Glenelg Shire Council PO Box 152, PORTLAND VIC 3305 Phone: 03 5522 2187
National Relay Service: 13 36 77 email: planning@glenelg.vic.gov.au website: www.glenelg.vic.gov.au

Document Set ID: 3087726
Version: 1, Version Date: 30/05/2023

From: [redacted]
Sent: Mon, 29 May 2023 06:43:04 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: P23042
Attachments: P23042 submission-to-a-planning-permit-application---2020.pdf

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Good morning

Please find attached objection to application P23042

Kind regards
[redacted]

Document Set ID: 3086986
Version: 1, Version Date: 29/05/2023

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details			
Submitter Name:	[redacted]		
Address:			
Email:		**Phone:**	
Postal Address: (if different from above)			

Details of Permit Application	
Applicant Name:	Myers Planning Group - Dan Pech
Application Number:	P23042

Details of Submission – How does this application directly affect you?

Documents supplied by the applicant fail to consider any site access via Cambridge Street, Narrawong. This change to land use will have a direct impact as our property is accessed by Cambridge Street and The Esplanade.

Cambridge street is a Glenelg Shire maintained roadway, currently accessed by local traffic only. The roadway is grass covered, has no road markings or other road furniture and no footpaths. The surface is rough with several uneven sections.

The proposed post office will attract daily road traffic for which Cambridge street is not currently suitable for. It is forseeable that this roadway will quickly become churned up, potholed and become a danger for users. Will the applicant then be responsible for repair and maintenace of the roadway or will that lie with the Glenelg Shire?

Although we are generally suppprtive the commerical endevours of the applicants, it is disappointing to see that building works have already commenced whilst the application is still open for public comment. Given that the Post Office is an essential service in our rural setting, the community would be justified in feeling held to ransom - object to the application and face a community without a post office?

Submitter's Signature:		**Date:**	

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council **PO Box 152, PORTLAND VIC 3305** **Phone: 03 5522 2187**
National Relay Service: 13 36 77 **email:** planning@glenelg.vic.gov.au **website:** www.glenelg.vic.gov.au

Document Set ID: 3086986
Version: 1, Version Date: 29/05/2023

From: [redacted]
Sent: Sun, 28 May 2023 14:39:44 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Cc: "Cr. Scott Martin" < "Cr. Jayden Smith" ; "Cr. Anita Rank (new)" "Cr. Michael Carr" ; "Cr. Chrissy Hawker ; "Cr. Karen Stephens (new)" ; "Cr. Gilbert Wilson
Subject: Planning Permit P23042

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Dear Planning Dept, Councillors

I have not put this on Objection paper, as when I rang the planning department they said it was not necessary.

I strongly object to the planning permit at 45 Windham Street, being used as a Post Office, "Shop" and sale of Packaged Liquor.
I live directly opposite to the proposed building. Our Bedrooms are at the front of our home and the security lighting and extra traffic at any times of the day or night is going to upset our sleeping amenities. I moved here approximately 7.5 years ago from busy Melbourne to take up the quieter life of the country. I have health issues that the extra noise, generated from a currently 5 days from 9.00am to 6.00pm. What's to stop them applying for extra days and longer hours for the "Shop and Package Liquor" I know from being involved with a Cricket club that the sale of Liquor and Licensing that there has to be appropriate security lighting at all times and the security of it is heavily regulated. How are they going to keep our small community safe. I know from my experience that when alcohol is available there is a increase in crime rates (our Cricket club got broken into several time over my 20 year involvement) How are they going to keep our community safe? How are they going to stop people from buying Liquor and then consuming it in the cars on the way home? Or sitting out the front of the building?

I am further concerned for my 2 daughters that don't currently have their Licenses and turning into our Property with the increase flow of traffic turning into Cambridge street from the highway. Also if we are turning into our property and someone decides to scoot around the turning car and then hits into the back of our vehicles. This could be very scary to Learner drivers it could even potentially turn them of driving forever. Or if the relevant authorities see to put a turning lane in thus bringing the traffic that much closer to our home. There is not enough parking at the current postal agency. They have a semi-made road and I know at certain time of the day I have had to go away and come back again later. There have been many problems with the neighbours of the current postal Agency and he brought his house know that there was a post Office next door. I have lived here for over 7.5 years and I like my quiet part of Narrawong. I have looked after my side of Cambridge street for all that time as like all the previous residents of 46 Windham Street Narrawong or 46 Princes Highway Narrawong.

Document Set ID: 3086990
Version: 1, Version Date: 29/05/2023

As we live directly opposite what is going to stop the Larger, Heavy and longer vehicles (trucks, Caravans and Boats) from stopping and parking on the nature strip out the front of my property and then blocking access to my property. I feel like we have not been giving much thought. In winter and the cooler months the extra traffic and heavy vehicles are going to bog up the nature strip and make it almost impossible to keep it maintained. The extra traffic parking on my side of the road instead of Cambridge street will block my clear access for me getting out onto the highway.

Cambridge street is an unmade road with the increase traffic flow it will become very Boggy and more dangerous for the local kids that play and walk home down Cambridge street and along Windham Street.

What is being sold in the "Shop" has not been defined, which I find quiet absorb; are they going to be selling the same stuff the current post Office agency sells? Are they planning on selling what the previous Post Office Agent sold at the Old general store? And with packaged Liquor? How are they going to keep this invisible to people under the age of 18. Is the Narrawong Food Collective being moved to the new site as well?

How are they going to stop more than 20 People in the shop at any one time? I also know that the current postal agency has 48 Post Office boxes. Why are they only moving not even half of them?

Have traffic surveys been done of people entering and exiting the current Postal Agency?
How many cars, trucks and the like visit the current postal Agency?
Where is the large Red post Box going to be located?
Who is paying for Cambridge street to be made if it is needed? Council or Vicroads or the owners of the Post Office, "Store" and sale of package Liquor?

I Believe that the Postage Agency for Narrawong should be returned to its original/Historical position at the Narrawong Inn/General Store where all the infrastructure is all there with plenty of parking.

Your Sincerely

[redacted]

Document Set ID: 3086990
Version: 1, Version Date: 29/05/2023

From: [redacted]
Sent: Sun, 28 May 2023 15:21:41 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Cc: "Cr. Gilbert Wilson "Cr. Karen Stephens (new)" ; "Cr. Chrissy Hawker (new)" ; "Cr. Michael Carr"; "Cr. Anita Rank (new)" ; "Cr. Jayden Smith" ; "Cr. Scott Martin"
Subject: Planning Permit P23042

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Dear Planning Department and Glenelg Councillors

I have not put this Objection on the council objection paper, as when I rang the planning department they said it was not necessary.

I strongly object to the planning permit at 45 Windham Street, being used as a Post Office, "Shop" and sale of Packaged Liquor.
I live directly opposite to the proposed building. Our Bedrooms are at the front of our home and the security lighting and extra traffic at any time of the day or night is going to upset our sleeping amenities. I moved here approximately 7.5 years ago from busy Melbourne to take up the quieter life of the country.
Our daughter is undertaking her VCE and does not need the extra noise. This is an important part of her schooling and we don't need it agitated unnecessarily.

The extra noise generated from a business instead of a private residence that it is currently. Having people coming and going 5 days from 9.00am to 6.00pm, and those accessing their Post boxes after hours 24/7. What's to stop them applying for extra days and longer hours for the "Shop and Package Liquor"? How are they going to keep our small community safe? I know from my experience that when alcohol is available there is an increase in crime rates. How are they going to stop people from buying Liquor and then consuming it in the cars on the way home? Or sitting out the front of the building?

No-one in Narrawong currently leaves their outside lights on and when there is security lighting even baffelled it will shine into our bedrooms.

I am further concerned for my 2 daughters that don't currently have their Licenses and turning into our Property with the increased flow of traffic turning into Cambridge street from the highway. Also if we are turning into our property and someone decides to scoot around the turning car and then hits into the back of our vehicles. This could be very scary to Learner drivers, it could even potentially turn them off driving forever. Or if the relevant authorities seek to put a turning lane in thus bringing the traffic that much closer to our home. There is not enough parking at the current postal agency. They have a semi-made road and I know at certain times of the day I have had to go away and come back again later. There have been many problems with the neighbours of the current postal Agency and he brought his house knowing that there was a post Office next door. I have lived here for over 7.5 years

and I like my quiet part of Narrawong. I have looked after my side of Cambridge street for all that time, as like all the previous residents of 46 Windham Street Narrawong or 46 Princes Highway Narrawong.

As we live directly opposite what is going to stop the Larger, Heavy and longer vehicles (trucks, Caravans and Boats) from stopping and parking on the nature strip out the front of my property and then blocking access to my property. I feel like we have not been giving much thought. In winter and the cooler months the extra traffic and heavy vehicles are going to bog up the nature strip and make it almost impossible to keep it maintained. The extra traffic parking on my side of the road instead of Cambridge street will block my clear access for me getting out onto the highway.

Cambridge street is an unmade road with the increased traffic flow it will become very Boggy and more dangerous for the local kids that play and walk home down Cambridge street and along Windham Street.

What is being sold in the "Shop" has not been defined, which I find quite absurd; are they going to be selling the same stuff the current post Office agency sells? Are they planning on selling what the previous Post Office Agent sold at the Old general store? And with packaged Liquor? How are they going to keep this invisible to people under the age of 18. Is the Narrawong Food Collective being moved to the new site as well? The current Post Office is accessible 24/7, 7 days a week. Is this what the new Post Office is going to be?

How are they going to stop more than 20 People in the shop at any one time? I also know that the current postal Office has 48 Post Office boxes. Why are they only moving 20 not the whole 48?

Our youngest daughter walks down Cambridge Street to Baby sit some of the local kids and when she is babysitting, she takes the children out to play on their bikes and kick balls and other games. They ride their bikes on Cambridge Street because there is hardly any traffic and therefore safe for them to do so. (Children are 6-9) This will no longer be safe with the increased traffic on all the roads around.

Have traffic surveys been done of people entering and exiting the current Postal Agency?
How many cars, trucks and the like visit the current postal Agency?
Where is the large Red post Box going to be located?
Who is paying for Cambridge street to be made if it is needed? Council or Vicroads or the owners of the Post Office, "Store" and sale of package Liquor?
Why are we changing a private residence to being a place of business?

I Believe that the Postage Agency for Narrawong should be returned to its original/Historical position at the Narrawong Inn/General Store where all the infrastructure is all there with plenty of parking.

I personally would rather see the Post Office close in Narrawong before having it directly across the road from my Home.

Yours Faithfully

[redacted]

Document Set ID: 3086989
Version: 1, Version Date: 29/05/2023

From: [redacted]
To: Planning
Subject: Support for planning application P23042
Date: Tuesday, 27 June 2023 9:16:49 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

I am writing in support of the planning application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham street, Narrawong, as currently advertised on the Glenelg Shire website.

As a local resident I would like to see this application go ahead as submitted as I feel this is an essential service for the town and contributes to the community as a whole.

I will be happy to discuss further if required.
Thanks

[redacted]

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning [redacted] number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.
planning@glenelg.vic.gov.au

[redacted]

[redacted]

From: [redacted]
To: Planning
Subject: Narrawong post office
Date: Thursday, 22 June 2023 6:44:15 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,
I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if needed.
Thanks
[redacted]

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning Permit Application – reference number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.
planning@glenelg.vic.gov.au

Yc

[redacted]

From: [redacted]
To: Planning
Subject: Planning application P23042
Date: Wednesday, 21 June 2023 10:58:19 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern
I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street, Narrawong, as currently advertised on the Glenelg Shire website.
As a local resident I am keen to see this application go ahead as submitted, as I feel that it is an essential step for the town's growth and development. I will be happy to discuss further if needed.
Thanks
[redacted]

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning Permit Application – reference number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.
pl

Yc

[redacted]

From: [redacted]
To: Planning
Subject: Letter of support for Planning Application P23042
Date: Wednesday, 21 June 2023 9:49:06 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern, Iam writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if needed.

Regards [redacted]

From: [redacted]
To: Planning
Subject: Planning application p23042
Date: Sunday, 25 June 2023 2:05:52 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

I am writing in support of the planning application p23042- use and development for a shop (post office and sale of packaged liquor) lodged for 45 Windham St, Narrawong, as advertised on the Glenelg shire website.

In the Glenelg 2040 plan, Narrawong residents identified that having new businesses establish and invest in towns/ areas outside of Portland is a priority for our town (priority 4.1.2).

A post office is an important component of the community in Narrawong. Not only does it provide an essential service in a small town, it is a place that allows for the informal meeting of residents as they collect mail, and thus contributes to our towns reputation as a lively and growing community.

As a local resident I would like to see this application go ahead as submitted.

[redacted]

Glenelg Planning Permits Department

71 Cliff Street

Portland 3305

Planning@glenelg.vic.gov.au

23rd June 2023

RE: Support of Planning Permit Application – reference number P23042

Firstly, I would like to put forward my support for the above planning permit application – for the Narrawong Post Office business to be moved to 45 Windham Street, Narrawong.

- I believe there have been some submissions of protest about the moving of the business by some small-minded residents in Narrawong.
- The Jaspers took the post office contract back 6 years ago out of the goodness of their heart, in trying to support the local community and not to lose another service the area.
- It is now time for the Jaspers to move on and spend their retirement in peace, instead, the said small-minded locals have tried to stop this application by a young family taking on a small business and trying to provide the community with a much-needed resource to the area of Narrawong.
- As you are aware Australia post are trying to reduce the LPOs and services in some areas and if this is possibly not resolved that young family, may walk away, from the small business they are trying to provide, and Australia post will put in a contactor to provide a possible 3 day a week service. So where are the nay sayers now if Narrawong loses another community resource and small business.
- Where were the local community members when the church site closed, many years ago – did they support it? Where were the local community members when the family were running the Narrawong store and trying to make a go of it. Did they support them? “NO”. Then complained about the eye saw when the building became in disrepair.
- But now they are complaining and whining about a permit of moving a local business and the Glenelg Shire are listening to them and not to the other voters in the community – especially the new families and residents that are moving into the area, building new homes and supporting the community, schools and local sporting activities.

I support the permit to be approved to the new site of 45 Windham Street, Narrawong.

Yours Sincerely

[redacted]

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305
planning@glenelg.vic.gov.au

20/06/2023

RE: Support of Planning Permit Application – reference number P23042

As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.

Yours sincerely

[redacted]

From: [redacted]
Sent: Mon, 19 Jun 2023 18:05:37 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Planning permit P23042
Categories:

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To Whom It May Concern

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if needed.

Kind regards

Document Set ID: 3092934
Version: 1, Version Date: 20/06/2023

From: [redacted]
Sent: Mon, 19 Jun 2023 16:45:27 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Letter of support for Planning Application P23042
Categories:

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

We are writing to give our strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As local residents, we are keen to see this application go ahead as submitted, as we feel it is an essential step for the town's growth and development. We will be happy to discuss further if needed.

Regards,
[redacted]

IMPORTANT - This email and any attachments may be confidential. If received in error, please contact us and delete all copies. Before opening or using attachments check them for viruses and defects. Regardless of any loss, damage or consequence, whether caused by the negligence of the sender or not, resulting directly or indirectly from the use of any attached files our liability is limited to resupplying any affected attachments. Any representations or opinions expressed are those of the individual sender, and not necessarily those of the Department of Education.

Document Set ID: 3092931
Version: 1, Version Date: 20/06/2023

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning F : number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.
planning@glenelg.vic.gov.au

[redacted]

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305
planning@glenelg.vic.gov.au

20/06/2023

RE: Support of Planning Permit Application – reference number P23042

As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.

Yours sincerely

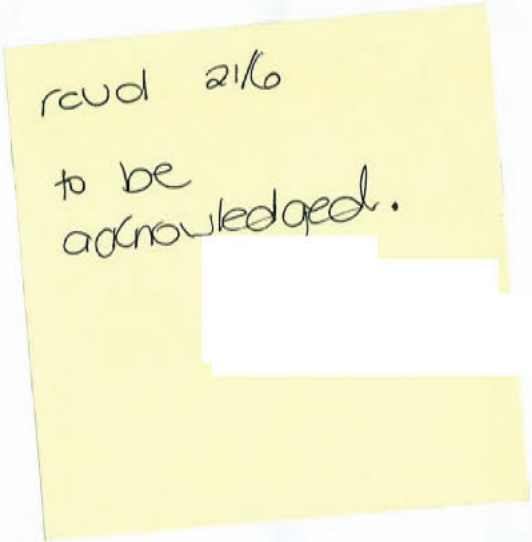


Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning I e number P23042
As a resident of Narrawo ge my support in the application mentioned above, for the
Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
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It is a community asset that we use on a daily basis.
planning@glenelg.vic.gov.au

[redacted]



Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning Permit Application – reference number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.
planning@glenelg.vic.gov.au

Y

[redacted]

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning [redacted] number P23042
As a resident of Narrawo[redacted]ge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.
planning@glenelg.vic.gov.au

[redacted]

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning Permit Application – reference number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.
planning@glenelg.vic.gov.au

Yo

[redacted]

NC

To planning@glenelg.vic.gov.au

Re support for Planning Application P23042

To the Glenelg Shire Planning Department,

We are writing to give my wholehearted support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website.

As long-time local residents, we would like to see this application go ahead as submitted and fully support the location and services proposed. It is excellent to see local people sticking their hand up for such a big job.

[redacted]

[redacted]

[redacted]

To whom it may concern,

RE: Planning Permit Application P23042

I am writing this letter to express my support for Planning Permit Application P23042, the relocation of the Narrawong Post Office to the corner of Cambridge St & Windham St.
Such a historic building with a tie to the community of Narrawong would make an excellent Post Office. The location is centrally located to the township of Narrawong and has easy access to the Footpath and main roads.
AS a business owner in Tyrendarra, I frequently use the Post Office to utilise all the services that are offered, but also as a collection point for any parcels & deliveries we receive as part of our product-based business, as most of our suppliers utilise the Australia Post network for freight.

We have previously used a Road Mail Box for our current address, however after replacing it several times in weekly succession due to vandalism it was a safer & cheaper option to return our mail to Narrawong collection.
Should the rejection of the proposal occur, and the current business operators of the Postal Service for Narrawong decide to retire from Postal Service/close down, we would be forced to collect our parcels from the next Post Office in the "line", being Yambuk (also 3285), or to join a wait list for a PO Box or Parcel locker subscription in Portland 25km away from our home location. AS our business is entirely online, and due to insurance restrictions, our only method of delivery is via AusPost, having to travel further each day would greatly impact the viability of our business.

My partner and I have lived our entire lives in the Narrawong/Tyrendarra area – and for much of that time opposite the proposed location.

We have also seen the impact the loss of the Tyrendarra Post Office had on community members there. For many folk living "in town" having access to the mail easily isn't really thought about, but for those in rural areas, any reduction or risk of closure of such services is greatly felt.

Regards,

[redacted]

GLENELG PLANNING DEPARTMENT
GLENELG SHIRE COUNCIL
71 CLIFF ST
PORTLAND 3305
planning@glenelg.vic.gov.au

21-06-2023

RE: SUPPORT of PLANNING PERMIT APPLICATION - REF. P23042

As a resident of Narrawong I acknowledge my support to above - the relocation business to 45 Windham St

[illegible] activities [illegible]

It is my desire to express support for the young couple who are wanting to see this valuable community asset remain within Narrawong locale. Convenience is something all people appreciate, especially for such an oft used essential service. It is somewhat disconcerting that Yambuk would be the alternative site - 36 kms travel each way is not "local" in any broad definition of essential services.

Yours sincerely,

[redacted]

22/06/2023

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

REF NO: P23042 - Support of Planning Permit Application

As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St., Narrawong.
The old church is in my opinion an ideal location and size for the Post Office and all that it stocks for our community.
It is a community asset that we use on a daily basis.

If the suggested alternative is Yambuk Post Office I would strongly object for the following reasons.

1. Forcing members of the Narrawong community, particularly the elderly, to travel 1 hour return trip to Yambuk for no other reason than to pick up their mail, would be unwise. Considering Yambuk has no reasonable shopping precinct in which you could break up that journey to rest and revive. Particularly for the reason mention in point 2.
2. Part of that road has been rated a "Black Spot" indicating an area where traffic collisions historically are concentrated. Why would you deliberately force an entire community, and add more daily traffic on a dangerous road, for such a basic need as mail collection, when you have a far better alternative?
3. While we can visit the Narrawong PO daily because of proximity, residents would be frustrated finding their 1 hr return trip could reap no mail at all that day.
4. In my experience companies such as Toll, for example, transfer parcels to local freight couriers such as Allen's Freight, who deliver in this area once a week on Thursdays. The option being to drop off at the local PO if the resident is not home is something I doubt they would consider if Yambuk was deemed our local PO as time is money. Consequently delaying parcel delivery by another week.
5. Our local PO has brought our growing community together and I'm convinced that perspective residents would consider driving that distance for their mail a good reason to live elsewhere.

Please consider the option of keeping our community connected at a local level.

Yours sincerely,

[redacted]

Narrawong, 3285

22/06/2023

Glenelg Planning Permits Department
71 Cliff Street
Portland. 3305

REF NO: P23042 - Support of Planning Permit Application

As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St., Narrawong.
The old church is in my opinion an ideal location and size for the Post Office and all that it stocks for our community.
It is a community asset that we use on a daily basis.

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3. While we can visit the Narrawong PO daily because of proximity, residents would be frustrated finding their 1 hr return trip could reap no mail at all that day.
4. In my experience companies such as Toll, for example, transfer parcels to local freight couriers such as Allen's Freight, who deliver in this area once a week on Thursdays. The option being to drop off at the local PO if the resident is not home is something I doubt they would consider if Yambuk was deemed our local PO as time is money. Consequently delaying parcel delivery by another week.
5. Our local PO has brought our growing community together and I'm convinced that perspective residents would consider driving that distance for their mail a good reason to live elsewhere.

Please consider the option of keeping our community connected at a local level.

Yours sincerely,

[redacted]

Narrawong, 3285

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning [redacted] number P23042
As a resident of Narrawo[redacted]ge my support in the application mentioned above, for the
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community.
It is a community asset that we use on a daily basis.
planning@gle

Narrawong, Vic

[redacted]

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	
Email:	
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Na	
Application N	

y affect you?

Very convenient
ilk and bread on

Submitter's Signature:	[redacted]	Date:	20-6-23

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council
National Relay Service: 13 36 77
PO Box 152, PORTLAND VIC 3305
email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning Permit Application – reference number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.
planning@glenelg.vic.gov.au

Yc [redacted]

To Council - Supporting Planning Permit application - reference no. P23042.

I like many Narrawong people wish to thank the Jasper family for taking on the P.O. at very short notice, when the person who ran the store + P.O. could no longer cope It is a community asset that is used on a daily basis including W'ends for post boxes + Newspapers. We all tend to think that the old store is the best location for the P.O., as it also has a 'phone box (that we fought to get/can) the V-line bus pulls in there + people are able to leave their cars if going on the bus, but if the objectors joined in a few community events ie. coffee mornings or Narrawong District Assoc. etc they would know that the chap who bought the store is an electrician from W'bool + is flat out with work as are his 2 sons, he cannot find a reliable carpenter to finish fixing the store, so that is why it is taking so long to re-open. Do the objectors realise that anything that they order on line or if someone sends them a parcel + presumably mail + papers will have to be picked up from Yambuck or else pay for a box in Portland., the same applies if they want to send something off, either Yambuck or Portland P.O. which closes at 5pm.

Document Set ID: 3094555
Version: 1, Version Date: 26/06/2023

The P.O. at the New site will provide the same service as the current P.O. We have tried several times over the years to get the Glenelg Council to finish building + sealing the ½ completed roads between the H-way + the esplanade, this includes Cambridge St. to no avail, people still mow their nature strips, but at least wouldn't have pot. holes.

Large trucks do not stop at the P.O. only if hot food is available as was at the store but not the current P.O., caravans go to the C/P. or sawpit area, the C/P has essential supplies ie milk, bread. The operational hours will be the same, so how can an objector say that his mothers peace is destroyed or that their privacy is invaded, or that they won't be able to sleep

So I strongly support the application that the Narrawong P.O. be moved to 45 Windham St. otherwise we lose an important community asset.

[redacted]

Document Set ID: 3094555
Version: 1, Version Date: 26/06/2023

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning P number P23042
As a resident of Narrawo[illegible]ge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
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planning@glenelg.vic.gov.au

[redacted]

Narrawong Vic [illegible]

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning P number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
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It is a community asset that we use on a daily basis.
planning@glenelg.vic.gov.au

[redacted]

From: [redacted]
To: Planning
Subject: Planning application P23042
Date: Wednesday, 21 June 2023 1:52:17 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,
I am writing to give my strong support for the planning application P23042 - the development and use of a shop. (Post office and supply of packaged liquor.) Lodged for 45 Windham St Narrawong. As currently advertised on the Glenelg Shire website.
As a resident of Narrawong I am very keen to see this proposal go ahead.
I am happy to discuss further if required.
[redacted]

From: [redacted]
Sent: Mon, 19 Jun 2023 16:19:50 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Letter of support for Planning Application P23042

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if needed.

Kind regards,

[redacted]

Document Set ID: 3092925
Version: 1, Version Date: 20/06/2023

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	
Email:	
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Na	
Application N	

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rom

for

Submitter's Signature:	[redacted]	Date:	19/6/23

Council is collecting the inf… …ce with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council
National Relay Service: 13 36 77
PO Box 152, PORTLAND VIC 3305
email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

From: [redacted]
To: Planning
Subject: Post office Planning Application P23042 support
Date: Friday, 23 June 2023 12:42:32 AM
Importance: High

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development.
As a local who would support this in every way I am willing and will be approaching council members for support as well as attending council meetings to show the same. I don't believe that those voting on this development outside of our area, that are not local and that this does not affect in any way should be able to be a part of this process. They should not be able to restrict our choices if it doesn't affect them in any way. This would not be a fair or just process if this was to occur and will be something that we will be requesting be looked into should the vote go against this process happening. I would like to put you on notice that we will be requesting council to provide details of where all of those that voted reside on a permanent basis.
I will be happy to discuss further if needed.

Thanks,

[redacted]

Glenelg Planning Permits Department

71 Cliff Street

Portland 3305

20/06/2023

RE: Planning Permit Application Reference Number: P23042

I write in support of the above Planning Permit Application.

While I live in the Maretimo Estate on the outskirts of Portland, my eldest child attends Narrawong District Primary School and in 2024, my youngest child will begin her education in Narrawong. I have been an active member of the Narrawong community since my child started school in 2019.

I do not have a post box in Narrawong. However, if the Post Office was to move and operate from 45 Windham Street, Narrawong between the hours of 9am and 6pm, I would utilise the service for posting mail and purchasing basic supplies such as bread and milk.

It is imperative for a Post Office to continue to operate in Narrawong. The area is attracting new residents, including young families. As well as the many new residents, there are a number of aging residents who will not be able to access their mail services or basic grocery items if the Post Office is unable to open at 45 Windham Street, Narrawong.

The Post Office is a community asset used regularly by members of the local area. As such it would be detrimental to the town if such a service was not able to operate.

Thank-you for taking the time to read my letter of support for the Post Office at 45 Windham Street, Narrawong.

Yours Sincerely,

[redacted]

From: [redacted]
Sent: Tue, 20 Jun 2023 13:38:10 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Application P23042

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if needed.

Thanks,
[redacted]

Document Set ID: 3093037
Version: 1, Version Date: 20/06/2023

From: [redacted]
Sent: Mon, 19 Jun 2023 18:35:09 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Letter of support for Planning Application P23042
Categories:

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if needed.

[redacted]

Get Outlook for iOS

From: [redacted]
Sent: Mon, 19 Jun 2023 19:54:03 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Planning Application P23042
Categories:

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern
I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street, Narrawong, as currently advertised on the Glenelg Shire website.
As a local resident I am keen to see this application go ahead as submitted, as I feel that it is an essential step for the town's growth and development. I will be happy to discuss further if needed.
Thanks
[redacted]

Document Set ID: 3092939
Version: 1, Version Date: 20/06/2023

From: [redacted]
Sent: Mon, 19 Jun 2023 16:30:05 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: P23042 - letter of support for planning application
Categories:

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Dear Planning Committee,

We are writing to express our strong support for the planning application lodged for 45 WINDHAM STREET NARRAWONG 3285. The proposed use and development of a shop (post office and sale of packaged liquor) aligns with the local community's needs and will enhance the surrounding area's economic and social vitality.

In our opinion, the lodged planning permit P23042 (as submitted and advertised on the Glenelg Shire Council website) will bring many benefits to the area, including increased job opportunities for residents, improved services, and therefore result in higher property values and a better functioning community.

We urge the planning committee to approve this application and help retain this much-needed business in our small community. Thank you for your time and consideration, we hope to be notified of the future outcome and are happy to discuss further.

[redacted]

Document Set ID: 3092928
Version: 1, Version Date: 20/06/2023

From: [redacted]
To: Planning
Subject: Narrawong Post Office
Date: Friday, 23 June 2023 3:37:05 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if needed.

Thanks

[redacted]

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning Permit Application – reference number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.
planning@glenelg.vic.gov.au

Yo
[redacted]

From: [redacted]
Sent: Mon, 19 Jun 2023 21:36:32 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Planning Application P23042
Categories:

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern
I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street, Narrawong, as currently advertised on the Glenelg Shire website.
As a local resident I am keen to see this application go ahead as submitted, as I feel that it is an essential step for the town's growth and development. I will be happy to discuss further if needed.
Thanks
[redacted]

Document Set ID: 3092944
Version: 1, Version Date: 20/06/2023

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning Permit Application – reference number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.



Glenelg Planning Permits Department,

71 Cliff St,

Portland. 3305

21/06/2023

RE support of Planning Permit Application – reference number P23042

As a resident of Narrawong, I would like to acknowledge my support of the application mentioned above for the Narrawong Post Office Business to be re-located to 45 Windham St, Narrawong.

In my view, it is an ideal location and size for the Post Office. The Post Office is a community asset we use on a daily basis.

awong Post Office were to close, Yambuk
k is 36 kilometres away, this is not a viable
mail.

[redacted]

RE SUPPORT FOR PLANNING PERMIT APPLICATION-No: P23042

22 JUNE 2023.

AS THE ONLY OFFICIAL POST OFFICE BETWEEN PORTLAND AND YAMBUCK, IT IS IMPERATIVE THAT THIS SERVICE THAT SERVES RESIDENTS FROM ALLESTREE THROUGH TO EASTERN PARTS OF TYRENDARRA AND, OF COURSE, THE ENTIRE NARRAWONG DISTRICT, BE ALLOWED TO CONTINUE UNIMPEDED TO CATER FOR THE NEEDS OF A RAPIDLY DEVELOPING SURROUNDING AREA.

HAVING PERUSED THE OBJECTIONS, AS SUCH, I AM PROMPTED TO COMMENT BRIEFLY ON WHAT WOULD LARGELY APPEAR TO BE PERSONAL SELF-CENTRED CONCERNS, NOT LOOKING TO THE ON-GOING NEEDS OF A DEVELOPING TOWNSHIP.

FOR FORMER RESIDENTS, NO LONGER DEPENDENT ON NARRAWONG [illegible] TO OBJECT, EQUATES TO SER[illegible]EXATIOUS LITIGANTS AGA[illegible]RESS.

OTHER TOWNSHI[illegible]LTIVELY NEW TO THE AREA, API[illegible]N STREET DEVELOPMENT AND WHAT HAS FAILED TO TRANSPIRE FROM PAST MEETINGS AND COUNCIL PRESENTATIONS.

DESPITE SUBSTANTIAL RATE REVENUE DERIVED FROM THOSE PROPERTIES WITH ACCESS TO CAMBRIDGE AND ALBERT STREETS, NO UPGRADES OF ANY KIND HAVE TAKEN PLACE IN RECENT YEARS.

UNDERSTANDABLY, MANY TOWNSHIP RESIDENTS HAVE GOOD REASON TO BE CONCERNED.

FINALLY, A REQUEST THAT COUNCILLORS BECOME BETTER AQUAINTED WITH RESIDENTS AND THEIR NEEDS.

[redacted]

[redacted]

nt

20/06/2023

RE: Support of Planning Permit Application – reference number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.
planning@glenelg.vic.gov.au

Yours sincerely

[redacted]

Planning@glenelg.vic.gov.au

To whom it may concern,

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if needed.

Thanks,

NAME [redacted]

From: [redacted]
Sent: Tue, 13 Jun 2023 19:13:51 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Planning permit application P23042 - Narrawong Post Office/Shop
Attachments: Letter of support application P23042.pdf

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Good afternoon,

Please see attached letter in support of Planning permit application P23042 - Narrawong Post Office/Shop.

Thank you for taking the time to read our letter of support for this application, as the current owners of the Narrawong Post Office.

Yours sincerely
[redacted]

Document Set ID: 3091649
Version: 1, Version Date: 14/06/2023

[redacted]

TO:
Glenelg Planning Permits
71 Cliff Street
Portland, 3305

RE: Support of Permit Application – reference number P23042

Dear Sir/Madam,

As the current Australia Post owner/Manager. Glenelg shire Planning Permit Application P23042 directly affects my family and I on a personal level as it is currently located on our property at Windham Street, Narrawong 3285.

We took over the Australia Post contract in January 2017 as the then owner and Postal Manager of the Narrawong Store and Post Office had health issues that required him to close the doors of the existing store in a very short time frame of two business days!

The Narrawong and district Postal network is serviced from Warrnambool. If the Post Office in Narrawong had/has to, closed its doors (as Tyrendarra did several years ago), then our mail service, as postcoded with Yambuk 3285 would be delivered to Yambuk for collection by every Narrawong and Tyrendarra resident. This would obviously have been/be a devastating outcome for our community. Australia Post and the Glenelg shire council were very supportive and proactive in helping us establish a relocatable building on our property at 96 Windham Street, Narrawong, to operate the current Post Office from in a three month time frame.

Due to my partner's personal health issues, we need to cease the operation of the Australia Post service from our premises as soon as possible. I did personally approach the current owner of the Old Narrawong Store to see If we could negotiate the relocation of the Post Office back to that site, but there is no current time frame for the premises to be fully renovated. And, it is to be leased to whomever for whatever, once it is ready. Due to our family's health issues, we don't have the time to wait.

