

AGENDA - Murrindindi Environment Advisory Committee				File: 58/03/16	
Date	11 Dec 2012	Time	1:30pm	Location	Yea Council Chambers
Attendance		Roger Cook, Rita Seethaler, Steve Meacher, David Wakefield, Robert Chaffe, Michael Chesworth, Zoe Stephens.		Apologies	Cathy Olive, Nigel Waterhouse, John Coyne, Cris Ruhr, John Kennedy, Ann Jelinek
Item	Description of Issue	Action	Who	When	
	Minutes of Meeting held: 9 October 2012	Accept minutes- David Wakefield Seconded – Michael Chesworth			
1.	<p><u>Welcome and Update From General Manager:</u></p> <ul style="list-style-type: none"> Ministerial Visit – Toolangi <p>There are a range of issues currently at play in relation to the logging in Toolangi which may result in the minister’s office reviewing their response to our invitation to visit Toolangi and Leadbeater Possum. These include:</p> <ul style="list-style-type: none"> Currently the Parliament of Australia has recently released Terms of Reference into an inquiry into the “effectiveness of threatened species and ecological communities” protection in Australia CSIRO potentially evaluating latest science to raise classification of Leadbeater from endangered to critically endangered. Concerns about the effectiveness of current environmental management plans in place to protect the habitat of Leadbeater Possum, but also more generally in relation to protecting threatened species and ecological communities in our Shire. Opportunity to introduce the value of ‘eco-tourism’ into the discussion in relation to the importance of protecting Leadbeater possum habitat – it has potential to bring more visitors and money into the Murrindindi Shire. 	<p>Response: The Committee agreed that Council take no specific action at this point, and to keep a watching brief on issues as they develop over the coming months.</p>	Michael C.	Not required.	
2.	<p><u>Update On Environment Programs</u> Environment Strategy Reality Check Minutes detailed in Item 3 below. Native Vegetation Offsets Developing a business case for Council to consider a range of options to address offsets backlog and the costs associated with adopting them. Also working with our internal operations team to develop a policy and procedure for environmental impact assessments to start happening in capital works project design and delivery. Roadside Management Guidelines We now have an agreed methodology for moving the development of these guidelines forward. A draft document is underway in skeleton form, and it is envisaged that consultation programs will commence around March next year.</p>	<p>Native Vegetation Offsets: Rita mentioned investigating the possibility of linking in with university research programs trialling the protection and management of significant native vegetation sites. Could we use for our offset backlog? Zoe to follow up details from Rita. Roadside Management Guidelines: Consider collecting photos of roadsides where poor practices have occurred to illustrate better ways of managing roadsides in ways that minimises impact on native vegetation. Zoe to follow up with DSE for photos and discuss with Sue.</p>	Zoe S.	By end of week.	

	<p><u>Green Building Program</u> There was noticeable dissatisfaction from members of the Committee over the time it is taking to get a funding agreement signed by both DSE and Council. The project application was submitted in September 2010, and an agreement is yet to be established. The Coordinator Environment Programs committed to following-up with DSE this week to progress an agreement ASAP.</p> <p><u>Green Streetlighting Program</u> The Committee advised that we also use the opportunity pre-application to investigate what the business case looks like for LED technology now available for streetlights that meet Australian Standards.</p> <p><u>DPI Weed and Pest Animal Control Program and Plan</u> Sue has begun engaging contractors on significant roadsides, starting largely on Chilean Needle Grass infestations. DPI has now provided a template for the pest animal and weed control plan in which Sue plans to start working on in the new year.</p>	<p>MEAC members agreed to send through locations or sites they spot which may be seen as good case study examples.</p> <p><u>Green Buildings:</u> Zoe to follow up with DSE.</p> <p><u>Green Streetlights:</u> Rita to provide contact details of Peter McKernan to assess value of LEDs. Zoe to follow up with Goulburn Broken Greenhouse Alliance and consultants.</p>		
3.	<p><u>Environment Policy and Strategy – Seeking your feedback on reality check:</u></p> <ul style="list-style-type: none"> • Do you have any concerns with the process taken to do this review? • Do the headline actions cover everything they should? • What is a priority from a community perspective? • How can we best communicate our strategy to community so we can tell a story about what we are doing and why? <p>The Committee members advised Council officers the following:</p> <ul style="list-style-type: none"> • It is important to unpack the many actions in the Strategy and reconfigure in a way that clearly tells staff what actions that are responsible for. This will help the environment team work to identify priorities and work out how the strategy fits into the workplans of other departments in Council. • To work out how the Strategy can be integrated into the new Council planning process – what are we going to commit to and how we will measure our progress corporately? How can we communicate our corporate goals and the progress we make against these to the community? • When developing our communications strategy, keep communications strategies simple. Set clear objectives around what we will communicate. Get message content and framing right. Make first impressions count by keeping your first communications strong and sound. • Consider tools that cater for a range of audience preferences such as newsletter, monthly columns in newspapers, web based information, face to face. 	<p>The Committee agreed to providing support to Council officers in the development of a communications strategy for environment. Rita has offered to run a session around the psychology of behaviour change in January for Council officers (Michael Zoe, Sue and communications team) to attend. MEAC members also welcome to attend. Zoe will settle date in consultation with Rita.</p>	Zoe S.	End of Dec.

4.	<u>Agency reports</u> <ul style="list-style-type: none"> • Nothing to report. 		
	Next Meeting: and Dates for Next Year 2013	Dates for next year to be distributed and agreed on. February 19 th – 1.30pm – 3.30pm, Alexandra April 9 th – 1.30pm – 3.30pm, Yea June 12 th 1.30pm -3.30pm, Alexandra August 13 th – 1.30pm – 3.30pm, Yea October 8 th – 1.30pm – 3.30pm, Alexandra December 10 th – 1.30pm -3.30pm, Yea	
	The meeting closed at:	3:40pm	



MINUTES
of the
AUDIT ADVISORY COMMITTEE MEETING
held on
THURSDAY 13 DECEMBER 2012
in the
ALEXANDRA COUNCIL CHAMBERS
commencing at
3.00 pm

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SUBJECT TO CONFIRMATION

1. PRESENT/APOLOGIES

Jeff Hunter (Chair)
Margaret Rae, Councillor

In attendance:

Cr J Walsh, Mayor
Margaret Abbey, CEO
Jennifer Lewis, Corporate Services Manager
Stephen Mortensen, Manager Finance
Mark Holloway, H L B Mann Judd
Remy Szpak, VAGO
Ron Mak, VAGO

2. DECLARATIONS OF INTEREST

File No. 12/01/06-1

Nil.

3. CONFIRMATION OF MINUTES

➤ Minutes of Audit Advisory Committee Meeting held on 20 September 2012.

RESOLUTION:

Cr M Rae / J Hunter

That the Minutes of the Audit Advisory Committee meeting held on 20 September 2012 be confirmed, noting the report was tabled in relation to Item 5.1.7.

CARRIED

4. REVIEW OF AND BUSINESS ARISING FROM PREVIOUS MINUTES

4.1 Final Management Letter

(Refer Encl 4.1)

Remy Szpak (VAGO) talked to the final management letter. Note:

Item 2.4.4. Date should read: Second Quarter 2012-13 – by 31 December 2012.

Item 3.4.2 Under Recommendation: Jeff Hunter suggested it should read “that Council will ensure it has a written arrangement” prior to any activity. Further the matter to be included in the Risk Register.

Item 3.5 Excessive leave: The Committee to receive a regular report on the cost and hours of outstanding annual leave.

RESOLUTION:

J Hunter/ Cr M Rae

That a Quarterly report on Excessive leave (greater than 6 weeks) be provided to the Audit Advisory Committee.

CARRIED

4.2 Audit Committee work plan

(Refer Encl 4.2)

The Work plan is attached for reference purposes and update if required.

Noted.

4.3 Internal Audit Plan

At the Executive Management Team meeting on 20 November 2012, the following five reviews were proposed for the 2013 Internal Audit program:

- Review of service planning processes
- Review of Project Management
- Review planning and management processes
- Review of Asset Management Framework
- Review of cash handling procedures

RESOLUTION:

J Hunter / Cr M Rae

That the above Audit program, to begin in February 2013, be approved with the inclusion of "and Disaster Recovery Planning" after the words "Business Continuity Planning" in the program.

CARRIED

4.4 Audit Advisory Committee Charter

(Refer Encl 4.4)

The Charter was last reviewed in 2010 and is listed on the Audit Advisory Committee Annual Plan for review in Quarter 4 (December).

With Margaret Rae's election as Councillor and only one Independent member currently on the Advisory Committee there is a query on whether the number of Independent members on the Committee is workable.

Jennifer Lewis facilitated this discussion, the main points of which were that it be recommended to Council that:

- The number of Independent members on the Audit Advisory Committee be increased to three (3)
- The number of Councillors be increased to two (2 – voting) and the Mayor (or alternate – both nonvoting)
- As per the Charter, an Independent member assumes the position of Chair.

Notation:

Subsequent to the meeting it was suggested the following options also be considered:

- The minimum term of appointment for Independent members be two (2) years with an option of a further one (1) year extension.
- That the rotation of Independent members be staggered to provide continuity and stability.

This matter will be reported with the minutes of the Audit Advisory Committee to the 23 January 2013 Ordinary Council Meeting.

Noted.

5. REPORTS

5.1 Quarterly Financial Statements

(Refer Encl 5.1)

Stephen Mortensen presented the Quarterly Financial Statements.

Cr M Rae requested that with the Quarterly Financial Statements to the Audit Advisory Committee as per the Strategic Resource Plan the following information be provided:

- the underlying result
- the real cash position
- a table of committed funds

Noted.

5.2 Review of Business Continuity Planning and Disaster Recovery Planning

(Refer Encl 5.2)

Mark Holloway provided a summary of this review.

It was recommended that there be a regular desktop exercise to test the Business Continuity Plan.

Noted.

5.3 Follow up – Actions from Internal Audit Reports

(Refer Encl 5.3)

Mark Holloway summarised this report.

It was recommended that an audit of Internal Audit Report actions be presented at the last meeting of each year and be incorporated into the Annual Audit Plan.

Noted.

6. GENERAL BUSINESS AND FUTURE PLANNING

6.1 Annual Assessment of Audit Committee performance

(Refer Encl 6.1a – Committee members)

(Refer Encl 6.1b – Officer Assessments)

This issue was deferred from the 24 November 2011 Audit Advisory Committee.

In January 2012 the Chair circulated three options for consideration and the following resolution was carried:

That Option 3 (from the Government Gazette) be adopted. The template is to be circulated early October to the Audit Advisory Committee members and other regular attendees (M Abbey, Rob Cherry, Jennifer Lewis, the Mayor and the Internal Auditor), to be collated mid October for discussion at the November Audit Advisory Committee meeting.

It was requested that the results of the questionnaire be collated into one document without names and tabled at the next meeting.

6.2 Audit Advisory Committee Annual Report to Council

(Refer Encl 6.2)

As Margaret Rae is now the Councillor representative on the Audit Advisory Committee, Jeff Hunter presented this report to be tabled at the 23 January 2013 Ordinary Council meeting.

7. MEETING DATES - 2013

Currently Audit Advisory Committee meetings are held four times a year on a Thursday afternoon in the Alexandra Chambers. The following dates in 2013 are proposed:

Date	Time	Meeting
Thursday 14 February 2013	3.00 pm	Ordinary
Thursday 30 May 2013	1.00 pm 2.00 pm	Budget Ordinary
Thursday 19 September 2013	3.00 pm	Ordinary *
Thursday 12 December 2013	3.00 pm	Ordinary

* to consider 2012/ 2013 Financial Statements

RESOLUTION:

J Hunter / M Rae

That the meeting dates be approved.

CARRIED

It was requested that a group email invite be sent.

8. GENERAL BUSINESS

Ron Mak tabled and provided some commentary on the VAGO Local Government Results of the 2011-12 Audits report. It was advised that the VAGO program for 2013 will look at:

- rates
- audit committees
- organisational sustainability of small councils.

9. NEXT MEETING

Thursday 14 February 2013 commencing at 3.00pm in the Alexandra Chambers.

There being no further items of Business, the Chairperson declared the meeting closed at 4.45 pm.

CONFIRMED THIS

CHAIRPERSON

SUBJECT TO CONFIRMATION

Permit Application
2 Lot Subdivision
670 Springs Road Caveat

PROPOSED 2 LOT SUBDIVISION FOR A HOUSE LOT EXCISION

670 Springs Road, Caveat

PLANNING PERMIT APPLICATION

INTRODUCTION

This submission is made on behalf of Mr. and Mrs. K. Petersen in support of a Planning Permit application seeking approval to subdivide an existing parcel into two new lots in accordance with the attached plan Reference 3726/1. Mr. and Mrs. Petersen are the owners of a large parcel comprising Lot 1, PS 405331U, and being part of Crown Allotment 36, Section C, Parish of Dropmore. They have lived on the property for some years and wish to continue to do so. [REDACTED]

[REDACTED]. Because of this, the overall size of the property, 58.55ha, is too much for them to look after any more and they wish to dispose of the greater portion of the land so that they may be able to remain there.

They therefore wish to excise a house lot, preferably of about 10ha. The remainder of the land, about 48.5ha, will be able to be sold as a farming property.

It is noted that the planning scheme indicates a preference for a maximum area of 2ha for such an excision. This application is for a substantially larger area for the following reasons:

- The house is set well back from the two roads to the north and south.
- There are two dams in the westernmost part of the property, which provide water for the house, and therefore are deemed to be essential to be in the house lot.
- There is a creek to the east of the house. It is considered desirable to have a loop of the creek within the house lot.
- The owners wish to retain a small area for a few stock animals, and such an area can be made available in the immediate vicinity of the house.
- The remainder of the land, Lot 2 on the proposal plan, about 48.5ha, contains virtually all of the area that is farmed at present. The attached aerial photograph demonstrates this fact.
- The remaining land is substantially larger than the minimum requirement of 40ha.

THE SITE AND SURROUNDS

The subject site is located within the Murrindindi Shire and abuts Springs Road to the south-east and the Caveat-Ruffy Road to the west. The land is described as Crown Allotment 36 (Part), Section C, in the Parish of Dropmore. The subject site has an area of 58.55ha.

The property is surrounded by extensive farming land. The nearest neighbour's house is about 350m to the east, with another two in an easterly direction within a

kilometre or so. Otherwise there are no houses for some considerable distance from that of Mr. and Mrs. Petersen. The current land use is for cropping and a small amount of grazing, and it is the intention of the owners that this will continue to be the case. There is no intention to change the current farming practices. It is our understanding that the Murrindindi Shire Planning Scheme would permit such a subdivision of the land.

Access

Proposed Lots 1 and 2 have direct access from both Springs Road, which is bitumen, and Caveat-Ruffy Road which is a well-formed gravel road.

Purposes of the Farming Zone

The stated purposes of the Farming Zone are:

1. to implement the state and local planning policy framework including the municipal strategic statement and local planning policies;
2. to provide for the use of the land for agriculture
3. to encourage the retention of productive agricultural land
4. to ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture
5. to encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision
6. to protect and enhance natural resources and the biodiversity of the area.

This subdivision does not adversely affect the above purposes as all current use of the land is sustained or enhanced. Although the two lots are being created with different sizes and shapes, they do not have the effect of causing problems with infrastructure.

Decision Guidelines

General Issues

1. It is considered that the proposal complies with the state and local planning policy framework and local planning policies.
2. Catchment and Land Protection Strategy: It is considered that the creation of one extra small house-lot will not alter the status quo with regard to this strategy. All farming is confined to existing grassland areas, so there should be minimal impact on any catchment in the area.
3. The capability of the land to accommodate the proposed subdivision is not considered a problem. The soil type and structure, aspect and contour will not be adversely affected by such a subdivision because we are not changing the status quo in any way.
4. The development fits in with rural land use and natural resource management in so far as there will be no adverse change caused by the development. Any infrastructure will remain exactly the same and all farming activities will be sustained.
5. The proposal fits in with adjoining or nearby land use for grazing or cropping.

Agricultural Issues

1. Farm production will be maintained in identical fashion to the current situation. The loss of 10ha from the main body of the land is considered to be insignificant, because all current farming activity is confined to the proposed Lot 2. It is almost certain that similar farming activities will continue on Lot 2, while minor farming activity will also be undertaken on proposed Lot 1.
2. No land will be lost to agricultural production.
3. The proposed subdivision will not limit the operation or expansion of adjoining or nearby agricultural uses.
4. It is not considered that there will be any adverse impact on the capacity of the site to sustain agricultural use.
5. Soil quality will not change, provided that the farming practices are maintained as at present. There is no reason to think that this will change at all. Access to water and rural infrastructure will not be compromised by the proposed subdivision.
6. Need to prepare an integrated land management plan: N/A
7. The requirements of the existing rural industry will be adequately catered for in the proposed lots despite one of the areas being less than the normally-accepted 40ha. The majority of the land will still be used for agricultural production, exactly as is the case at present.

Dwelling Issues:

1. There is no new dwelling proposed for the site. The existing dwelling is not considered to cause the loss or fragmentation of productive land.

Environmental Issues

1. Much of the land is highly modified grassland with little conservation value.
2. Most of the property is scenic hilly countryside. It is considered that there will be no impact by this subdivision on the character and appearance of that area.
3. The impact of a subdivision of the land is considered to be negligible. There will be no change to soil or water quality.
4. There is no reason to remove any trees on the land as a result of the proposed subdivision. There will be no impact at all on flora and fauna. There is watercourse running through the property but the subdivision will have no impact on any aspect of that or any other vegetation or faunal habitat.
5. Effluent disposal will be retained on site as at present. The septic system was constructed in the 1990's and works well.

Design and Sighting Issues: N/A

Services:

The only services available to the property are the provision of power and telecommunications. Both of these are connected to the existing house and can be made available to the second lot very easily.

Local Planning Policy Objectives

Overlays: There are no overlays affecting this property.

Section 22.01 Housing and House Lot Excisions in Rural Zones

Permit Application
2 Lot Subdivision
670 Springs Road Caveat

The objectives of the planning scheme in this section have been considered and it is felt that the proposed subdivision would not be detrimental to the agricultural use of the land. The house on the land already exists and so we are not concerned with the council policy for new houses.

The proposed subdivision is not for non-rural purposes. The owners want a small area, but enough to continue with minor farming activities. The remainder area is very large at 48.55ha and so it is considered that the proposed excision will not prejudice rural production activities.

The attached plan shows the necessary features and infrastructure, together with the approximate proposed boundaries. The exact boundaries will be determined following survey of the land. No new access tracks are proposed.

Water Infrastructure

Each lot has adequate water supply. The existing house has large water tanks for domestic use as well as the dams in the south-west corner. There is an existing dam on the large Lot 2.

House Lot Excisions

The requirements of this Section have been considered, in particular with regard to the Council's objectives.

It is considered that in all areas bar one, this proposed subdivision complies with the Council's policies. It is admitted that the area of the house lot is substantially more than desired by the Council. However, for the reasons given on page 1 of this submission, it is desirable to create a lot of some 10ha to accommodate the house and its immediate surrounds.

Having considered the above comments, we believe that the proposed subdivision does not contravene any of the provisions and policies of Sec. 22.01 of the planning scheme.

Conclusion:

All other requirements of council policy have been noted and addressed. In general it is considered that the proposed subdivision:

- is consistent with the municipal strategic statement
- is consistent with the purpose of the zone
- has addressed all decision guidelines
- is compatible with surrounding land uses
- will not adversely affect any natural features
- can be serviced by existing infrastructure
- complies with any requirements of the Country Fire Authority

We attach the following documents in support of the proposal:

- Copy of the title to be subdivided
- Plan Ref. 3726/1 showing the existing conditions and proposed subdivision
- Copy of aerial photograph of the property.

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Ref. 3726
Your Ref. 2012/142

19th September 2012

MURRINDINDI SHIRE COUNCIL	DIST. LIST
RECEIVED	MC
20 SEP 2012	
File No. 2012/142	DC 7359

The Town Planner
Murrindindi Shire Council
PO Box 138
ALEXANDRA VIC 3714

ATTENTION MELISSA CRANE

Dear Madam,

**Re: Proposed Subdivision, Springs Road, Caveat
Mr. and Mrs. K. Petersen**

I refer to planning permit Application No. 2012/142 and your letter of 24th August seeking further information.

I now attach a supplementary submission which attempts to answer all queries and extra points raised in your letter. We have done all we can to match the requirements of the planning scheme.

We note that the council is concerned, for good reason, about the potential fragmentation of rural land. However, looking at this particular permit application, we ask the question: Why can't our clients be allowed to remain in the house they have lived in for a considerable time, in an area they love? They are not able to continue to farm the bulk of the land and it would be far better managed in the hands of somebody else. If a purchaser wished to build a dwelling on the large lot, there are several potential house sites, none of which would impinge on agricultural production in any way.

Please contact me if you have any queries at all.

Yours faithfully,
Monger and Tomkinson



Alan Monger



Permit Application
2 Lot Subdivision
670 Springs Road Caveat

**PROPOSED 2 LOT SUBDIVISION FOR A HOUSE LOT
EXCISION**

670 Springs Road, Caveat

PLANNING PERMIT APPLICATION

MURRINDINDI SHIRE COUNCIL	DIST. LIST
RECEIVED	
20 SEP 2012	
File No.	

SUPPLEMENTARY SUBMISSION:

This supplementary submission is made in reply to the letter from Murrindindi Shire of 24th August 2012. This letter required further information in support of the planning permit application for a two lot subdivision for a house excision at 670 Springs Road, Caveat.