The opportunity to move the Post Office business to 45 Windham Street Narrawong, is the perfect solution to our needs. It is also being designed as a permanent space for a much needed community service; Narrawong Post Office. The location is still on the Princes Hwy and only 500m further on the main thoroughfare through town.

The Narrawong postal contract has been negotiated with Australia Post to transfer on June 30th. With the new management to take over on July 1st 2023. It would be highly desirable for this to be at the proposed location of application P23042 (45 Windham Street, Narrawong) to avoid any extra stresses at our home.

[redacted]
13/06/2023

Document Set ID: 3091649
Version: 1, Version Date: 14/06/2023

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305
planning@glenelg.vic.gov.au

20/06/2023

RE: Support of Planning Per er P23042

As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.

Yours sincerely

[redacted]

rcvd 22/6

Document Set ID: 3094554
Version: 1, Version Date: 26/06/2023

From: [redacted]
To: Planning
Subject: Narrawong Post Office
Date: Wednesday, 21 June 2023 5:49:51 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if needed.

Thanks

[redacted]

Narrawong VIC 3285

[redacted]

[redacted] [redacted]

From: [redacted]
To: Planning
Subject: PA P23042
Date: Wednesday, 21 June 2023 8:10:07 AM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for sustainability of the town's community spirit, and growth and development. I will be happy to discuss further if needed.

[redacted]

Tyrendarra

[redacted]

[redacted]
[redacted]

[redacted]

[redacted]

From: [redacted]
To: Planning
Subject: Narrawong LPO
Date: Thursday, 22 June 2023 1:43:05 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

[redacted]

Narrawong Vic 3285

To whom it may concern,
With reference to Planning Permit Application Number P23042
I am writing to you today about the Narrawong LPO and the decision by the new owners of the Licence to move the location of the LPO to 45 Windham St Narrawong 3285.
This is a fantastic opportunity for the community to have a LPO and store in a location which is easily accessible and which will provide the community with a new shop with first-class facilities.
I feel that any opposition to this new shop and objections raised are spurious and vexatious and should be ignored.
In short, the move to the new location will give the local community a new focal point and will provide the new proprietors the best possible chance of success.
I fully support the move to the "old church" and cannot fathom why there would be objections
Kind Regards,
[redacted]

Glenelg Planning Permits Department,

71 Cliff St,

Portland. 3305

21/06/2023

RE support of Planning Permit Application – reference number P23042

As a resident of Narrawong, I would like to acknowledge my support of the application mentioned above for the Narrawong Post Office Business to be re-located to 45 Windham St, Narrawong.

In my view, it is an ideal location and size for the Post Office. The Post Office is a community asset we use on a daily basis.

awong Post Office were to close, Yambuk
k is 36 kilometres away, this is not a viable

[redacted]

NARRAWONG.
VIC. 3285

From: [redacted]
To: Planning
Subject: Narrawong Post Office
Date: Friday, 23 June 2023 3:43:06 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

I am writing to give my strong support for the Planning Application P2304 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong , as currently advertised on the glenelg shire council website. As a local resident I am keen to see this application proceed as submitted,as I feel it is an essential step for the town's growth and development. We don't want to have to drive to Yambuk or Portland to use the post office.
I will be happy to discuss further if needed

Regards

[redacted]

[redacted]

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

RECEIVED
21 JUN 2023

20/06/2023

RE: Support of Planning P[illegible] number P23042
As a resident of Narrawo[illegible]e my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.
planning@glenelg.vic.gov.au

[redacted]

Document Set ID: 3094552
Version: 1, Version Date: 26/06/2023

From: [redacted]
Sent: Sat, 27 May 2023 11:34:51 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Permit Application Number P23042

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Good morning Glenelg Shire Council

We own the property at Wyndham Street, Narrawong, having taken over in March 2023.

We have looked closely at the permit for our neighbours at 45 Wyndham St, Narrawong, and having met Kyla and Jason, discussed their intended use for their property.

Simon and I and our family, see no reason at all to make any objections to the planning permit. In fact, we congratulate them on their initiative to support our haven. The Post Office and a retail offering is essential in supporting the Town of Narrawong. We wish our neighbours all the best for their business.

Please don't hesitate to contact me or Simon , if you have any further queries.

[redacted]

Document Set ID: 3086991
Version: 1, Version Date: 29/05/2023

From: [redacted]
Sent: Tue, 20 Jun 2023 14:35:48 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Letter of support for Planning Application P23042

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

We are writing to give our strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website.

We are keen to see this application go ahead as submitted, as we feel it is an essential service for the town. The current Post Office is situated on the same street (approximately 200 metres away). As local residents we sincerely want this service to continue. We do not have postal delivery to our address and therefore attend the Post Office regularly to receive our mail. If this service wasn't available within Narrawong we would then have to travel on to Portland or Heywood to receive our post. We are the parents of young children and within the last 5 years have moved from Melbourne to Narrawong to reside. We therefore rely on the Post Office alot for parcel and letter deliveries from friends and family in Melbourne.

In addition, Narrawong presently does not have a General Store or grocery shop. The stocking of essential items and similar is another convenience the Post Office offers that we regularly use at its current location.

We understand the current Postal service provider no longer wishes to continue in that role. However, another person is willing to take on that role at another location. That other location being on the same street a short distance away.

I very much want this service to continue and the new location being so close to the old location seems ideal. If you require anything further from me please don't hesitate to contact me.

Thankyou

[redacted]

Document Set ID: 3093041
Version: 1, Version Date: 20/06/2023

Planning@glenelg.vic.gov.au

To whom it may concern,

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if needed.

Thanks,

NAME [redacted]
ADDR
PHON

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning Permit Application – reference number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.

[redacted]

Document Set ID: 393061
Ver 1, Version Date: 20/06/2023

To planning@glenelg.vic.gov.au

Re support for Planning Application P23042

To whom it may concern,

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website.

As a local resident, I would like to see this application go ahead as submitted, because I don't want to go 40 kms every time I want to get a parcel and think this is a good opportunity for the town, as it's starting to thrive we want new businesses. Happy to discuss further if needed.

[redacted]

From: [redacted]
To: Planning
Subject: Re Planning Permit Application P23042 Narrawong Post Office
Date: Thursday, 22 June 2023 1:30:06 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern.

I am writing to express my support for the proposed change of location for the Narrawong Post Office.

As I run my own business from home and send many parcels each day, the Narrawong Post Office is a vital part of my business. There are times when I have so many parcels to collect and post that I make several trips a day.

If it were to close, having to travel either to Portland or Yambuck each day would negatively impact my business greatly.

Therefore, moving the location to the old church is the ideal outcome for me and my business.

Yours sincerely

[redacted]





Want some crochet fun in your inbox? Subscribe to my newsletters here
Or download my app here.

From: [redacted]
Sent: Mon, 19 Jun 2023 22:27:38 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Planning Application P23042 - Narrawong Post Office relocation
Categories:

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern
I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website.
As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development.
In particular living and working out of Tyrendarra, the post office is an essential service and a life line for general supplies.
We have not had a roadside mail box on the Highway at Settlers Road for over 15 years as we were sick of it getting vandalised and things getting stolen.
The Narrawong Post Office operation is safe, secure and essential for us and our work from home operations.
I will be happy to discuss further.
Kind regards

[redacted]

Document Set ID: 3092946
Ver ion: 1, Version Date: 20/06/2023

From: [redacted]
To: Planning
Subject: Narrawong Post Office
Date: Thursday, 22 June 2023 4:37:14 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Re support of planning permit Application- reference number P23042

As residents of Narrawong, we would like to acknowledge our support for the above planning application, for the Narrawong Post Office business to be moved to 45 Windham St.,Narrawong 3285.

The old Church, in our opinion, is an ideal location and size for the Post Office and all the stock & services it provides for the community.
It is a community asset that we use on a daily basis.

Yours Sincerely,
[redacted]

Planning@glenelg.vic.gov.au

To whom it may concern,

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if needed.

Thanks,

NAME [redacted]
ADDRE
PHONE

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	
Email:	
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Na	
Application N	

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Submitter's Signature:	[redacted]	Date:	19-6-23

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council
National Relay Service: 13 36 77
PO Box 152, PORTLAND VIC 3305
email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

From: [redacted]
Sent: Tue, 20 Jun 2023 10:45:56 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Post office Support
Categories:

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,
I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website. As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if needed.

[redacted]

Document Set ID: 3092959
Ver ion: 1, Version Date: 20/06/2023

From: [redacted]
To: Planning
Subject: Letter of support
Date: Sunday, 25 June 2023 3:06:08 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

I am writing in support of the planning application p23042- use and development for a shop (post office and sale of packaged liquor) lodged for 45 Windham St, Narrawong, as advertised on the Glenelg shire website.

In the Glenelg 2040 plan, Narrawong residents identified that having new businesses establish and invest in towns/ areas outside of Portland is a priority for our town (priority 4.1.2).

A post office is an important component of the community in Narrawong. Not only does it provide an essential service in a small town, it is a place that allows for the informal meeting of residents as they collect mail, and thus contributes to our towns reputation as a lively and growing community.

As a local resident I would like to see this application go ahead as submitted.

[redacted]

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	
Email:	
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Na	
Application N	

y affect you?

Daily for
Office Too

Office To

Goods, The
ive into Portland,

[illegible] would be back for the Town.

Expansion of This Too Selling Produce/Coffee etc. Would also be a Great Addition To The Town Which is missing a Shop. Many Times I Have Been Required To Travel Into Portland To Get Basics Like Milk + Bu[illegible] Great Idea For The Town !!

Submitter's Signature:	[redacted]	Date:	16-6-23

Council is collecting the info[illegible]e with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council
National Relay Service: 13 36 77
PO Box 152, PORTLAND VIC 3305
email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

From: [redacted]
To: Planning
Subject: Planning Permit Application – reference number P23042
Date: Wednesday, 21 June 2023 7:09:15 PM

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Narrawong, VIC, 3285

21/06/2023

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305
planning@glenelg.vic.gov.au

RE: Support of Planning Permit Application – reference number P23042

As a resident of Narrawong, I would like to express my support for the Application mentioned above.

There is no justifiable reason for the Narrawong Post Office business not to be moved to 45 Windham St, Narrawong.

The old Church, is in my opinion, an ideal location and size for the Post Office. The location provides off highway parking and it won't generate any more traffic in the area than the current Post Office, that will close shortly, being only a few doors along the street.

It is a community asset that we use on a daily basis.

Yours sincerely

[redacted]

From: [redacted]
Sent: Tue, 20 Jun 2023 09:26:21 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Planning Application P23042
Categories:

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

I am writing to give my strong support for the Planning Application P23042 - the use and development for a shop (post office and sale of packaged liquor) - lodged for 45 Windham Street Narrawong, as currently advertised on the Glenelg Shire Council website.
As a local resident, I am keen to see this application go ahead as submitted, as I feel it is an essential step for the town's growth and development. I will be happy to discuss further if necessary.

Warm regards,
[redacted]

Document Set ID: 3092956
Ver ion: 1, Version Date: 20/06/2023

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305
planning@glenelg.vic.gov.au

20/06/2023

RE: Support of Planning Permit Application – reference number P23042

As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.

Yours sincerely

[redacted]

Glenelg Planning Permits Department
71 Cliff Street
Portland, 3305

20/06/2023

RE: Support of Planning Permit Application – reference number P23042
As a resident of Narrawong, I would like to acknowledge my support in the application mentioned above, for the Narrawong Post Office business to be moved to 45 Windham St, Narrawong.
The old Church, is in my opinion, an ideal location and size for the Post Office and all that it stocks for the community.
It is a community asset that we use on a daily basis.
pl

Yc

[redacted]

Department of Transport

GPO Box 2392
Melbourne, VIC 3001 Australia
Telephone: +61 3 9651 9999
www.transport.vic.gov.au
DX 201292

Tammy Hurst
Glenelg Shire Council
71 Cliff Street
Portland VIC 3305

Dear Tammy

PLANNING APPLICATION NO.:	**P23042**
DEPARTMENT REFERENCE NO:	**PPR 4030/23**
PROPERTY ADDRESS:	**45 WINDHAM STREET, NARRAWONG VIC 3285**

Thank you for your correspondence referring details of the above application to the Department of Transport (Head, Transport for Victoria) pursuant to Section 55 of the Planning and Environment Act 1987.

The application is for:

Use and development for a shop (post office and sale of packaged liquor), business identification signage and access to Transport Zone 2.

The Department has considered the application and in principle has no objection to the proposal, but would require that the following conditions be included in any Notice of Decision to issue a Planning Permit or Planning Permit:

i. Prior to the development hereby approved coming into use, the existing interfacing Cambridge St intersection that is located within the Princes Highway (Transport Zone 2), must be upgraded to the satisfaction of, and at no cost to, the Head, Transport for Victoria..

ii. Vehicle parking on the Princes Highway West's (Wyndam Street) road reserve is prohibited.

Note/comment:

Separate consent for works within the road reserve and the specifications of these works is required under the *Road Management Act 2004*. Contact: southwestworks@roads.vic.gov.au

Please forward a copy of the Planning Permit, Notice of Decision to Grant or Refusal to Grant a Planning Permit, as required under Section 66 of the Planning and Environment Act 1987, to the Department at swrresponse@roads.vic.gov.au

VICTORIA State Government

Should you have any enquiries regarding this matter, please contact Dave Fary on 0408 317 254, or dave.fary@roads.vic.gov.au

Yours sincerely



GREG HAYES
Team Leader Statutory Planning
BARWON SOUTH WEST
REGIONAL TRANSPORT
DEPARTMENT OF TRANSPORT AND PLANNING
Under delegation from the Head, Transport for Victoria
28/06/2023

Assessment Report

45 Windham Street, Narrawong VIC 3285
P23042 Application Details:

Application is for:	Use and development for a retail premises (postal agency and sale of packaged liquor), business identification signage and access to Transport Zone 2.
Applicant's/Owner's Name:	Myers Planning Group - Daniel Pech
Date Received:	01 May 2023
Statutory Days:	Less than 60
Planner:	Sanket Gurikar
Zoning:	TZ1
Overlays:	nil
Under what clause(s) is a permit required?	32.05, 52.05, 52.27, 52.29
Title Details:	CA 1 Sec 14 Township of Narrawong
Restrictive covenants on the title?	None indicated on submitted title
Current use and development:	Residential

Proposal

The application seeks planning approval for a change of use for retail premises, comprising a postal agency and the sale of packaged liquor for off premises consumption. The existing residential building with some alterations will be utilized to facilitate the development.

The intent of the proposal is to provide a new premises for the licensed post office (LPO) currently situated at 96A Windham, Street, Narrawong, and transfer the existing post office boxes and other postal agency functions to 45 Windham Street.

A limited range of goods as a secondary offering to the post office, comprising postal supplies, stamps, milk, bread, newspaper, eggs, etc. will be sold from the shop similar to the existing post office premises.

The proposal includes the alteration of access to a road within a Transport Zone 2 (Windham Street) and installation of a business identification sign fixed to existing northern boundary fence. (Note: the proposed site plan nominates the location for a 1m x 1.2m business identification sign. However, no details or elevation of the signage have been supplied.)

The proposal includes the following buildings and works:

- internal works including refrigeration unit, shelving, counter tops and patron barriers.
- one (1) refrigeration unit is proposed to display packaged liquor for consumption off the premises

- Exterior works to the subject building to install ramps compliant with disability access standards.
- Approximately 48 post office boxes are to be installed along eastern wall of building for external access by post office box patrons
- external lighting fixtures.
- install four (4) on-site bicycle parking rails
- Seven (7) on-site car parking spaces
- Construction of vehicle access from Cambridge Street connecting to Windham Street (TRZ2). Two crossovers are proposed, one for entry and other for exit.

Hours of operation for the retail premises (including postal agency and sale of packaged liquor) are proposed as Monday – Friday: 9am to 6pm with Saturday and Sunday: closed. Whereas access to outdoor post office boxes is to be 24 x 7 for the respective box holders.

No more than one staff member (site supervisor) will be present on site at any one time, during normal business hours.

The footprint of the existing building is approximately 150 square metres (not including verandahs/pergolas).

The proposed redline plan covers the entire internal floor area comprising of customer area, point of sale area and storage areas.

Subject site & locality

An inspection of the site and the surrounding area has been undertaken.

The site area is approximately 2023 square metres consisting of a single dwelling currently used for short-term accommodation and two garden sheds. The site is rectangular in shape, with a frontage of 20 metres to Windham Street, and 100 metres to unmade Cambridge Street. There is no vehicle access to the site directly from the frontage to Windham Street. Vehicle access is provided from the boundary to Cambridge Street via an informal track and crossover to Windham Street.

The building was previously used as a church in a different location and relocated to the site. There is extensive planted garden vegetation on the site, including within the front setback.

The main site/locality characteristics are:

- The site is located at the southeast corner at the intersection of Windham Street and unmade Cambridge Street.
- The Site is within the Township of Narrawong. It is approximately 14 kilometres to the north-east of the commercial centre of Portland.
- Windham Street bisects the settlement, being the continuation of the Princes Highway. Windham Street is within the Transport Zone 2.
- The Site and immediate locality are within the Township Zone. The Township Zone is adjoined by land within the Rural Living Zone to its north, west and

east, and land within the Public Parks and Recreation Zone and the Rural Conservation Zone to its south.

Permit/Site History

- P21264 - Use and Development of Land for Food and Drinks Premises including application for Liquor License and alteration to Access from RDZ1. The application was placed on hold and later withdrawn on 21 March 2023.

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing signs on site

The notification has been carried out correctly.

Council has received approx. 75 submissions to date towards the application of which 10 are objections and the rest being in support of the proposal.

The key issues related to the 10 objections are as follows:

Location not appropriate: proposal needs to be located at the old Narrawong Store and not in middle of a residential area, lack of safe passage for school children to and from Narrawong Primary School

Insufficient detail provided: the objections indicate there is no details as to what goods will be sold from the premises.

Traffic congestion and safety: include unsafe intersection, trucks and caravans/trailers parking on nature strip along Windham Street, risk of informal parking due to limited on-site parking, increase in traffic through the unconstructed road reserve from The Esplanade to proposal site.

Amenity concerns: include light spill from the premises, noise issues, license to sell alcohol, PO boxes being accessible 24x7, cluttering of signage

Applicants response:

Details of shop:

The proposed type of goods to be sold on the premises include:

- Postal supplies (envelopes, stamps and packaging)
- A limited range of small goods as a secondary offering to the post office/agency, comprising similar goods contained within the existing postal office premises.
- Locally crafted beer, wine and spirits. We note, that a minute portion of the proposed floor area is to be taken up by refrigeration and dry storage associated with packaged liquor, with the remaining floor area comprising shelf storage for postal supplies and a limited range of small goods (highlighted above).

Land use compatibility, rubbish, amenity and patron behaviour (packaged liquor):

Township Zone supports and encourages the proposed use.

The land is buffered by the Windham Street and Cambridge Street road reserve to the north and west, providing a variable set back of 20-40 meters between objector households and the premises. This separation which will act as a suitable buffer between patron noise sources and nearby sensitive uses. We also note that the licensed activity operations are within normal business hours (9am-6pm), and the premises is sited close to Windham Street which carries a higher background noise level due to the presence of typical highway noise.

Patron Management Plan provided which address operational matters such as patron behaviour, security, amenity, lighting, noise, waste disposal, complaints management, monitoring and reporting. The patron management plan could be enforced by permit conditions or as endorsed plans.

Traffic:

The proposal meets car parking requirement of 52.06-5, no parking waiver is required.

The proposal is shown to improve the existing condition of road infrastructure commensurately with the scale of the proposal and anticipated vehicle generation in accordance with responsible authority's road works requirements.

With the proposed hours of operation, provision of adequate on-site parking facilities and the site's location on a relatively low-usage T-intersection, the proposed additional traffic generation does not pose an unacceptable risk to school traffic or other road users.

Assessing Officer response:

Location concerns: while the Old Narrawong Store could be ideal for the proposed use given its history and suitable infrastructure this not the basis of assessment of this application. The permit application needs to be assessed on the merits of this site it is applied for. The TZ supports uses that serve local community needs in appropriate locations.

Site is located in a well established area with 60km/hr zone and there is existing footpath on the southern side of the Windham Street. Narrawong Primary School is located approx. 400m towards east from the site. The proposed use of the site is not considered to significantly impact on the school users, and could be managed by appropriate conditions.

Lack of details on shop: information provided by applicant is considered to be adequate. It is not uncommon for such postal agency to be coupled with other secondary goods in rural communities.

Traffic and safety concerns: referral responses from Department of Transport and Planning (DTP) and Council's Assets unit will be conditioned on the permit. Condition will will address upgradation of Windham St – Cambridge St intersection to a suitable standard, and conditions on construction of driveway and on-site carpark area. Both

referral authorities have not raised any traffic safety related issues with the proposed use.

Cambridge St is a public road reserve and thus access cannot be restricted to one specified property or existing properties. There is potential that some could drive up south from The Esplanade, but it will be upto individuals responsibility for driving along the unmade road reserve.

Amenity concerns: general amenity conditions and patron management plan would be able to address most of the concerns raised. The hours of operation of the retail premises proposed are also within standard daytime operating hour so would pose minimal impact after hours. Refer to particular provisions below for assessment of licensed premises (packaged liquor) and signage.

Consultation

Consultation was undertaken in the form of pre-application meeting.

Formal consultation of hearing deputations from submitters and permit applicant to address Councillors was undertaken on 18 July 2023.

Referrals

External Referrals/Notices Required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	
Vicroads (DTP)	The application was referred to DTP as per Clause 52.29-4. DTP incorrectly provided a response addressing the previously withdrawn application P21264. An updated referral response was received on 29 June 2023 where they do not object to the proposal subject to permit conditions.
Section 52 notices	
Victoria Police	No response received.

Internal Council Referrals	Advice/Response/Conditions
Assets Unit	Conditions provided in regards to drainage, access and car parking.
Building	No comments for planning application. Building permit will be required for the proposal which would consider the access requirements.
Health	The applicant in this case will need to have a Land Capability Assessment undertaken to assess and design an appropriate wastewater system for the proposed use. There is no permit on record for the existing building, however a Permit to Alter requirement is triggered by these works. Pending planning approval, an application for a permit will need to be lodged with the Health Unit. Secondly, if there is a proposal to sell food (packaged alcohol or otherwise) then

	the owner will need to contact the Health Unit regarding registration requirements. Planner response: An LCA was submitted as part of the previously withdrawn application P21264. The previous LCA was for a much extensive use involving 5 staff and 40 customers while the current proposal only involves 1 staff, EHO considers that the proposed use could meet the wastewater requirements. However, an updated LCA would still be required during the wastewater permit application under Environmental Health regulations.

Assessment

The land is zoned as Township Zone – Schedule 1 (TZ1). There are no overlays affecting the site.

The proposed use of building, comprising postal agency and sale of convenience goods and packaged liquor could be all nested under the umbrella of retail premises which is a section-2 use under Clause 32.05-2.

The purpose of Township Zone are as follows:

- *To provide for residential development and a range of commercial, industrial and other uses in small towns.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The proposal complies with the purpose of the Township Zone, particularly with regard to providing for a small scale commercial use in a small that will serve community needs.

There is no predefined neighbourhood character objective to be achieved for the area. The proposal is considered to respect the neighbourhood character of the area which is mainly residential.

A permit is required to construct a building or construct or carry out works associated with a section-2 use, pursuant to Clause 32.05-10.

Clause 32.05-13 Decision Guidelines

The key decision guidelines relevant to this proposal are:

- *The objectives set out in a schedule to this zone.*

There are no objectives set out in the schedule to the Township Zone.

- *The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.*

The proposal is essentially moving the existing Licensed Post Office (LPO) from one site to another within the same settlement. It makes use of an existing building with similar characteristics to that of the current LPO.

The proposed retail use of the site is comparable with the current LPO, while the sale of packaged liquor will be a new addition it is considered that the use could be appropriately controlled through patron management plan/ general amenity conditions on permit.

The proposed retail development blends well within the TZ and is not considered to be detrimental to the character of the surrounding area. Any anticipated amenity impacts to nearby residents could be effectively addressed through permit conditions.

- *The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.*
- *In the absence of reticulated sewerage, 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 site is already connected to electricity and telecommunications. Due to the lack of reticulated water and sewerage in Narrawong, the site relies on rainwater tanks and on-site wastewater system.

An LCA was not submitted for the current proposal with the following reasoning –

"The building is provided with a domestic wastewater management system No additional wastewater load is anticipated as a result of the change of use, due to the limited number of patrons to be permitted on the premises at any one time (20 patrons)."

During the previous permit application P21264, an LCA was submitted for a much extensive use involving 5 staff and 40 customers. Based on that previous LCA and given the current proposal to be of a lower scale, EHO advised it is possible for the proposal to meet wastewater requirements. However, this would be determined during the wastewater permit application which would require new LCA at that stage. The permit would be conditioned in this regard. A permit note would be included advising about the need for new LCA for wastewater permit approval.

- *The design, height, setback and appearance of the proposed buildings and works including provision for solar access.*

The building will remain essentially unchanged. The proposed works on the site comprise the installation of ramps for accessibility, minor additions to the existing side decking and the provision of on-site car parking and vehicle access.

There will be no adverse visual impact due to the proposed works. There will be no impact on solar access to the buildings on the site or adjoining land.

- *The need for a verandah along the front or side of commercial buildings to provide shelter for pedestrians.*

N/A - the building does not sit on the common boundary to the road reserves, and therefore is not in a position to provide shelter for passers-by.

- *Provision of car and bicycle parking and loading bay facilities and landscaping.*

The proposal includes car and bicycle parking facilities on site. Refer to particular provisions section below.

Loading bay facilities are not proposed, and given the scale of proposal it is not considered essential. There is sufficient area to accommodate loading/unloading within the proposed internal driveway and carpark area.

The permit would be conditioned to require a traffic and parking management plan as per Assets condition.

The site already contains minor landscaping, additional landscaping is not considered relevant.

- *The effect that existing uses on adjoining or nearby land may have on the proposed use.*

Existing nearby land uses comprise residential uses with detached dwellings.

The proposed use, including the consumption of liquor in accordance with the proposed liquor license, will operate no later than 6pm on a daily basis. This is considered to be compatible with preserving the reasonable amenity of the adjoining and nearby dwellings.

As discussed above the key matters relating to the objections received could be appropriately addressed through permit conditions.

- *The scale and intensity of the use and development.*

The application proposes a maximum of 20 patrons at any given time. The operating hours will be 9am to 6pm on weekdays. Permit conditions are to be applied for this.

The proposed scale and intensity of use is considered to be acceptable for a site within the Township Zone with frontage to a highway. The Glenelg Planning Scheme supports proposals that are intended to maximise accessibility to community facilities and services, and likely to generate local employment.

- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

While it is acknowledged that the proposal will result in additional vehicular traffic generation above the existing conditions, the proposal is shown to improve the existing condition of road infrastructure in order to cater with the scale of proposal and anticipated traffic.

Given the limit on patron numbers i.e. no more than 20 at any one time and the likelihood of staggered trips by those accessing the post office, the increase in traffic level generated is considered to acceptable.

- *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

- *Any other decision guidelines specified in a schedule to this zone.*

N/A

Planning Policy Framework (PPF)
11.01-1S Settlement

- *Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.*

11.01-1R Settlement - Great South Coast

- *Support development and investment in small towns that are facing economic and population challenges.*

11.01-1L Settlement

- *Restrict future development to the identified township growth areas.*

11.02-3S Sequencing of development

- *Require new development to make a financial contribution to the provision of infrastructure such as community facilities, public transport and roads.*

11.03-1S Activity centres

- *Encourage economic activity and business synergies.*

13.05-1S Noise management

- *Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.*

15.01-6S Design for rural areas

- *Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.*

17.01-1S Diversified Economy

- *Support rural economies to grow and diversify.*

17.02-1S Business

- *To encourage development that meets the community's needs for retail, entertainment, office and other commercial services*

18.01-1S Land use and transport planning

- *Plan the use of land adjacent to the transport system having regard to the current and future development and operation of the transport system.*

18.02-4L Road system

- *Encourage development in rural areas to provide two-way vehicle accesses.*

18.02-4S Roads

- *Plan an adequate supply of car parking that is designed and located to: Protect the amenity of the locality, including the amenity of pedestrians and other road users.*

Having regard to the above strategies and objectives, the proposal is considered as an appropriate planning outcome in terms of planning policy framework.

Relevant Particular Provisions

52.05 Signs

TZ1 comes under Category 3 – High amenity areas for signage requirements at 52.05. As per Clause 52.05-13, any signage on the site except direction sign are classified as section 2 signs for which a planning permit is required.

Business Identification signs are in Section 2. A permit is required for the proposed 1m x 1.2m sign on the northern boundary fence.

As per Clause 52.05-6 application requirements, the planning report and site plan gives limited details for the proposed sign. This is due to the branding sign still not finalised and applicant requests amended plans condition be placed requiring elevation plan prior to commencement of use.

The sign is proposed to be contemporary and of modest dimensions, with no illumination or supporting structures as it will be affixed to the existing northern fence. It will be similar to the existing LPO sign at 96A Windham St.

On the basis of the relatively minor nature of the sign, the following comments are made in relation to the relevant decision guidelines of 52.05-8:

- The sign is respectful of the residential character of the area.
- The sign will not impact on any views or vistas.
- The sign is proportionate to the scale of the building and the streetscape.
- The sign is unlikely to impact on road safety.

The location and scale of sign is considered appropriate, if a permit is granted then amended plans condition would require elevation plan for the sign.

52.06 Car Parking

As per Clause 52.06-2, before a new use commences, the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority on the land.

The proposed retail use of the site includes two separate nested uses i.e. postal agency and shop (sale of packaged liquor and secondary goods) where both the uses are specified in Table 1 to clause 52.06-5 with similar car parking measure of 4 spaces to each 100sqm of leasable floor area.

The subject building to be used for the retail use comprises a floor area of approximately 130 square metres.

4 to each 100sqm of leasable floor area. Therefore, **4 x 130/100 = 5.2 ~ 5 spaces.**

The proposal includes the provision of seven (7) on-site car parking spaces.

The submitted site plan indicates that car park spaces would meet the design standards of 52.06-9, however, a detailed car parking plan is to be requested as per

Assets condition. Therefore, it is considered that Clauses 52.06-8, 52.06-9 and 52.06-11 would be covered as part of the Assets condition for car parking.

The proposal is considered to comply with the requirements and provisions of 52.06. No permit is triggered under Clause 52.06.

52.27 Licensed premises

Pursuant to Clause 52.27, a permit is required to use land for the sale of packaged liquor, if a licence is required under the Liquor Control Reform Act 1998. The proposal does not meet any of the exemptions.

An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme. It follows, that the application is not required to be referred under Clause 66.03 to Victorian Commission for Gambling and Liquor Regulation and no notice is required under Clause 66.05 to Chief Commissioner of Victoria Police, since the proposal seeks to operate up to 6pm. However, a Section 52 notice was sent to Victoria Police where no comments have been received.

Decision guidelines:

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

The application for a 'the sale of packaged' is supported by the planning scheme by encouraging retailing and tourism related externalities.

- *The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.*

While it is acknowledged that the application is for a licensed premises and that they can have an impact on the amenity of the surrounding area, it is important to consider this based on exact nature of the licensed premises. For example, the amenity impact from a hotel or nightclub will be much greater than that from café that has a liquor licence to serve a glass of wine with lunch. In this case, the nature of the licence is to sell packaged liquor to patrons with no onsite consumption. Further, hours of operation being up to 6pm will restrict any late-night purchase of liquor. It is considered that the impact of the sale of packaged liquor from this location will not have an unacceptably adverse impact on the surrounding area.

No live music will be played on the premises. Noise issues could be appropriately controlled through general amenity conditions on any permit granted.

The premises being fronted to a busy throughfare road is easily visible from public realm, is considered to be safe and adequate to deter anti-social behaviour.

Any staff involved will be trained in appropriate Responsible Service of Alcohol (RSA) procedures to manage risks posed by the proposed licenced premises.

- *The impact of the hours of operation on the amenity of the surrounding area.*

The entire retail operations including postal agency and sale of packaged liquor is proposed to close by 6pm on weekdays and closed on weekends. This is unlikely to result in amenity impacts.

- *The impact of the number of patrons on the amenity of the surrounding area.*

As liquor is consumed off-premises patron numbers are not relevant for the permission to sell packaged liquor. The management of patrons will be dealt under the relevant Liquor Licence regulations.

- *The cumulative impact of any existing and the proposed liquor licence, the hours of operation and number of patrons, on the amenity of the area.*

N/A. There are no existing licensed premises in Narrawong.

The nearest licensed premises is the Tyrendarra Sporting Club, 7.2 kilometres to the north-east, which holds a limited licence. Other licensed premises are located in Portland, at least 10 kilometres to the south-east.

It is considered that the granting of this liquor license is unlikely to cause concern in relation to amenity of the area, which could be managed through appropriate conditions.

52.29 Land adjacent to the principal road network

Pursuant to Clause 52.29-2, a permit is required to create or alter access to a road in a Transport Zone 2 (TRZ2).

The proposal involves construction of the intersection at Windham St (TRZ2) and Cambridge St.

As per Clause 52.29-4, the application was referred to Department of Transport and Planning (DTP) under section 55 of the Act. DTP have provided conditional consent to the application.

52.29-6 Decision guidelines

- *The views of the relevant road authority.*
- *The effect of the proposal on the operation of the road and on public safety.*
- *Any policy made by the relevant road authority pursuant to Schedule 2, Clause 3 of the Road Management Act 2004 regarding access between a controlled access road and adjacent land*

Given the DTP response it is considered that the proposal will not have a detrimental effect on the operation of the road or to road safety.

The applicant will ensure that the access between the carriageway of Windham Street, and the site boundary, via Cambridge Street, is designed and constructed to the satisfaction of the responsible authorities. This will achieve safe and efficient vehicle access and egress to and from the Site, with regard to the arterial road and the pedestrian footpath in the road reserve. Permit would be conditioned in this regard.

52.34 Bicycle Facilities

52.34-1 Provision of bicycle facilities

A new use must not commence, or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Pursuant to Clause 52.34-5, the requirements for bicycle facilities are set out in Tables 1, 2 and 3. The land use description that best fits the proposal is 'retail premises'.