Clause 22.01-4: House Lot Excisions

The proposed 10ha Lot consists of land that is used in part for agistment of a neighbour's sheep. The overall property is used partly for this purpose and partly for cropping. The excised lot has about 6ha of usable area, the remainder being rendered unsuitable for any agricultural activity because of a wet gully (which is fed nearly all year from two spring-fed dams) and also various rocky areas, the access track and the house itself.

The whole of the proposed excised lot is rendered remote from the balance of the property by Crystal Brook, a stream that runs across the property with no access crossings. This means that, at present, any machinery or other equipment must be transported by road between the two parts of the property. The main machinery access gate is on the Caveat-Ruffy Road, which is a relatively narrow dirt road.

In answer to point (a) on the letter of 24th August: It is considered to be a logical treatment of the property to excise the house as is proposed – on a lot of 10ha – because of the physical restraints outlined above. It is the intention of the owners to continue with agistment of their neighbour's sheep, although on a reduced scale because of the much smaller area of the lot. Apart from anything else, the continuing agistment will be necessary to keep the grass in order. Perhaps it can be seen as a "Rural-Living" type allotment – it all depends on one's definition. However, the current owners simply wish to remain in their house, using the area around the house in exactly the same way it is used at present, and dispose of the bulk of the land so that somebody else may continue to use it as productive farm land.

In answer to point (b): As stated above, the proposed excised lot is physically separated from the remainder of the property. It is by no means essential for the continued operation of the balance lot.

In answer to point (c): The applicants have approached neighbours regarding the possible purchase of the balance lot. These approaches have been specifically focussed on the possibility of a boundary re-alignment and consolidation of the bulk of the land with another parcel. These approaches have not been successful.

In answer to point (d): The creation of a 10ha lot cannot alter the character of the land – it is only a line on a plan after all. It is admitted that the creation of a new lot of

more than 40ha allows the possibility of another dwelling being constructed on the land. There is no guarantee that this will happen. In the event of an owner wishing to construct a new house on the large lot, the siting of such a house can be restricted in order that it does not intrude on the landscape. There are sites on the proposed large lot that are totally unproductive, being very rocky, and if house sites were to be restricted to these areas, the end result would be that no land would go out of production and the character of the area would remain unchanged. **The attached plan Ref. 3726/2 shows such suitable house sites.**

In answer to point (e): It is considered that the proposed subdivision would have no adverse effect on the ongoing productivity, i.e. sustainable use, of the land. The existing use for cropping and grazing would not be altered in any way. In the event of a house being constructed on the large lot, provided that it were to be built on the rocky unproductive area, there would still be no change to the agricultural sustainability.

Farming Zone: Clause 35.07-6: Dwelling Issues

The following notes are purely speculative as there is no dwelling proposed as part of the subdivision. It is noted that access is available to proposed Lot 2 from both Springs Road and the Caveat-Ruffy Road. Power is available from an existing overhead power line across Lot 2.

As stated above, there are possible house sites that are on land that is unusable for agricultural purposes. Provided that any house is confined to such building envelopes, there will not be any loss or fragmentation of productive agricultural land.

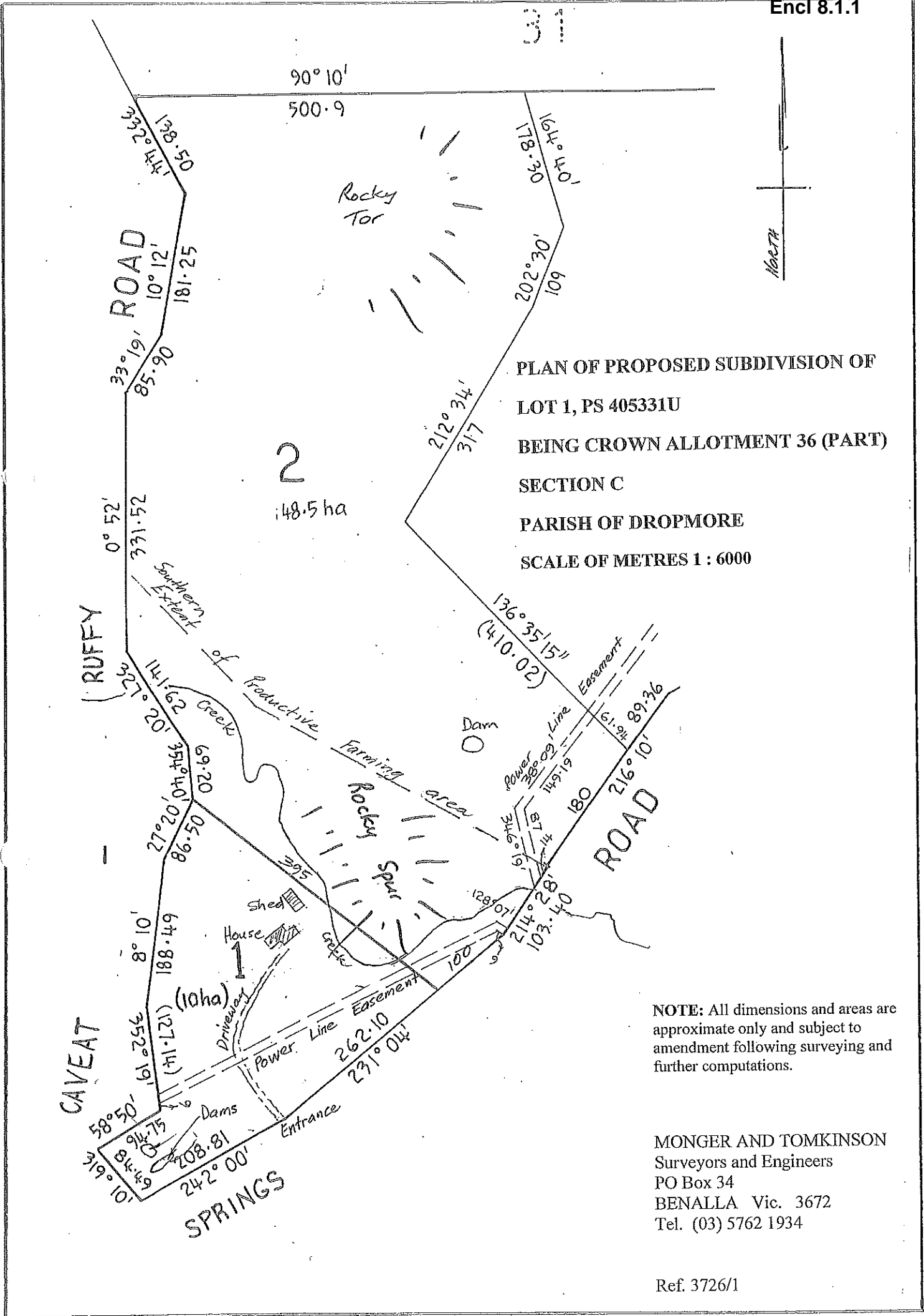
It cannot be stated that a house is or is not reasonably required for the operation of agricultural activity on the land. If the land is acquired by somebody as an extension of his or her property, there will not be any necessity for a house at all. If the land is acquired by a new landowner, it might be considered necessary to construct a house to be able to live on and manage the property.

The size of the proposed large Lot 2 is approximately 48.5ha. It is considered that a site could be found suitable for a new house that would be far enough away from any neighbouring agricultural activity that it would not be adversely affected by such activity. Similarly, siting of a new house would be such to ensure that there would be no adverse impact on adjoining and nearby agricultural uses.

The size of Lot 2 is also large enough that any possible new house would not be seen as a "concentration or proliferation" of dwellings in the area. It is understood that there would need to be a "Section 173 Agreement" drawn up to preclude any further subdivision for house lot excision on proposed Lot 2.

Conclusion:

The proposed subdivision is desired by Mr and Mrs Petersen to allow them to remain living in the house they currently enjoy, in a locality that they love, without the necessity for continuing with substantial farming activity. If they are able to sell off the bulk of the area, it will allow them to remain where they are living, and it will guarantee the continued use of the bulk of the land in a sustainable and productive way. If a new owner wishes to build a house, it is considered that such a house could be sited so as not to be detrimental to the area or to the land's productivity in any way.



PLAN OF PROPOSED SUBDIVISION OF
LOT 1, PS 405331U
BEING CROWN ALLOTMENT 36 (PART)
SECTION C
PARISH OF DROPMORE
SCALE OF METRES 1 : 6000

NOTE: All dimensions and areas are approximate only and subject to amendment following surveying and further computations.

MONGER AND TOMKINSON
Surveyors and Engineers
PO Box 34
BENALLA Vic. 3672
Tel. (03) 5762 1934

Ref. 3726/1

Colin West
P.O. Box 194
Alexandra 3714
Planning application 2012/161

MURKIRIKIRI DISTRICT COUNCIL	
RECEIVED	
15 OCT 2012	
File No. 2012/161	DC 8256

Planning
Encl 8.1.2

The permit has a proposal for two permanent dwellings, and three sheds: a workshop, storage shed and a machinery shed. The primary dwelling will be a ranch style home (proposed plan included), the secondary dwelling will be a two bedroom self contained unit (which will further assist as a multi purpose building), which we plan to have on the property first and live in while we are building the main dwelling. The machinery shed will be 18m x 12m x 4.5m high as will be the storage shed, the workshop will be 12m x 12m x 3.6m high. Access to the property will be via Moir Lane (Aa council maintained road). The effluent system will be a septic tank as recommended by the land capability assessment. Water storage will be in two parts; first will be 2 x 23,000lt tanks for domestic use and a 10,000lt tank solely for CFA use if the need arises with the back up of two dams on the property. Second stage will be a 150,000lt bladder lined steel tank incorporated in with the construction of the primary dwelling.

Our power preference we would like it to be a stand alone solar power system as the closest power pole with a transformer on it is about 350m from the house site. The backup system will be a generator which will also be able to supply 3 phase power if required (mains power is only single phase in the area). Also solar power is very environmentally friendly.

How the dwelling has been designed and sited to,

- (a) Address the impact on the land and neighboring properties in terms of ongoing agricultural activity.

The dwellings and sheds have been designed and sited in all one area as to minimize the loss of productive farming land.

- (b) Address the impact on the native vegetation.

There will be very little impact on native vegetation as the whole property is cleared farming land.

- (c) Address the impact on water courses and drainage lines.

The dwellings and sheds have been designed to sit between two natural water courses with only one pipe being required under the driveway at the boundary line on Moir Lane.

- (d) Address the impact on the rural landscape.

There will be little or no impact to the landscape as we intend to use colors that will blend into the environment and with the planting of native plants this will be further enhanced.

- (e) Have regard to the topography.

The dwellings and sheds are planned to sit on a slight rise which is between the two water courses mentioned above.

How the land is managed and what the land is being used for, considering.

- (f) The type of agricultural activity being undertaken currently and what is proposed for the future.

At present the land is being used as an equine facility with plans of adding cattle in the near future with the hope of becoming primary producers.

- (g) Methods of pest plant and animal control.

We hope to control plant and animal problems with the use of very little or no chemical involvement. Weed removal will be by hand or slashing.

Why the dwelling is required for the ongoing management of the land.

- The dwellings and sheds are very important for the ongoing management of the land as at present the property, stock, machinery and other items required for the management/ upkeep are unprotected and unsecured from the non-presence of anyone living there. There are no

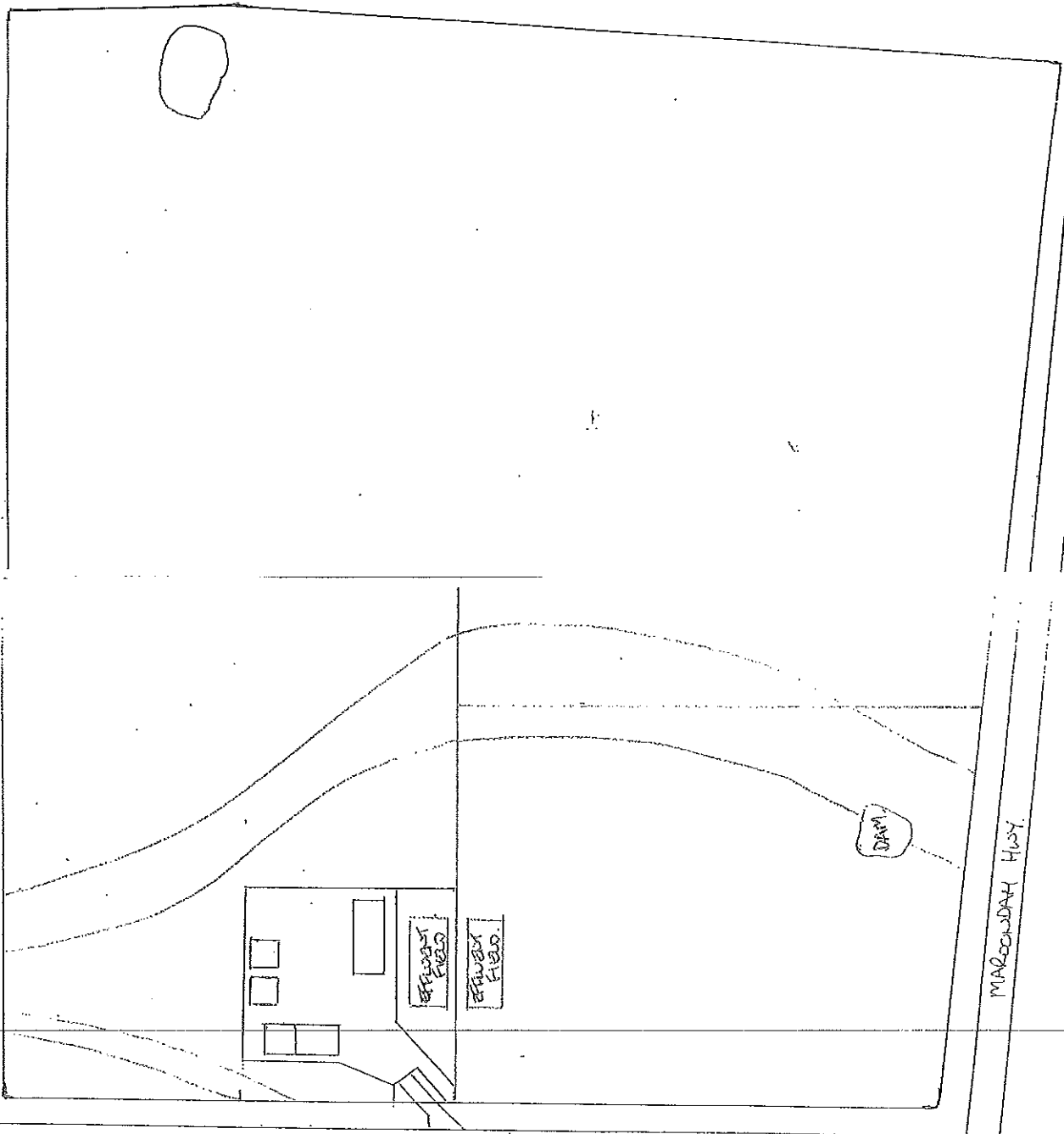
facilities for a fridge to keep drinks cold on hot days, no shelter from the rain, or even a toilet currently on the property. This limits our availability to maximize the success of maintaining and operating the property in any season.

Colin West
P.O. Box 194
Alexandra 3714

This is the additional information required for the application of a planning permit for 20 Moir Lane Acheron.

The permit has a proposal for two permanent dwellings, a shed for a workshop, a storage shed and a machinery shed. The primary dwelling will be a ranch style home (proposed plan included), the secondary dwelling will be a 2 bedroom granny flat which we plan to build first and live in while we are building our house, and will eventually become an onsite multi purpose dwelling. The machinery shed will be 18m x 12m x 5m high, the workshop will be 12m x 12m x 3.6m and the storage shed will be the same size as the workshop.

- The driveway access for the property will be from Moir Lane which is a Council maintained road.
- The effluent system will be a septic tank according to the land capability assessment.
- Water storage will be in two parts:
 - First stage: will be 2 x 23,000lt tanks for domestic use and a
 - 10,000lt tank solely for CFA use if the need arises, also
 - There are two fairly large dams on the property.
 - Second stage, with the construction off the primary dwelling will be the inclusion of a large steel bladder lined water tank with a capacity of approximately 150,000lts
- We have access to mains power from two points, both outside of our boundary, and both about 350m from the house site. We would ideally like to go with a stand alone solar system which is very environmentally friendly.
- The dwellings will be of heritage colours and should blend into the surrounding area and with planting of native plants, this will be further enhanced.
- The sole purpose of the proposed dwellings will be a place to live while we continue the ongoing development of the land. We would ideally like to become Primary Producers growing out beef cattle with a horse stud incorporated.
- The siting of the dwellings and out buildings are situated between two water courses with little or no impact on native vegetation, and all sites should require very minimal excavations.
- The control of weeds and pests will be as natural as possible (little or no chemical use).



WATER COURSE

MOIR LAKE

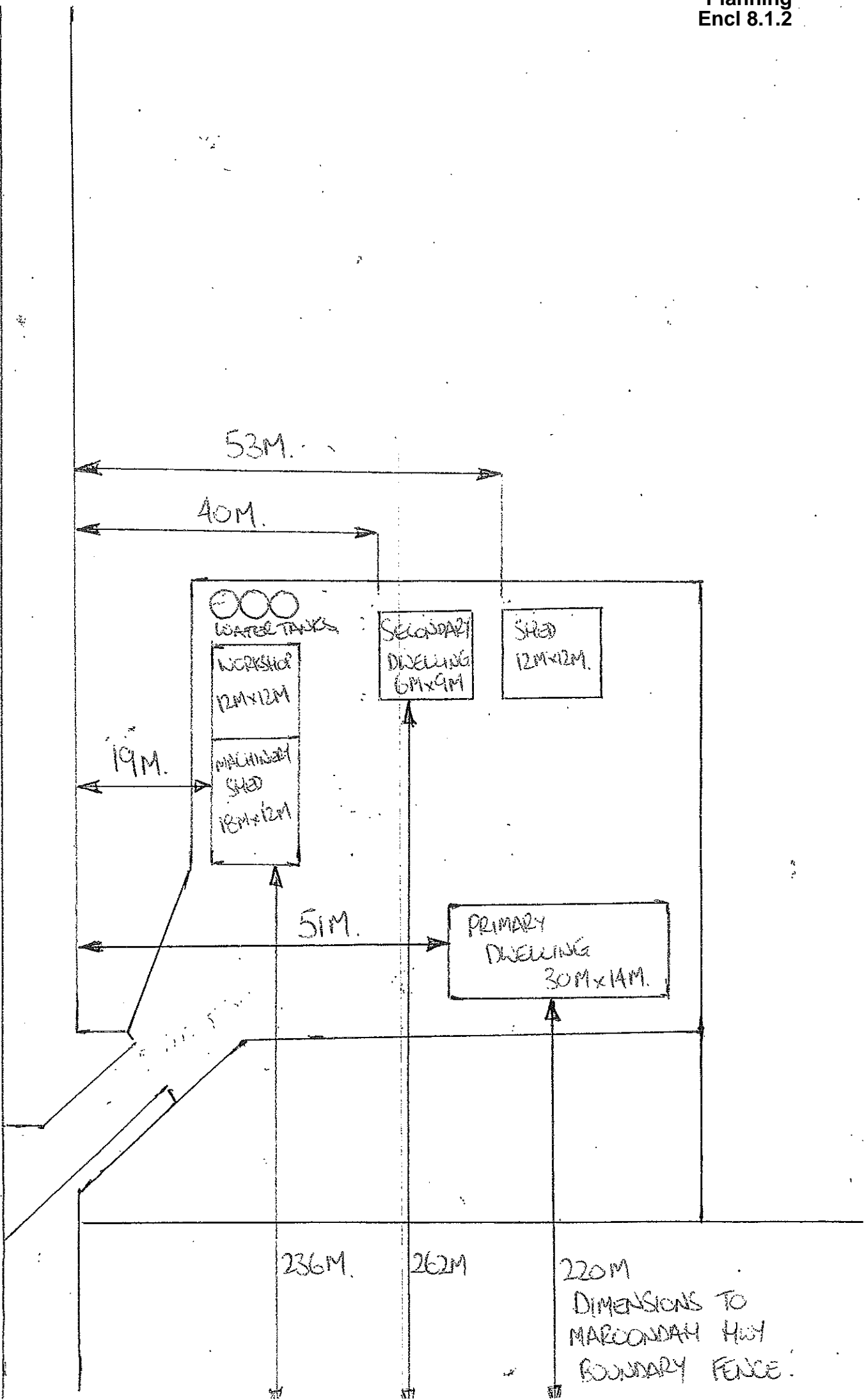
DAM

EFFLUENT FIELD

EFFLUENT FIELD

MARSOODAH HWY.