Use	Employee/Resident	Visitor/Shopper/Student
Retail premises other than specified in this table	1 to each 300 sq m of leasable floor area	1 to each 500 sq m of leasable floor area

Based on this there is a requirement of 1 space for employee and 1 for visitors/shoppers. As per Table 2 and 3 showers and change rooms are not required to be provided.

The proposal includes the provision of four (4) bicycle rails, that is, facilities for at least twelve (8) bicycles to be secured.

The bicycle rails have been designed and located in accordance with the design standards at Clause 52.34-6.

The proposal complies with the requirements and provisions of Clause 52.34.

No permit is triggered under the provisions of Clause 52.34.

53.18 Stormwater Management in Urban Development

Pursuant to Clause 53.18-3, an application to construct a building or construct or carry out works must meet all the objectives of Clauses 53.18-5 and 53.18-6 and should meet all the standards of Clauses 53.18-5 and 53.18-6.

The application was referred to Council's Assets unit, who are satisfied that the proposed development is appropriate and provided conditions to ensure stormwater infrastructure is developed to the satisfaction of responsible authority.

Other relevant adopted State policies/strategies:

Aboriginal Cultural Heritage Sensitivity

The Site is identified as being within an 'area of cultural heritage sensitivity' pursuant to the Aboriginal Heritage Regulations 2018.

While the proposed use of land is a high impact activity, it is considered that the entirety of the activity area of this proposal is likely to have been subject to significant ground disturbance as defined by the Aboriginal Heritage Regulations 2018 (r. 5), and therefore that activity is not a high impact activity. In addition the proposal does undertake works that would constitute significant ground disturbance.

In this instance a mandatory CHMP is not required.

The decision guidelines of Clause 65

These have been considered during assessment. The proposal is consistent with Clause 65 Decision Guidelines in that it supports orderly planning, will not affect the amenity of the area and will pose no environmental impacts. The proposed use and development the site is considered to be in accordance with the objectives, policies and strategies of the scheme.

The proposal is expected to have an acceptable impact on the amenity of the area. This includes the consideration of the impact of a licenced premises in a locality that currently does not have any licenced premises. The proposal will not contribute to land degradation. The proposal will have the capacity to appropriately manage the stormwater associated with the proposed use and associated works, to the satisfaction of the responsible authority. There is no remnant native vegetation on the site. The proposal will not have any impact on the existing level of flood, erosion or fire hazard, or the existing mitigation for these hazards. The proposal will not result in any likely adverse increase in traffic intensity beyond the capability of the existing transport network's ability to cater for, with the works proposed. Any increase is considered to have an acceptable impact to the existing amenity, traffic flow and road safety of the site and locality.

Conclusion

A notice of decision is recommended to be issued, subject to suitable conditions.

Recommendation

Notice of Decision to Grant a Permit

That Council:

- having caused notice of Planning Application No. P23042 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of *the Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the provisions of 32.05, 52.05, 52.27 and 52.29 the Glenelg Planning Scheme in respect of the land known and described as CA 1 Sec 14 Township of Narrawong or 45 Windham Street, Narrawong VIC 3285 for Use and development for a retail premises (postal agency and sale of packaged liquor), business identification signage and access to Transport Zone 2 in accordance with the endorsed plans, with the application dated 01 May 2023, subject to the following conditions:

Conditions:

1. Before the use and development starts, 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 and identified as [project number: 23-1073, date: April 2023], but amended to show the following details:

      i. Elevation plan for the signage along northern boundary fence with details on colour, lettering style and materials.

      ii. Detailed car parking plan as per Clause 52.06-8

2. The use and development must be undertaken in accordance with the endorsed plans and must not be altered for any reason without the written consent of the responsible authority.

3. At all times what the permit allows must be carried out in accordance with the patron management plan approved under this permit to the satisfaction of the responsible authority.

Hours of operation

4. The use permitted under this permit must operate only between the hours of 9.00 am - 6.00 pm on Monday to Friday (inclusive), unless with the written consent of the responsible authority.

5. Deliveries to and from the site (including waste collection) must only take place between the hours of 9.00am – 6.00pm on Monday to Friday (inclusive), unless with the written consent of the responsible authority.

6. At any time no more than twenty (20) patrons may be present on the land. The responsible authority may consent in writing to vary this requirement.

Liquor License

7. The applicant must provide the Council with an original copy of any new Liquor Licence within one (1) month of being issued by the Victorian Commission for Gambling and Liquor Regulation.

Waste Water

8. Before the development is occupied, an approved onsite wastewater management system must be installed to treat all wastewater generated from the use of the development.

   All treated wastewater must be disposed of within the curtilage of the property.

   All wastewater must be managed in accordance with part 5.7 of the Environment Protection Regulations 2021 to minimise the risk of harm to the environment and human health.

Amenity

9. All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

10. The sign must not be illuminated by external or internal light unless with the written consent of the responsible authority.

11. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:

    a. Transport of materials, goods or commodities to or from the land;
    b. Appearance of any building, works or materials;
    c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or oil; or
    d. Presence of vermin.

Car parking

12. Before the use starts, a traffic and parking 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. Traffic and parking operations on and adjacent to the site must conform to this endorsed plan. A copy of the plan must be submitted and include:

    a. the location and dimensions of all areas on- and/or off-site to be used for staff and patron parking

    b. specification of staff numbers adequate to enable efficient operation of car parking areas both on- and off-site.

    c. the means by which the direction of traffic and pedestrian flows to and from car parking areas will be controlled both on- and off-site

    d. measures to discourage patron car parking in Cambridge Street.

e. measures to preclude staff parking in designated patron car parking areas

f. servicing of the drainage and maintenance of car parking areas

13. Before the use and development starts, applicant shall ensure that safe intersection sight distances (SISD) as described in AustRoads Publication 'Guide to Traffic Engineering Practice Part 5 - Intersections at Grade', is achieved at the point of access, to the satisfaction of the responsible authority.

14. Before the use and development starts, the area(s) set aside for the parking of vehicles and bicycles, and access lanes as shown on the endorsed plans must be:

a) constructed to CFA requirements
b) properly formed to such levels that they can be used in accordance with the plans
c) surfaced with an all-weather-seal coat
d) drained
e) line marked to indicate each car space and all access lanes
f) clearly marked to show the direction of traffic along access lanes and driveways

To the satisfaction of the responsible authority in accordance with the Infrastructure Design Manual.

At all times car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of the responsible authority.

15. The loading and unloading of goods from vehicles must be to the satisfaction of the responsible authority.

Drainage

16. Before the use begins all stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge by underground pipe drains to the satisfaction of the responsible Authority. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.

Expiry

17. This permit will expire if one of the following circumstances applies:
a) The development is not started within two years of the date of this permit.
b) The development is not completed within four years of the date of this permit.
c) The use does not start within two years of completion of the development.
d) This permit expires fifteen years after the date it is issued for the signage.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

Referral Authority Conditions:
Department of Transport and Planning

18. Prior to the development hereby approved coming into use:

    i. Prior to the development herby approved coming into use, the existing interfacing Cambridge St intersection that is located within the Princes Highway (Transport Zone 2), must be upgraded to the satisfaction of, and at no cost to, the Head, Transport for Victoria.

    ii. Vehicle parking on the Princes Highway West (Windham Street0 road reserve is prohibited.

Notice of Decision Notes

Maintenance of the driveway access is the responsibility of the development. As it is within a public road reserve, access cannot be restricted to a specified property owner.

An application for wastewater permit with Council's Environmental Health Unit needs to be supported with a land capability assessment report.

The Licensee is responsible for the behaviour of patrons within the premises and must adhere to the rules for responsible serving of alcohol and the serving of intoxicated persons as required under the *Liquor Control Reform Act 1998.*

A Building Permit and/or Assets Protection Permit may be required for this project. Prior to commencing work, please phone the Building Unit on 03 5522 2216.

Application for Works within Road Reserve permit is to be submitted and permit issued before carrying out any work within Council's road reserve.

Separate consent for works within the road reserve (Department of Transport) and the specifications of these works is required under the *Road Management Act 2004*. Contact: southwestworks@roads.vic.gov.au

Planner Responsible:	Sanket Gurikar	Checked/ Authorised by:	Matt Berry

Form 5

GLENELG SHIRE COUNCIL

Section 64(1) and 66(2)

NOTICE OF DECISION TO GRANT A PERMIT

APPLICATION NO. : P23042

PLANNING SCHEME : **GLENELG PLANNING SCHEME**

RESPONSIBLE AUTHORITY : **GLENELG SHIRE COUNCIL**

THE RESPONSIBLE AUTHORITY HAS DECIDED TO GRANT A PERMIT.
THE PERMIT HAS NOT BEEN ISSUED.

ADDRESS OF THE LAND
45 Windham Street, Narrawong VIC 3285 - CA 1 Sec 14 Township of Narrawong

WHAT WILL THE PERMIT ALLOW?
Use and development for a retail premises (post office and sale of packaged liquor), business identification signage and access to Transport Zone 2.

WHAT WILL THE CONDITIONS OF THE PERMIT BE?

1. Before the use and development starts, 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 and identified as [project number: 23-1073, date: April 2023], but amended to show the following details:

      i. Elevation plan for the signage along northern boundary fence with details on colour, lettering style and materials.

      ii. Detailed car parking plan as per Clause 52.06-8

2. The use and development must be undertaken in accordance with the endorsed plans and must not be altered for any reason without the written consent of the responsible authority.

Date of Notice: «DecisionDate»

Signature for the Responsible Authority

Planning and Environment Regulations 2015 *Form 5*

Form 5

PERMIT No.	P23042 Page 2 of 6
PLANNING SCHEME	**: GLENELG PLANNING SCHEME**
RESPONSIBLE AUTHORITY	**: GLENELG SHIRE COUNCIL**

3. At all times what the permit allows must be carried out in accordance with the patron management plan approved under this permit to the satisfaction of the responsible authority.

Hours of operation

4. The use permitted under this permit must operate only between the hours of 9.00 am - 6.00 pm on Monday to Friday (inclusive), unless with the written consent of the responsible authority.

5. Deliveries to and from the site (including waste collection) must only take place between the hours of 9.00am – 6.00pm on Monday to Friday (inclusive), unless with the written consent of the responsible authority.

6. At any time no more than twenty (20) patrons may be present on the land. The responsible authority may consent in writing to vary this requirement.

Liquor License

7. The applicant must provide the Council with an original copy of any new Liquor Licence within one (1) month of being issued by the Victorian Commission for Gambling and Liquor Regulation.

Waste Water

8. Before the development is occupied, an approved onsite wastewater management system must be installed to treat all wastewater generated from the use of the development.

   All treated wastewater must be disposed of within the curtilage of the property.

   All wastewater must be managed in accordance with part 5.7 of the Environment Protection Regulations 2021 to minimise the risk of harm to the environment and human health.

Amenity

9. All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

10. The sign must not be illuminated by external or internal light unless with the written consent of the responsible authority.

Date of Notice: «DecisionDate»

Signature for the Responsible Authority

Planning and Environment Regulations 2015 *Form 5*

Form 5

PERMIT No.	P23042 Page 3 of 6
PLANNING SCHEME	**: GLENELG PLANNING SCHEME**
RESPONSIBLE AUTHORITY	**: GLENELG SHIRE COUNCIL**

11. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:

    a. Transport of materials, goods or commodities to or from the land;
    b. Appearance of any building, works or materials;
    c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or oil; or
    d. Presence of vermin.

Car parking

12. Before the use starts, a traffic and parking 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. Traffic and parking operations on and adjacent to the site must conform to this endorsed plan. A copy of the plan must be submitted and include:

    a. the location and dimensions of all areas on- and/or off-site to be used for staff and patron parking

    b. specification of staff numbers adequate to enable efficient operation of car parking areas both on- and off-site.

    c. the means by which the direction of traffic and pedestrian flows to and from car parking areas will be controlled both on- and off-site

    d. measures to discourage patron car parking in Cambridge Street.

    e. measures to preclude staff parking in designated patron car parking areas

    f. servicing of the drainage and maintenance of car parking areas

13. Before the use and development starts, applicant shall ensure that safe intersection sight distances (SISD) as described in AustRoads Publication ‘Guide to Traffic Engineering Practice Part 5 - Intersections at Grade’, is achieved at the point of access, to the satisfaction of the responsible authority.

14. Before the use and development starts, the area(s) set aside for the parking of vehicles and bicycles, and access lanes as shown on the endorsed plans must be:

Date of Notice: «DecisionDate»

Signature for the Responsible Authority

Planning and Environment Regulations 2015 *Form 5*

Form 5

PERMIT No.	P23042 Page 4 of 6
PLANNING SCHEME	**: GLENELG PLANNING SCHEME**
RESPONSIBLE AUTHORITY	**: GLENELG SHIRE COUNCIL**

a) constructed to CFA requirements
b) properly formed to such levels that they can be used in accordance with the plans
c) surfaced with an all-weather-seal coat
d) drained
e) line marked to indicate each car space and all access lanes
f) clearly marked to show the direction of traffic along access lanes and driveways

To the satisfaction of the responsible authority in accordance with the Infrastructure Design Manual.

At all times car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of the responsible authority.

15. The loading and unloading of goods from vehicles must be to the satisfaction of the responsible authority.

Drainage

16. Before the use begins all stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge by underground pipe drains to the satisfaction of the responsible Authority. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.

Expiry

17. This permit will expire if one of the following circumstances applies:
    a) The development is not started within two years of the date of this permit.
    b) The development is not completed within four years of the date of this permit.
    c) The use does not start within two years of completion of the development.
    d) This permit expires fifteen years after the date it is issued for the signage.

    The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

Date of Notice: «DecisionDate»

Signature for the Responsible Authority

Planning and Environment Regulations 2015 *Form 5*

Form 5

PERMIT No.	P23042 Page 5 of 6
PLANNING SCHEME	**: GLENELG PLANNING SCHEME**
RESPONSIBLE AUTHORITY	**: GLENELG SHIRE COUNCIL**

Referral Authority Conditions:
Department of Transport and Planning

18. Prior to the development hereby approved coming into use:

    i. Prior to the development herby approved coming into use, the existing interfacing Cambridge St intersection that is located within the Princes Highway (Transport Zone 2), must be upgraded to the satisfaction of, and at no cost to, the Head, Transport for Victoria.

    ii. Vehicle parking on the Princes Highway West (Windham Street0 road reserve is prohibited.

Notice of Decision Notes

Maintenance of the driveway access is the responsibility of the development. As it is within a public road reserve, access cannot be restricted to a specified property owner.

An application for wastewater permit with Council's Environmental Health Unit needs to be supported with a land capability assessment report.

The Licensee is responsible for the behaviour of patrons within the premises and must adhere to the rules for responsible serving of alcohol and the serving of intoxicated persons as required under the *Liquor Control Reform Act 1998.*

A Building Permit and/or Assets Protection Permit may be required for this project. Prior to commencing work, please phone the Building Unit on 03 5522 2216.

Application for Works within Road Reserve permit is to be submitted and permit issued before carrying out any work within Council's road reserve.

Separate consent for works within the road reserve (Department of Transport) and the specifications of these works is required under the *Road Management Act 2004*. Contact: southwestworks@roads.vic.gov.au

End of Conditions and Permit Notes

Date of Notice: «DecisionDate»

Signature for the Responsible Authority

Planning and Environment Regulations 2015 *Form 5*

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

The Responsible Authority has decided to grant a permit. The permit has not been issued.

This notice sets out what the permit will allow and what conditions the permit will be subject to if issued.

WHAT ABOUT REVIEWS?

For the Applicant-

- The person who applied for the permit may apply for review of any condition in the notice of decision to grant a permit. The application for review must be lodged within 60 days of the giving of this notice.

For an Objector-

- An Objector may apply for review of the decision of the Responsible Authority to grant a permit. The application for review must be lodged within 28 days of the date of this notice.
- If there is no application for review, a permit will be issued after 28 days of the date of this notice.

For a recommending referral authority-

- A recommending referral authority may apply for review of the decision of the responsible authority-
  a) to grant a permit, if that recommending referral authority objected to the grant of the permit; or
  b) not to include a condition on the permit that the recommending referral authority recommended.
- The application for review must be lodged within 28 days of the giving of this notice.
- If there is no application for review, a permit will be issued after 28 days of the giving of this notice.

For all applications for review—

- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must be served on the Responsible Authority, each other party and each other person entitled to notice of the application for review under the **Planning and Environment Act 1987** and the **Victorian Civil and Administrative Tribunal Act 1998** within 7 days after lodging the application after Victorian Civil and Administrative Tribunal.
- Notice of the application for review must be given in writing to all other parties to the review as soon as practicable after an application for review is lodged. An objector who applies for a review must give notice to the person who applied for the permit.

Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Date of Notice: «DecisionDate»

Signature for the Responsible Authority

_____

Planning and Environment Regulations 2015 *Form 5*

14.10. P22154 PROPOSED CARRIAGEWAY EASEMENT - EAST STREET NARRAWONG

Director: David Hol, Director Corporate Services

Executive Summary

This report requests Council determination on planning permit application P22154, which seeks planning approval to create carriageway easements across 18 lots as right of carriageway at Crown Allotments 1-18 Sec, Township of Narrawong, East Street, Narrawong.

The application has been referred to Council for determination in line with Council's Planning Delegation and Decision Guidelines Policy. Consultation and deputations to Councilors on this application was conducted on 18 July 2023.

Recommendation

That Council issue a notice of decision to grant a permit to create easement across 18 lots – right of carriageway, at Crown Allotments 1-18, East Street Narrawong in accordance with plans circulated in Attachment 1 and notice of decision circulated in attachment 5.

Background/Key Information:

The proposed planning application seeks for the creation of easements in accordance with the plans submitted with the application.

Rights of carriageway are being sought across 18 lots from boundary with (extension of) East Street to the boundary with the road that ends at carpark near the mouth of the Surrey River. The width of the proposed easement on the plan is ten metres and if approved would be an encumbrance on the individual titles of each allotment. The plans showing the proposed easement are on 3 sheets as shown in Attachment 1.

Back in 2009 and 2010 the land was subject to Ministerial intervention. In this process the land was rezoned from Township Zone, that allowed dwellings on each titled, to a Rural Conservation Zone by the Minister with an Incorporated Document that prohibited any new residential development.

In processing this application P22154, it has attracted 17 submissions objecting to the proposal contained in attachment 2. The key issues raised in objections include:

- Opposed to the development of the land for dwellings or large-scale development
- The concern that the creation of a carriageway easement may facilitate the future construction of a road which in turn may be the precursor of developing the land.
- Impacts on the Environment - biodiversity/wildlife, vulnerable species, sensitive coastal dune area, impact on the future floodplain protection
- The easement is not required as the land is in one ownership

- The proposal is contrary to various planning scheme requirements.

In response, a letter of explanation was sent by officers to clarify what the application was actually for, being an application to create a carriageway easement on certificates of Title. It advised that there were no earthworks, roads or buildings proposed and no change of use in proposal.

The land in question is subject to the Rural Conservation Zone schedule 3, Bushfire Management Overlay, Land Subject to Inundation Overlay schedule 1, Environmental Significance Overlay schedule 4 and Special Control Overlay schedule 7 which applies the Incorporated Document controls. The Incorporated Document is contained in Attachment 3.

The zones and overlays however do not trigger the permit application, instead it is Clause 52.02 of the Glenelg Planning Scheme that requires a permit to create an easement.

The Officer report in Attachment 4 details the processing of this application and assessment against the planning scheme. Assessment recommends that the application can be supported.

a. Council Plan and Policy Linkage

Our Natural Environment – Striving towards a carbon neutral future to protect and enhance the natural environment for future generations.

Our Education, Employment and Industry - Adapting and growing a diverse economy to embrace employment of the future and educational opportunities.

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well planned neighbourhoods.

Our Access, Transport and Technology - Making it easier for people to connect in and around the Glenelg Shire.

b. Legislative, Legal and Risk Management Considerations

The *Planning and Environment Act 1987* gives a legal basis for the Glenelg Planning Scheme. The Glenelg Planning Scheme sets out policies and provisions for use, development and protection of land. Planning schemes are legal documents prepared by the Council or the Minister for Planning and approved by the Minister.

c. Consultation and/or communication processes implemented or proposed

The application was publicly notified and referred in accordance with the Section 52 of the *Planning and Environment Act 1987*. Seventeen objections were received in response to this notice.

Deputations to Councillors from all submitters were invited as part of considering this application. Consultation was held on 18 July 2023 with 3 speakers..

d. Financial Implications and Collaboration

The assessment of permit applications is part of regular operations of the Planning Unit of which it receives application fee.

e. Governance Principles

Local, Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Attachment List

1. Attachment 1 P 22154 Application Documents [**14.10.1** - 34 pages]
2. Attachment 2 P 22154 Submissions [**14.10.2** - 52 pages]
3. Attachment 3 SC O 7 Incorporated Document [**14.10.3** - 2 pages]
4. Attachment 4 P 22154 Assessment Report (2) [**14.10.4** - 21 pages]
5. Attachment 5 P 22154 Notice of Decision [**14.10.5** - 3 pages]

Application for Planning Permit and Certification

Supplied by	Roger Whyte
Submitted Date	08/09/2022

Application Details

Application Type	Planning Permit and Certification under the Subdivision Act
	Version 1
Applicant Reference Number	4202
Responsible Authority Name	Glenelg Shire Council
Responsible Authority Reference Number(s)	(Not Supplied)
SPEAR Reference Number	S200766J

The Land

Primary Parcel

EAST STREET, NARRAWONG VIC 3285
Crown Allotment No 1
Section No 3A
Parish Name NARRAWONG
SPI 1~3A\PP5576
CPN 90250000.018

Zone:	35.06 Rural Conservation
Overlay:	42.01 Environmental Significance
	44.06 Bushfire Management
	45.12 Specific Controls
	44.03 Floodway
	44.04 Land Subject to Inundation

Parcel 2

EAST STREET, NARRAWONG VIC 3285
Crown Allotment No 2
Section No 3A
Parish Name NARRAWONG
SPI 2~3A\PP5576
CPN 90250000.018

Zone:	35.06 Rural Conservation
Overlay:	42.01 Environmental Significance
	44.06 Bushfire Management
	45.12 Specific Controls
	44.03 Floodway
	44.04 Land Subject to Inundation

Parcel 3

EAST STREET, NARRAWONG VIC 3285
Crown Allotment No 3
Section No 3A
Parish Name NARRAWONG
SPI 3~3A\PP5576
CPN 90250000.018

Zone:	35.06 Rural Conservation

	Overlay:	42.01 Environmental Significance
		44.06 Bushfire Management
		45.12 Specific Controls
		44.03 Floodway
		44.04 Land Subject to Inundation

Parcel 4

EAST STREET, NARRAWONG VIC 3285
Crown Allotment No 4
Section No 3A
Parish Name NARRAWONG
SPI 4~3A\PP5576
CPN 90250000.018

Zone:	35.06 Rural Conservation
Overlay:	42.01 Environmental Significance
	44.06 Bushfire Management
	45.12 Specific Controls
	44.03 Floodway
	44.04 Land Subject to Inundation

Parcel 5

EAST STREET, NARRAWONG VIC 3285
Crown Allotment No 5
Section No 3A
Parish Name NARRAWONG
SPI 5~3A\PP5576
CPN 90250000.018

Zone:	35.06 Rural Conservation
Overlay:	42.01 Environmental Significance
	44.06 Bushfire Management
	45.12 Specific Controls
	44.03 Floodway
	44.04 Land Subject to Inundation

Parcel 6

EAST STREET, NARRAWONG VIC 3285
Crown Allotment No 6
Section No 3A
Parish Name NARRAWONG
SPI 6~3A\PP5576
CPN 90250000.018

Zone:	35.06 Rural Conservation
Overlay:	42.01 Environmental Significance
	44.06 Bushfire Management
	45.12 Specific Controls
	44.03 Floodway
	44.04 Land Subject to Inundation

Parcel 7

EAST STREET, NARRAWONG VIC 3285
Crown Allotment No 7
Section No 3A

	Parish Name NARRAWONG SPI 7~3A\PP5576 CPN 90250000.018
	Zone: 35.06 Rural Conservation
	Overlay: 42.01 Environmental Significance 44.06 Bushfire Management 45.12 Specific Controls 44.03 Floodway 44.04 Land Subject to Inundation
Parcel 8	EAST STREET, NARRAWONG VIC 3285 Crown Allotment No 8 Section No 3A Parish Name NARRAWONG SPI 8~3A\PP5576 CPN 90250000.018
	Zone: 35.06 Rural Conservation
	Overlay: 42.01 Environmental Significance 44.06 Bushfire Management 45.12 Specific Controls 44.03 Floodway 44.04 Land Subject to Inundation
Parcel 9	EAST STREET, NARRAWONG VIC 3285 Crown Allotment No 9 Section No 3A Parish Name NARRAWONG SPI 9~3A\PP5576 CPN 90250000.018
	Zone: 35.06 Rural Conservation
	Overlay: 42.01 Environmental Significance 44.06 Bushfire Management 45.12 Specific Controls 44.03 Floodway 44.04 Land Subject to Inundation
Parcel 10	EAST STREET, NARRAWONG VIC 3285 Crown Allotment No 10 Section No 3A Parish Name NARRAWONG SPI 10~3A\PP5576 CPN 90250000.018
	Zone: 35.06 Rural Conservation
	Overlay: 42.01 Environmental Significance 44.06 Bushfire Management 45.12 Specific Controls 44.03 Floodway

		44.04 Land Subject to Inundation
Parcel 11	EAST STREET, NARRAWONG VIC 3285 Crown Allotment No 11 Section No 3A Parish Name NARRAWONG SPI 11~3A\PP5576 CPN 90250000.018	
	Zone:	35.06 Rural Conservation
	Overlay:	42.01 Environmental Significance
		44.06 Bushfire Management
		45.12 Specific Controls
		44.03 Floodway
		44.04 Land Subject to Inundation
Parcel 12	EAST STREET, NARRAWONG VIC 3285 Crown Allotment No 12 Section No 3A Parish Name NARRAWONG SPI 12~3A\PP5576 CPN 90250000.018	
	Zone:	35.06 Rural Conservation
	Overlay:	42.01 Environmental Significance
		44.06 Bushfire Management
		45.12 Specific Controls
		44.03 Floodway
		44.04 Land Subject to Inundation
Parcel 13	EAST STREET, NARRAWONG VIC 3285 Crown Allotment No 13 Section No 3A Parish Name NARRAWONG SPI 13~3A\PP5576 CPN 90250000.018	
	Zone:	35.06 Rural Conservation
	Overlay:	42.01 Environmental Significance
		44.06 Bushfire Management
		45.12 Specific Controls
		44.03 Floodway
		44.04 Land Subject to Inundation
Parcel 14	EAST STREET, NARRAWONG VIC 3285 Crown Allotment No 14 Section No 3A Parish Name NARRAWONG SPI 14~3A\PP5576 CPN 90250000.018	
	Zone:	35.06 Rural Conservation
	Overlay:	42.01 Environmental Significance
		44.06 Bushfire

		Management
		45.12 Specific Controls
		44.03 Floodway
		44.04 Land Subject to Inundation
Parcel 15	EAST STREET, NARRAWONG VIC 3285 Crown Allotment No 15 Section No 3A Parish Name NARRAWONG SPI 15~3A\PP5576 CPN 90250000.018	
	Zone:	35.06 Rural Conservation
	Overlay:	42.01 Environmental Significance
		44.06 Bushfire Management
		45.12 Specific Controls
		44.03 Floodway
		44.04 Land Subject to Inundation
Parcel 16	EAST STREET, NARRAWONG VIC 3285 Crown Allotment No 16 Section No 3A Parish Name NARRAWONG SPI 16~3A\PP5576 CPN 90250000.018	
	Zone:	35.06 Rural Conservation
	Overlay:	42.01 Environmental Significance
		44.06 Bushfire Management
		45.12 Specific Controls
		44.03 Floodway
		44.04 Land Subject to Inundation
Parcel 17	EAST STREET, NARRAWONG VIC 3285 Crown Allotment No 17 Section No 3A Parish Name NARRAWONG SPI 17~3A\PP5576 CPN 90250000.018	
	Zone:	35.06 Rural Conservation
	Overlay:	42.01 Environmental Significance
		44.06 Bushfire Management
		45.12 Specific Controls
		44.03 Floodway
		44.04 Land Subject to Inundation
Parcel 18	EAST STREET, NARRAWONG VIC 3285 Crown Allotment No 18 Section No 3A Parish Name NARRAWONG SPI 18~3A\PP5576 CPN 90250000.018	

Zone:	35.06 Rural Conservation
Overlay:	42.01 Environmental Significance
	44.06 Bushfire Management
	45.12 Specific Controls
	44.03 Floodway
	44.04 Land Subject to Inundation

The Proposal

Subdivision Act (1988) Dealing Type	Section 23 (Creation of Easement)
Plan Number	(Not Supplied)
Number of lots	18
Proposal Description	To create carriageway easements in general accordance with the plan (Ref No 4202) attached.
Estimated cost of the development for which a permit is required $	0

Existing Conditions

Existing Conditions Description	Vacant. Farm land.
Title Information - Does the proposal breach an encumbrance on Title?	Encumbrances on itle, such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope do not apply.

Applicant Contact

Applicant Contact	Mr Roger Whyte Berry and Whyte Surveyors Pty Ltd 160A Percy Street, Portland, VIC, 3305 Business Phone: 0355233377 Mobile Phone: 0427052070 Email: roger@portlandsurveyors.com.au

Applicant

Applicant	Graham Robertson Printz Pty Ltd 125 Bentinck Street, Portland, VIC, 3305 Mobile Phone: 0418 527 091 Email: graham@rcsportland.com.au

Owner

Owner	(Owner details as per Applicant)

Declaration

I, Roger Whyte, declare that he owner (if not myself) has been notified about this application.

I, Roger Whyte, declare that all the informa ion supplied is true.

I, Roger Whyte, apply to have he attached plan of subdivision / consolida ion certified under the Subdivision Act 1988 and to have advice of street numbers allocated.

Authorised by	Roger Whyte
Organisation	Berry and Whyte Surveyors Pty Ltd

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 429 Security no : 124100011881M
Produced 01/09/2022 08:52 AM

LAND DESCRIPTION

Crown Allotment 1 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016224B FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 430 Security no : 124100011882L
Produced 01/09/2022 08:52 AM

LAND DESCRIPTION

Crown Allotment 2 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016224B FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 431 Security no : 124100011884J
Produced 01/09/2022 08:52 AM

LAND DESCRIPTION

Crown Allotment 3 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016224B FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

DOCUMENT END

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 429 Security no : 124100011881M
Produced 01/09/2022 08:52 AM

LAND DESCRIPTION

Crown Allotment 1 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016224B FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 429 Security no : 124100011881M
Produced 01/09/2022 08:52 AM

LAND DESCRIPTION

Crown Allotment 1 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016224B FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 429 Security no : 124100011881M
Produced 01/09/2022 08:52 AM

LAND DESCRIPTION

Crown Allotment 1 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016224B FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

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	TITLE PLAN	EDITION 1	TP16224B

LOCATION OF LAND

PARISH : NARRAWONG
TOWNSHIP : NARRAWONG
SECTION : 3A
CROWN ALLOTMENT : 1, 2, 3, 4, 5 & 6.
CROWN PORTION :

LTO BASE RECORD : SDMB-C (RURAL)
LAST PLAN REFERENCE :
TITLE REFERENCE :

DEPTH LIMITATION : NIL

NOTATIONS

EASEMENT INFORMATION

Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefitted / in favour of
NIL				

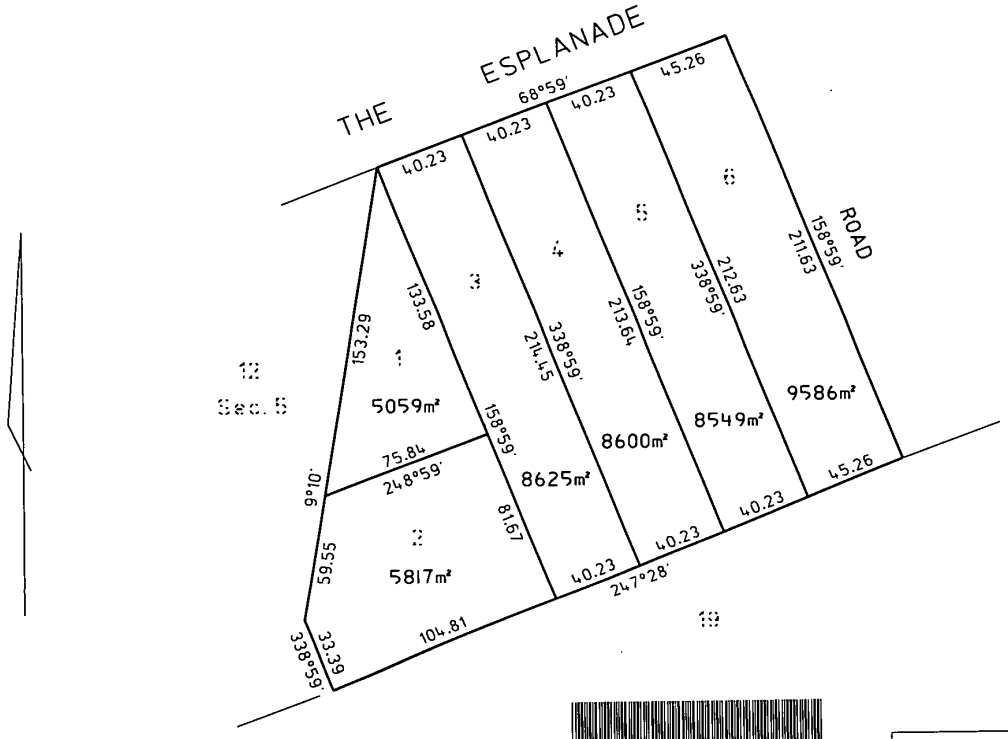
Legend : A - Appurtenant E : Encumbering Easement R : Encumbering Easement (Road)

THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES

Checked by

Date 11/2/00

Assistant Registrar of Titles



SPTP0116224B-1-1

Sheet 1 of 1 sheets

20 0 20 40 100 200
LENGTHS ARE IN METRES

SHEET SIZE A3

APPLICATION No. :

DEALING CODE No. : 14

AP103785J

Document Set ID: 3011744
Version: 1, Version Date: 08/09/2022

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 429 Security no : 124100011881M
Produced 01/09/2022 08:52 AM

LAND DESCRIPTION

Crown Allotment 1 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016224B FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 429 Security no : 124100011881M
Produced 01/09/2022 08:52 AM

LAND DESCRIPTION

Crown Allotment 1 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016224B FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 437 Security no : 124100011893Y
Produced 01/09/2022 08:53 AM

LAND DESCRIPTION

Crown Allotment 9 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016225Y FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 438 Security no : 124100011894X
Produced 01/09/2022 08:53 AM

LAND DESCRIPTION

Crown Allotment 10 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016225Y FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 439 Security no : 124100011895W
Produced 01/09/2022 08:53 AM

LAND DESCRIPTION

Crown Allotment 11 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016225Y FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

DOCUMENT END

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	TITLE PLAN	EDITION 1	TP16225Y

LOCATION OF LAND

PARISH : NARRAWONG
TOWNSHIP : NARRAWONG
SECTION : 3A
CROWN ALLOTMENT : 7, 8, 9, 10 & 11.
CROWN PORTION :

LTO BASE RECORD : SDMB-C (RURAL)
LAST PLAN REFERENCE :
TITLE REFERENCE :

DEPTH LIMITATION : NIL

NOTATIONS

EASEMENT INFORMATION

Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefitted / in favour of
NIL				

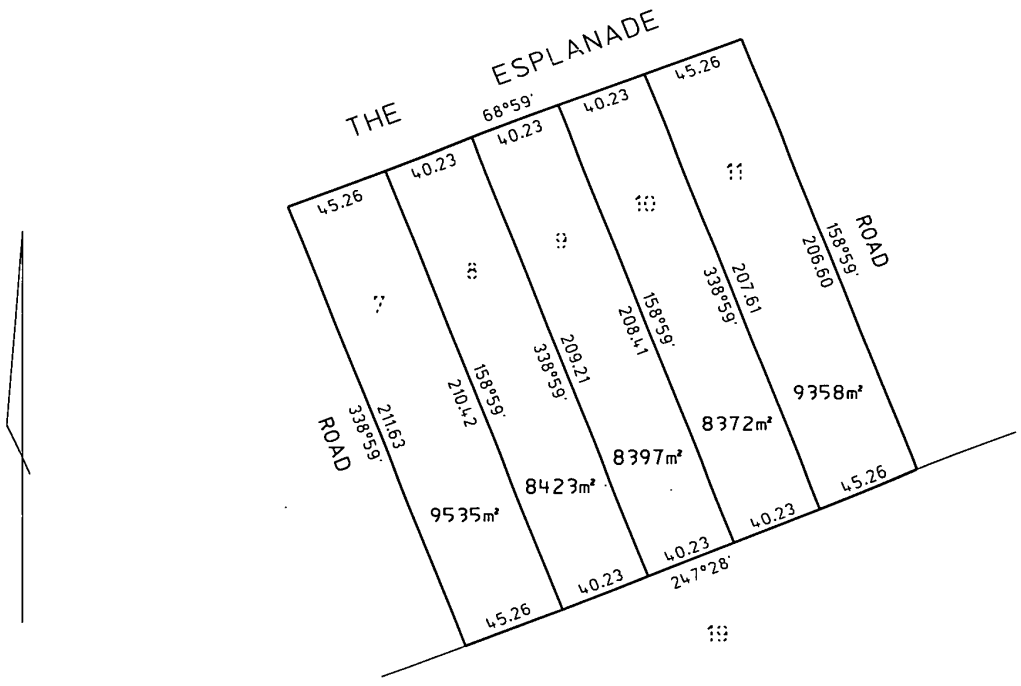
Legend : A - Appurtenant E : Encumbering Easement R : Encumbering Easement (Road)

THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES

Checked by

Date 11/2/00

Assistant Registrar of Titles



SPTP016225Y-1-4

Sheet 1 of 1 sheets

20 0 20 40 100 200
LENGTHS ARE IN METRES

SHEET SIZE A3

APPLICATION No. :

DEALING CODE No.: 14

AP103785J

Document Set ID: 3011744
Version: 1, Version Date: 08/09/2022

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 442 Security no : 124100011897U
Produced 01/09/2022 08:53 AM

LAND DESCRIPTION

Crown Allotment 12 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016226W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 443 Security no : 124100011899S
Produced 01/09/2022 08:53 AM

LAND DESCRIPTION

Crown Allotment 13 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016226W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 444 Security no : 124100011901Q
Produced 01/09/2022 08:53 AM

LAND DESCRIPTION

Crown Allotment 14 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016226W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 445 Security no : 124100011902P
Produced 01/09/2022 08:53 AM

LAND DESCRIPTION

Crown Allotment 15 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016226W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 446 Security no : 124100011904M
Produced 01/09/2022 08:53 AM

LAND DESCRIPTION

Crown Allotment 16 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016226W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

DOCUMENT END

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 447 Security no : 124100011905L
Produced 01/09/2022 08:53 AM

LAND DESCRIPTION

Crown Allotment 17 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016226W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

DOCUMENT END

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10498 FOLIO 448 Security no : 124100011906K
Produced 01/09/2022 08:53 AM

LAND DESCRIPTION

Crown Allotment 18 Section 3A Township of Narrawong Parish of Narrawong.
Created by Application No. 103785J 26/10/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PRINTZ PTY LTD of 21 MUST PORTLAND VIC 3305
AG445998J 08/04/2009

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP016226W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

----------END OF REGISTER SEARCH STATEMENT----------

Additional information: (not part of the Register Search Statement)

Street Address: EAST STREET NARRAWONG VIC 3285

DOCUMENT END

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	TITLE PLAN	EDITION 1	TP16226W

LOCATION OF LAND

PARISH : NARRAWONG
TOWNSHIP : NARRAWONG
SECTION : 3A
CROWN ALLOTMENT : 12, 13, 14, 15, 16, 17 & 18.
CROWN PORTION :

LTO BASE RECORD : SDMB-C (RURAL)
LAST PLAN REFERENCE :
TITLE REFERENCE :

DEPTH LIMITATION : NIL

NOTATIONS

EASEMENT INFORMATION

Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefitted / in favour of
NIL				

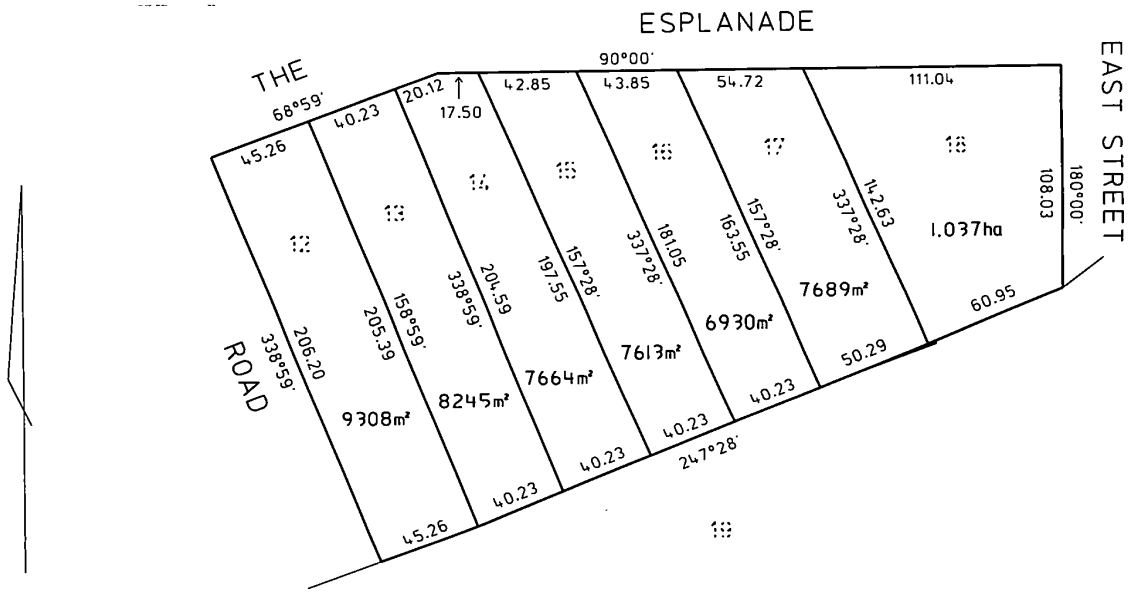
Legend : A - Appurtenant E : Encumbering Easement R : Encumbering Easement (Road)

THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES

Checked by

Date 11/2/00

Assistant Registrar of Titles



SPTP016226W-1-6

Sheet 1 of 1 sheets

NOT TO SCALE
LENGTHS ARE IN METRES

SHEET SIZE A3

APPLICATION No. :

DEALING CODE No. : 14

AP103785J

Document Set ID: 3011744
~~Version: 1, Version Date: 08/09/2022~~

PLAN OF CREATION OF EASEMENT

(Section 23 Subdivision Act 1988)

Location of Land

Parish: NARRAWONG
Township: NARRAWONG
Section: 3A
Crown Allotment: 1 to 18
Crown Portion: ———

Title References: (Land giving benefit)

Vol. 10498 Fol. 429	Vol. 10498 Fol. 430	Vol. 10498 Fol. 431
Vol. 10498 Fol. 432	Vol. 10498 Fol. 433	Vol. 10498 Fol. 434
Vol. 10498 Fol. 435	Vol. 10498 Fol. 436	Vol. 10498 Fol. 437
Vol. 10498 Fol. 438	Vol. 10498 Fol. 439	Vol. 10498 Fol. 442
Vol. 10498 Fol. 443	Vol. 10498 Fol. 444	Vol. 10498 Fol. 445
Vol. 10498 Fol. 446	Vol. 10498 Fol. 447	Vol. 10498 Fol. 448

Last Plan Reference: TP16224B (Crown Allotments 1 to 6)
TP16225Y (Crown Allotments 7 to 11)
TP16226W (Crown Allotments 12 to 18)

Postal Address: East Street
Narrawong, VIC. 3285

MGA Co-ordinates: E 562 230
(Of approx. centre of plan) N 5765 530 Zone 54

Council Name: Glenelg Shire Council

SPEAR Reference Number: S200766J

Notations

Depth Limitation: Does not apply

THIS IS A SPEAR PLAN
Survey:- This plan is not based on survey.

Purpose of the Plan

To create the easement E-1 for Carriageway.

Grounds for easement creation

Glenelg Shire Council Planning Permit Pxxxx

Easement Information

Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement.
A - Appurtenant Easement R - Encumbering Easement (Road)

Subject Land	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	Carriageway	10	This plan	Land in this plan

BERRY & WHYTE SURVEYORS PTY. LTD.
LICENSED LAND SURVEYORS &
DEVELOPMENT CONSULTANTS
160A PERCY ST. PORTLAND VIC. 3305
PH: (03) 5523 3377 A.C.N. 006 502 870
EMAIL: admin@portlandsurveyors.com.au

REF 4202

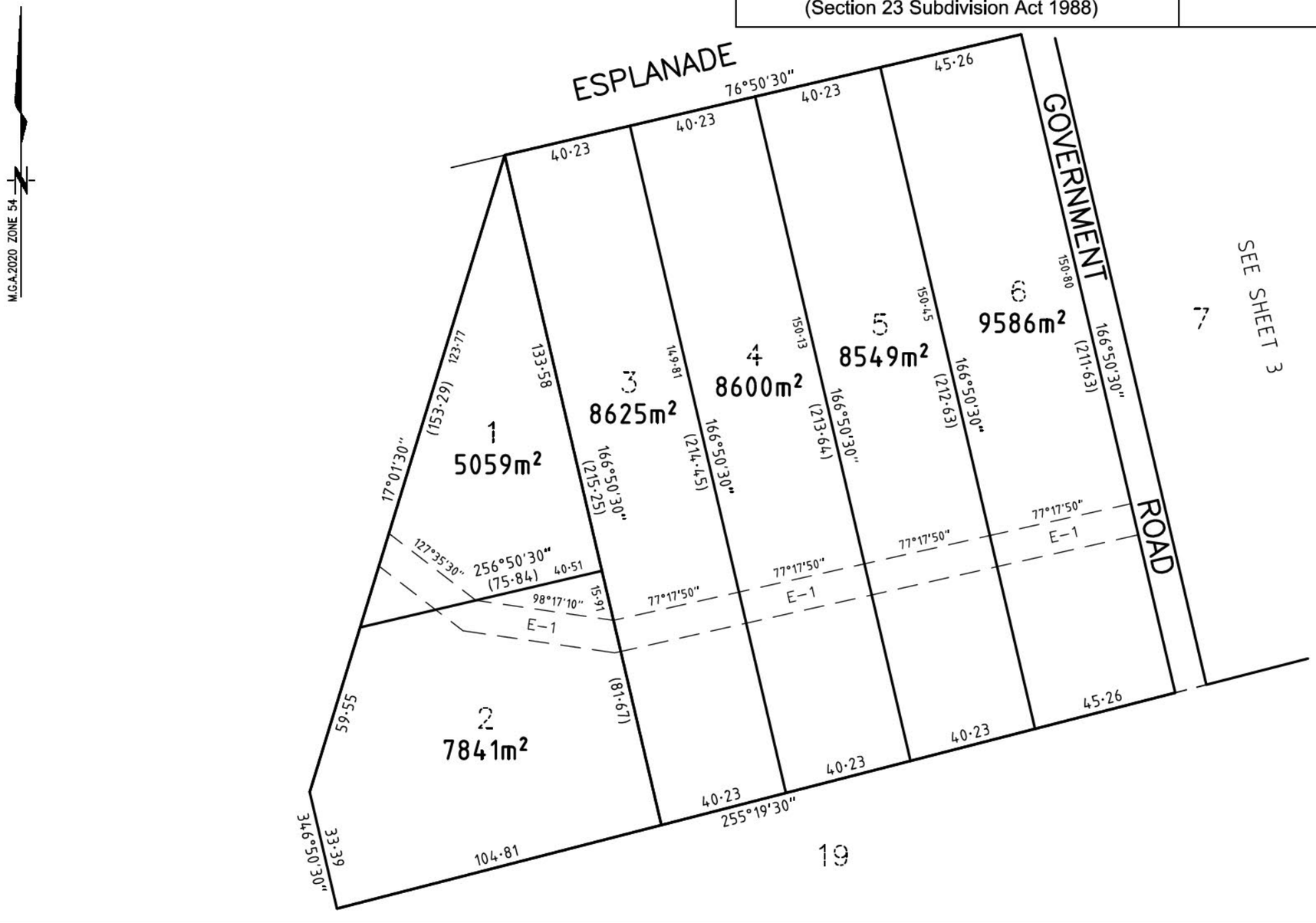
ORIGINAL SHEET SIZE: A3

SHEET 1 OF 4 SHEETS

Digitally signed by: Roger Whyte, Licensed Surveyor, Surveyor's Plan Version (1), 08/09/2022, SPEAR Ref: S200766J

Document Set ID: 3011746
Version: 1, Version Date: 08/09/2022

PLAN OF CREATION OF EASEMENT
(Section 23 Subdivision Act 1988)



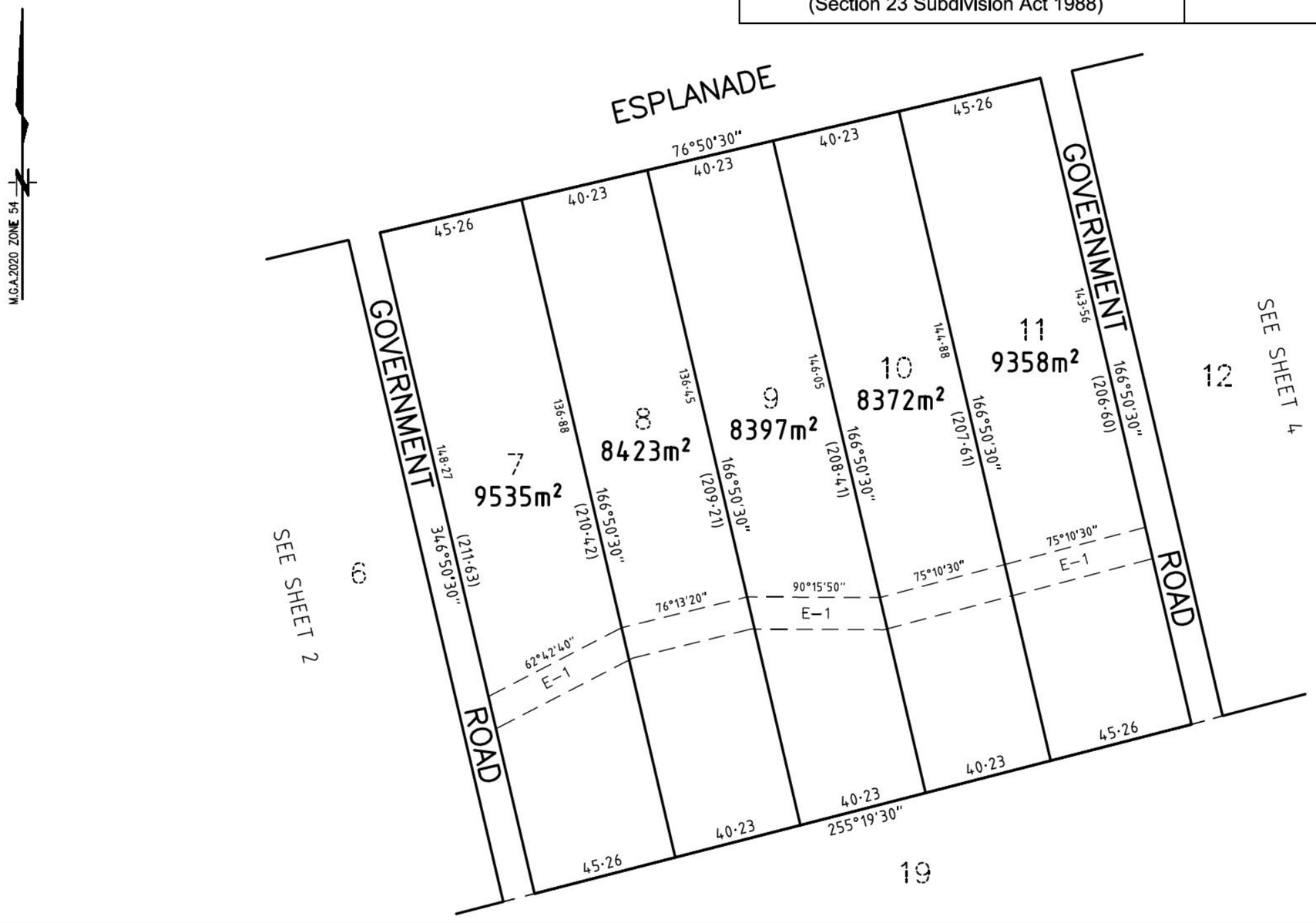
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160A PERCY ST. PORTLAND VIC. 3305
PH: (03) 5523 3377 A.C.N. 006 502 870
EMAIL: admin@portlandsurveyors.com.au

SCALE		SURVEYORS REF.	ORIGINAL SHEET SIZE	
1:1250	10 0 10 20 30 40 LENGTHS ARE IN METRES	4202	A3	SHEET 2

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08/09/2022, SPEAR Ref: S200766J

Document Set ID: 3011746
Version: 1, Version Date: 08/09/2022

PLAN OF CREATION OF EASEMENT
(Section 23 Subdivision Act 1988)



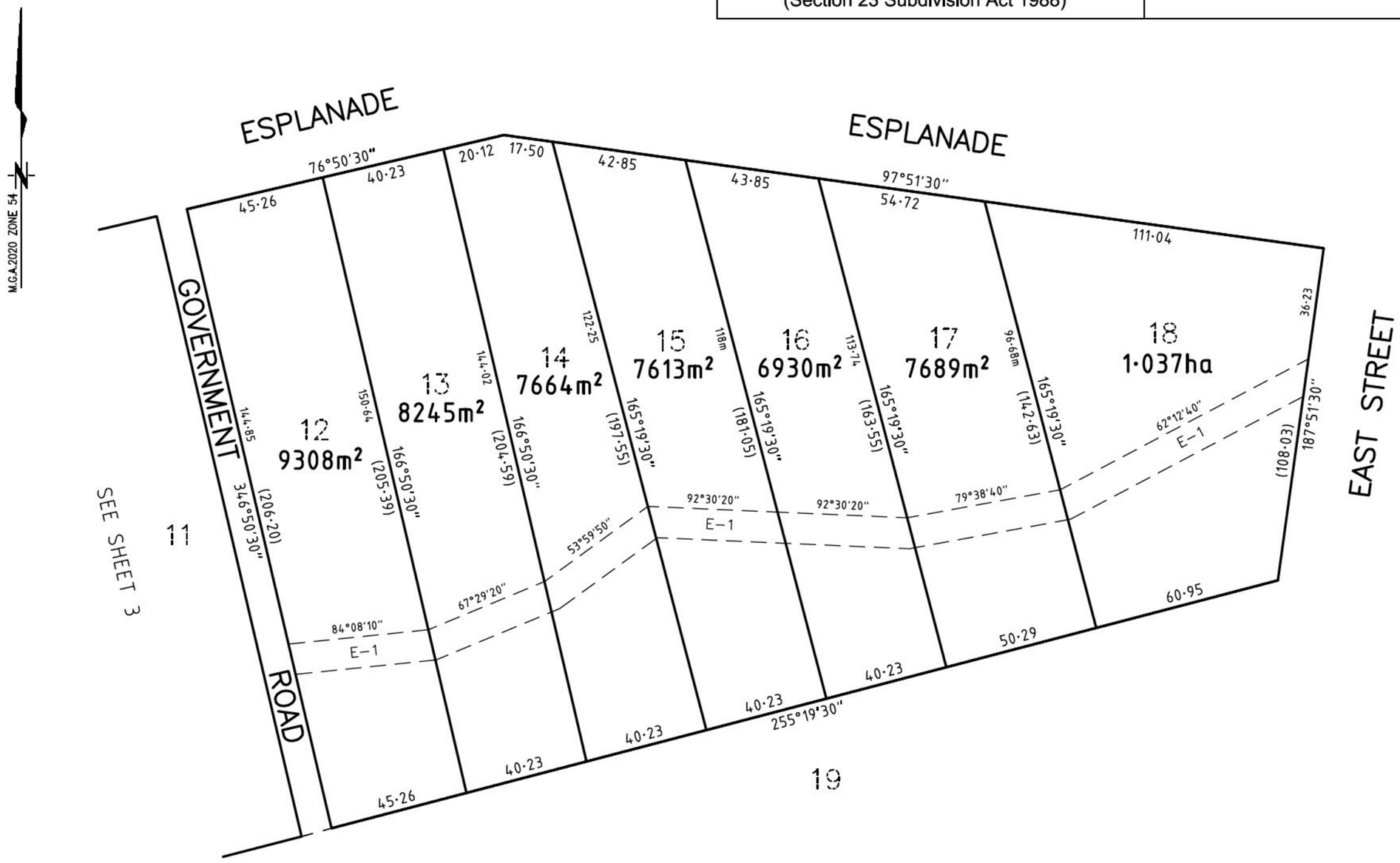
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PH: (03) 5523 3377 A.C.N. 006 502 870
EMAIL: admin@portlandsurveyors.com.au

SCALE		SURVEYORS REF.	ORIGINAL SHEET SIZE	
1:1250	10 0 10 20 30 40 LENGTHS ARE IN METRES	4202	A3	SHEET 3

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Document Set ID: 3011746
Version: 1, Version Date: 08/09/2022

PLAN OF CREATION OF EASEMENT
(Section 23 Subdivision Act 1988)



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LICENSED LAND SURVEYORS &
DEVELOPMENT CONSULTANTS
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PH: (03) 5523 3377 A.C.N. 006 502 870
EMAIL: admin@portlandsurveyors.com.au

SCALE		SURVEYORS REF.	ORIGINAL SHEET SIZE	
1:1250	10 0 10 20 30 40 LENGTHS ARE IN METRES	4202	A3	SHEET 4

Digitally signed by: Roger Whyte, Licensed Surveyor,
Surveyor's Plan Version (1),
08/09/2022, SPEAR Ref: S200766J

Document Set ID: 3011746
Version: 1, Version Date: 08/09/2022

From: "Matthew Berry" <MBerry@glenelg.vic.gov.au>
Sent: Fri, 23 Dec 2022 09:43:39 +1100
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: FW: P22154 East Street application
Attachments: RE Planning Permit P22154.doc

Please attach to the planning application.

Matt Berry | Regulatory Services Manager
Glenelg Shire Council
Organisational Values| *Respect* | *Integrity* | *Teamwork* | *Service Excellence* | *Innovation*

From: Graham <graham@rcsportland.com.au>
Sent: Friday, 23 December 2022 9:21 AM
To: Matthew Berry <MBerry@glenelg.vic.gov.au>
Subject: RE: P22154 East Street application

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Good morning Mathew

Attached letter regarding Narrawong property

Regards
Graham Robertson
0419387311

From: Matthew Berry <MBerry@glenelg.vic.gov.au>
Sent: Wednesday, 21 December 2022 4:22 PM
To: Graham <graham@rcsportland.com.au>
Cc: Planning <planning@glenelg.vic.gov.au>
Subject: P22154 East Street application

Dear Graham,

Thank-you for our discussion and meeting yesterday with GHCMA about this application. As discuss can you please provide some further background information around this application including:

- Current agricultural use;
- Confirmation on details of the easement (ie no further works utilise current site levels)
- Purpose of the easement in managing agricultural use;

Once we have this information we will refer back to CMA for an updated referral response.

Also we have received 4 additional submission this weeks which are attached for consideration and if you wish to respond to these. The application was placed on public notice back in September 2022, so it is unusual to have received them now. As the application hasn't been determined yet under the *Planning and Environment Act 1987* we are obliged to consider them despite them being received this late.

Regards,

Matt Berry | Regulatory Services Manager
Glenelg Shire Council
T (03) 5522 2307
E mberry@glenelg.vic.gov.au
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Document Set ID: 3044897
Version: 1, Version Date: 23/12/2022

RE Planning Permit P22154

East St Narrawong

23/12/2022

Good morning Mathew

Please find the following as requested

The purpose of the carriageway easement is to allow property owners legal access to their titled allotments to carry out all required items associated with the care of livestock

Veterinary care

Water supply maintenance

Feed supplement etc

The existing grass track will remain as is and there will be no changes to land contours

The property will continue to be used for livestock grazing and fencing on the property will be typical farm type post and wire

Regards

Graham Robertson

Document Set ID: 3044897
Version: 1, Version Date: 23/12/2022

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	[redacted]
Email:	[redacted]
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Name:	No name listed on the Statutory Active Planning Permit
Application Number:	P22154

Details of Submission – How does this application directly affect you?

My husband and I purchased 54 The Esplanade in July, 2021 and are currently building a home for our family on this block of land. When we purchased this property, we did so with the understanding that the facing land had rural conservation status and was not allowed to be developed. Twelve years ago the Minister of Planning gave this site Rural Conservation status after a special advisory group submitted their findings explaining the need for this land to not be developed. Knowing this conservation status was in place gave us peace of mind that the facing coastal dune area would remain clear and undeveloped. We have spent a great deal of time exploring this coastal area and recognise it's unique characteristics and environmental significance. Allowing development to proceed would have a large impact on this fragile landscape. Erosion is already a concern for sites fronting the Narrawong beach, as addressed in 2016 by the by the Department of Environment, Land, Water and Planning, the Glenelg Shire, Glenelg Hopkins Catchment Management Authority and Parks Victoria. The removal of vegetation would further increase erosion in an area that cannot afford for this process to be expedited. Additionally this site is a floodplain which feeds the Surrey River. Developing this land would increase runoff of sediment and introduce other pollutants into the waters of the Surrey River. Hooded plovers also populate this area for breeding purposes, and the proposed construction of a road would impact this vulnerable species. A large part of what makes Narrawong so special to us is the unspoiled nature and beauty of the dunes. We respectfully oppose any application to develop this land.

Submitter's Signature:	[redacted]	Date:	28/01/23

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council
National Relay Service: 13 36 77
PO Box 152, PORTLAND VIC 3305
email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

Document Set ID: 3051700
Version: 1, Version Date: 30/01/2023

GLENELG SHIRE
Victoria's Riviera

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	[redacted]
Email:	[redacted]
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Name:	Graham Robertson
Application Number:	P22154

Details of Submission – How does this application directly affect you?

I object to this permit due the disruption to the wild life that i have seen over that way example the bird life also many other animals and reptiles, There could also be erosion to the sand dunes and vegetation, plus the river floods the area.

Submitter's Signature:	[redacted]	Date:	10/1/23

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council
National Relay Service: 13 36 77
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email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

Document Set ID: 3047844
Version: 2, Version Date: 12/01/2023

GLENELG SHIRE

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	[redacted]
Email:	[redacted]
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Name:	It has no name on the Statutory Active Planning Permits Listing
Application Number:	P22154

Details of Submission – How does this application directly affect you?

I live in East Street. I use the track to the beach along East Street every day. I maintained and still mow, whipper snip and trim for beautification and safety of those using the East Street Reserve. I planted some of the vegetation to rehabilitate the reserve. I know the site intimately as I lived on the corner of The Esplanade and Clarke Street previous to living in East Street. The surveyed road professionally drawn by Berry & Whyte and this application for a permit, signify intent to develop the site.

12 Years ago the Minister of Planning Matthew Guy gave this site Rural Conservation status after a special advisory group of experts submitted their detailed findings in regard to this parcel of 18 blocks surveyed in 1856. The submissions were from:

1The Western Coastal Board
2. C.F.A.
3. Historic Buildings Restoration Committee Inc.
4. Department of Planning and Community Development
5. Friends of the Surry
6. Glenelg Hopkins Catchment Authority
7. Planning Panels Victoria
8. Cultural Heritage Assessment including (Cultural Heritage Sensitivity and Site Details from Aboriginal Affairs Victoria)

These expert reports were presented to the government, through the Friends of the Surry, who were represented by the Environmental Defenders Office in December 2010. They all explained why this land should never be developed. Hopefully the Planning Department has these submissions, which make up a hefty parcel of arguments that I want to be considered.

Submitter's Signature:	[redacted]	**Date:**	21/12/2022

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

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National Relay Service: 13 36 77 email: planning@glenelg.vic.gov.au website: www.glenelg.vic.gov.au

Document Set ID: 3148609
Version: 1, Version Date: 21/12/2022

These arguments are from an Archaeologist, Environmental Scientists and Scientists specializing in water, weather, erosion and more. Each of their data based submissions should be before the planning department to verify the extreme fragility and vulnerability of this land. It is unique in the shire as it is Primary dune on a coastal vegetation boundary. Dropping from dune at acute gradients, with a sand blowout, sensitive midden area and floodplain.

From an engineering point alone grading and road materials brought in by 100's of tip trucks covering the greatest length of the town of Narrawong from East Street to Clarke Street is actually the distance from the Primary School at Narrawong to the Post Office at Narrawong. It therefore effects the town more than any other property. Any disturbance to the bottom of the sand dune depicted as the easement, will be in the pathway of floods. It will interfer with the black swans that nest when the tidal Surry River is closed. Then there is incremental sea level, so even the tiniest increase would backfill the whole 18 blocks with sea water from Portland Bay coming from the mouth of the Surry River.

Overlays on the property speak for themselves:

1. Land Subject to Inundation LSIO

2. Bush Fire Management Overlay

3. Specific Controls Overlay

4. Flood Overlay

Permit No. P22154 currently before the Planning Department of the Glenelg Shire Council is for an easement for a road. To grant such an easement across all 18 blocks is destructive to one of the most fragile and complex systems in the shire, readily acknowledged already by the Victorian Government in the above media release. It is potentially catastrophic when looking at the positioning of a road across a primary dune.

This land like the township of Narrawong was surveyed in 1856. Hence the colonial aspects of planning were evident in this subdivision of 18 blocks. In 153 years no building or even a shed were erected.

In 1856 there was no science and technology. There was no insight into climate change, rising sea levels rising, data on flooding or understanding of the fragility of primary sand dunes and erosion.

Except for the house which was thrown up on Lot 18, hurriedly, over 21 days there are still no buildings. This construction was begun immediately after Black Saturday in February 2009 and it motivated the Glenelg Shire Council to obtain an order from VCAT declaring that any further works required a permit pursuant to ESO4. Accordingly the permit holder, who followed through with another permit was refused further construction by VCAT based on it being a floodplain, wetland, waterway and coastal dune and the removal of vegetation was inappropriate. The removal of vegetation for a roadway Permit No: P22154 is therefore totally opposed to these findings.

From 2009 the Minister for Planning and the Glenelg Shire Council recognized the long term planning controls for the site needed to be addressed to respond to the environmental features of the site and that development needed to be constrained to say nothing about the indigenous

Document Set ID: 3043600
Version: 1, Version Date: 21/12/2022

cultural gathering places, which require preservation, not roadway grading and further 100's of tip trucks of road materials. Hence changing the fragile landscape of the floodplain feeding the Surry River.

So facts are that a road is development and against the principles of all overlays and status as a Rural Conservation Zone 3.

Document Set ID: 3043600
Version: 1, Version Date: 21/12/2022

From: [redacted]
Sent: Wed, 31 May 2023 06:39:13 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: P22154

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

To whom it may concern,

I would like to enquire about the notice posted in Narrawong (might I add it was posted on a out of the way post) regarding a building request. I have been a rate payer for the past 18 years in Narrawong and am aware of the previous attempt in building on the said area and it was deemed to have significant environmental impact. Narrawong has an incredibly high quantity of frogs, birds, native plants, indigenous significance, would be impacted by this development. My understanding is that it is over 18 lots, in my opinion this is overdevelopment for that area. I understand the need for moving forward but not at a cost. I would like further clarification of the development, what environmental and cultural studies will be undertaken and how this will be reported to the rate payers of the Glenelg Shire Council rate payers.

[redacted]

[redacted]

I respectfully acknowledge the Traditional Owners, the Gunditjmara People, also the Traditional Owners of the land on which this email is received and pay my respects to Elders both past, present and emerging.