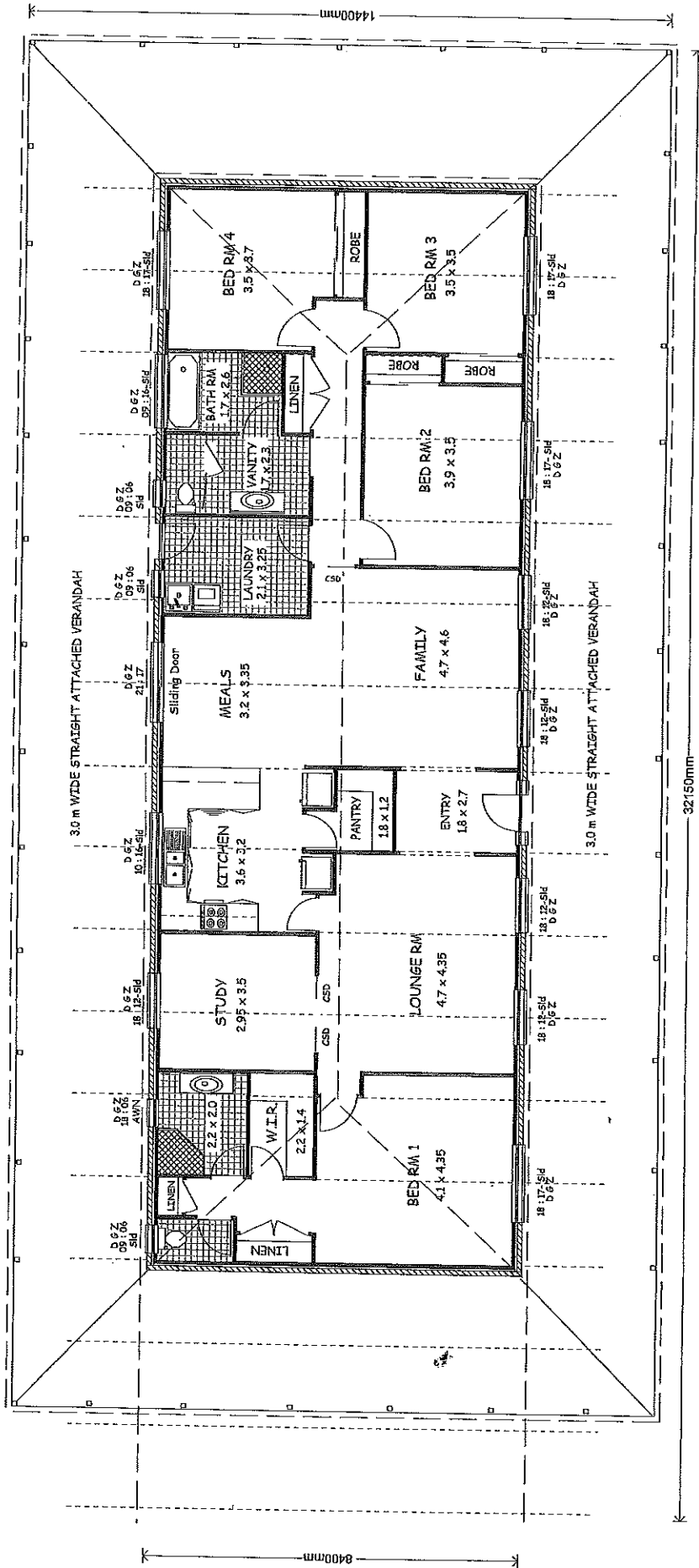
MOIR LANE



KLIMABEIH

STANDARD FEATURES. (For comprehensive List of Inclusions, please refer to Homestead Price List)

- Ceiling Height: 2.55 m (8'6")
- Roof Truss Span: 8.1m (27')
- Roof Pitch: 30°
- Cladding: Brick Veneer
- Front Door: Raised Timber Moulding
- Eaves Overhang: 100mm (4")
- Windows: Aluminium, as specified on plan*
- Internal Doors: Readicote Colonial Finish
- Door Architraves: Pine 70mm Colonial
- Window Architraves: Pine 70mm Colonial
- Floor Skirtings: Pine 90mm Colonial
- Kitchen Cupboard Doors: Vacuum Formed.
- Option: timber or Polyurethane finish

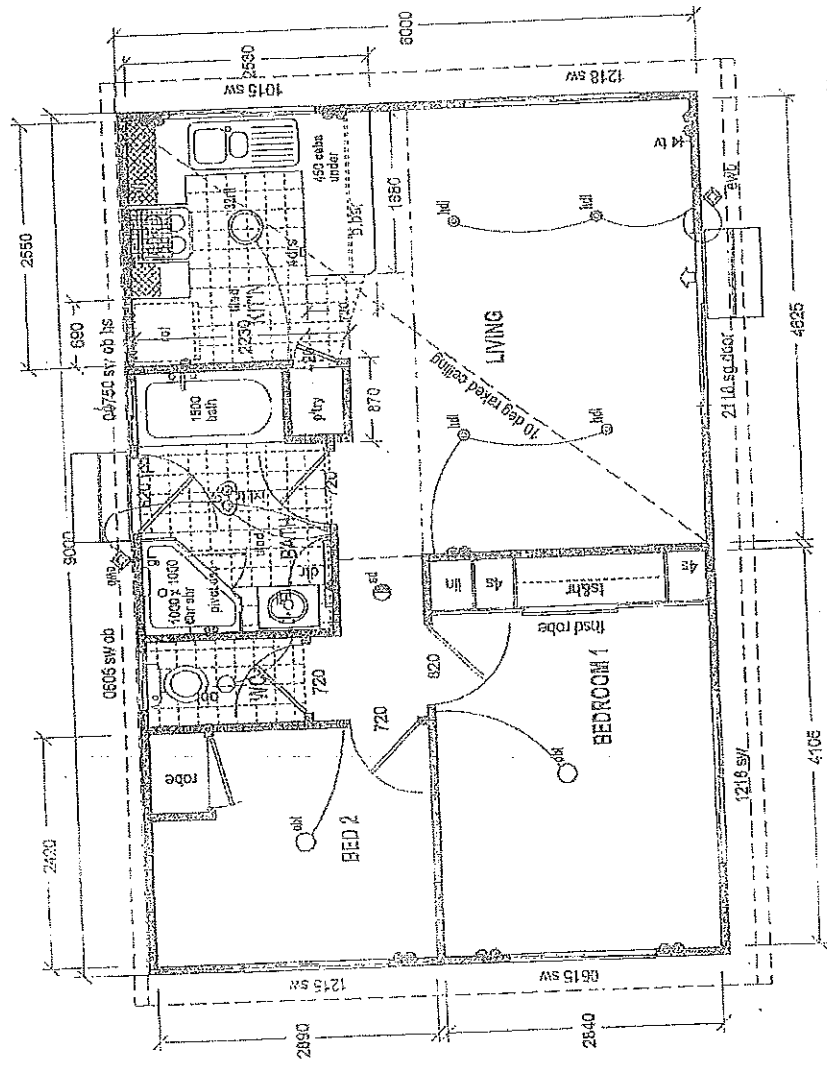
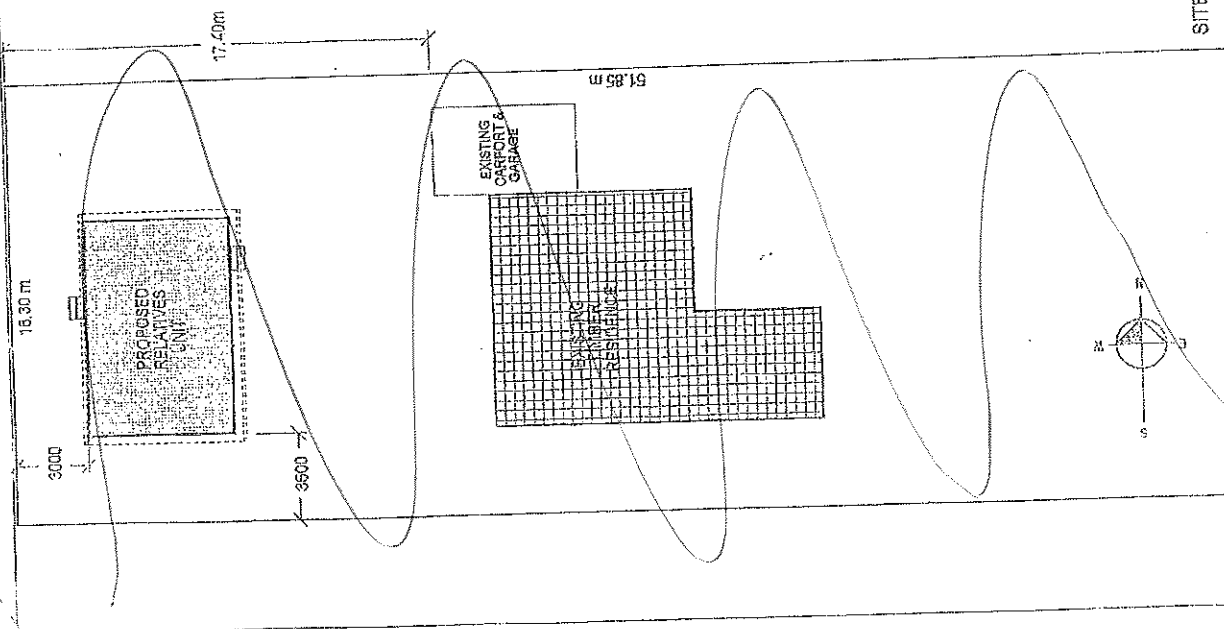


PROPOSAL FOR.....COLIN WEST..... Date:..11/05/09.....

* SLD=sliding, DH=double hung, Awr=awning, Col=colonial bars, CW=cedar window

Scale 1 : 100

KEVIN POLISENO - TAYA MULLER



FLOOR PLAN

KEVIN POLISENO

47720 1656

SITE PLAN
1:200

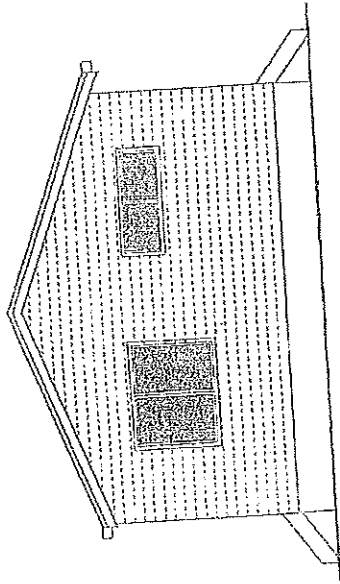
proposed RELATIVES UNIT
for Ms Taya Muller
at 10 Alfrick Road Croydon

SITE PLAN &
FLOOR PLAN

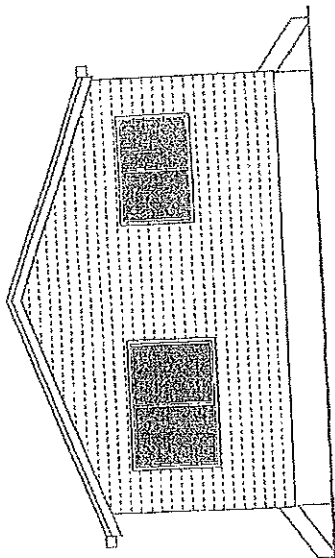
TODD DEVINE Builder (RIP No. DB U 9292)
816 Mountain Highway
Tel: (07) 4240 4246 Fax: (07) 4720 1690