IMPORTANT - This email and any attachments may be confidential. If received in error, please contact us and delete all copies. Before opening or using attachments check them for viruses and defects. Regardless of any loss, damage or consequence, whether caused by the negligence of the sender or not, resulting directly or indirectly from the use of any attached files our liability is limited to resupplying any affected attachments. Any representations or opinions expressed are those of the individual sender, and not necessarily those of the Department of Education.

GLENELG SHIRE

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	[redacted]
Email:	[redacted]
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Name:	
Application Number:	P 22154

Details of Submission – How does this application *directly affect you*?

This application will allow the development of Schedule 3 Clause 35.06 rural conservation zone RCZ 3 to be developed. This valuable wetland is the home to many native species.
The native birds, attract bird watchers from all over the state to study them.
This land is between the town centre and the beach. It is viewed by the community as a wetland that will never be developed and should be preserved for future generations. I feel that if the shire allows this, they are very short Sighted. The shire should turn this land into as wildlife Sanctury.

Submitter's Signature: [redacted] Date: 8/1/23

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council
National Relay Service: 13 36 77
PO Box 152. PORTLAND VIC 3305
email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

Document Set ID: 3047426
Version: 1, Version Date: 10/01/2023

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	[redacted]
Email:	[redacted]
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Name:	
Application Number:	P22154

Details of Submission – How does this application directly affect you?

I live at the corner of East Street & The Esplanade Narrawong.
To extend East Street to the foot of the sand dunes to give more access to the property for subdivision is just not viable.
Twelve years ago VCAT made a ruling against this property and it was rezoned as a Rural Conservation Zone.
Overlays were put in place: Land Subject to Inundation LSIO
Bush Fire Management Overlay
Flood Overlay
The proposed extension of East St. would mean a very old much loved pine tree would have to be removed. Every child in Narrawong has memories of climbing this tree. There will be an uproar if this happens.
The road would have to be build up a huge amount as this area is under water most of the year. As long time residents we watch this property flood each year and love to watch the birdlife on it. A very extinct Emu Wren is only found in this particular area. The local birdwatchers are very worried and will be putting in a letter of opposition to this permit.
There are middens all along the sand dunes and all through this area. The local First Nations group has done a detailed study of this property.
This track is access to the beach for all the community. It is a safe place for the children to run to the beach.

Submitter's Signature:	[redacted]	**te:**	22/12/2022

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council **PO Box 152, PORTLAND VIC 3305** **Phone: 03 5522 2187**
National Relay Service: 13 36 77 **email:** planning@glenelg.vic.gov.au **website:** www.glenelg.vic.gov.au

Document Set ID: 3044857
Version: 1, Version Date: 23/12/2022

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	[redacted]
Email:	[redacted]
Postal Address: (if different from above)	[redacted]

Details of Permit Application	
Applicant Name:	
Application Number:	P 22154

Details of Submission – How does this application directly affect you?

I live on East Street right on the corner so will be impacted by and extension of East Street greatly. The increase of traffic, noise and disruption to the wildlife especially.
This area is under water most of the year and has an Flood Overlay on it. To extend this road would cost the Glenelg Shire Council a very large amount of money. For many years residents skipped across tyres to access the beach. After much lobbying by residents and with our help a track was erected. The property holder has damaged this previously and removed bollards.
Twelve years ago this property holder tried to get planning permission to build 18 boxes on this property. It cost the Glenelg Shire Council a huge sum to fight this in VCAT. They lost and VCAT put overlays on this property. It is now a Rural Conservation Zone.
It also has a Land Subject to Inundation, Bush Fire Management Overlay and a Flood Overlay on it.
By allowing the continuation of East St. this will enable the developer to again try and develop this property which will effect every resident. All residents along The Esplanade will be forced to see the sand dunes destroyed further. Cattle grazing on this land already cause so much damage. The wildlife on the flooded water will disappear as will the endangered birds.
My other great concern is the water table. If this road is allowed and he eventually wins the right to build his little boxes what will this do to the water table. Waste water and septic in sand dunes. Please consider and and not allow this extension to go ahead.

Submitter's Signature:	[redacted]	Date:	22/12/2022

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council **PO Box 152, PORTLAND VIC 3305** **Phone: 03 5522 2187**
National Relay Service: 13 36 77 **email:** planning@glenelg.vic.gov.au **website:** www.glenelg.vic.gov.au

Document Set ID: 3044857
Version: 1, Version Date: 23/12/2022

From: "David Hol" <dhol@glenelg.vic.gov.au>
Sent: Tue, 11 Apr 2023 11:13:01 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Cc: "Matthew Berry" <MBerry@glenelg.vic.gov.au>
Subject: FW: Planning objection
Attachments: Glenelg Shire.docx

For your attention

Thanks
David

From: Virginia Bobbitt <VBobbitt@glenelg.vic.gov.au>
Sent: Tuesday, 11 April 2023 8:27 AM
To: Paul Phelan <PPhelan@glenelg.vic.gov.au>; David Hol <dhol@glenelg.vic.gov.au>
Subject: FW: Planning objection

Please see attached planning objection – let me know if there is anything I need to do further.

Thanks- Gin

From: Cr. Gilbert Wilson <gilbert.wilson@cr.glenelg.vic.gov.au>
Sent: Saturday, 8 April 2023 2:32 PM
To: Councillor Support <councillor.support@cr.glenelg.vic.gov.au>
Subject: Planning objection

Hi,
Please find attached an objection for a planning permit in Narrawong from Ms Denise Dowsley.
Thanks
Gilbert

Get Outlook for iOS

Document Set ID: 3075669
Version: 1, Version Date: 11/04/2023

Councillor Gilbert Wilson
Dear Gilbert

I object to planning permit P 22154 for an easement that gives access to 18 Old Township Lots at the Esplanade Narrawong.

In 2012 two separate government bodies, VCAT and a panel appointed by the Minister For The Environment, Matthew Guy, consisting of some 24 Experts deemed this land unsuitable for development and the fragile dune system to be the last bastion between the township of Narrawong and the sea. Four overlays were placed on this land after extensive studies in each of the Experts fields and an actual site inspection by both bodies took place.

In the last two years we have seen a huge chunk of the primary dune fall away on the East side of the Surrey river, a boardwalk leading from the car park was left hanging over a large cliff face in the dune. The erosion

Document Set ID: 3075669
Version: 1, Version Date: 11/04/2023

on the beach from East Street to the Narrawong Caravan Park in the last 12 years has been devastating. I



have added a picture of the cliff face with the boardwalk hanging.

A study needs to be done to show what damage has been done to the coastline in the last decade. We need a projection of what the future holds for the coastline due to higher than usual tides, severe storm damage, global warming and erosion from the damaged coastline to the West of Narrawong. Each new house you see being placed on the dune system from West of the Surrey River to Bolwarra have cleared tracks too the beach which allows egress from the ocean. I worry that this will also happen if access to the 18 lots on the Esplanade is granted through an easement P22154.

Nobody from the past would have thought in their widest dreams that one decision, building a wharf, would see entire houses and roads being washed to sea at Dutton Way. Now it is a constant battle to maintain rock walls on Dutton Way and the Narrawong Abalone Farm, we don't want this for Narrawong.

I plead with you to listen to the experts, be guided by the four overlays and to do your due diligence in attending to all research and studies necessary for an informed decision.

Document Set ID: 3075669
Version: 1, Version Date: 11/04/2023

These overlays have been placed on this land by experts.
1- Land Subject to Inundation LSIO
2- Bush Fire Management Overlay
3- Specific Controls Overlay
4- Flood Overlay
Most importantly this is a Rural Conservation Zone.

I sincerely hope you visit the site and see why this is an unsuitable for development.



Document Set ID: 3075669
Version: 1, Version Date: 11/04/2023

From: [redacted]
Sent: Tue, 18 Apr 2023 12:39:53 +1000
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: P22154
Attachments: Glenelg, Shire objection.docx

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Hello,
I am thankful Gilbert Wilson submitted my letter of objection.
In the meantime I have been able to put the letter on the proper objection letter head!! It's exactly the same letter except I have included two more photos.
If you want me to sign and date i would be more than happy to pop in and sign a printed copy.
Have a nice day!
Cheers

[redacted]

Document Set ID: 3078001
Version: 1, Version Date: 18/04/2023

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter's Name:	[redacted]
Address:	[redacted]
Email:	[redacted]
Postal Address: **(If different from above)**	

Details of Permit Application	
Applicant Name:	
Application Number:	P22154

Details of submission: How does this application directly affect you?

I object to planning permit P 22154 for an easement that gives access to 18 Old Township Lots at the Esplanade Narrawong.

In 2012 two separate government bodies, VCAT and a panel appointed by the Minister for The Environment, Matthew Guy, consisting of some 24 Experts deemed this land unsuitable for development and the fragile dune system to be the last bastion between the township of Narrawong and the sea. Four overlays were placed on this land after extensive studies in each of the Experts fields and an actual site inspection by both bodies took place.

In the last two years we have seen a huge chunk of the primary dune fall away on the East side of the Surrey River, a boardwalk leading from the car park was left hanging over a large cliff face in the dune. The erosion on the beach from East Street to the Narrawong Caravan Park in the last 12 years has been devastating. I have added a picture of the cliff face with the boardwalk hanging.

A study needs to be done to show what damage has been done to the coastline in the last decade. We need a projection of what the future holds for the coastline due to higher than usual tides, severe storm damage, global warming and erosion from the damaged coastline to the West of Narrawong. Each new house you see being placed on the dune system from West of the Surrey River to Bolwarra have cleared tracks to the beach which allows egress from the ocean. I worry that this will also happen if access to the 18 lots on the Esplanade is granted through an easement P22154.

Nobody from the past would have thought in their wildest dreams that one decision, building a wharf, would see entire houses and roads being washed to sea at Dutton Way. Now it is a constant battle to maintain rock walls on Dutton Way and the Narrawong Abalone Farm, we don't want this for Narrawong.

I plead with you to listen to the experts, be guided by the four overlays and to do your due diligence in attending to all research and studies necessary for an informed decision.

Document Set ID: 3078001
Version: 1, Version Date: 18/04/2023

These overlays have been placed on this land by experts.
1- Land Subject to Inundation LSIO
2- Bush Fire Management Overlay
3- Specific Controls Overlay
4- Flood Overlay
Most importantly this is a Rural Conservation Zone.

I sincerely hope you visit the site and see why this is an unsuitable for development.







Submitter's Signature:		**Date:**	

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Document Set ID: 3078001
Version: 1, Version Date: 18/04/2023

Glenelg Shire Council. PO Box 152, PORTLAND VIC 3305. Phone: 03 5522 2187
National Relay Service: 13 36 77. email: planning@glenelg.vic.gov.au website: www.glenelg.vic.gov.au

Document Set ID: 3078001
Version: 1, Version Date: 18/04/2023

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	[redacted]
Email:	[redacted]
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Name:	MR ROBERTSON
Application Number:	P22154

Details of Submission – How does this application directly affect you?

PLEASE FIND LETTER ATTACHED.

Submitter's Signature:	[redacted]	Date:	22/12/2022

Council is collecting the inform[redacted] with the Planning and Environment Act 1987. Council must make a copy of th[redacted]son to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

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National Relay Service: 13 36 77
PO Box 152, PORTLAND VIC 3305
email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

Document Set ID: 3044894
Version: 1, Version Date: 23/12/2022

22/12/2022

To, Glenelg Shire Council Planning Unit

I have lived at my home address of 64 The Esplanade Narrawong 3285 for in excess of 10 years now and have always been in the belief that this land would never be built on. My belief is based on a "Media Release" on the 12th August 2011 by the then "Minister for Planning" The Hon Matthew Guy which stated that due to the lands environmental sensitivity be zoned as Rural Conservation to give it the necessary protection from not being built on or developed.

In my time here I have witnessed firsthand the diversity of wild life here both large and small. The incredible array of bird life to wallaby, kangaroo, koala, reptile and amphibians to mention a few. Their existence would become so under pressure by the commercialisation of this site I believe many of these animals simply could not exist with the increased volume of traffic and people the like.

Why would Council allow such silly building permits when the site is basically sand and swamp, which is sided by the ocean and the Surrey River? The sub soils must surely remain in a constant state of wetness with these waters abutting the parcel of land. A recipe for disaster one could say.

So, I wish to advise my objection to this proposal in the strongest possible terms as I feel that we as a community ought to protect the environment in which we live and keep this small amount of land protected against developers both now and into the future.

[redacted]

Document Set ID: 3044894
Version: 1, Version Date: 23/12/2022

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details			
Submitter Name:	[redacted]		
Address:	[redacted]		
Email:	[redacted]	**Phone:**	
Postal Address: (if different from above)			

Details of Permit Application	
Applicant Name:	East Street, Narrawong. Submitted 8 Sep 2022
Application Number:	P22154

Details of Submission – How does this application directly affect you?

I have a number of concerns, particularly in relation to the potential environmental and cultural impacts of these works, and the lack of detail in the proposal. Values include:
- Endangered Warrnambool Plain swamp scrub and shallow freshwater marsh bordering the east of this parcel, which provides habitat for a number of threatened species recorded including Southern Emu Wren, Burrowing Crayfish, Latham's Snipe, Southern Brown Bandicoot.
- Proposed easement located on primary floodplain for the Surry River which buffers localised flooding (Land Subject to Inundation Overlay and Flood Overlay, ESO4 overlay - Coastal environment with features of ecological, geological, geomorphological, cultural and historic significance)
- Dynamic dune system to the south (where the proposed easement is) which will be disturbed - very unstable, also known cultural heritage values (middens, artefacts)

Recent works (Jan 18 2020) completed including placement of an additional culvert (after community had just upgraded track and culverts with government grant) for supposed access to this property from East Street easement, on behalf of the landowner, resulted in machinery trampling within the shallow freshwater marsh on council land, which significantly disturbed this native vegetation and the peat bed. This works brought in environmental weeds, as did the original illegal dwelling build from 2009 – brought in Apple of Sodom (a significant pest and Restricted Weed in the Glenelg Hopkins Catchment Management Area). Plan needs to be carefully reviewed and environmental and cultural sensitivities addressed prior to approval.

Submitter's Signature:	[redacted]	**Date:**	20-12-2022

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council **PO Box 152, PORTLAND VIC 3305** **Phone: 03 5522 2187**
National Relay Service: 13 36 77 **email: planning@glenelg.vic.gov.au** **website: www.glenelg.vic.gov.au**

Document Set ID: 3044026
Version: 1, Version Date: 21/12/2022

From: [redacted]
Sent: Thu, 23 Mar 2023 09:25:12 +1100
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Att: Christopher Hodgetts - additional response to permit application P22154
Attachments: L-Kivisalu_follow-up submission to application P22154_22nd March 2023.docx

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Hi,

Following the update letter received, dated 10th March 2023 for application P22154, please find additional comments for my objection submission.

Kind regards,

[redacted]

Document Set ID: 3070177
Version: 1, Version Date: 23/03/2023

22nd March 2023

Christopher Hodgetts
Statutory Planner
Glenelg Shire Council
71 Cliff Street, Portland 3305

Re: Submission of Objection to Planning Permit Application: P22154

Hi Christopher,

I am writing in response to your Glenelg Planning Scheme letter dated 10th March, 2023, to extend the information in my submission of objection.

I still firmly believe the permitting of a right of carriageway easement in the land in question (across Parcels 1-18) is of concern in terms of environmental and cultural impact, as it sets a precedent and signals the Planning team and Council endorsement of the 18 lots being individually sold in the near future. As you state in your update letter – this permitting allows owners of individual lots to have *legal access* to their property across others. This is a conscious and significant decision to allow sale of individual lots. It is evident that the current landholder wishes to sell each lot as sites for 'dwellings', whether they be built housing, temporary housing, caravans, tents, etc. There is no other feasible activity to purchase for on such small individual lots at that particular location – they cannot practically be farmed or used for other recreation, business or industry.

The consideration at this point, in legally allowing access via carriageway to individual properties and in the case of future lot sales, opens the Council and community to the tedious future pressures for (up to) 18 individual landholder permitting processes, each one to be assessed for impact to the local landscape and the community, including local custodians.

I encourage the Council to reconsider the appropriateness of the 18 individual lots provisioned on the land in question. The Victorian Planning Guidelines state the minimum lot size in a RCZ to be *40 hectares.* These titles are a legacy decision of settlement plans that are now well over a century old and does not reflect the current values and processes of the land as reflected in current planning schemes.

I urge the Council and planning team before providing further permitting on this parcel, to take the time to converse with other agencies, as well as Traditional Owners, to consider the opportunities to change either the titles or the planning instruments that guide future ownership. There are a number options that would allow ownership and use to be more conducive to the environmental and cultural character of the land, such as acquisition of the land parcels under the ESO4 and RCZ3 and appropriate compensation for the landowner, or management incentives for the landowner (current or future) to raise income through sustainable land management. The following points provide clear reasoning for such a decision:

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Version: 1, Version Date: 23/03/2023

The sale of individual lots and potential of dwellings being pursued by new title owners is not conducive to the local landscape, as highlighted by the following planning zones and overlays (with the RCZ 3 instated by the Victorian Minister for Planning in acknowledgement of this, following previous development disputes):

- Rural Conservation Zone – Schedule 3

- Environmental Significance Overlay – Schedule 4

- Bushfire Management Overlay – Schedule 1

- Floodway Overlay - Schedule 1

- Land Subject to Inundation Overlay

More specifically, the Victorian Government planning guidance for Rural Conservation Zone is that farming and other activities is *subordinate* to environmental values of the land in the RCZ. The development and use of land must be consistent with sustainable land management and land capability practices, which take into account the conservation values and environmental and cultural sensitivities of the locality.

The land here does not have capability to be resilient to construction and dwelling pressures and dwellings of any type are not sustainable. Some example scenarios - the exacerbation of current vegetation loss (historically due to cattle stocking) and subsequent dune erosion, and further impact to a culturally significant area of Sea Country to the Gunditjmara, the further spread of Apple of Sodom (a Restricted Weed in Victoria), potential impact of future pressures of waste and septic management to adjacent floodplain wetlands and inundation zone (given the small size, substrate type and downward slope of lots), potential inundation of driveways/easements.

Under the ESO4, planning considerations should ensure the long term protection of coastal, marine, floodplain and wetland environments, by preventing development that is likely to prejudice the long term environmental values.

Under the ES04 planning considerations should also consider the potential impacts of climate change and in particular, the combined impacts of sea level rise, storm surge, wave run up, local coastal processes. The modelling of coastal (dune) recession for the coast to the west of the Surry was up to 60 meters along some sections – the fragility of the coastline extending to the east of the Surry to sea level rise, sea surge and dune recession also needs to be seriously considered in context of these land parcels and future permitting and development.

It is the responsibility of the Council to be proactive and make decisions with a long term strategy in relation to this land area, and I hope the above points are taken in serious consideration.

[redacted]

[redacted]

Document Set ID: 3070177
Version: 1, Version Date: 23/03/2023

GLENELG SHIRE
Victoria's hiddenplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	Portland
Email:	[redacted]
Postal Address: (if different from above)	[redacted]

Details of Permit Application	
Applicant Name:	Graeme Robertson
Application Number:	P22154

Details of Submission – How does this application directly affect you?

This application for a carriageway does not meet the intent of overlays proposed by a planning panel which were then all adopted by the Glenelg shire, these overlays where put in place to prevent development of the environmentally sensitive land.

The proposed carriageway is a single straight road without any provisions for emergency vehicles to turn.

We object on these and many other grounds to many to write up.

Submitter's Signature:	[redacted]	Date:	10-01-2023

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Document Set ID: 3047644
Version: 1, Version Date: 11/01/2023

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	
Email:	[redacted]
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Name:	
Application Number:	P22154

Details of Submission – How does this application directly affect you?

Our reply to letter from Christopher Hodgetts asking us to update our complaints if we wish to continue and still have concerns.
If this permit is granted it will have major damaging environmental issues even if Mr Hodgetts doesnt beleive it will, please accept our new set of concerns as requested see atatched sheet.

Submitter's Signature:	[redacted]	Date:	30 March 2023

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Document Set ID: 3071942
Version: 1, Version Date: 30/03/2023

Document Set ID: 3071942
Version: 1, Version Date: 30/03/2023

Objection

A carriageway easement is not required as the lots are in one ownership and the land has legal access to The Esplanade and East Street.

A carriageway easement cannot be created in this circumstance where the owners and occupiers of the dominant and servient tenements are the same persons.

The location of the subject land and the proposed carriageway easement is within an identified coastal hazard area.

The creation of the carriageway easement is at odds with the purposes in the Zone and Overlay provisions, which apply to the land.

The creation of a carriageway easement on the subject land when the physical access does not exist is contrary to the planning policy framework and is not an acceptable planning outcome.

The proposed carriageway easement is intended to facilitate access to land in a location contrary to State Planning Policy.

The creation of the easement is contrary to the following planning policies:

- 11.03-4S Coastal settlement
- 12.02-1S Protection of the marine and coastal environment
- 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs
- 12.05-2S Landscapes
- 13.01-1S Natural hazards and climate change
- 13.01-2S Coastal inundation and erosion
- 12.02-1L Protection of coastal areas
- 12.05-2L Landscapes
- 18.02-4L Road system Strategies Encourage development in rural areas to provide two-way vehicle accesses.

Document Set ID: 3071942
Version: 1, Version Date: 30/03/2023

Received at Portland
GSC Customer Service Centre
Date: 30 / 3 / 2023 Time: 2 : 20 am/pm
Officer Name: Sfielden.

Document Set ID: 3071942
Version: 1, Version Date: 30/03/2023

GLENELG SHIRE

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	
Email:	[redacted]
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Name:	Graham Robertson
Application Number:	P 22154

Details of Submission – How does this application directly affect you?

The land relating to this current planning permit application is still, I believe subject to a conservation overlay, which was enacted after a long and costly legal battle with the same applicant. Nothing has since changed that should in any way diminish the status of said conservation overlay, in fact the effects of climate change have only strenthened the need for this fragile, coastal eco system to be spared the undeniable havoc the granting of this permit would undobtedly have here.

To put this place into more relatable terms, this morning I watched a Swamp Harrier gliding over the land in question, hunting for a meal. The other day we had 3 Wedge Tailed Eagles, two mature and one juvenile, using the large, old Cypress tree (due South of Cambridge Street) as a perch by which to teach their young the intricacies of hunting.

The land is teaming with native wildlife of more species than I could attempt to count.

Even the CFA, in their submission during the last application attempt called into question the dangers they would face trying to access any properties associated with this land.

Submitter's Signature:	[redacted]	Date:	21/12/2022

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Glenelg Shire Council
National Relay Service: 13 36 77
PO Box 152, PORTLAND VIC 3305
email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

Document Set ID: 3044041
Version: 1, Version Date: 21/12/2022

GLENELG SHIRE

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	
Email:	[redacted]
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Name:	No name provided
Application Number:	P22154

Details of Submission – How does this application directly affect you?

The dunes and reed beds on the property related to this application are clearly a delicate and essential part of the greater ecosystem supporting the Surry River.The tussocky grass cover stabilising the northern aspect of the dunes, sloping down sharply to the frequently flooded flat land and reed bed thereon obviously prevent signifant erosion during frequent substantial flood events and, combined, function as a vital filter to the floodwater as it recedes to the river. (Hypoxic blackwater may ring a bell just to contextualise the point).
I won't dwell unnecessarily on the aesthetic and ambience surely appreciated by residents of Narrawong, campers and day visitors.It all gets a bit NIMBYish down that path doesn't it?
Of greater import is the potential impact of approving the 'carriageway' on the many creatures who live,visit and interact with the wetlands.
18 seperate owners accessing their properties using their 'carriageway' rights, across frequently flooded flatland or pastured dune slopes will result in erosion and destabilising of the dune wall or the churning of the frequently flooded flatland.An example of interference outcomes can be seen partway along the north aspect of the dunes.A bobcat and truck have regularly visited the property and during one such visit scratched around on a particular section of the dune slope.It is now an expanding area of denuded dune and the dune is on the move.Previously stable dune is now eroding markedly,spilling its sand down the slope.The application for 'carriageway'rights seems relatively benign,however its fascilitation of the sale of 18 seperate allotments is ominous indeed for the health of the Surry River.It is a slippery slope.

Submitter's Signature:	[redacted]	Date:	20/3/23

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council
National Relay Service: 13 36 77
PO Box 152, PORTLAND VIC 3305
email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

Document Set ID: 3068758
Version: 1, Version Date: 21/03/2023

GLENELG SHIRE

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	[redacted]
Email:	
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Name:	It has no name on the Statutory Active Planning Permits Listing
Application Number:	P22154

Details of Submission – How does this application directly affect you?

My wife & I have lived at 50 (Lot 9) The Esplanade Narrawong for 41 years, building our house in 1981. Over the years we have enjoyed watching the town grow and contributing to the streetscape along the Esplanade, of which we are very proud.

So it has come as a surprise and disappointment that on our return from Queensland this week, we are faced with another battle to preserve the fragile hummocks to the South, and resist another ambitious development which I believe is totally unsustainable.

I acknowledge the applicant is applying for a permit to forge a carriageway, or access road, for what purpose? As soon as this is granted & a road is formed there is nothing to stop the developer from selling the 18 individual sections as lifestyle seaside blocks to unsuspecting city dwellers.

As an illustration of the fragility of the primary sand dunes, view attached photo of the sand dune blowout adjacent our property & Albert Street. This denigration was in part caused by using an excavator to remove an infestation of Sodom' s apples, a noxious spiny weed, some twenty years ago. Once the Marram grass is damaged this is the result for all to see. Grazing cattle have also contributed. So it is not hard to imagine the damage which would be caused to the dune by 18 separate developments.

Submitter's Signatur[redacted] e:	26/01/2023

Council is collecting [redacted] the Planning and Environment Act 1987. Council must make [redacted] o inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

Glenelg Shire Council
National Relay Service: 13 36 77
PO Box 152, PORTLAND VIC 3305
email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

Document Set ID: 3051559
Version: 1, Version Date: 30/01/2023

Continuation of submission Application No P22154

In wet years I have witnessed the river levels rise to a point that water floods all this land back to the East Street drain. This proposed road would be impacted in part unless huge volumes of limestone were used, which would impede the natural drainage fall to the North.

I find it difficult to understand why the Glenelg Shire Planning Department would entertain this application for a permit to facilitate this development, knowing full well of all the overlays which have been placed on this parcel of land 12 year ago, as a result of a previous attempt to develop the primary sand dunes.

The ambiance of the coastal dunes, viewed from the North, will be devastated by the site of cheap transportable buildings, plastic water storage tanks, metal storage containers, angled driveways & sewage excavations all perched on top of the Southern horizon.

As a demonstration, look at the dune development to the West of the river to get some idea, all in the name of development & Council rates

Yours sincerely

[redacted]

Document Set ID: 3051559
Version: 1, Version Date: 30/01/2023



HISTORICAL OVERVIEW – APPLICATION # P22154

12 years ago the Minister of Planning Matthew Guy gave this site Rural Conservation status after a special advisory group of expert submitted their detailed finding in regard to this parcel of 18 block surveyed in 1856 The submissions were from:

1 The Western Coastal Board

2 CFA

3 Historic Buildings Restoration Committee Inc

4 Department of Planning and Community Development

5 Friends of the Surry

6 Glenelg Hopkins Catchment Authority

7 Planning Panels Victoria

8 Cultural Heritage Assessment including: Cultural Heritage Sensitivity and sight details from Aboriginal Affairs Victoria

These expert reports were presented to the government, through the Friends of the Surry, who were represented by the Environmental Defenders Office in December 2010. The all explained why this land should never be developed

These arguments are from an Archaeologist, Environmental Scientists and Scientists specializing in water, weather, erosion and more. Each of their data based submissions should be before the planning department to verify the extreme fragility and vulnerability of this land. It is unique in the shire as it is Primary dune on a coastal vegetation boundary. Dropping from dune at acute gradients, with a sand blowout, sensitive midden area and floodplain.

From an engineering point alone grading and road materials brought in by 100's of tip trucks covering the greatest length of the town of Narrawong from East Street to Clarke Street is actually the distance from the Primary School at Narrawong to the Post Office at Narrawong. It therefore effects the town more than any other property. Any disturbance to the bottom of the sand dune depicted as the easement, will be in the pathway of floods. It will interfere with the black swans that nest when the tidal Surry River is closed. Then there is incremental sea level, so even the tiniest increase would backfill the whole 18 blocks with sea water from Portland Bay coming from the mouth of the Surry River.

Overlays on the property speak for themselves:

1. Land Subject to Inundation LSIO

2. Bush Fire Management Overlay

3. Specific Controls Overlay

4. Flood Overlay

Document Set ID: 3051559
Version: 1, Version Date: 30/01/2023

HISTORICAL OVERVIEW – APPLICATION # P22154 - Continued

Permit No. P22154 currently before the Planning Department of the Glenelg Shire Council is for an easement for a road. To grant such an easement across all 18 blocks is destructive to one of the most fragile and complex systems in the shire, readily acknowledged already by the Victorian Government in the above media release. It is potentially catastrophic when looking at the positioning of a road across a primary dune.

This land like the township of Narrawong was surveyed in 1856. Hence the colonial aspects of planning were evident in this subdivision of 18 blocks. In 153 years no building or even a shed were erected.

In 1856 there was no science and technology. There was no insight into climate change, rising sea levels rising, data on flooding or understanding of the fragility of primary sand dunes and erosion.

Except for the house which was thrown up on Lot 18, hurriedly, over 21 days there are still no buildings. This construction was begun immediately after Black Saturday in February 2009 and it motivated the Glenelg Shire Council to obtain an order from VCAT declaring that any further works required a permit pursuant to ESO4. Accordingly the permit holder, who followed through with another permit was refused further construction by VCAT based on it being a floodplain, wetland, waterway and coastal dune and the removal of vegetation was inappropriate. The removal of vegetation for a roadway Permit No: P22154 is therefore totally opposed to these findings.

From 2009 the Minister for Planning and the Glenelg Shire Council recognized the long term planning controls for the site needed to be addressed to respond to the environmental features of the site and that development needed to be constrained to say nothing about the indigenous cultural gathering places, which require preservation, not roadway grading and further 100's of tip trucks of road materials. Hence changing the fragile landscape of the floodplain feeding the Surry River.

So facts are that a road is development and against the principles of all overlays and status as a Rural Conservation Zone 3.

Document Set ID: 3051559
Version: 1, Version Date: 30/01/2023

From: "Paul Phelan" <PPhelan@glenelg.vic.gov.au>
Sent: Mon, 30 Jan 2023 07:51:25 +1100
To: "Planning" <planning@glenelg.vic.gov.au>
Cc: "Matthew Berry" <MBerry@glenelg.vic.gov.au>
Subject: FW: Submission to a Planning Permit Application # P22154
Attachments: Submission to a Planning Permit # P22154 001.jpg, Dunn Objection Pg 2.doc, Historic overview.doc, GLENELG PLANNING SCHEME.pdf, Permit No -P22154,.doc, Dune blowout.jpg

Good morning

FYI and attention please.

Kind regards,

Paul Phelan
Chief Executive Officer
Glenelg Shire Council
PO Box 152
PORTLAND VIC 3305
Phone: 03 5522 2227 / 0448 918 186
Email: pphelan@glenelg.vic.gov.au

Organisational Values| Respect | Integrity |Teamwork | Service Excellence | Innovation
The Glenelg Shire Council respectfully acknowledges the traditional lands and waters of the Gunditjmara people, Bunganditj people, Jardwadjali people and their respective cultural heritages. Council embraces diversity and is committed to fostering an inclusive community.

From: Cr. Karen Stephens <karen.stephens@cr.glenelg.vic.gov.au>
Sent: Saturday, 28 January 2023 4:17 PM
To: Paul Phelan <PPhelan@glenelg.vic.gov.au>
Subject: Fwd: Submission to a Planning Permit Application # P22154

Paul - FYI you light like to advice the Mayor staff will provide a response next week cheers Kas

Get Outlook for iOS

From [redacted]
Sent: Saturday, January 28, 2023 1:31 pm
To: Cr. Karen Stephens <karen.stephens@cr.glenelg.vic.gov.au>; Cr. Gilbert Wilson <gilbert.wilson@cr.glenelg.vic.gov.au>
Subject: Fwd: Submission to a Planning Permit Application # P22154

---------- Forwarded message ---------
From: [redacted]
Date: Sat, 28 Jan 2023 at 13:56

Subject: Submission to a Planning Permit Application # P22154
To: <scott.martin@cr.glenelg.vic.gov.au>, <jayden.smith@cr.glenelg.vic.gov.au>, <anita.rank@cr.glenelg.vic.gov.au>, <michael.carr@cr.glenelg.vic.gov.au>, <chrissy.hawker@cr.glenelg.vic.gov.au>, <karen.stephens@cr.gleneng.vic.gov.au>, <gilbert.wilson@cr.gleneng.vic.gov.au>

Hi All

Please find attached the following:

1. **Submission to a Planning Permit Application # P22154**
2. **Continuation of Submission to a Planning Permit Application # P22154**
3. **Historical Overview - Application P22154**
4. **Glenelg Planning Scheme Conservation Values**
5. **Overlay Details of Land covered by P22154**
6. **Photo of Dune blowout**

Regard

[redacted]

Document Set ID: 3051565
Version: 1, Version Date: 30/01/2023

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	[redacted]
Email:	
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Name:	It has no name on the Statutory Active Planning Permits Listing
Application Number:	P22154

Details of Submission – How does this application directly affect you?

My wife & I have lived at 50 (Lot 9) The Esplanade Narrawong for 41 years, building our house in 1981. Over the years we have enjoyed watching the town grow and contributing to the streetscape along the Esplanade, of which we are very proud.

So it has come as a surprise and disappointment that on our return from Queensland this week, we are faced with another battle to preserve the fragile hummocks to the South, and resist another ambitious development which I believe is totally unsustainable.

I acknowledge the applicant is applying for a permit to forge a carriageway, or access road, for what purpose? As soon as this is granted & a road is formed there is nothing to stop the developer from selling the 18 individual sections as lifestyle seaside blocks to unsuspecting city dwellers.

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Submitter's Signatu[redacted]	26/01/2023

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Document Set ID: 3361906
Version: 1, Version Date: 30/01/2023

Continuation of submission Application No P22154

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Yours sincerely

[redacted]

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Version: 1, Version Date: 30/01/2023

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Document Set ID: 3051565
Version: 1, Version Date: 30/01/2023

--/--/—
Proposed C106gelg

SCHEDULE 3 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ3.**

CONSERVATION VALUES

The land is a sensitive natural environment. It is bound by Bass Strait to the south, the Surry River to the west, low lying coastal land to the east, and the Narrawong township to the north.

The Surry River estuary and floodplain covers approximately 80 percent of the land and the southern part of the land is part of the primary coastal dune system.

The land includes important coastal features of ecological, geological, geomorphological, cultural and historic significance.

The land is part of the significant natural drainage corridor, flood storage, stream habitat, wildlife corridor, including breeding sites for vulnerable species, and natural landscape.

1.0 Subdivision and other requirements

--/--/—
Proposed C106gelg

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

Document Set ID: 3051565
Version: 1, Version Date: 30/01/2023

Permit No -P22154, lodged 8th September 2022 covering

18 Lots called East Street, but actually bordering the whole of

The Esplanade Narrawong

From the Glenelg Shire Website Statutory Planning Active Permits October 22

No: P22154

Lodged: 8th September 22

Site: East Street, Narrawong

Status: Preliminary Assessment

Days: 1

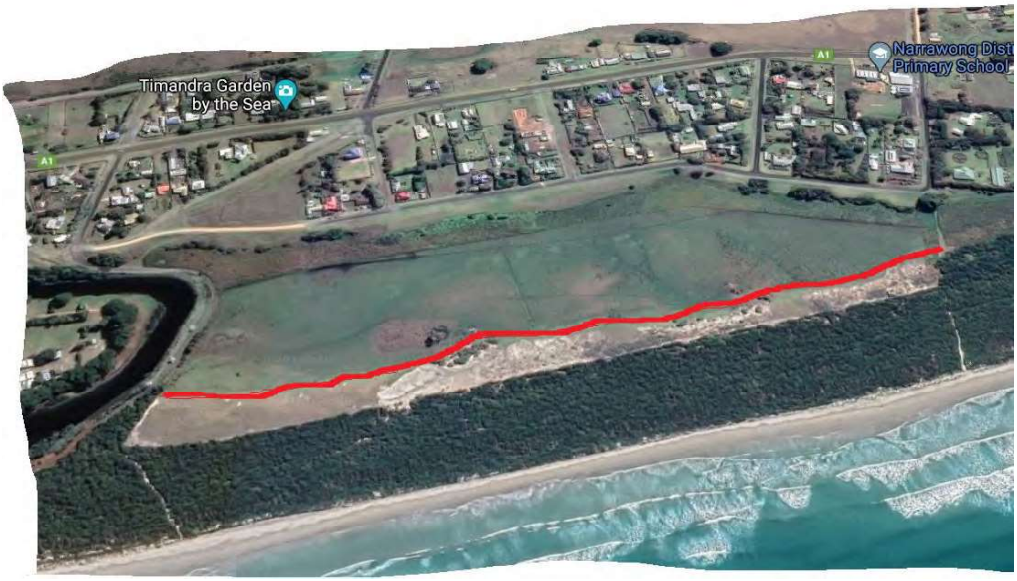
Reason for Permit: To create carriageway easement across 18 lots

1. The plans for this permit were examined by Martin Boyer, Friends of the Surry, on Thursday 1st of December 2022 at the Council. The proposed easement and hence proposed roadway stretches from East Street, along the bottom of the sand dune, where it levels out and curves across the 18 blocks. Plainly preparation of sophisticated drawings and applying for a permit, signify intent to develop. The Planning Department of the Glenelg Shire have the responsibility for granting the permit and have been informed that there are significant overlays over the property. If permission is granted there will be no stopping further development by the Owner/ Corporation or Corporate Body.
2. The land covered by P22154



Document Set ID: 3051565
Version: 1, Version Date: 30/01/2023

Red line indicates where the new road is proposed across the 18 blocks approximately.



3. Press Release for the original protection of the land in question.

   Attached

4. Overlays on the property:
   1. Land Subject to Inundation LSIO
   2. Bush Fire Management Overlay
   3. Specific Controls Overlay
   4. Flood Overlay
5. Rural Conservation Zone 3

Document Set ID: 3051565
Version: 1, Version Date: 30/01/2023



Document Set ID: 3301360
Version: 1, Version Date: 20/07/2023

From: [redacted]
Sent: Wed, 22 Mar 2023 13:25:57 +1100
To: "Planning" <planning@glenelg.vic.gov.au>
Subject: Re: Update on Planning Permit Application P22154
Attachments: MD response 21 Mar 23.doc, RD response 21 Mar 23.doc

*** [EXTERNAL] This message comes from an external organisation. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Hi Christopher

Please see attached responses to your letter dated 10 March 2023
We would like these to be added to our previous communications

Yours sincerely

[redacted]

Document Set ID: 3069877
Version: 1, Version Date: 22/03/2023

To Glenelg Shire Planning Department

Re Planning Permit Application P 22154

Dear Christopher

Thank you for your reply to our concerns relating to the above Planning Application.

Your statement in paragraph 5 of your letter dated 10 March 2023, I quote

"*however the permit application is not for the construction of a road or approval of a road and there are no earthworks or buildings proposed"*

I don't mean to cause offence, but this seems a very short sighted & naive take on this whole situation. May I ask, have you sighted firsthand the area in question? If so, you would note that if there were 18 individual owners crossing the proposed *easement*, it would very quickly become environmentally untenable

It seems obvious that the reason for this Permit Application for an easement through the entire 18 blocks is, to make the 18 blocks a more attractive & viable investment for potential individual buyers, at which time there would have to be a constructed road for individual access. This flies in the face of the several overlay which have been put in place to protect this fragile area

1. Land Subject to Inundation LSIO
2. Bush Fire Management Overlay
3. Specific Controls Overlay
4. Flood Overlay

The only area for any development on these titles would be the environmentally sensitive sand dunes, and there arises the next issue: Potential owners would construct or deposit non permanent residences, such as caravans or buildings deemed moveable. As you can see, the blocks are very narrow. This would create a catastrophic environmental situation disposing of waste, sewage etc, & the inevitable 18 potential tracks through the sensitive dune area to the beach; who is going to buy a beach block & not want access to the beach?

Yours sincerely

[redacted]

Document Set ID: 3069877
Version: 1, Version Date: 22/03/2023

To Glenelg Shire Planning Department

Re Planning Permit Application P 22154

Dear Christopher

I acknowledge your letter of clarification dated 10/03/23, and whilst I understand the process of a Permit Application and a Planning Permit to proceed with said works, the Permit application states the intent to develop a road to access the 18 blocks whether it's the current owner or someone else

If a Permit Application is granted, the developer can then go to the market and sell the individual blocks for development subject to Council approval, and sot spend one dollar on capital improvement

While that would be a good outcome for the current applicant, it would actually set a situation where the concerned residents would have to fight each case, that is, taking Council & the new title holder to V cat over any development applications potentially 18 times over

Again I say, look what is unfolding along the Old Coach Rd & Clay's William St development, and then tell me it's a sustainable and desirable building model, not to mention the trampling of the fragile hummocks

Please file this communication with my original submission

Yours sincerely

[redacted]

Document Set ID: 3069877
Version: 1, Version Date: 22/03/2023

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	[redacted]
Email:	[redacted]
Postal Address: (if different from above)	[redacted]

Details of Permit Application	
Applicant Name:	
Application Number:	P22154

Details of Submission – How does this application directly affect you?

I wish to formally object to the proposed development of land in Narrawong (P22154)
The dunes will be impacted by the development of land and construction of houses – trucks and heavy machinery will be required to form the roads, driveways and to construct the dwellings. This impacts the vegetation, animals and topographic features within the dunes. This disturbs dunes and possible indigenous artefacts that are millions of years old.

A natural waterway runs along the foot of the dunes into the surrey river. Undoubtedly there will be requirements for major drainage works due to the required roadways and driveways disrupting the wetland, native animals and fragile ecosystem. The natural waterway is at risk of becoming contaminated due to no town sewerage in Narrawong and waste water from the dwellings seeping into the waterway.

For those residents who live along the Esplanade the outlook from our properties will change forever- surely maintaining the aesthetic and social values of the landscape is paramount for the existing residents.

Narrawong is blessed with an amazing variety of coastal dunes and natural waterways. This small section should be nurtured and kept pristine as an example of nature ' s beauty for generations to come.

Submitter's Signature:	[redacted]	Date:	01/02/2023

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

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PO Box 152, PORTLAND VIC 3305
email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

Document Set ID: 3053292
Version: 1, Version Date: 02/02/2023

GLENELG SHIRE
Victoria's Birthplace

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	[redacted]
Email:	[redacted]
Postal Address: (if different from above)	[redacted]

Details of Permit Application	
Applicant Name:	GRAHAM ROBERTSON
Application Number:	P 22154

Details of Submission – How does this application directly affect you?

1/ VERY CONCERNED AND DISSAPOINTED THAT THIS HAS COME UP AGAIN.
2/ 10 YEARS AGO DEEMED TO HAVE A SEVERE IMPACT. ENVIROMENTALY.
3/ WHATS CHANGED ???.

Submitter's Signature:	[redacted]	Date:	5th JAN 2023.

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

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PO Box 152, PORTLAND VIC 3305
email: planning@glenelg.vic.gov.au
Phone: 03 5522 2187
website: www.glenelg.vic.gov.au

Document Set ID: 3047317
Version: 1, Version Date: 10/01/2023

GLENELG SHIRE

Submission to a Planning Permit Application

Planning and Environment Act, 1987

Submitter's Details	
Submitter Name:	[redacted]
Address:	
Email:	
Postal Address: (if different from above)	

Details of Permit Application	
Applicant Name:	—
Application Number:	P22154

Details of Submission – How does this application directly affect you?

What is the purpose of proposed carriageway.... it will bring in cars and trucks and people which will destroy this necessary but fragile dune and floodplain system.

Our natural areas are quickly diminishing in our country. We need them left intact to help limit the effects of CLIMATE CHANGE and to keep habitat for our flora and fauna.

VCAT has already determined that this environment (refered to app # P22154) is too fragile and significant to pursue any further development. (overlays were introduced)

+ please see attached notes

Submitter's Signature:	[redacted]	Date:	21-12-2022

Council is collecting the information on this form in accordance with the Planning and Environment Act 1987. Council must make a copy of this objection available for any person to inspect free of charge under Section 51 of the Act. If you fail to provide this information the Glenelg Shire Council will not be able to advise you of any consultation or decision making forums or the decision regarding this matter, but you may access this information by contacting Council's Planning Unit on 5522 2187.

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National Relay Service: 13 36 77 email: planning@glenelg.vic.gov.au website: www.glenelg.vic.gov.au

Document Set ID: 3044014
Version: 2, Version Date: 21/12/2022

The land in question for application # P22154 consists of a 'Primary Dune System' on its southern end (on all 18 blocks) and a flood plain connected to Surrey River Estuary on the remainder.

The following points should be considered for application # P22154.

① The proposed carriageway runs along the edge of the primary dune system ... the construction of the road would surely threaten this dune.

② Climate change has caused floods and storm surges across Australia with devastating results ... the natural operation of these wetland floodplains (app # P22154) is necessary to help protect the Surrey River Estuary in these times. The construction of the carriageway (with road building materials and heavy machinery movement) will effect the natural operation of the estuary system.

③ Aboriginal Cultural Heritage.
The site contains middens and artefact scatter which is registered with Aboriginal Affairs Dept. These cultural significant areas would be threatened by construction of the carriageway and subsequent use of road by cars and people.

* The construction of the proposed carriageway will ultimately effect all residents of Narrawong if the Primary Dune System or the flood plains operation is damaged to any degree.

Glenelg Planning Scheme

Incorporated Document

Crown Allotments 1-18, Section 3A, Parish of Narrawong

Use and Development Controls, 2011

This document is an incorporated document in the Glenelg Planning Scheme pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987*.

1. INTRODUCTION

This document is an incorporated document in the schedules to Clause 52.03 and Clause 81 of the Glenelg Planning Scheme.

Pursuant to Clause 52.03 of the Glenelg Planning Scheme, the land identified in the schedule to this clause may be used and developed in accordance with the specific controls contained in an incorporated document corresponding to that land in the schedule.

This document allows the specified land to be used and developed in accordance with the provisions elsewhere in the Scheme only as varied by this document.

2. ADDRESS OF THE LAND

The land subject to this incorporated document is Crown Allotments 1-18, Section 3A, Parish of Narrawong.

3. THIS DOCUMENT REQUIRES/ALLOWS

The land is within a sensitive natural environment. It is bound by Bass Strait to the south, the Surry River to the west, low lying coastal land to the east and the Narrawong township to the north. The Surry River estuary and floodplain constitutes approximately 80% of the land. The southern part of the land is part of the primary coastal dune system.

Despite the Rural Conservation Zone provisions of the Glenelg Planning Scheme that apply to the land, the land may only be used or developed subject to a planning permit. A planning permit may only be granted for a use set out in the following table and subject to the condition opposite:

USE	CONDITION
Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, and Timber production)	
Animal keeping	Must be no more than 2 animals.
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Informal outdoor recreation	
Interpretation centre	
Minor utility installation	
Natural systems	
Pleasure boat facility	

END OF DOCUMENT

Assessment Report

East Street, Narrawong VIC 3285
P22154 Application Details:

Application is for:	Dual Application for planning permit and certification - To create carriageway easements across 18 lots – a rights of carriageway.
Applicant's/Owner's Name:	Graham Robertson
Date Received:	08 September 2022
Statutory Days:	Over 60
Planner:	Christopher Hodgetts
Zoning:	RCZ3
Overlays:	BMO in pt, FO1 in pt, LSIO1 in pt, ESO4, SCO7
Under what clause(s) is a permit required?	52.02 – Easements, Restrictions and Reserves
Title Details:	CA 1-18 Sec 3A Township of Narrawong
Restrictive covenants on the title?	None indicated on submitted Title
Current use and development:	Agriculture

Proposal

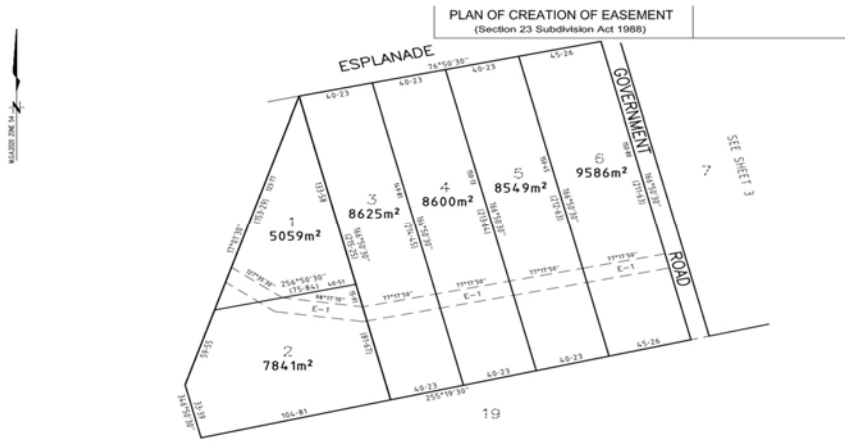
The applicant has applied for the creation of easements in accordance with the plans submitted with the application.

Rights of carriageway are being sought across 18 lots from boundary with (extension of) East Street to the boundary with the road that ends at carpark near mouth of Surrey River. The width of the proposed easement on the plan is ten metres and if approved would be an encumbrance on the individual titles of each allotment. The plans showing the proposed easement are on 3 sheets as shown overleaf.

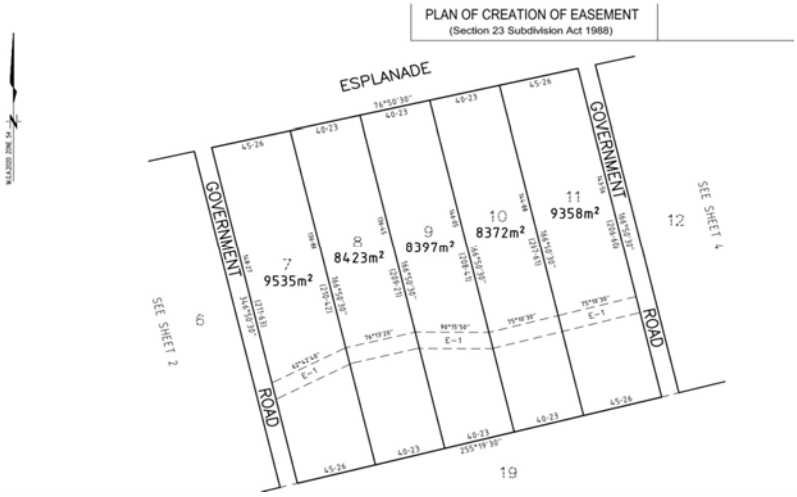
The application states that the easements are required to enable access to the individual allotments which would otherwise be landlocked if sold to individual landowners.

This is a dual application for planning permit under the Planning and Environment Act and under Section 23 of the *Subdivision Act 1988.*

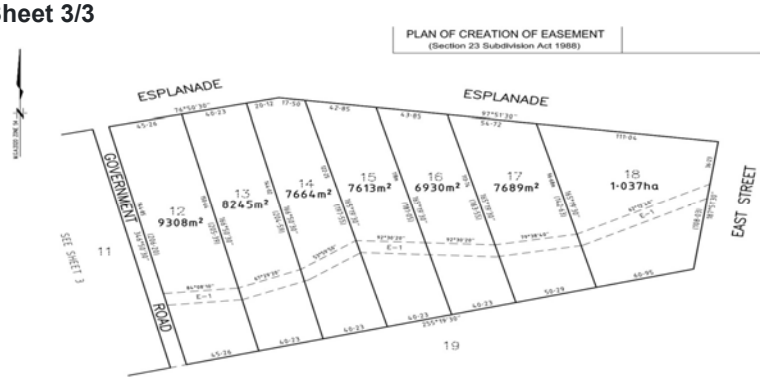
Sheet 1/3



Sheet 2/3



Sheet 3/3



Subject site & locality

An inspection of the site and the surrounding area has been undertaken.





The site has a total area of 15 ha over 18 lots divided by unused road reserves. The land currently contains the remnants of a partially constructed dwelling, tracks, water troughs/tanks, a stock yard and fences. Part of the land contains an area subject to flooding or inundation as wetland and within floodplain of the Surry River.

The main site/locality characteristics are:

The subject land is located east of the Surry River and South of Narrawong Township. The land abuts The Esplanade Road Reserve, a coastal strip, an unmade access road and close to a bend of the Surrey River near the Narrawong Caravan Park.

The land does not abut any private land holdings. The land to the East is owned by the Glenelg Shire.

Site Panorama



Existing Site access



Permit/Site History

The history of the site includes:

- P08102 Agricultural shed – not pursued because the land transferred to current owner.
- Building permit approved for a dwelling in 2009 by private building surveyor as no planning permit was required at the time as the land was zoned Township Zone. The dwelling was started but not completed.

As a result of community concerns over the potential development of the land, an application was made to the Minister to intervene which resulted in Amendment C45 coming into effect in the Glenelg Planning Scheme, which placed an Environmental Significance Overlay Schedule 4 (ESO4) over this land and the other lots in section 3A (Lots 1 to 17). This was a Ministerial Amendment, and ESO4 contained an interim building and works control (until 31 December 2010) that required planning permission to construct a building or to construct or carry out works on this land.

Currently there is a permanent buildings and works control over the land as control is no longer interim under an Incorporated Document applied via Special Controls Overlay 7. The Council sought and obtained an Order from the Tribunal (dated 19 November 2009),[2] Glenelg SC v Printz Pty Ltd (includes Summary) (Red Dot) [2009] VCAT 2477. - declaring that any further construction of a building or carrying out of works on this land required a permit pursuant to the requirements of ESO4. p1.

P09160 construction of 16 dwellings and internal common property. Following the above VCAT decisions this application was withdrawn by the applicant.

Public Notification

The application was in the first place advertised pursuant to Section 52 1 (a & c) of the *Planning and Environment Act 1987*, by:

Sending notice s52 1 (a & c) only to DELWP (now DEECA) as adjoining Crown Land Manager of Coastal Reserve and Owner as 'the crown'.

The application was not notified to adjoining residents as there are no abutting private landowners see below.



Section 52 of the *Planning and Environment Act 1987* indicates that:

52 Notice of application (1) Unless the responsible authority requires the applicant to give notice, the responsible authority must give notice of an application in a prescribed form—

(a) to the owners (except persons entitled to be registered under the Transfer of Land Act 1958 as proprietor of an estate in fee simple) and occupiers of allotments or lots adjoining the land to which the application applies unless the responsible authority is satisfied that the grant of the permit would not cause material detriment to any person; and

(c) to any person to whom the planning scheme requires it to give notice; and

(d) to any other persons, if the responsible authority considers that the grant of the permit may cause material detriment to them.

The Deputy President of VCAT Helen Gibson - SunnyCove Management Ltd v Stonnington CC [2006] VCAT 1705 had differentiated the different tests for consideration of discretion under Section 52 (a) & (d) when she stated;

At paragraph (8)

> *8 I have highlighted the words in each subsection which give rise to the different tests. In section 52(1)(a) the responsible authority must be satisfied about a negative proposition, namely that the grant of the permit would not cause material detriment to any person, whereas in subsection (d) the responsible authority must consider a positive proposition, namely that the grant of the permit may cause material detriment to other persons.*

The Deputy President in this case had considered both sections and concluded that *the Council's decision under section 52(1)(a) to require notice to be given to adjoining owners and occupiers was a decision that a reasonable responsible authority acting reasonably could have reached. And,*

The practical outcome of my decisions is that notice should be given under section 52(1)(a) of the Act to the owners and occupiers of adjoining land but that additional notice to any other persons is not required under section 52(1)(d).

In Pitt & Others v Surf Coast SC and Another [2000] VCAT 1664 (31 August 2000)

the tribunal had indicated that in that particular case where an easement was being altered and where there are existing proprietary legal rights (beneficiaries of an easement) being diminished then notice should have been given.

In the current application the benefitted land will be the 18 lots in possession of the current owner of the land. There are no other beneficiaries and certainly do not include the owners and occupiers along the Esplanade or others who made submissions.

Given these VCAT decisions and location of subject land it can be concluded that notification has been carried out correctly under S52 1(a) and was not required under Section 52 1 (d). The planner had considered that under s52 1 (d) the grant of a permit to create carriageway easement on certificates of title may not cause material detriment to any other person.

Despite not giving notice to nearby private landowners within the vicinity, Council have received 15 objections and 2 additional responses to Council's request for clarification letter.

Because they have been made they have to be considered as indicated by Deputy Member Helen Gibson, in Hill v Campaspe SC (includes Summary) (Red Dot) [2011] VCAT 949 (19 May 2011) where there was a similar application under clause 52.02.

Whilst Member Cook in Jaborca Pty Ltd v Hobsons Bay CC & Ors [2011] VCAT 114 (1 February 2011) in an earlier case had indicated;

Consideration is. . . confined to the question of whether there will be any detriment suffered by the beneficiaries of the covenant by the removal of the benefit afforded by

the covenant. There is no requirement to consider what detriment if any would be suffered by persons who are not beneficiaries of the covenant, such matters being more appropriately considered, if and when there is an application for development on the land, at that particular time.[4]

8. *I do not consider that the recent changes to clause 52.02 alter this principle. I construe the "interests of affected people"[5] in an application such as this as a reference to beneficiaries of the covenant. The reason I adopt this view is that, fundamentally, clause 52.02 regulates the removal of a restriction created in property law and that legal framework affords benefit to only identified beneficiaries. In the absence of any broader and explicit rights being granted to non-beneficiaries via the planning system (in particular, the Planning and Environment Act 1987) I do not consider it justified to extend consideration of detriment to non-beneficiaries by the removal of the covenant where there is no concurrent use/development application.*

Noting that these cases were about removing or varying where Section 60 (5) of the *Planning and Environment 1987* applied whilst the current application is a creation application where this section of the Act does not apply because there are no outside beneficiaries to the creation of the easement.

Re-Advertising

Council had sought specific expert advice in relation to the notification that had taken place and as a result further advertising was undertaken from 16 May 2023 until 30 May 2023.

- By placing a Notice in the Portland Observer of Tuesday the 16 May 2023.
- Sending Notice Letters to the objectors
- Placing two signs one on the Eastern Side and another on the Western part of the land near the Surry River.

As a result of this notification Council have received two additional submissions.

Consultation

Nearby residents noted that the current application for the creation of carriageway easement had been lodged. Given the number of objections received and the level of community concern expressed, consultation was undertaken and included:

- A letter of explanation was sent to the objectors describing what the application was actually for, being an application to create a carriageway easement on certificates of Title. That there were no earthworks, roads or buildings proposed and no change of use.
- Formal consultation of hearing deputations from submitters and permit applicant to address Councillors was undertaken on 18 July 2023.

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

- Largely, the objectors are opposed to development of the land for dwellings or large-scale development.
- The concern that the creation of a carriageway easement may facilitate the future construction of a road which in turn may be the precursor of developing the land.
- Impacts on the Environment - biodiversity/wildlife, vulnerable species, sensitive coastal dune area, impact on the future floodplain protection.
- Previous VCAT decisions – Given the history of the site, objectors have appeared to interpret that a planning permit may be sought for the construction of a dwelling/s. Objectors are concerned that 18 separate applications may be lodged and 18 separate appeals required if Council approved a dwelling on each lot.
- The easement is not required as the land is in one ownership.
- The proposal is contrary to various planning requirements.

A sample of an objection is listed below:

Objection

A carriageway easement is not required as the lots are in one ownership and the land has legal access to The Esplanade and East Street.

A carriageway easement cannot be created in this circumstance where the owners and occupiers of the dominant and servient tenements are the same persons.

The location of the subject land and the proposed carriageway easement is within an identified coastal hazard area.

The creation of the carriageway easement is at odds with the purposes in the Zone and Overlay provisions, which apply to the land.

The creation of a carriageway easement on the subject land when the physical access does not exist is contrary to the planning policy framework and is not an acceptable planning outcome.

The proposed carriageway easement is intended to facilitate access to land in a location contrary to State Planning Policy.

The creation of the easement is contrary to the following planning policies:

- 11.03-4S Coastal settlement
- 12.02-1S Protection of the marine and coastal environment
- 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs
- 12.05-2S Landscapes
- 13.01-1S Natural hazards and climate change
- 13.01-2S Coastal inundation and erosion
- 12.02-1L Protection of coastal areas
- 12.05-2L Landscapes
- 18.02-4L Road system Strategies Encourage development in rural areas to provide two-way vehicle accesses.

As a result of this correspondence Council responded and received several additional responses.

I acknowledge your letter of clarification dated 10/03/23, and whilst I understand the process of a Permit Application and a Planning Permit to proceed with said works, the Permit application states the intent to develop a road to access the 18 blocks whether it's the current owner or someone else

If a Permit Application is granted, the developer can then go to the market and sell the individual blocks for development subject to Council approval, and sot spend one dollar on capital improvement

While that would be a good outcome for the current applicant, it would actually set a situation where the concerned residents would have to fight each case, that is, taking Council & the new title holder to V cat over any development applications potentially 18 times over

Again I say, look what is unfolding along the Old Coach Rd & Clay's William St development, and then tell me it's a sustainable and desirable building model, not to mention the trampling of the fragile hummocks

Objections from the re-advertising of the application

One objection was based on environmental concerns. It outlines the planning history of the site and current and future impact on the environment. And includes other specific concerns about ongoing substantial erosion of the dune at Narrawong Beach in a fragile environment and issues at Dutton Way resulting as they put it from historical marine construction of a wharf, one would assume at the Port.

The responsibility of the Narrawong Coastal Reserve sits with State Government Departments - DECCA (DELWP) & Parks Victoria and the environment with everyone.

The second submission was considered to be an enquiry about the application and processes.

a) related concerns about the notice process - where the notices were placed on the land, in out of the way places.
b) Environmental impacts of this development
c) Whether any environmental or cultural reports were to be undertaken.

Notice was carried out in three ways to cover as many interested parties as possible. The land is quite large and signs were placed at either ends of the subject land by the applicant at Councils guidance where there is public access.

A response to the submitter elaborating on the application was sent in relation to this enquiry.

Assessment of objections

There are stringent planning controls on the use and development including works on these lots. The land can only be developed in accordance with the Incorporated Document that is applied by the Special Controls Overlay schedule 7. All other uses including a dwelling are prohibited. Below is an excerpt of this:

The land is within a sensitive natural environment. It is bound by Bass Strait to the south, the Surry River to the west, low lying coastal land to the east and the Narrawong township to the north. The Surry River estuary and floodplain constitutes approximately 80% of the land. The southern part of the land is part of the primary coastal dune system.

Despite the Rural Conservation Zone provisions of the Glenelg Planning Scheme that apply to the land, the land may only be used or developed subject to a planning permit. A planning permit may only be granted for a use set out in the following table and subject to the condition opposite:

USE	CONDITION
Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, and Timber production)	
Animal keeping	Must be no more than 2 animals.
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Informal outdoor recreation	
Interpretation centre	
Minor utility installation	
Natural systems	
Pleasure boat facility	

The planning scheme as it stands does not put a limit on Council considering applications for changes/dealings on certificates of title under Clause 52.02 where there is no use and development, subdivision of land or works proposed.

Council has no control over the private use of the land where planning controls are not triggered or local laws have limited application. This is not changed by a carriageway on Title.

The coastal reserve is crown land managed by DECCA/DELWP. There are some existing tracks on the dunes here. Permission to create so called access tracks across this land is required from State Government Departments under Marine and Coastal consent not Council.

The land abuts a crown land road reserve. The physical topography of the land to the North and planning provisions of the planning scheme are considered prohibitive to creation of 17 access points from the North through a wetland, floodway and land subject to inundation.

The subject land is located outside the mapping under the Coastal land east of Portland between Dutton Way and Narrawong Incorporated Document April 2011 Minister of Planning - 2030 Coastal Erosion Hazard Area. The land does contain an informal track from East to West. It shows up on aerials from the Eastern gate to the water tanks/troughs through to the stock yards

This permit does not approve any works for roads or constructed pathways, additional applications are required. This is not use or development or subdivision it is a dealing on certificates of tile.

The perception and concerned held or espoused by the objectors is that this application is the precursor to residential development or to allow road construction is incorrect based on the application details and planning scheme requirements.

Referrals

External Referrals/Notices Required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	
GHCMA	Glenelg Hopkins CMA is satisfied the flood risk related concerns raised in our 4 October 2022 response are addressed by the Glenelg Shire planning scheme's Special Control Overlay schedule 7 (SCO7) in combination with this incorporated document. The CMAs position is therefore revised as follows. The Glenelg Hopkins CMA is a recommending referral authority for Section 55 referrals. Pursuant to Section 56 of the Planning and Environment Act 1987, the CMA does not object to the granting of a permit. Pursuant to Section 9(1) (c) of the Subdivision Act 1988, the CMA consents to the certification of the plan.
Section 52 notices	
DELWP now DECCA	No response to notice

Internal Council Referrals	Advice/Response/Conditions
N/A	N/A

Assessment (Requirements & merits of the proposal)

The creation of an easement (right of carriageway on Titles) is not a use or development of land. The permit triggers for use and development applications and decision guidelines of the zone and overlays do not apply.

The permit is triggered under Clause 52.02 of the Glenelg Planning Scheme.

The zoning of the land and permit requirements.

The land is zoned Rural Conservation Zone Schedule 3. There is no permit trigger under the zone to create a right of carriageway.

Any relevant overlay provisions.

The land is subject to Clause 42.01 Environmental Significance Overlay – Schedule 4. There is no permit trigger under this overlay to create a right of carriageway easement on certificates of title

The land is subject to Clause 44.06 the Bushfire Management Overlay –. There are no buildings and works involved, therefore there is no permit required under this overlay to create a right of carriageway easement.

The land is subject to the Clause 44.04 Land Subject to Inundation Overlay. There is no planning permit required under the overlay to create a right of carriageway easement.

As note this application does not seek to construct any road works which if it did would be triggered by the Land Subject to Inundation Overlay.

Clause 45.12 Special Controls Overlay – SCO7

Use or development

Land affected by this overlay may be **used or developed** in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

This overlay does not prohibit an application to create a carriageway on the Titles of the subject lots nor does it have applicable controls

Pursuant to Clause 52.03, (This is now Clause 45.12 as Incorporated Document has not been updated by Minister of Planning), of the Glenelg Planning Scheme, the land identified in the schedule to this clause may be used and developed in accordance with the specific controls contained in an incorporated document corresponding to that land in the schedule. This document allows the specified land to be used and developed in accordance with the provisions elsewhere in the Scheme only as varied by this document.

The document does not vary the requirement for a planning permit under Clause 52.02 to create an easement – see below.

The Planning Policy Framework (PPF)

01 PURPOSES OF THIS PLANNING SCHEME

- To provide a clear and consistent framework within which decisions about the use and development of land can be made.
- To express state, regional, local and community expectations for areas and land uses.
- To provide for the implementation of State, regional and local policies affecting land use and development.
- To support responses to climate change.

02.03 Strategic Directions
02.03-1 Settlement - Managing Growth - Small Towns – The policy intent is to facilitate sustainable development by supporting rural residential development in areas around Narrawong. It does not include the subject land.

02.03-2 Environmental and landscape values

Coastal areas

The Shire's coastal areas are major natural, economic and environmental resources that need to be managed to balance development opportunities while protecting the landscape and environment.

The Shire seeks to protect coastal areas by:

- Protecting the natural and cultural values of the coast.
- Managing the use and development of the coast in a sustainable manner.
- Protecting fish nursery habitats for future fishing activities.
- Supporting tourism and recreation in coastal areas.
- Encouraging coastal related development that responds to the landscape setting, character and desired future character directions.
- Maintaining locally significant views that contribute to the character of the coast and coastal hinterland region.

Significant environments and landscapes

The Shire's natural landscapes and their hinterlands are highly valued for their visual, environmental and cultural qualities.

In protecting environmental and landscape values, the Shire supports:

- Protecting the Shire's significant landscapes, waterways and wetlands and Red Gum woodlands.
- Encouraging development that is subordinate to the natural, visual and environmental landscape character and significance.