Drawn: 4.07.06 Scale: 1:200 & 1:50
Reviewed by: Builder

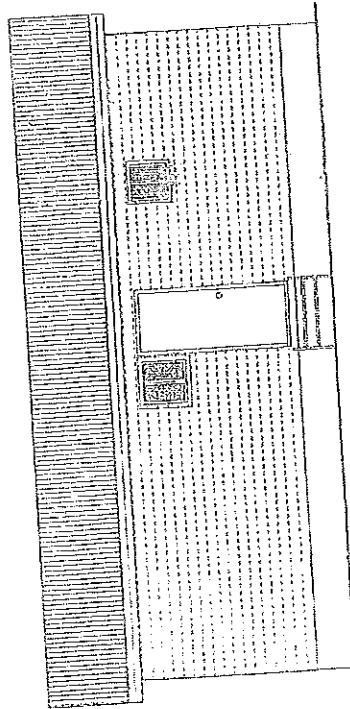
ALFRICK ROAD



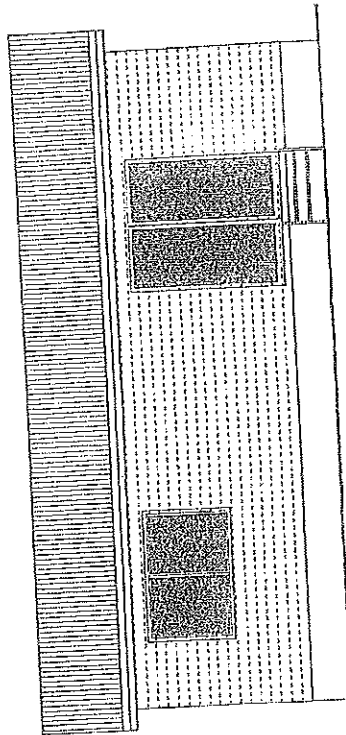
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

C. J. K.P.M.

Proposed RELATIVES UNIT
for Mrs Jaya Mulder
at 10 Africk Road Croydon

ELEVATIONS

TODD DEVINE Builder RBP No. DB U 9292
616 Mountain Highway
Bayswater Vic.3153 Tel: (03) 9720 1866 fax (03) 9720 1690

Vol. 4.07.06 Scale: 1:75
By: Builder

Submission on behalf of the permit applicant.

Subject site: 82 Myrtle St, Alexandra



Proposal: Three dwellings & a three lot subdivision dwellings

James Livingston Planning
32 Goodwin St,
West Preston. 3072
Ph: 0400 318 121
Email :james@jameslivingston.com.au

Introduction

This submission has been prepared on behalf of the permit applicant for app: 2011/319

This report has been prepared in support of an application for three dwellings and a three lot subdivision in a lot in a Residential 1 Zone.

It has been prepared on the basis of amended plans that address the matters raised in a 'More information request' dated 27th March 2012. This report will consider the sites' context, the planning controls and then address clauses 55 & 56, where relevant. In the conclusion it will address the additional points raised in the 'More information' request.

The application has been assessed against the relevant requirements of the Murrumbidgee Planning Scheme including the State and Local Planning Policy Framework and Zone Provisions.

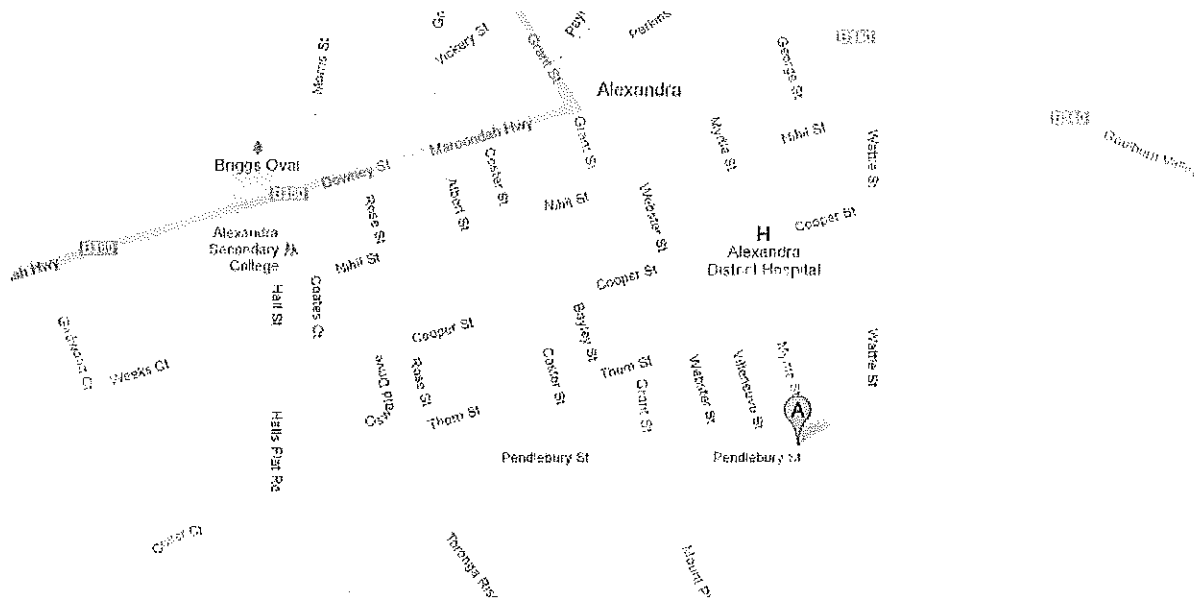
The proposed development is considered to be appropriate as:

- It is consistent with the strategic policy direction contained in the Planning Scheme;
- It is consistent with the relevant zone and overlay provisions;
- The building works will have no unreasonable amenity impacts;
- The development is appropriate in the neighbourhood character and will not have a detrimental effect on the streetscape.

The subject site and its locality.

The site





From the map above, you can appreciate that the subject site is in a good location, with excellent proximity to the centre of town and the entire existing infrastructure that is entailed.

- The site is located on the north east corner of Myrtle and Pendlebury Streets, Alexandra
- The site has an irregular shape with a frontage of around 35m to Myrtle St and a frontage to Pendlebury St of approximately 45.3m, giving a total area of 1481 sq.m.
- The site has a fall of around 1500mm from the rear (west) to the front (east).
- There is only a modest level of vegetation on site (shrubs of no significance).
- The site at present is vacant.
- At present there is no formal vehicle access to the site.

The surrounding area

- A single storey dwelling with a front setback of approximately 8m occupies the site immediately to the north.
- This dwelling setback from the common side boundary by 6.1m, with a driveway running along the common side boundary.



The dwelling immediately to the north.

- To the west is a single storey dwelling with a frontage to Pendlebury St.
- The dwelling has a front setback of between 8m & 10m, and is setback from the common side boundary by 5.88m

The Proposal

The application consists of existing conditions plans as well as proposal plans outlining the proposal. The plans are self-explanatory and therefore it is not necessary to repeat the detail here.

Nevertheless it is worth pointing out that each of the dwellings have a layout that is fully compliant with rescode in terms of the street setbacks, side and rear setbacks, the provision of private open space and the parking and access on site, in addition to all of the other details such as ensuring the amenity of the adjoining dwelling is not impacted upon.

The subdivisional aspects also comply with clause 56.

The Planning Framework

Overview

This application is for three dwellings and the creation of 3 lots. Accordingly this application is subject to the provisions of ResCode at clause 55 and clause 56.

The control also features a table specifying mandatory heights and front setbacks. This site is in sub-precinct B that determines the maximum height is 9m and the front setback should be 6m or the average of the two adjoining sites whichever is the lesser.

Here there are no trees or stands of trees of significance, accordingly the focus is to ensure new development provides for an adequate level of suitable planting.

State Planning Framework

The state level of the planning scheme places emphasis through clause 16.02, covers Medium density housing and includes the following objectives;

To encourage the development of well-designed medium-density housing which:

- *Respects the neighbourhood character.*
- *Improves housing choice.*
- *Makes better use of existing infrastructure.*
- *Improves energy efficiency of housing.*

Local Planning Framework

The Local Planning framework consists of the MSS and the relevant local policies. The relevant section of the MSS is clause 21.07, 'Serviced Townships Strategies', this provisions identifies the following issues;

Issues General

- Modest population growth.
- The need for consolidation of urban areas.
- Maximising infrastructure investment.

- The need to provide Low Density Residential zone opportunities nearby townships with reticulated water supply and Rural Living zone opportunities in proximity to established townships.
- Provision of rural living zoning, subdivision and development on a sustainable development basis.
- Requirement for external development contributions for new subdivision and development in residential, low density residential and rural living areas.
- Consolidating retail precincts.
- Providing car parking on under utilised land, located at the rear of each retail precinct.
- Providing tourist information centres.
- Landscaping and beatification of township entrances.
- Preparing future development plans for existing industrial precincts.

Alexandra

- *Possible provision of bypass routes for Alexandra.*
- *Need to provide adequate industrial land in the northeastern and western sections of Alexandra.*
- *Strategic and economic importance of the timber industry to Alexandra and Murrindindi Shire.*

The following strategies and objectives are adopted;

General

- *Consolidate residential growth within the major townships that can be serviced by reticulated water and sewerage infrastructure.*
- *Develop under-utilized open spaces and promote the connection of open spaces to encourage pedestrian movements within existing townships.*
- *Provide Low Density Residential zone opportunities nearby townships with reticulated water supply and Rural Living zone opportunities in proximity to established townships.*
- *Increase the level of infrastructure provision for low density residential development to reduce environmental impacts associated with effluent disposal, construction of roads and the provision of water and power.*
- *Provide net environmental benefit and sustainable outcomes through the subdivision and development of land zoned Rural Living.*
- *Maximise infrastructure use and improve the quality of infrastructure services within and nearby the major towns of the municipality.*
- *Increase the level of external development contributions for residential, low density residential and rural living subdivision and development through the use of development contributions plans.*
- *Maximise industrial development opportunities within existing and proposed industrial precincts.*

Alexandra

- *Consolidate commercial development within the Bayley Street, Myrtle Street and Nihil Street precinct.*
- *Provide car parking for tourist and commercial operators at the rear of the commercial premises on the southern side of the Grant Street.*
- *Provide for peripheral sales along the Maroondah Highway between Grant Street and Albert Street.*
- *Provide for industrial expansion and development at the abattoir site west of McKenzie Street.*
- *Provide for the orderly development of the Alexandra industrial areas in Lamont and McKenzie Streets through the outline development plan process.*
- *Provide Low Density Residential Zone expansion opportunities to the east of the Alexandra township, southwest of the Goulburn Valley Highway, to provide the potential for a range of residential densities and development with reticulated water.*
- *Provide Rural Living Zone expansion opportunities to the northwest and south of the Alexandra*

township with a minimum and average subdivision sizes of 4 and 6 hectares to implement sustainable rural living subdivision, design and development and recognise the fragmented pattern of subdivision in the area.