Floodplains

Parts of Portland, Heywood, Narrawong, Casterton and Stanford are at the risk of flooding from rivers. Some areas are also vulnerable to flooding from storm surge and sea level rise. The proper management of floodplains protects the natural environment and properties located in areas subject to inundation.

The Shire seeks to address floodplain issues by applying the precautionary principle approach to assess development in areas prone to flooding, sea level rise and landslip.

Tourism

Tourism plays a significant role in the local economy. The Shire has a range of attractions including recreational fishing, heritage, eco-tourism, beaches, surfing, trails, national parks, and a series of festivals throughout the year. Portland is developing as a tourism destination and is now seen as the western gateway to the Great Ocean Road and the eastern gateway for the Limestone Coast.

Council seeks to facilitate tourism by:

- Supporting the development of tourism based on attractions including natural features, fishing, local produce, cultural and built heritage, eco-tourism, beaches, surfing, trails and national parks.
- Encouraging development of tourist accommodation.
- Maximising opportunities in niche markets, including fishing and boating, bird watching, adventure groups and cruise ship visitors.
- Supporting opportunities for coastal tourism.

Relevant Particular Provisions

Clause 52.02 Easements, Restrictions and Reserves applies to this application.

The relevant purpose of this provision is to allow a person to proceed under Section 23 of the Subdivision Act 1988 to **create**, vary or remove **an easement** or restriction or vary or remove a condition in the nature of an easement in a crown grant.

Pursuant to the permit requirements of this clause

A permit is required before a person proceeds:

- **Under Section 23 of the *Subdivision Act 1988* to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.**
- Under Section 24A of the *Subdivision Act 1988*.
- Under Section 36 of the *Subdivision Act 1988* to acquire or remove an easement or remove a right of way.

Section 23 of the Subdivision Act 1988 asks - What if a planning scheme directs the creation or removal of rights?

*(1) If a planning scheme or permit regulates or authorises the creation, removal or variation of an easement or restriction, the owner of the land burdened or to be burdened by the easement or restriction must, in accordance with the planning scheme or permit and with the **Planning and Environment Act 1987**, lodge a certified plan at the Office of Titles for registration.*

(2) The consent of any other person who has an estate, interest or claim in the land is not required to the certification and registration of a plan referred to in subsection (1).

A planning permit is required to create a right of carriageway over the titles, it is not prohibited by the planning scheme.

Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority **must consider the interests** of affected people.

The final outcome would burden and benefit each of the lots.

The affected people under S52/S55 are the organisations DELWP (now DECCA) and the GHCMA. The GHCMA have considered the application and do not object to the granting of the permit.

DECCA/DELWP did not respond in the time frames.

The affected people are the objectors and the submitter.

Other relevant adopted State policies/strategies

None applicable

Relevant incorporated or reference documents

Glenelg Planning Scheme Incorporated Document, Crown allotments 1-18, Section 3A, Parish of Narrawong – Use and Development Controls - 01 September 2011

The land is within a sensitive natural environment. It is bound by Bass Strait to the south, the Surry River to the west, low lying coastal land to the east and the Narrawong township to the north. The Surry River estuary and floodplain constitutes approximately 80% of the land. The southern part of the land is part of the primary coastal dune system. Despite the Rural Conservation Zone provisions of the Glenelg Planning

Scheme that apply to the land, the land may only be used or developed subject to a planning permit. A planning permit may only be granted for a use set out in the following table and subject to the condition opposite:

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Informal outdoor recreation	
Interpretation centre	
Minor utility installation	
Natural systems	
Pleasure boat facility	

The use of land is unchanged, its currency is agriculture, there are no buildings or works, there is no development. As such it is considered that the proposal is consistent with the incorporated document and that position is ratified by the GHCMA having no objection to the granting of the permit.

Relevant Planning Scheme amendments

C70 01/09/2011 rezoning from TZ to RCZ3 adding ESO 4 applies Environmental Significance Overlay Schedule 4 to the land on a permanent basis, includes the land in the schedule to Clause 52.03 and includes an incorporated document in the schedule to Clause 81.01.

C105 28/01/2021 - introduced the Special Controls Overlay 7 over the land in line State Government changes to clear identify in the scheme where Incorporated Documents are active.

C106 20/01/2023 – update formatting and numbering of the RCZ3.

The decision guidelines of Clause 65

Clause 65.01 Approval of an Application or Plan

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

- *The matters set out in section 60 of the Act.*

Council has considered all the relevant matters under this statute including the objectives of planning in Victoria.

- *Any significant effects the environment, including the contamination of land, may have on the use or development.*

There is no use or development buildings or works proposed. The change to certificates of title is unlikely to bring on environmental impact by itself. There would need to be a future application for either use and or develop or works for that assessment to take place. It is considered that land would be unaffected by change on the certificate of Title apart from a right to cross over Title boundaries whether vehicular or otherwise. The owner currently drives across the land.

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

These have been considered above. It is considered the application aligns with these policies.

The purpose of the zone, overlay or other provision.

The purpose of the Rural Conservation Zone

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To conserve the values specified in a schedule to this zone.*
- *To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.*
- *To protect and enhance natural resources and the biodiversity of the area.*
- *To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.*
- *To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.*
- *To conserve and enhance the cultural significance and character of open rural and scenic non-urban landscapes.*

The land is zoned Rural Conservation Zone Schedule 3.

Although it is a sensitive environment there is no physical change to the topography of the land. There is no change of use, no buildings or works, no road construction and no vegetation removal.

- *Any matter required to be considered in the zone, overlay or other provision.*

There is no use or development permissions required therefore the matters in the zones or overlays are considered to be satisfied.

Clause 52.02 is a different category as a planning permit is required under this Clause. The objections relate to physical impacts on the environment from use, development or works of which none are occurring.

- *The orderly planning of the area.*

This type of change to a certificate of tile should not impact the orderly planning in this area.

- *The effect on the environment, human health and amenity of the area.*

Despite concerns raised Council considers that there will be minimal impact from the creation of an easement on certificates of Title. Other permits are required for use and development or works.

- *The proximity of the land to any public land.*

Minimal or no impact on Crown Land Coastal Reserve or the Surry River

- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*

Not applicable

- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*

No buildings or works proposed

- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*

No impact as no vegetation is to be removed.

- *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 change to the flood hazard potential or impact on a waterway. The management of the land will remain unchanged unless there is future selling to new owners. If the application is approved then the new owners would be allowed to traverse the land across property boundaries.

- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

Not Applicable

- The impact the use or development will have on the current and future development and operation of the transport system.

The other criterion although important are considered not to be relevant to an application to alter a certificate of title where there is no use or development or works proposed.

Conclusion

The creation of a right of carriageway on a title of the land does not impact on the coastal ecosystem or on habitat as there is no change to the use of land, no development and no works proposed.

The easement created on title sets up a right to travel across one parcel to another.

Any consideration of future applications would need to occur if and when they might be submitted. And it is at that time that the future environmental considerations and any of those externalities must be assessed.

It is therefore recommended that a Notice of Decision to grant a permit be issued.

Recommendation

That Council:

- having caused notice of Planning Application No. P22154 to be given under Section 52 and a referral under Section 55 of the *Planning and Environment Act 1987* and or the planning scheme, and,
- having considered all the matters required under Section 60 of *the Planning and Environment Act 1987* decides to issue a Notice of Decision to Grant a Permit under the provisions of 52.02 of the Glenelg Planning Scheme in respect of the land known and described as CA 1-18 Sec 3A Township of Narrawong or East Street, Narrawong VIC 3285 for the creation of an easement (right of carriageway) in accordance with the endorsed plans, with the application dated 08 September 2022, subject to the following conditions:

Conditions:

1. The plan of creation of easement must not be altered for any reason without the written consent of the responsible authority.

2. Application must be made under Section 23 of the Subdivision Act 1988 to have the plan registered.

3. This permit will expire if one of the following circumstances applies:
   a) The plan of creation of easement is not certified within two years of the date of this permit.
   b) The plan is not registered within 5 years of the certification of the plan of subdivision/consolidation under the *Subdivision Act 1988*.

   The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

Glenelg Hopkins CMA Note

Note that a Designated Waterway passes through the property. Any works in, on or around a designated waterway require a licence from the CMA. An application form

can be obtained from our Hamilton Office or downloaded from our website at www.ghcma.vic.gov.au.

Notice of Decision Notes

This permit does not approve any change of use or development or works or changes to the topography of the land.

Planner Responsible:	C Hodgetts	Checked/ Authorised by:	Matt Berry

Form 5

GLENELG SHIRE COUNCIL

Section 64(1) and 66(2)

NOTICE OF DECISION TO GRANT A PERMIT

APPLICATION NO. : P22154

PLANNING SCHEME : **GLENELG PLANNING SCHEME**

RESPONSIBLE AUTHORITY : **GLENELG SHIRE COUNCIL**

THE RESPONSIBLE AUTHORITY HAS DECIDED TO GRANT A PERMIT.
THE PERMIT HAS NOT BEEN ISSUED.

ADDRESS OF THE LAND
East Street, Narrawong VIC 3285 CA 1-18 Sec 3A Township of Narrawong

WHAT WILL THE PERMIT ALLOW?
To create easement across 18 lots - right of carriageway

WHAT WILL THE CONDITIONS OF THE PERMIT BE?

Conditions:

1. The plan of creation of easement must not be altered for any reason without the written consent of the responsible authority.

2. Application must be made under Section 23 of the Subdivision Act 1988 to have the plan registered on the Titles.

3. This permit will expire if one of the following circumstances applies:
   a) The plan of creation of easement is not certified within two years of the date of this permit.
   b) The plan is not registered within 5 years of the certification of the plan of subdivision/consolidation under the *Subdivision Act 1988*.

   The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

Date of Notice: «DecisionDate»

Signature for the Responsible Authority

Planning and Environment Regulations 2015 *Form 5*

Form 5

PERMIT No.	P22154 Page 2 of 3
PLANNING SCHEME	**: GLENELG PLANNING SCHEME**
RESPONSIBLE AUTHORITY	**: GLENELG SHIRE COUNCIL**

Glenelg Hopkins CMA Note

Note that a Designated Waterway passes through the property. Any works in, on or around a designated waterway require a licence from the CMA. An application form can be obtained from our Hamilton Office or downloaded from our website at www.ghcma.vic.gov.au.

Notice of Decision Notes

This permit does not approve any change of use or development or works or changes to the topography of the land.

End of Conditions and Permit Notes

Date of Notice: «DecisionDate»

Signature for the Responsible Authority

Planning and Environment Regulations 2015 *Form 5*

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

The Responsible Authority has decided to grant a permit. The permit has not been issued.

This notice sets out what the permit will allow and what conditions the permit will be subject to if issued.

WHAT ABOUT REVIEWS?

For the Applicant-

- The person who applied for the permit may apply for review of any condition in the notice of decision to grant a permit. The application for review must be lodged within 60 days of the giving of this notice.

For an Objector-

- An Objector may apply for review of the decision of the Responsible Authority to grant a permit. The application for review must be lodged within 28 days of the date of this notice.
- If there is no application for review, a permit will be issued after 28 days of the date of this notice.

For a recommending referral authority-

- A recommending referral authority may apply for review of the decision of the responsible authority-
  a) to grant a permit, if that recommending referral authority objected to the grant of the permit; or
  b) not to include a condition on the permit that the recommending referral authority recommended.
- The application for review must be lodged within 28 days of the giving of this notice.
- If there is no application for review, a permit will be issued after 28 days of the giving of this notice.

For all applications for review—

- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must be served on the Responsible Authority, each other party and each other person entitled to notice of the application for review under the **Planning and Environment Act 1987** and the **Victorian Civil and Administrative Tribunal Act 1998** within 7 days after lodging the application after Victorian Civil and Administrative Tribunal.
- Notice of the application for review must be given in writing to all other parties to the review as soon as practicable after an application for review is lodged. An objector who applies for a review must give notice to the person who applied for the permit.

Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Date of Notice: «DecisionDate»

Signature for the Responsible Authority

_____

Planning and Environment Regulations 2015 *Form 5*

14.11. RECREATIONAL RESERVES AND RECREATIONAL FACILITIES ACCESS POLICY CPO-COM-REC-004 AND PRICING POLICY CPO-COM-REC-005 REVIEW

Director: Jayne Miller, Director Community Services

Executive Summary

The purpose of this report is to seek Council adoption of two revised Council Policies relating to Recreational Reserves and Recreational Facilities Access (CPO-COM-REC-004) and Pricing (CPO-COM-REC-005), in addition to setting casual hire fees for the new Alexandra Park Pavilion function room.

Recommendation

That Council:

1. **Adopts the amended Recreational Reserves and Recreational Facilities Access Policy CPO-COM-REC-004.**

2. **Adopts the amended Recreational Reserves and Recreational Facilities Pricing Policy CPO-COM-REC-005.**

3. **Adopts the proposed casual hire fees for the Alexandra Park Pavilion function room for 2023-2024 as outlined within the attachment, and these fees be added into Council's Fees and Charges Schedule.**

Background/Key Information:

At the 22 March 2022 Council Meeting, Council endorsed the Recreational Reserves and Recreational Facilities Access Policy CPO-COM-REC-004 and Recreational Reserves and Recreational Facilities Pricing Policy CPO-COM-REC-005. These two policies were developed to provide clear guidance and structure for Council Officers to determine access and charges. These policies have also increased equitable usage and provided opportunities for fee concession that aligns to the Glenelg Municipal Public Health and Wellbeing Plan 2021–2025 goals and objectives, as well as the Active Your Way Glenelg Sport and Active Recreation Plan 2019–2029.

Following a recent review of both policies, it has been identified that some minor amendments are required to ensure the policies are inclusive and remain relevant to current usage levels and facility conditions.

The key amendments within the Access Policy are as follows:

- Reference list updated;
- Realignment of section 4.1 to separate casual access applications and new Licence or Lease access applications;
- Addition of applications assessment criteria relating to whether the applicants recreation activities are deemed inclusive, or encourage activities that align with both the *Gender Equality Act 2020* and the State Governments Fair Access Policy roadmap; and

- Inclusion of Appendix B – Application for a Licence to use a Recreational Reserve and / or Recreational Facility.

With the upcoming scheduled completion of a new multi-purpose facility at Alexandra Park, it has been recommended that an additional pavilion/clubrooms/building classification, 'Premier Level', be added into pricing policy to appropriately reflect the quality and amenities available at this type of facility. The introduction of this classification will ensure that users of this facility are equitably charged for use in comparison to other recreation facilities users across various Council owned venues with varying levels of amenities.

In addition, other key amendments within the Pricing Policy are as follows:

- Reference list updated;
- Realignment of section 4.1 to separate the determination of Licence and / or Lease fees from casual usage fees; and
- An update to the access fees annual review process.

Casual hire fees for the Alexandra Park function room are also proposed to be introduced to ensure that casual hire may be charged in line with Council's existing annual fees and charges for hire of Council venues. The proposed casual fees specifically for the Alexandra Park Pavilion function room (attached) have been proposed to align with other venue hire fees of a similar size, quality, and amenities. It is recommended that the remainder of Alexandra Park facilities (changerooms etc.) be charged at the existing recreational reserves and facilities casual hire fee rates per the current Council Fees and Charges Schedule.

a. Council Plan and Policy Linkage

Our Health and Wellbeing - Supporting the Glenelg community to thrive by being healthy, inclusive and well.

b. Legislative, Legal and Risk Management Considerations

As this is a new facility that does not fit within the current facility categorisation and fee structure, the addition of the 'Premier Level' facility category ensures that there is equity and consistency in pricing in comparison to other facilities within the Shire.

c. Consultation and/or communication processes implemented or proposed

Research and consultation with local sports clubs regarding access and pricing was completed during the development of the Active Your Way Glenelg Sport and Active Recreation Plan 2019–2029.

A Gender Impact Assessment was also undertaken for each policy in May 2023, with minor amendments implemented into both policies as a result of the assessments.

d. Financial Implications and Collaboration

The introduction of the new fee model implemented at the start of the 2022-2023 financial year, with an objective to assist in the increase of participation in recreation activities in accordance with the Public Health and Wellbeing Plan. This resulted in a significant reduction in income which was forecasted, and budgeted for within the 2022-2023 financial year, and future financial years budgets moving forward.

e. Governance Principles

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Attachment List

1. Glenelg Shire Council Recreational Reserves and Recreational Facilities Access Policy CPO-COM-REC-004 [14.10.1 - 14 pages]
2. Glenelg Shire Council Recreational Reserves and Recreational Facilities Pricing Policy CPO-COM-REC-005 [14.10.2 - 8 pages]
3. Alexandra Park Function Room Proposed 2023/2024 Casual Hire Fees [14.10.3 - 1 page]
4. *Separately circulated as confidential attachment*.

COUNCIL POLICY

TITLE:	Recreational Reserves and Recreational Facilities Access Policy
ID NUMBER:	CPO-COM-REC-004 DocSetID: 2782902
DEPARTMENT:	Community Services
UNIT:	Community Wellbeing
RESPONSIBLE OFFICER:	Manager Community Wellbeing

ADOPTED DATE AND BY WHOM:	*TBC* Council 22 March 2022
EXPIRY DATE:	21 March 2026
REVIEW DATE:	This policy will be reviewed every four years or as required by any legislative or council changes.

AVAILABILITY:	Organisation wide	Yes ☒	No ☐
	Public	Yes ☒	No ☐
	Internet	Yes ☒	No ☐
ADVISE AVAILABILITY:	Media Release	Yes ☐	No
	Sou Wester (Responsible Officer to prepare article)	Yes ☐	No

(This document is uncontrolled when printed)

1. References

Active Your Way Glenelg Sport and Active Recreation Plan (DocSetID: 2560778)

Application for a Licence to use a Recreational Reserve and / or Recreational Facilities (DocSetID: 3091294)

Fair Access Policy Roadmap, Victorian State Government (http://changeourgame.vic.gov.au)

Gender Equality Act 2020

Glenelg Shire Council Recreational Reserves and Recreational Facilities Pricing Policy (DocSetID: 2782903)

Glenelg Shire Council, Records Management Policy OPO-CORPS-RECM-001 (DocSetID: 1933907)

Glenelg Shire Council Conditions of Hire - Casual Use of Council Recreation Reserves and Pavilions (DocSetID: 2459087)

Glenelg Shire Council Plan 2021-2025 (DocSetID: 3001483)

Glenelg Shire Municipal Health and Wellbeing Plan 2021-2025 (DocSetID: 2863283)

Public Health and Wellbeing Act 2008

Special Conditions for Use of Glenelg Shire Council Recreational Reserves and Facilities (Licence Use) (DocSetID: 3089901)

Special Conditions for Use of Glenelg Shire Council Recreational Reserves and Facilities (Lease Use) (DocSetID: 3089966)

2. Purpose

This policy governs access to recreational reserves and recreational facilities that are owned or managed by Glenelg Shire Council. The policy aims to improve health and wellbeing outcomes for our community by promoting access to recreational reserves and facilities for sports clubs, community groups, organisations and individuals, that foster participation in active recreation.

The following guiding principles identified by Council have informed the development of the policy:

- Sustainable provision of facilities and services;
- Equity of access;
- Fostering participation;

- Safe and inclusive environments; and
- Shared use of facilities.

The policy establishes

- Minimum requirements for clubs, groups and organisations seeking a license, lease or casual use agreement for a recreational reserves and recreational facilities that are owned or managed by Glenelg Shire Council;
- The process Council will apply when assessing applications for access to recreational reserves and recreational facilities;
- Principles for determining the most appropriate form of occupancy arrangement;
- Uses and activities that will be given priority of access;
- Uses and activities that are prohibited; and
- Specific conditions related to fees and charges, insurance and the cancellation of licenses and casual use agreements.

This policy must be read in conjunction with the *Recreational Reserves and Recreational Facilities Pricing Policy* and the *Special Conditions for Use of Glenelg Shire Council Recreational Reserves and Facilities*.

3. Scope

3.2 Application

3.2.1 This policy applies to:

a) Recreational reserves and recreational facilities owned by Council; and

b) Recreational reserves and recreational facilities managed by Council as Committee of Management pursuant to the Crown Land (Reserves) Act 1978; and

c) Buildings, structures, landscaping, infrastructure or other improvements at recreational reserves and recreational facilities including;

i. Sports pavilions, club rooms, change rooms, sheds or
ii. other buildings;
iii. Sports grounds, lawns, greens, courts or other playing surfaces;
iv. Tracks and circuits; and
v. Training areas and facilities.

3.2.2 This policy also applies to

a) Applications for a license, lease or casual hire agreement for recreational reserves and recreational facilities owned or managed by Glenelg Shire Council;

b) Licensed users of recreational reserves and recreational facilities owned or managed by Glenelg Shire Council;

c) Tenants of recreational reserves and recreational facilities owned or managed by Glenelg Shire Council;

d) Casual hirers of reserves and recreational facilities owned or managed by Glenelg Shire Council; and

e) Council officers administering recreational reserves and recreational facilities owned or managed by Glenelg Shire Council.

4. Council Policy

Access to Recreational Reserves and Recreational Facilities

4.1 Applications for access to recreational reserves and recreational facilities

4.1.1 Casual Access Applications

Applications for casual access and use of Council's recreational reserves and facilities are to be submitted online via the current booking system accessible via the Council website, Sports and Recreation | Glenelg Shire Council. If required, Council's Recreation Coordinator or delegate can provide support with the completion of the online casual booking application form.

4.1.2 New Licence or Lease Access Applications

Applications for access to recreational reserves and recreational facilities must be made in writing to Council's Recreation Coordinator using Council's application form (refer to Appendix B), developed by Council for this purpose. As appropriate, Council can assist with the completion of the application form.

4.2 Assessment of applications for access to recreational reserves and recreational facilities

4.2.1 When assessing an application for access to a recreational reserve or recreational facility, Council shall have regard for:

a) The availability of the recreational reserve and recreational facilities during the season, days and times requested by the applicant;

b) The nature of the activities the applicant wishes to conduct at the recreational reserve and recreational facilities and whether the activities are inclusive;

c) The suitability of the recreational reserve and recreational facilities for the activities the applicant wishes to conduct;

d) The capacity of the recreational reserve and recreational facilities to accommodate the requested use with regard to access and inclusion;

e) The applicant's contribution to the development, maintenance and improvement of the recreational reserve and recreational facilities;

f) The impact of the applicant's activities on other users;

g) The applicant's prior use of recreational reserves and recreational facilities;

h) Whether the applicant's activities will contribute to the achievement of strategic goals identified by Council in the *Glenelg Shire Council Plan*, the *Glenelg Shire Health & Wellbeing* Plan and the *Active Your Way Glenelg Sport & Active Recreation Plan*;

i) Whether the applicant's activities encourage inclusive participation of women and girls; and/or with participants that identify as Aboriginal or Torres Strait Islander; and/or identify as non-binary; and/or are living with a disability.

j) Whether the activities the applicant wishes to conduct are already provided by another user at the same location;

k) Whether the applicant has previously breached the conditions of a Council lease, license or hire agreement or the *Special Conditions for Use of Glenelg Shire Council Recreational Reserves and Recreational Facilities*, including the payment of fees and charges;

l) The level of risk associated with the activities the applicant will conduct at the recreational reserve or recreational facility;

m) The applicant's capacity to fulfil its obligations pursuant to a lease, license, or casual hire agreement and any applicable terms or conditions; and

n) The most appropriate form of occupancy arrangement.

4.3 Granting access to recreational reserves and recreational facilities

4.3.1 Council via the Recreation Coordinator may, at its absolute discretion:

a) Grant an applicant access to a recreational reserve or recreational facility or part of a recreational reserve or recreational facility;

b) Determine the most appropriate form of occupancy arrangement having regard for Appendix A to this policy; and

c) Determine the season, days and times the recreational reserve and recreational facilities shall be allocated to the applicant for its use.

4.3.2 The granting of access to a recreational reserve or recreation facility or part of a recreational reserve or recreational facility shall be subject to:

a) Payment of applicable fees and charges;

b) Fulfilment of applicable insurance requirements;

c) The applicant's acceptance of the terms and conditions ((*(Licence / Lease Use) Special Conditions for Use of Glenelg Shire Council Recreational Reserves and Facilities (Licence / Lease Use)* OR *Glenelg Shire Council Conditions of Hire - Casual Use of Council Recreation Reserves and Pavilions*) on which Council grants access to the recreational reserve or recreational facility, and their ongoing adherence to these terms and conditions; and

d) The applicant's contribution to the achievement of strategic goals identified by Council in the *Glenelg Shire Council Plan*, the *Glenelg Shire Health & Wellbeing Plan* and the *Active Your Way Glenelg Sport & Active Recreation Plan*; will be given priority of access to recreational reserves and recreational facilities.

4.3.3 Leases or licences may only be established with incorporated associations that are based in the Glenelg Shire; and

4.3.4 Leases or licences established pursuant to this section must be approved by the Director Community Services or their delegate.

4.4 Refusing access to recreational reserves and recreational facilities

4.4.1 Council via the Recreation Coordinator may, at its absolute discretion, refuse to grant an applicant access to recreational reserves and recreational facilities if, in the opinion of Council:

a) The activities the applicant wishes to conduct at the recreational reserve and recreational facilities pose an unacceptable risk to the safety of participants, spectators or the public;

b) The activities the applicant wishes to conduct at the recreational reserve and recreational facilities pose an unacceptable risk of damage to the recreational reserve and recreational facilities;

c) The applicant lacks the capacity, skill or resources needed to fulfil its obligations under the access arrangement and any applicable terms or conditions;

d) The applicant has previously failed to fulfil its obligations under an occupancy agreement for recreational reserves and recreational facilities or the terms and conditions attached to an occupancy agreement for recreational reserves and facilities; or

e) Granting the applicant access to the recreational reserve and recreational facilities would be contrary to the best interests of the Glenelg Shire or Council.

4.5 Preservation of access to public open space

As a general principle, Council will not establish leases over public open spaces such as ovals, soccer pitches, parks, sports fields, or other places that are open to the public for informal active recreation.

4.6 Allocation of licensee access times

4.6.1 Council shall, at its absolute discretion, allocate the season, days and times recreational reserves and recreational facilities will be available for use by a licensee.

4.6.2 Council will prioritise the allocation of recreational reserves and recreational facilities to licensees that contribute to the achievement of strategic goals identified by Council in the *Glenelg Shire Council Plan*, the *Glenelg Shire Health & Wellbeing* Plan and the *Active Your Way Glenelg Sport & Active Recreation Plan*.

4.6.3 Council will endeavour to allocate access to recreational reserves and recreational facilities in a manner that maximises opportunities for participation in sports and active recreational activities and minimises disruptions to the established access arrangements of sporting clubs and other incorporated associations.

4.6.4 At its absolute discretion, Council may vary, suspend or cancel the allocated seasons, days or times a licensee is authorised to use a recreational reserve and recreational facilities if, in the opinion of Council:

a) The recreational reserve and recreational facilities are no longer able to sustain the current level of use;
b) The level of risk associated with the licensee's use of the recreational reserve and recreational facilities has become unacceptably high;

c) The current level of use is causing undue damage to the recreational reserve and recreational facilities; or

d) Such changes are necessary for the purpose of maintenance, repairs or improvement works.

4.6.5 In exercising its discretion under section 4.6.4, Council shall endeavour to:

a) Minimise disruption to the activities of licensees; and

b) Prioritise the use of recreational reserves and recreational facilities for recreation activities that demonstrate inclusivity.

4.7 Cancellation or suspension of access arrangements

4.7.1 The Director Community Services may cancel or suspend an access arrangement established pursuant to this policy if in the opinion of Council, the tenant, licensee or user of the recreational reserve and recreational facilities has refused or failed to comply with this policy or the terms and conditions of their occupancy agreement.

4.7.2 Tenants, licensees and users of the recreational reserve and recreational facilities shall not be entitled to access the recreational reserve and recreational facilities while their access arrangement is cancelled or suspended.

4.7.3 The Director Community Services may reinstate an access arrangement suspended pursuant to clause 4.7.1 upon rectification of the non-compliance by the tenant, licensee or user of the recreational reserve and recreational facilities.

4.7.4 The Director Community Services may cancel a license suspended pursuant to clause 4.7.3 if the licensee fails or refuses to rectify the non-compliance.

4.8 Fees and charges

4.8.1 Tenants, licensees and hirers of recreational reserves and recreational facilities are responsible for the payment of rent, annual licence fees, hire fees and other charges determined by Council by the due date.

4.8.2 Rent, annual licence fees and hire fees shall be determined by Council in accordance with Council's Recreational Reserves and Recreational Facilities Pricing Policy (DocSetID: 2782903).

4.8.3 Rent, annual licence fees and hire fees must be approved by the Director Community Services.

4.8.4 At the absolute discretion of the Director of Community services, rent, annual license fees and hire fees may be waived under special circumstances.

4.8.5 Tenants, licensees and hirers of recreational reserves and recreational facilities shall not be entitled to a refund of any part of any rent, fee or charge on the basis that they did not use the time allocated to them under their access agreement or allocation.

4.9 Insurance

4.9.1 Tenants, licensees and hirers of a recreational reserves and recreational facilities must maintain public liability insurance of at least $10,000,000 or as otherwise specified in the lease, licence or hire agreement for the duration of the access arrangement.

4.9.2 Prior to the commencement of the access arrangement and upon request by Council the tenant, licensee or hirer of the recreational reserve or recreational facility must provide Council with a certificate of currency for the public liability insurance policy required by section 4.9.1 of this policy.

4.9.3 Casual hirers of recreational reserves and recreational facilities may be eligible to participate in Council's public liability insurance scheme, however exemptions apply as per the scheme.

4.9.4 The tenant, licensee or hirer must ensure any person accessing the recreational reserve or recreational facility under its access arrangement complies with the conditions of its insurance and the ongoing adherence to the terms and conditions of its occupancy agreement.

5. Records Management

All Council records created and managed as a result of implementing this policy will be managed in accordance with the Council's Records Management Policy.

The Records Management Policy assigns responsibilities for records management to employees, supervisors, volunteers and other specific positions.

No Council records are to be destroyed without consideration of the requirements of the Act(s) that govern the functions relevant to this policy. Prior to destruction, advice must be sought from the Records Management Unit, with consideration to the requirements of the appropriate Retention and Disposal Authority (RDA).

6. Appendices

Appendix A - Occupancy Arrangements for Recreational Reserves and Recreational Facilities

Occupancy arrangement	Features	Level of access	Tenure
Casual hire	• Individuals or organisations • Ad-hoc use • Public liability insurance available through Council • No ongoing commitments • Must ensure safe use / conditions of hire	• Exclusive access to the hired space for the duration of the booking • Available when not allocated to licensed users • Short term loan of keys	• Single booking • No ongoing access rights
Licence	• Organisations • Regular use • Must obtain own insurance • Some responsibilities for maintenance / security / cleaning • Must ensure safe use / Special Conditions • Council may access as needed	• Reserve or facility may be shared with other users when not allocated to the licensee • Exclusive use at allocated times • Keys allocated for the duration of the season/allocation period/licence period	• Licence duration of up to 3 years • Usage allocation reviewed seasonally / annually • Ongoing right to access and use in accordance with licence terms
Lease	• Organisations • Permanent occupancy for duration of lease • Special purpose facilities and / or major contribution to facility development • Must obtain own insurance • Agreed / negotiated responsibilities for maintenance / security / cleaning • Must ensure safe use / lease conditions • Council entry with permission/by appointment	• Exclusive use for duration of lease • Keys allocated for duration of lease	• Lease duration of up to 10 years • Ongoing right to access and use in accordance with lease terms

Appendix B – Application for a Licence to use a Recreational Reserve and / or Recreational Facilities (DocSetID: 3091294)

Application for a Licence to use a Recreational Reserve and / or Recreational Facilities

This form is to be completed by any incorporated association ('applicant') wishing to apply for licenced access to a Council managed recreational reserve or facility pursuant to Section 17(2)a of the *Crown Land (Reserves) Act 1978*.

Before applying for a licence to utilise a Recreational reserve and / or Recreational facilities, applicants should be familiar with the requirements of Council's Access Policy (DocSetID: 2782902), the Special Conditions for Use of Recreational Reserves and Facilities (Licence Use) (DocSetID: 3089901), and Section 17(2)a Licences issued pursuant to the *Crown Land (Reserves) Act 1978.* Copies of this information is available via request from Council's Recreation Unit.

For further information or assistance with this form please contact Council's Recreation Unit either via email recreation@glenelg.vic.gov.au or via contacting customer service via phone 1300 453 635.

Applicant Details			
Name of Incorporated Association:			
ABN (if applicable):		Number of Members:	
Is the incorporated association based in the Glenelg Shire?	Yes / No		
Address:			
Telephone:			
Email:			
Website:			

Name of person lodging application:		
Position held:		Signature:

Recreational Reserve and /or Facilities requested for Licenced Use:
Preferred days / times for Licenced Use:

Describe the activities the applicant wishes to conduct at the nominated Recreational Reserve and / or Recreational Facility
Describe how these activities will benefit the local Glenelg Shire community?
Additional Information (if required)

What is the applicant's governing or controlling association or peak body (if applicable)
Applicants are to provide evidence of their membership, affiliation or registration with a recognised Victorian or national association or peak body.

Applicants for a Licence to use a Council Recreational reserve or Recreational facility are required to participate in an insurance program that offers public liability insurance of at least $20 million. If applicants do not have public liability insurance, applicants must obtain public liability insurance to at least this amount prior to submitting this application.

Insurer:		Limit of Liability:	
Applicants must provide a copy of certificates of currency for public liability insurance policies.			

Applicant Office Bearers	
President:	
Address:	
Telephone:	
Email:	

Secretary:	
Address:	
Telephone:	
Email:	

Treasurer:	
Address:	
Telephone:	
Email:	

Upon completion, application forms including applicable supporting documentation are to be submitted to Council's Recreation Unit via one of the following options:

- *Email:* recreation@glenelg.vic.gov.au
- *Mail:* Glenelg Shire Council, Attention: Recreation, PO Box 559, Portland, Victoria, 3305
- *Hand delivered* to a Glenelg Shire Council Customer Service Centre:
  Portland, 71 Cliff Street
  Casterton, 67 Henty Street
  Heywood, 77 Edgar Street

COUNCIL POLICY

TITLE:	Recreational Reserves and Recreational Facilities Pricing Policy
ID NUMBER:	CPO-COM-REC-005 DocSetID: 2782903
DEPARTMENT:	Community Services
UNIT:	Community Wellbeing
RESPONSIBLE OFFICER:	Manager Community Wellbeing

ADOPTED DATE AND BY WHOM:	Council 22 March 2022
EXPIRY DATE:	21 March 2026
REVIEW DATE:	This policy will be reviewed every four years or as required by any legislative or council changes.

AVAILABILITY:	Organisation wide	Yes ☒	No ☐
	Public	Yes ☒	No ☐
	Internet	Yes ☒	No ☐
ADVISE AVAILABILITY:	Media Release	Yes ☒	No ☒
	Sou Wester (Responsible Officer to prepare article)	Yes ☐	No ☒

(This document is uncontrolled when printed)

1. References

Glenelg Shire Council Recreational Reserves and Recreational Facilities Access Policy (Doc SetID: 2782902)

Glenelg Shire Council, Records Management Policy OPO-CORPS-RECM-001 (DocSetID: 1933907)

Glenelg Shire Council Recreational Reserves and Recreational Facilities Licenced Users Incentivisation Organisational Procedure OPO-COM-REC-001 (DocSetID: TBA – Under Development)

Glenelg Shire Council Annual Fees and Charges Schedule (https://www.glenelg.vic.gov.au/Our-Council/Publications-and-Budgets/Annual-Budget-and-Reports)

Special Conditions for Use of Glenelg Shire Council Recreational Reserves and Facilities (Licence Use) (DocSetID: 3089901)

Special Conditions for Use of Glenelg Shire Council Recreational Reserves and Facilities (Lease Use) (DocSetID: 3089966)

Glenelg Shire Council Conditions of Hire - Casual Use of Council Recreation Reserves and Pavilions (DocSetID: 2459087)

Glenelg Shire Council Plan 2021-2025 (DocSetID: 3001483)

Glenelg Shire Municipal Health and Wellbeing Plan 2021-2025 (DocSetID: 2863283)

Active Your Way Glenelg Sport and Active Recreation Plan (DocSetID: 2560778)

2. Purpose

This policy outlines how fees and charges for use of Council owned or managed recreational reserves and recreational facilities will be determined. The policy contributes to the achievement of strategic outcomes identified in the *Glenelg Shire Council Plan*, the *Glenelg Shire Health & Wellbeing* Plan and the *Active Your Way Glenelg Sport & Active Recreation Plan* by supporting the ongoing availability of recreational reserves and recreational facilities.

The following guiding principles identified by Council have informed the development of the policy:

- **Sustainable Provision of Facilities and Services**
  Recreational reserves and recreational facilities should be kept in good condition to support a wide range of uses. Maintenance costs and service levels must be sustainable.

- **Equity of Access**
  Access to recreational reserves and recreational facilities will occur on equitable terms. Access fees will be determined in a consistent manner with reference to the quality of the reserve or facility, the type of use, the type of access arrangement and the level of service provided by Council.

- **Fostering Participation**
  Council will prioritise uses that promote participation in sport and active recreation. Incentives may be offered to encourage uses that contribute to the strategic outcomes established in the *Glenelg Shire Council Plan*, the *Glenelg Shire Health & Wellbeing* Plan and the *Active Your Way Glenelg Sport & Active Recreation Plan*.

- **Inclusive Environments**
  Council is committed to improving health and wellbeing outcomes for all residents of Glenelg Shire. Users of our recreational reserves and recreational facilities should provide opportunities to participate in sport and active recreation regardless of age, gender or ability.

- **Shared Use of Facilities**
  Council will seek to maximise the use of recreational reserves and recreational facilities through shared use arrangements where appropriate.

This policy should be read in conjunction with the *Recreational Reserves and Recreational Facilities Access Policy* and the *Special Conditions for Use of Glenelg Shire Council Recreational Reserves and Recreational Facilities*.

3. Scope

3.1 Application

3.1.1 This policy applies to:

a) Recreational reserves and recreational facilities owned by Council; and

b) Recreational reserves and recreational facilities managed by Council as Committee of Management pursuant to the Crown Land (Reserves) Act 1978; and

c) Buildings, structures, landscaping, infrastructure or other improvements at recreational reserves and recreational facilities including:

- Sports pavilions, club rooms, change rooms, sheds or other buildings;
- Sports grounds, lawns, greens, courts or other playing surfaces;
- Pools and aquatic facilities;
- Tracks and circuits; and
- Training areas and facilities.

3.1.2 This policy also applies to:

a) Applications for a licence, lease or casual hire agreement for recreational reserves and recreational facilities owned or managed by Glenelg Shire Council;

b) Licensed users of recreational reserves and recreational facilities owned or managed by Glenelg Shire Council;

c) Tenants of recreational reserves and recreational facilities owned or managed by Glenelg Shire Council;

d) Casual hirers of reserves and recreational facilities owned or managed by Glenelg Shire Council; and

e) Council officers administering recreational reserves and recreational facilities owned or managed by Glenelg Shire Council.

4. Council Policy

4.1 Determination of Fees

4.1.1 Licence and / or Lease Access Fees

4.1.1.1 Council will have regard for each of the following criteria when determining fees for licensee and / or leasee access to recreational reserves and recreational facilities:

a) Quality of recreational reserves and recreational facilities

The fee charged for access to better quality recreational reserves and recreational facilities will generally be higher than the fee charged for access to more basic recreational reserves and recreational facilities.

b) Type of use

The fee to use recreational reserves and recreational facilities for community, sport and active recreational activities will generally be lower than the fee to use the same recreational reserves and recreational facilities for personal, business, or commercial activities. While recreational reserves and recreational facilities may be available for some personal, business, or commercial uses, Council does not generally subsidise these activities through discounted access fees.

c) Type of occupancy arrangement

The fee for exclusive use of a recreational reserve or recreational facility will generally be higher than the fee for shared use of the same reserve or facility. The key features of different occupancy arrangements are outlined in the Recreational Reserves and Recreational Facilities Access Policy.

d) User contributions

The access fee charged to a user group that has made significant contributions to the development and maintenance of the recreational reserve and recreational facilities they use will generally be lower than the access fee charged to a user group that has not made such contributions. Significant contributions may include financial or in-kind contributions to the construction, maintenance or renovation of pavilions and other buildings. Fee reductions will be at the discretion of the Recreation Coordinator who governs and manages the contributions of user groups.

4.1.1.2 Council may have regard for other relevant considerations when determining fees for licensee and / or leasee access to recreational reserves and recreational facilities.

4.1.1.3 Further information regarding the classification of recreational reserves and recreational facilities to reflect overall quality and the intensity of Council maintenance provided is provided in Appendix A.

4.1.2 Casual Hire Access Fees

4.1.2.1 Casual hire fees for Council's recreational reserves and recreational facilities are outlined within Council's annual Fees and Charges Schedule. For current casual hire fees refer to Council's website (https://www.glenelg.vic.gov.au/Our-Council/Publications-and-Budgets/Annual-Budget-and-Reports).

4.2 Fee Incentives

4.2.1 At its absolute discretion, Council may reduce the access fee payable by community sports clubs or other not for profit organisations that conduct activities for the purpose of increasing participation amongst population groups that are under-represented in sport and active recreation; and/or

4.2.2 Comply with the incentivisation criteria measures as identified within the Recreational Reserves and Recreational Facilities Licenced Users

Incentivisation Organisational Procedure (DocSetID: TBA – under development).

4.3 Fee Revisions

4.3.1 Access fees for recreational reserves and recreational facilities will be reviewed annually by Council's Recreation Coordinator. Council's Recreation Coordinator may implement Fee Revisions that reflect changes in criteria included at section 4.1 and section 4.2 of this policy, and movements in the Consumer Price Index (CPI).

4.3.2 Any Fee Revisions other than those outlined within 4.3.1 must be approved by Council.

5. Reviews

Applications for reconsideration or review of a decision made pursuant to this policy must be made in writing to Council's Recreation Coordinator.

The quality of recreational reserves and recreational facilities will help to determine appropriate access fees. In general, the fee charged for access to better quality recreational reserves and recreational facilities will be higher than the fee charged for access to more basic reserves and facilities.

Sports pavilions and playing surfaces will be categorised to reflect their overall quality and the level of amenity available to user groups. It is acknowledged that pavilions and playing surfaces may not fit entirely within a single category; in these cases, recreational reserves and recreational facilities will be assigned to the category that best describe their overall quality and the amenities available.

6. Records Management

All Council records created and managed as a result of implementing this policy will be managed in accordance with the Council's Records Management Policy.

The Records Management Policy assigns responsibilities for records management to employees, supervisors, volunteers, and other specific positions.

No Council records are to be destroyed without consideration of the requirements of the Act(s) that govern the functions relevant to this policy. Prior to destruction, advice must be sought from the Records Management Unit, with consideration to the requirements of the appropriate Retention and Disposal Authority (RDA).

7. Appendix

APPENDIX A - Recreational Reserves and Recreational Facilities Classifications

Sports Pavilions / Clubrooms / Buildings				
	Premier Level	Level 1	Level 2	Level 3
Social rooms / multipurpose rooms	Extra Large	Large	Medium / Small	None
Change facilities	Separate / All abilities accessible facilities	Separate change facilities	Limited change facilities	No change facilities
Kitchen / canteen	Included – Commercial Kitchen	Included	Limited	None
Bar facilities	Included	Included	Limited	None
Toilet facilities	Included – All abilities accessible	Included	Shared	Public / None
Additional facilities (e.g.: office space, outdoor deck, trainers' rooms, umpires' rooms, etc.)	Included	Included	Limited	Shared / None
Overall building condition	Excellent	Excellent	Good	Basic

Sports Surfaces - Sports Fields, Lawns, Greens, Pitches & Tracks				
	Category A	Category B	Category C	Category D
Cricket wicket (if applicable)	Turf	Synthetic / Concrete	Synthetic / Concrete	None
Irrigation (if applicable)	Automated irrigation system	Manual irrigation system	Hand watering	None
Drainage	Subterranean	Limited subterranean / perimeter	Perimeter	None
Floodlighting	Competition / LED	Training	Limited	None
Quality of sports surface	High	Medium	Medium - Low	Low
Quality of supporting infrastructure (e.g. scoreboards, coaches' boxes, benches, etc.)	High	Medium	Medium - Low	Low

Courts & Other Miscellaneous Surfaces or Infrastructure		
	Category E	Category F
Indoor / outdoor	Indoor / Indoor & Outdoor	Outdoor only
Court / surface	Timber / Hardcourt / Grass	Asphalt / Concrete / En Tout Cas
Drainage (if applicable)	Subterranean / Perimeter	Limited perimeter / None
Floodlighting	Competition / LED	Training / None
Playing surface quality	High	Medium / Low
Fencing / Stalls	Fully enclosed	Limited / None

Alexandra Park Pavilion
Proposed 2023/2024 Casual Hire Fees

Fee Code	Area	Fee Description	Unit of Measure	GST (Y/N)	FY2023/24
FVR004	Facilities and Venues for Hire – Alexandra Park Pavilion	Recreation Reserves – Glenelg Shire – Alexandra Park Pavilion Function Room – Hourly Rate (minimum hire 2 hrs)	Each	Y	$40.00 per hour
FVR005	Facilities and Venues for Hire – Alexandra Park Pavilion	Recreation Reserves – Glenelg Shire – Alexandra Park Pavilion Function Room – Half Day Rate (max 5 hours)	Each	Y	$175.00
FVR006	Facilities and Venues for Hire – Alexandra Park Pavilion	Recreation Reserves – Glenelg Shire – Alexandra Park Pavilion Function Room – Full Day Rate	Each	Y	$350.00
FVR007	Facilities and Venues for Hire – Alexandra Park Pavilion	Recreation Reserves – Glenelg Shire – Alexandra Park Pavilion Function Room – Kitchen Use (Per Day Rate)	Each	Y	$35.00

14.12. ARTS & CULTURE ACTION PLAN 2023/2024

Director: Jayne Miller, Director Community Services

Executive Summary

The Arts and Culture Action Plan 2023-2024 is attached for adoption.

The Arts & Culture Action Plan 2023-2024 is an action item of the Council Plan 2021-2025, and a 'road map' for delivery of the Arts & Culture Strategy 2022-2026, which was developed after community consultation and engagement.

This one-year action plan provides an outline of expected achievements for the 23/24 Financial Year and is designed to be a document to communicate shared direction for Council and community. It will be available on the Glenelg Shire Council website.

Recommendation

That Council adopts she Arts & Culture Action Plan 2023/2024.

Background/Key Information:

The Council Plan 2021-2025 describes 'Arts & Culture Strategy Implementation' as one of its priority projects. An Action Plan has been developed to activate the Strategy and foster greater transparency and relationships with the community.

The Arts & Culture Strategy (2022-2026) identifies six focus areas, and the Action Plan outlines 21 deliverables based on these focus areas. A confirmed measure is outlined, with an anticipated measure provided for the following year to indicate potential future development. The Action Plan will be refreshed in preparation of each new financial year, aligning the plan to the annual budget cycle for delivery.

To support additional Council strategies overseen by the Arts & Culture unit, a Cultural Collections Action Plan and Public Art Action Plan have been proposed, which would be completed in a comparable manner to the Arts & Culture Action Plan. The separation of these subject areas into three action plans aligns with the existing three council strategies and future proofs the activities of the Arts & Culture unit for subsequent industry-standard developments.

a. Council Plan and Policy Linkage

Our Education, Employment and Industry - Adapting and growing a diverse economy to embrace employment of the future and educational opportunities.

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well planned neighbourhoods.

b. Legislative, Legal and Risk Management Considerations

N/A

c. Consultation and/or communication processes implemented or proposed

This Action Plan has been prepared to activate the Arts & Culture Strategy (2022-2026) which was developed in line with the Glenelg Shire Council Community Engagement Policy.

d. Financial Implications and Collaboration

All financial implications have been considered in the 23/24 budget with existing staffing levels.

e. Governance Principles

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The municipal community is to be engaged in strategic planning and strategic decision making.

Innovation and continuous improvement is to be pursued.

Attachment List

1. GSC A&C Action Plan 2023-2024 [**14.12.1** - 13 pages]



Arts & Culture Action Plan (2023/2024)

Glenelg Shire Council



Your feedback is welcome

If you'd like to discuss this plan, please contact the relevant Council officer below, or reach out to the general email address to see how you can get involved or stay informed.

Arts & Culture Manager – Lauren van Katwyk
Email: lvankatwyk@glenelg.vic.gov.au
Phone: (03) 5522 2301
General email: arts@glenelg.vic.gov.au
Web: www.glenelg.vic.gov.au/artsandculture

Acknowledgement of Country

Glenelg Shire Council respectfully acknowledges the Gunditjmara, Jardwadjali in the north and Boandik to the west as the Traditional Owners of the land that the Glenelg Shire encompasses.

Aboriginal and Torres Strait Islander People provide an important contribution to Australia's cultural heritage and identity.

We pay our respects to the Aboriginal and Torres Strait community living throughout the Glenelg Shire and we thank them for their significant contributions to life in Glenelg.

Accessibility

If you would like to receive this publication in an accessible format, please contact Glenelg Shire Council Customer Service on (03) 5522 2200, using the National Relay Service 13 36 77, or email: enquiry@glenelg.vic.gov.au.



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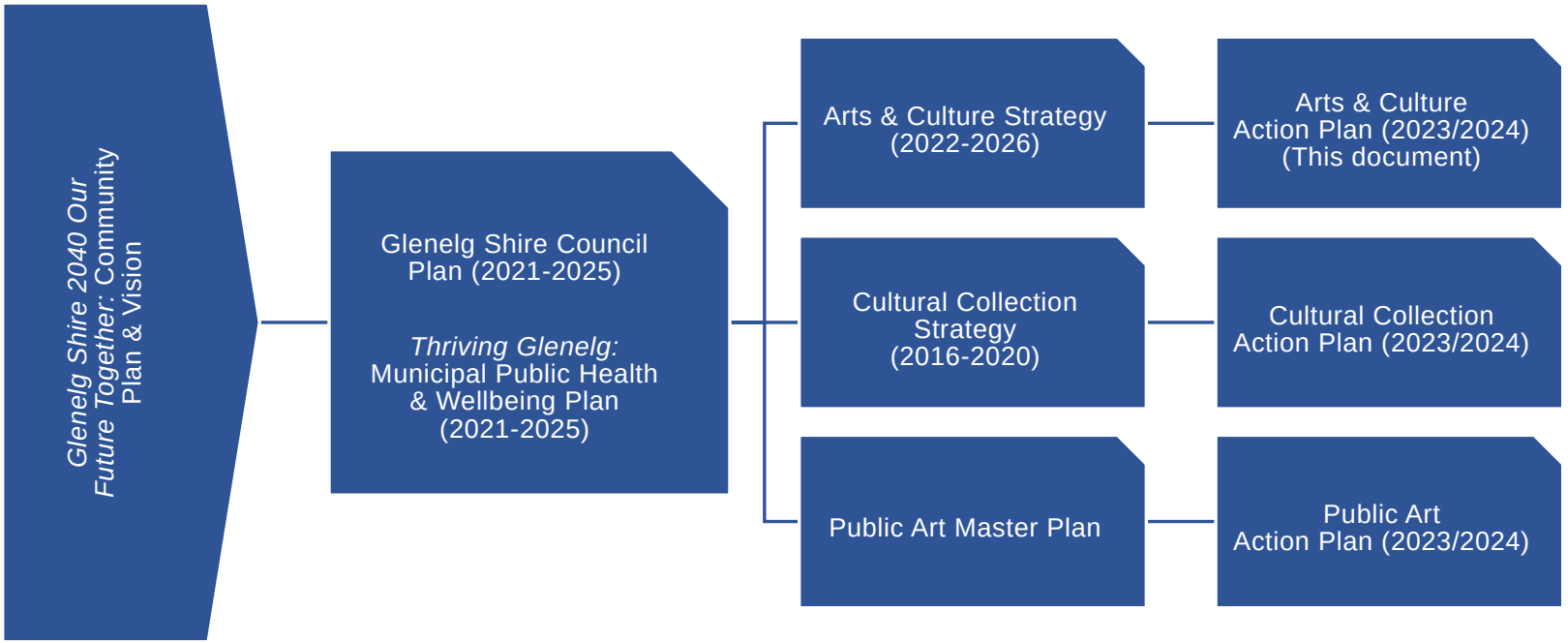
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Image Acknowledgements: All photographs by Damian Goodman, of Portland Arts Centre 2023 Season Launch event, 19 November 2022. Work of art detailed on cover page: Liam COOK *'Anger'* (2022) acrylic and spray paint on canvas. Guitarist featured left: David Cosma.

Strategic Alignment



Relevant themes and priorities from: *2040 Our Future Together:* Community Plan & Vision

Our industry, education and employment	
Priority 5: Willingness to explore alternative business practices.	5.1: New business start-ups using contemporary or cutting-edge practices and business awards for innovation.
Priority 6: Supporting our youth and retaining our population.	6.2: Expand programs, initiatives, and curriculum at local schools.
Priority 7: Capitalise on economic growth through tourism.	7.1: Increase the number of visitors per year. 7.1.1: Grow event tourism by better promotion of activities and events across the Shire. 7.1.3: Rejuvenate local towns with food, wine, cycling and artisan trails across the Shire. • Continuing to extend the Kelpie Trail around Casterton, explore development of the Rail Trail from Casterton to Sandford and Merino. • Expanding the arts trail throughout the shire.
Our lifestyle, neighbourhoods and culture:	
Priority 17: Invest in our appearance and protect our history.	17.1.1: Encourage the beautification and strengthened identity of townships, e.g. • Street art and public art. 17.1.2: Protect and maintain Indigenous and European settlement heritage sites and historic buildings. 17.1.3: Support the activation of vacant or empty shop fronts through temporary use of properties by artists, small businesses or through promotion and celebration of local produce. 17.1.4: Recognise and honour Indigenous history and culture of the area: • Providing storytelling opportunities. • Identify public art opportunities. • Sharing both histories side by side, First Nation along with European settlement. • Celebrating history through public events.

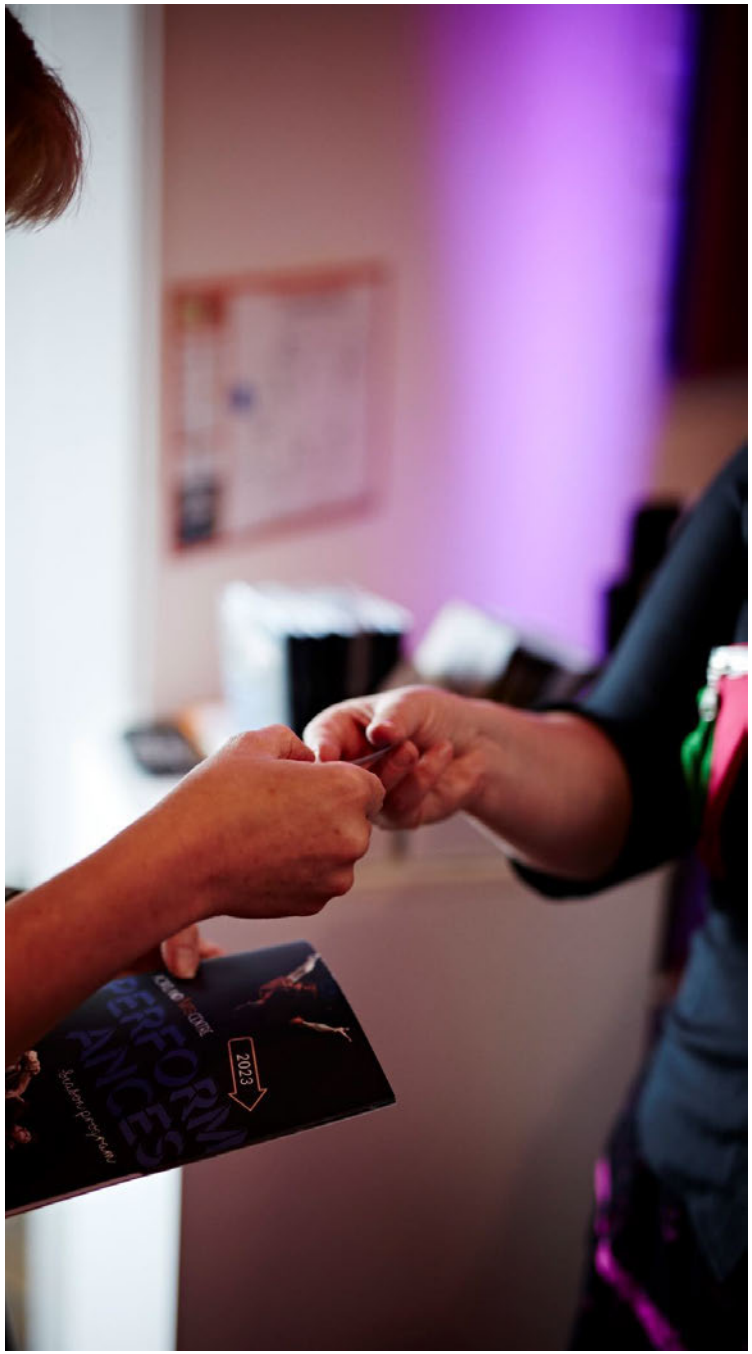
Priority 18: Well-maintained facilities allow further public use.	18.1.1 Ensure our public amenities and community spaces are well maintained and responsive to current recreational trends and community needs. 18.2.2 Support community organisations running community events and activities through training and in-kind support. 18.2.3 Expand upon structured and unstructured recreational, entertainment and art opportunities, especially for young people.

Relevant visions from: *Thriving Glenelg:* Municipal Public Health & Wellbeing Plan

Our community vision is
By 2040, Glenelg Shire is known as a very liveable region of Australia, featuring rich Indigenous heritage, outstanding natural beauty, and providing access to diverse economic and educational opportunities.
Our health & wellbeing vision is
Glenelg Shire is a thriving, resilient, connected, and safe community where all residents can access appropriate services and fully participate in all life has to offer.

Relevant themes and priorities from: Council Plan 2021-2025

Our education, employment, and industry
We aim to support our local businesses to increase their vitality and prosperity, explore alternative and innovative business practices, support our youth and retain our population, capitalise on economic growth through tourism and encourage diverse employment opportunities.
Our lifestyle, neighbourhood and culture
We aim to invest in our appearance and protect our history, ensure our facilities are well maintained and enable possibilities in the use of land while protecting the natural environment.



Arts & Culture Action Plan

Our goal

To strengthen connected and inspiring creative Glenelg Shire communities. Achieving this will create healthy and well communities, safe, engaged, and inclusive communities, experiences to enrich community life [and] enhanced relationships with the traditional owners of the region. (Arts & Culture Strategy)

How to read this plan

The Arts & Culture Strategy identifies six focus areas. Our plan is broken into these areas.

This is a one-year action plan. A confirmed measure is outlined with an anticipated measure provided for the following year to indicate potential future development. The plan is based on financial year, in alignment with Council budgets.

We will focus on three metrics for evaluation:

goal-based *(did we achieve the objective/project?)*
process-based *(have improvements been identified and implemented?)*
outcome-based *(what are the broad implications/impacts? Has feedback been sought?)*

Reporting

An Arts & Culture Evaluation/Progress Report will be developed each year, tracking achievements against the action items in this plan. Arts & Culture reporting is included in the Council Annual Report and the Council Plan Quarterly Report.

Focus area 1: Increase recognition of First People's cultural heritage

Outcome: First People's culture is visible, heard and celebrated.

Action	Confirmed Measure 2023/2024	Anticipated Measure 2024/2025	Evaluation Metric
Present work for and by First Nations people, through music, theatre and dance.	Performing arts program will include two or more events/projects with First Nations focus per annum.	Maintain programming target. Cultural Awareness training for Arts & Culture staff. Expand connection and engagement with First Nations audiences.	Goal-based Process-based
Establish an annual development grant to support local First Nations creatives to develop new bodies of work and present them to an audience.	Consult with community to confirm need. Develop the grant program with input from stakeholders. Confirm long-term budget feasibility.	Roll out inaugural grant round. Support successful creative through real-life professional experiences in the lead up to presenting their work. Presentation of work incorporated into Council's regular Arts & Culture program.	Outcome-based
Review and streamline administrative structures supporting Arts & Culture: key performance indicators/metrics.	Strategic review of all services provided by Arts & Culture. Establish KPIs and metrics for measuring success to create a baseline for future growth.	Establish performing arts programming committee that is informed by KPIs and implemented with representatives from across the community.	Process-based

Focus area 2: Nurture our young creatives through cultural opportunities

Outcome: Young people's creativity is supported and valued.

Action	Confirmed Measure 2023/2024	Anticipated Measure 2024/2025	Evaluation Metric
Collaborate with the Youth Team to present Theatrepalooza (Sept-Nov 23).	Improve promotion. Increase participation.	Evaluate the project to confirm ongoing presentation. Explore regular after school options or alternative delivery models based on need.	Goal-based Outcome-based
Deliver appropriate opportunities for local school-aged audiences to access performing arts at council venues.	One school-aged audience appropriate show delivered each term for primary-aged students. Establish feasibility of novel or specialised ticket sales strategies which entice young audiences.	Establish a grant-funded audience-development project and seek funds.	Goal-based Process-based
Nurture individual young people through professional experiences and opportunities.	Maintain provision of paid Trainee work program across Community Services. Offer Arts & Culture work experience placement for at least one local school student.	Maintain provision of placement. EOI process for youth-led 'start-to-finish' professionalised creative project, providing new opportunities and experiences for young artist/s.	Goal-based

Focus area 3: Develop the unique culture, heritage and stories

Outcome: the depth of the shire's rich history is celebrated, maintained, and progressed in a contemporary context.

Action	Confirmed Measure 2023/2024	Anticipated Measure 2024/2025	Evaluation Metric
Strengthen and consolidate policy and procedural documents with a focus on streamlining processes.	Update policy and procedure documents relating to Arts & Culture.	Public Engagement: Arts & Culture Strategy 2026-2030. Development of the next strategy required.	Process-based
Present an annual season of performing arts that reflects the lives and interests of our community.	Maintain provision of high-quality performing arts program. Maintain venues and technical equipment.	Maintain provision of high-quality performing arts program. Maintain venues and technical equipment.	Goal-based Process-based
Improve offerings for the community – private function hire and community venue use.	Review venue hire governance across the shire to support community/NFP access to spaces and review hire agreements for technical support improvements.	Review and enhance private function hire processes and customer experience. Develop tiered service provision according to customer need.	Goal-based Outcome-based
Streamline and develop promotional strategies that are relevant for our community.	Hardcopy offerings for the community are evaluated and improved. Support usage of Digital Glenelg App.	Refresh digital presence by reviewing assets to create uniformity and alignment.	Goal-based

Focus area 4: Cultivate activation in our creative spaces

Outcome: A Shire with diverse, inclusive programming and a community connected to our spaces and cultures.

Action	Confirmed Measure 2023/2024	Anticipated Measure 2024/2025	Evaluation Metric
Work collegiately with colleagues from across council to improve service provision for the community.	Establish at least one 'quick win' opportunity creating synergies and alignment for service provision collaboratively across Council units.	Look for opportunities to support writers in South-West Victoria/partner with Glenelg Libraries.	Outcome-based
Champion renewal of Council's Arts & Cultural venues.	Investment Logic Roadmap for Creative Precinct.	Establish an Arts & Cultural venues maintenance and renewal plan. Seek external funding to add value to the Shire.	Outcome-based
Support community engagement with Council's Community Grants program.	Establish relevant local information on auspicing to share with community to enable informal groups and individuals to access grants program supported by an auspicer.	Evaluate feasibility of targeted approaches which support capacity building and professional development for early-career creatives, and/or increased participation for a targeted demographic, e.g. First Nations or Culturally and Linguistically Diverse (CALD).	Process-based Outcome-based

Focus area 5: Support and develop our creatives to thrive

Outcome: A flourishing and inspiring creative community in our shire.

Action	Confirmed Measure 2023/2024	Anticipated Measure 2024/2025	Evaluation Metric
Support Portland History House through existing formalised agreement.	Maintain relationship with user group. Refresh digital presence across Council assets and additional sites, e.g. directories.	Explore options for improved building signage. Support History House in the delivery of updated hardcopy collateral.	Process-based
Support Julia Street Creative Space Inc through existing formalised agreement.	Maintain relationship with user group. Arts & Culture Manager to attend meetings.	Focus on 'next gen' audience development projects.	Outcome-based
Support Council for Encouragement of Music and the Arts (CEMA) through existing formalised agreement.	Maintain relationship with user group. Neaten and professionalise experience for user group at the PAC venue (back of house).	Explore options for expansion of CEMA productions at other Council venues.	Outcome-based
Support formal and informal groups across the community as needed.	Provide bespoke support and advice to community groups across the shire.	Identify new opportunities for development of groups and collectives, with a focus if possible outside Portland.	Outcome-based

Focus area 6: Use arts and culture to connect the community and inspire ideas

Outcome: A community which is connected, informed, engaged, and inspired.

Action	Confirmed Measure 2023/2024	Anticipated Measure 2024/2025	Evaluation Metric
Reactivate Arts & Culture engagement in Glenelg Shire post-pandemic.	Assessment and evaluation of performing arts program to establish a new baseline.	Audience gaps/areas of improvement identified, leading to targeted programs to improve service delivery.	Outcome-based
Connect our shire's residents with new opportunities to expand their cultural experiences.	Explore ticket options which encourage the community to explore and try new types of performances.	Explore transport options as part of ticket sales which connect audiences from across the shire to performances.	Process-based
Streamline approaches to electronic marketing and add value to PAC Membership.	Database cleanse (online and hardcopy) reviewing costs and return on investment.	Explore options for Membership Program growth/new initiatives.	Process-based
Work with Regional Arts Victoria in the delivery of the South-West Creative Industries Strategy.	Implement the Strategy, (available at: www.rav.net.au).	Establish ongoing regional and strategic relationships.	Goal-based

14.13. MAV NPN CONTRACT 1.17 FUEL AND LUBRICANTS EXTENSION

Director: Stuart Husband, Director Assets

Executive Summary

This report seeks Council approval to extend the current contractual arrangements with WEX Motorpass via the MAV Contract NPN 1.17 Fuels and Lubricants.

Recommendation

That Council:

1. **Extends the contractual arrangements with WEX Motorpass via the MAV Contract NPN 1.17 Fuels and Lubricants; and**

2. **Authorises the Director Assets to complete all financial payments and documents relating to this contract.**

Background/Key Information:

In August 2018 Council entered into a three (3) year initial contract plus extension options of two (2) by one (1) year for fuel and lubricants. The commencement date being 1 February 2017 with an expiry date of 31 January 2022.

A special extension will be applicable for Municipal Association of Victoria (MAV), up until the 31 January 2024 or until the scheduled tender is finalised and the new contract commences, whichever is the earliest. Subsequently, the extension of the current arrangement has been sought to enable MAV Procurement and Council staff sufficient opportunity to analyze and report on any new contract outcomes over the next financial year.

Under the current procurement legislation, the aggregate spend of $993k, now requires Council resolution to continue with the Fuels and Lubricants contract with WEX Motorpass.

Council operates and maintains various light fleet, plant and specialist machinery to deliver services within the Shire. This machinery relies on petroleum, distillate and lubricants for overall functionality.

a. Council Plan and Policy Linkage

   Our Access, Transport and Technology - Making it easier for people to connect in and around the Glenelg Shire.

b. Legislative, Legal and Risk Management Considerations

   All legal and legislative requirements have been considered.

c. Consultation and/or communication processes implemented or proposed

Councils Director of Assets, Works Manager and Contracts units have been consulted as part of the contract review process.

d. Financial Implications and Collaboration

Cost for the provision of the services for this contract will be incorporated within adopted budgets.

e. Governance Principles

The transparency of Council decisions, actions and information is to be ensured.

Collaboration with other Councils (section 109 *Local Government 2020*) and Governments and statutory bodies is to be sought along with Financial and Resource Implications and Opportunities.

Attachment List

Nil

15. CONFIDENTIAL REPORTS

Nil.

16. URGENT BUSINESS

17. CLOSURE OF COUNCIL MEETING