- *Investigate and support a range of low density residential and residential zoning, density and development on land to the south of Alexandra between Halls Flat Road and Plantation Lane, subject to further strategic justification, land capability assessment, demand, subdivision design and layout, and servicing availability.*
- *Provide adequate industrial land in the western section of Alexandra for a range of light industrial uses and industrial land in the northeastern section of Alexandra for industrial uses that may require separation distances from residential and other sensitive uses.*
- *Reinforce the strategic importance of the timber industry to the Alexandra and Murrindindi Shire economy, providing long term security and growth opportunities for the industry.*

The strategies and objectives will be implemented by:

General

- *Apply the Business 1 Zone to the retail areas of townships.*
- *Apply the Business 4 Zone to peripheral business areas located adjacent to highway entrances.*
- *Apply the Industrial 1 Zone to general industrial areas.*
- *Using the Rural Living Development Guidelines, Murrindindi Shire, March 2004 to provide sustainable rural living subdivision, design and development that implements the Goulburn Broken Regional Catchment Strategy, November 2003.*
- *Prepare development contributions plans to be applied through the Development Contributions Plan Overlay for new areas to be subdivided and developed in the Residential 1 Zone, Low Density Residential Zone and Rural Living Zone.*

Alexandra

- *Apply the Industrial 2 Zone for areas with existing and potential major industries.*
- *Prepare an outline development plan for the Alexandra industrial areas adjacent to Lamont Street and McKenzie Street.*
- *Apply the Low Density Residential Zone to land to the east and south of the Alexandra township, also applying the Development Plan Overlay to guide the layout and form of future subdivision and development.*
- *Apply the Rural Living Zone with a minimum and average subdivision sizes of 4 and 6 hectares to the northwest and south of the Alexandra township.*

At a local policy level clause 22.03 'Township Urban Areas' has relevance. This provision recognises the Murrindindi Shire has a diverse range of urban areas and townships. The presentation and appearance of the towns is important in protecting existing amenity, supporting heritage values, in the attraction of investment and tourism.

Objectives

- *Ensure that all new use and development has regard to the existing townscape, to design, siting and landscaping issues.*
- *Ensure that all use and development assists in the presentation of the main road entrances into townships.*
- *Identify future car parking areas.*

It is policy that:

- *Development at township entrances should be designed with respect to the built*

environment and sited to contribute to the overall appearance and character of the town.

- *The presentation of development to the street and how the proposal addresses and assists in streetscape presentation, attracts tourism and demonstrate civic pride.*
- *Consideration be given to the importance of street trees in creating areas that offer shade and protection from the elements and attract pedestrians. Development located along entrances to all towns should consider how proposed tree species are consistent with the landscape plan for the township.*
- *Development located on the edge of township area should be landscaped to assist in absorbing the development within the surrounding landscape and provide a delineated edge to the town.*

The policy then goes onto to cover specific areas within the municipality, however for Alexandra the focus is directed to the industrial areas to the northeast of the township and well away from the subject t site.

ResCode Clause 55)

B1 & B2 Design Response & Neighbourhood character

As can be seen from the above assessment of the Planning framework, the planning scheme does not specify a 'particular' Neighbourhood Character. In such situations the guiding principle is that the development should respond to its context. Here we say the proposal for three dwellings, presented in a single storey low profile detached manner, with ground level open space is an ideal response given the sites excellent location when it comes to facilities. For instance some of the key features of this site are;

- The site is within the township area and accessed by 'made' roads. It is also relative close to Alexandra Shopping centre, parkland, schools, community facilities and public transport routes. It is an area where urban consolidation objectives can be met.
- The general area shows many of the sites are large uniform shaped blocks, ideally suited to medium density housing.
- The site is located on a corner.
- In this instance the site has only limited vegetation that is not of any significance.
- The east west orientation, combined with the single storey nature of the proposal ensures that there will be no off-site amenity impacts.
- The proposal entails the construction of traditionally proportioned dwellings ensuring a level of compatibility with their environment. The new dwellings will feature rendered brickwork and colorbond roofing. The new dwellings will respond positively to the Neighbourhood character.
- The proposal provides for three low maintenance two-three bedroom homes of modern energy efficient construction and therefore will meet a growing demand for this type of housing.

B3 - Dwelling Diversity

The objective is to;

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

This standard applies to 10 or more dwellings. Nevertheless it is noted that this proposal for three simple single storey two-three-bedroom dwellings, that will be affordable and meet a growing demand.

B4 - Infrastructure

The objectives are;

- *To ensure development is provided with appropriate utility services and infrastructure.*
- *To ensure development does not unreasonably overload the capacity of utility services and infrastructure.*

The proposal is located in an established residential area with no known constraints in terms of infrastructure provision.

B5 - Integration with the street

The objective is to:

- *Integrate the dwelling with the layout of development with the street.*

The proposal integrates well with the street as the all dwellings will have a street frontage and will have a clearly defined pedestrian entry, a dedicated carport and ample space is provided for pedestrian access.

B6 - Street Setback objective

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

The proposal is made up of three dwellings facing two street frontages, arranged in such a fashion that dwelling one faces Pendlebury St, adopting a 4m setback, dwelling 2 also faces Pendlebury St and adopts a 4m setback too.

Dwelling 2 has a sideage to Myrtle St, while the eve of this dwelling comes to 3m of the Myrtle st frontage the dwelling itself has a setback of around 6m.

Dwelling 3 has large verandah deck some 8m back from the frontage and the dwelling itself is setback around 11.2m.

It is our submission that the proposed front setback makes an efficient use of the site in an area that can be expected to undergo a level of change in response to the policy framework, which encourages a greater level of urban consolidation in townships.

It should also be remembered that the proposed setbacks would not result in a loss of amity to the adjoining sites.

B7 - Building height objective

- *To ensure that the height of buildings respects the existing or preferred neighbourhood character.*

The maximum building height (to the top of the roof) of the proposed dwellings is 4.8 metres above natural ground level and easily complies with Standard B7.

B8 - Site coverage objective

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

Refer below

B9 - Permeability objectives

- *To reduce the impact of increased stormwater run-off on the drainage system.*
- *To facilitate on-site stormwater infiltration.*

Site coverage is in the order of 40% with a permeable area of around 55% in compliance of Standards B8 and B9.

B10 - Energy efficiency protection objectives

- *To achieve and protect energy efficient dwellings.*
- *To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.*

The proposed dwellings are oriented to make appropriate use of solar energy.

The east west axis of the site ensures adequate sunlight to all dwellings. The open space areas for the dwellings have oriented so that maximum solar access is gained and the living areas within the dwellings face north onto the private open space.

Modern methods of insulation will be used in the proposal; the pitched roof design and generous eaves also help in the energy efficiency of the dwelling.

B11 - Open space objective

- *To integrate the layout of development with any public and communal open space provided in or adjacent to the development.*

There is no communal open space proposed.

B12 - Safety objective

- *To ensure the layout of development provides for the safety and security of residents and property.*

As all of the dwellings have a street frontage the proposal provides for good surveillance of the street.

B13 - Landscaping objectives

- *To encourage development that respects the landscape character of the neighbourhood.*
- *To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.*
- *To provide appropriate landscaping.*
- *To encourage the retention of mature vegetation on the site.*

There is scope for the perimeters of the site and the front setbacks for the planting of medium to large canopy trees, whereas the secluded open space areas are more suitable for shrubs and small to medium sized trees.

There is also sufficient space along the southern side boundary to plant trees to soften the development and further articulate the driveways.

The approval of a landscape plan will ensure that appropriate species are planted in suitable locations.

B14 - Access objectives

- *To ensure vehicle access to and from a development is safe, manageable and convenient.*
- *To ensure the number and design of vehicle crossovers respects the neighbourhood character.*

The proposal is on a site, which can accommodate two driveways on each frontage. Two are proposed on Pendelbury St, where the frontage is over 45m. Only one is proposed on Myrtle St, even though the frontage, at over 20m, can accommodate two driveways. It is our submission that this ensures that the Myrtle St frontage can cater for a greater level of landscaping.

In addition, the location of the two driveways on Pendlebury, allows for a more comfortable separation between the driveways and the intersection.

B15 & B16 - Parking objectives

- *To provide convenient parking for resident and visitor vehicles.*
- *To avoid parking and traffic difficulties in the development and the neighbourhood.*
- *To protect residents from vehicular noise within developments.*

The proposal results in one covered car for each dwelling.

This meets the standard

The carports are located in such a way that they will not dominate the frontage of the dwelling and are sited so as to reduce the impacts of vehicular noise.

AMENITY IMPACTS

B17 - Side and rear setbacks

The objective is to:

- *Ensure that the height and setback of a building from a boundary respects the existing or neighbourhood character and limits the impact on the amenity of existing dwellings.*

The proposal meets all the side and rear setback standards and will not result in a loss of amenity to any person.

B18 - Walls on boundaries

The objective is to:

- *Ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.*

There are no walls proposed on the boundary.

B19 - Daylight to existing windows

- *To allow adequate daylight into existing habitable room windows.*

The proposal meets this standard and will not impact on the receipt of daylight for any adjoining existing windows.

B20 - North-facing windows

The objective is to:

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

The proposal will meet the standard B20 both for the existing dwellings abutting the site as well as within the proposed two dwelling development.

B21 - Overshadowing open space

The objective is to:

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

This is a single storey proposal so the shadow impacts will be minimal. Nevertheless, the shadow diagrams reveal that virtually no shadows are cast beyond the property boundaries.

Generally the shadows will be cast across the driveway of the development, and allowing ample sunlight into the dwellings.

The open space areas will be free of shadow at all times, as will the open space areas on the adjoining sites.

B22 & B23 - Overlooking objective

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

Given the single storey nature of the site there will be minimal overlooking. Accordingly there is not proposal to screen any habitable windows in the development.

No internal views are available between the proposed dwellings.

B24 - Noise impacts objectives

- *To contain noise sources in developments that may affect existing dwellings.*
- *To protect residents from external noise.*

No apparent noise sources will impact on the proposal.

ON-SITE AMENITY AND FACILITIES

B25 - Accessibility objective

- *To encourage the consideration of the needs of people with limited mobility in the design of developments.*

All of the dwellings can be easily modified to cater for people with limited mobility.

B26 - Dwelling entry objective

- *To provide each dwelling or residential building with its own sense of identity.*

Each dwelling has its own sense of identity and provides a transitional space around the entry.

B27 - Daylight to new windows objective

- *To allow adequate daylight into new habitable room windows.*

All new windows will receive adequate daylight and therefore meet this standard.

B28 - Private open space

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

Dwelling 1 has a secluded open space area of 127 sq.m.

Dwelling 2 has a secluded open space area of 95 sq.m.

Dwelling 3 has a secluded open space area of 150 sq.m.

All of the secluded open space areas have the preferred northern orientation and good solar access. The open space areas have good relationships with the main living areas of the dwellings.

B29 - Solar Access to open space

- *To allow solar access into the secluded open space of a new dwelling.*

A site with an east west axis and single storey dwellings proposed, with a driveway along the southern boundaries, guarantees excellent solar access.

B30 - Storage objective

- *To provide adequate storage facilities for each dwelling.*

Each of the dwellings has 6 sq.m. storage areas proposed within the open space areas.

B31 - Design Detail

To encourage design detail that respects the existing or preferred neighbourhood character.

The new dwellings incorporate window forms, building materials and roof form that is consistent with other dwellings in the surrounding area and reflective of the low profile built form of a quasi-rural landscape.

B32 - Front Fences

- *To encourage front fence design that respects the existing or preferred Neighbourhood character.*

The site presently has no front fence. The new proposal also does not include a front fencing.

B33 - Common property objectives

- *To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.*
- *To avoid future management difficulties in areas of common ownership.*

The proposal has does not have any common areas.

B34 - Site services objectives

- *To ensure that site services can be installed and easily maintained.*
- *To ensure that site facilities are accessible, adequate and attractive.*

Bin enclosures are to be accommodated within each property and mailboxes will be easily identifiable at the front of the site.

ResCode Clause 56 Assessment (subdivision)

Clause 56.03 LIVABLE AND SUSTAINABLE COMMUNITIES (walkable neighbourhoods, activity centres, planning for communities facilities, the built environment and Neighbourhood character)

- The proposed three lot subdivision is within walking distance of a bus stop and shops as well as being part of an established suburb
- The proposed subdivision supports the present hierarchy of Activity Centres within Alexandra
- The subdivision is appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.
- The subdivision enables a built form that responds to the Neighbourhood Character and the planning policy framework.
- The subdivision result in three comfortable lots, where there were previously two awkward shaped lots, with ample room for vegetation and is a positive response to the emerging and preferred neighbourhood character.

Clause 56.04 LOT DESIGN (lots variety, lot area and building envelopes, solar orientation, street orientation and common area objectives)

- The lot sizes suit a variety of dwelling and household types.
- The subdivision implements Councils policy for the area as set out in this scheme.
- The subdivision results in the development of the land for three dwellings meeting state level urban consolidation objectives
- The lots are generously proportioned allowing appropriate siting enabling good solar orientation, tree retention and open space etc.
- The lots are greater than 300 sq.m. So there is no need for the imposition of building envelopes. They are also part of an 'integrated subdivision', in that it is accompanied by a development proposal.
- The dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.
- The lot layout contributes to community social interaction, personal safety and property security.
- Each driveway allows for good visibility for vehicles and pedestrians entering, leaving or passing the site.

Clause 56.05 URBAN LANDSCAPE (Integrated Landscape objectives, Public open space provision objectives)

- The proposal provides attractive and continuous landscaping that contributes to the character and identity of existing or preferred neighbourhood character in existing urban areas.
- The proposal incorporates natural and cultural features in the subdivision design.
- The proposed development and subdivision protects and enhances native habitat and discourage the planting and spread of noxious weeds.
- The proposal is not of such a scale that public open space is a consideration.

Clause 56.07 INTEGRATED WATER MANAGEMENT (Drinking water and recycled water objectives, Waste water management, Urban run-off)

- The proposed subdivision has been designed in accordance with the requirements and to the satisfaction of the relevant water authority.
- The subdivision will incorporate a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

- The waste system will be designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- All drainage will be piped to the nearest legal point of discharge as required under legislation.

Clause 56.08 SITE MANAGEMENT (site management objectives)

- The permit applicant is prepared to accept a standard condition on the development permit relating to reasonable site managements measures during construction that relate to; erosion, dust, run-off, litter and vegetation protection.

Clause 56.09 UTILITIES (Shared trenching, electricity, telecommunications, and gas objectives, fire hydrant and public lighting objectives)

- Where possible reticulated services for water, gas, electricity and telecommunications will be provided in shared trenching to minimise construction costs and land allocation for underground services.
- It is understood that fire hydrants are not required for a three lot subdivision.
- It is not considered a requirement for the driveways to be lit; however the land owners may do this at their discretion.

Matters raised in the More Information letter.

The proposal before Council has been modified in response to the concerns raised in the more information letter dated 27th March 2012.

The amended plans submitted to Council introduce a considerably higher level of documentation and resolve many of the issues raised through the more information letter.

The plans as modified and included with this submission along with this submission itself now hopefully responds to all those matters raised under the 'Request For Information'.

Importantly, as council will appreciate the redesign has resulted in a proposal that is fully compliant with all ResCode standards and as such it is deemed to have met the objectives.

Engineering Works

The next matter to be addressed is the question of engineering works.

I understand that if the council were of a mind to grant a permit, they would include a number of conditions that would require the applicant, amongst other things, to:

- Construct the crossovers in concrete
- Construct a kerb and channel around the perimeter of the site
- Construct a concrete footpath in front of the site
- Connect to the nearest stormwater pit.
- A new sewer connection
- New 'tapings' for a water supply to the site.
- Provision for a power supply to the sites.

While we do not dispute that some of these things are required, it is our position that many of them are beyond the scope of what can be reasonably imposed given the nature of the application.

As council may be aware the provisions relating to planning permit can be found at s.62 of the Act and reads;

62. What conditions can be put on permits?

(1) In deciding to grant a permit, the responsible authority must-

(a) Include any condition which the planning scheme or a relevant referral authority requires to be included; and

(aa) if the grant of the permit would authorise anything which would result in a breach of a registered restrictive covenant, include a condition that the permit is not to come into effect until the covenant is removed or varied; and

(b) not include additional conditions which conflict with any condition included under paragraph (a) or (aa).

(2) The responsible authority may include any other condition that it thinks fit including-

(a) a condition that specified things are to be done to the satisfaction of the responsible authority a Minister, public authority, municipal council or referral authority; and

Then at paragraph 5 of the same section, the Act goes onto to say

(5) In deciding to grant a permit, the responsible authority may-
(c) include a condition that specified works, services or facilities that the responsible authority considers necessary to be provided on or to the land or other land as a result of the grant of the permit be-
(i) provided by the applicant; or
(ii) paid for wholly by the applicant; or
(iii) provided or paid for partly by the applicant where the remaining cost is to be met by any Minister, public authority or municipal council providing the works, services or facilities.

As one might imagine there have been innumerable VCAT cases where the council has asked an applicant to do various things via conditions, the applicant does not consider to be the 'result' of the permit. In trying to work out when and what conditions can be imposed on permits, the most defining case is known as the *Eddie Barron* Case, which dealt with developer contributions in a large subdivision. In that case the tribunal found there is no inherent reason why a planning condition involving a money payment cannot be valid. But if a development levy is to be validly imposed, it was held that four criteria must be met:

Need

The need created by the development and the measures to satisfy the need must be adequately identified.

Equity

The payment or levy must be a fair and reasonable apportionment of the cost of implementing the need satisfaction measures.

Accountability

The responsible authority should implement procedures to ensure that the money collected cannot be used for any purpose other than that for which it was levied and which clearly show how, when and where the money collected is spent.

Nexus

There must be a reasonable nexus between the development and the need satisfaction measures.

On page 25 of the report of the *Eddie Barron* case the Tribunal said: -

"Care should also be taken to ensure that the infrastructure to be provided is 'needed' as distinct from 'merely desirable'."

In another notable case, *Pyx Granite Co Ltd v Ministry of Housing & Local Government* [1958] 1 QB 55 at page 572 Lord Denning said:-

Although the planning authorities are given very wide powers to impose such conditions as they think fit, nevertheless the law says that those conditions, to be valid, must fairly and reasonably relate to the permitted development. Planning authorities are not at liberty to use their powers for an ulterior motive, however desirable that object may seem to them in a public interest.

So, bringing this discussion back to the list of things the council is considering to impose on this development, it is apparent that a requirement to provide the lots with a power supply, water and sewer connections is reasonable, and has its basis in the four tests above.

The rear question is the requirements for footpaths, kerb & channel and concrete crossovers.

Given the vast majority of dwellings in the area, including the immediate neighbours on either side don't have these public works, we can see that imposing such a requirement would fail the tests of Equity and Nexus.

In terms of the other remaining tests, of accountability and nexus, we'd have to agree that there is a relationship between the works and the permit being granted, if only by their proximity, but meeting those two tests is not sufficient to overcome what we say are the two most important. The over-riding considerations are;

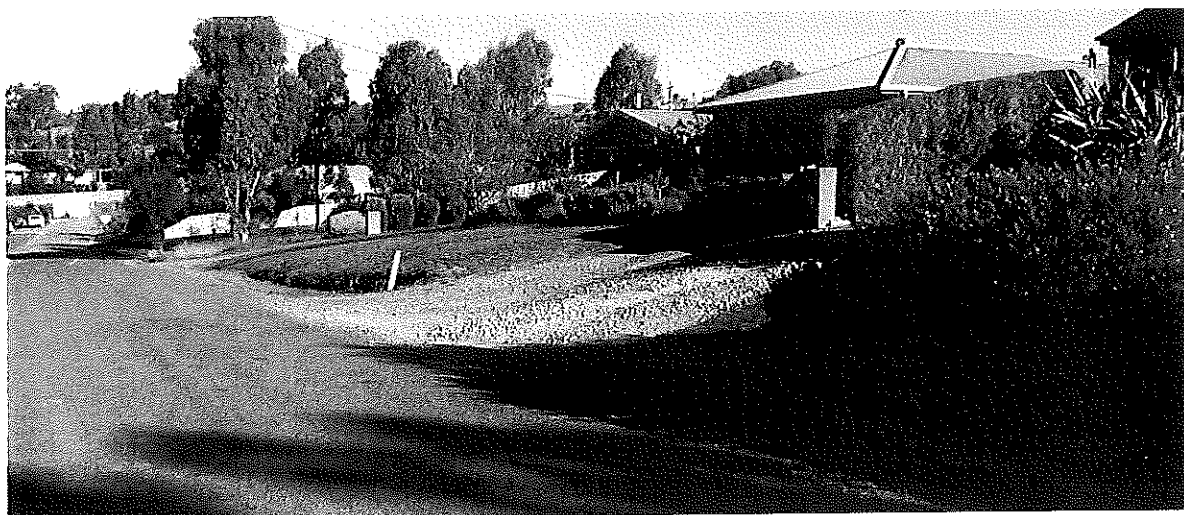
- Are the works 'needed' in order to ensure 'orderly and proper planning'?

The answer must be clearly not as evidenced by the lack of kerb and channelling, footpaths and concrete crossovers in much of the neighbourhood.

- Is it equitable for the applicant here to provide such things?

Well if their neighbours had done it maybe so, but here, if the condition were to be imposed, we may well have the ludicrous situation that our site would be an island of kerb & channelling and footpath amongst dwellings without such elements.

And of course there is the question of Neighbourhood character. It is evident that part of the character of this area, stems from the 'soft' shoulders of the roadway, the swale drains and gravel driveways, all of which serve to 'soften' its appearance and add to the 'natural' feel. To introduce kerb and channel along with footpaths, into this area will undoubtedly 'harden' the appearance of the area, which would be at odds with the 'natural' presentation of the dwellings.



Having said that we do believe there is a way forward here. There may well be a time in the future when it is appropriate to have kerb & channel, footpaths etc... in this area.

When that time does arrive we think it is reasonable that the owners of our site should have to contribute, along with everyone else. In our opinion this would be through a separate rate scheme, or possibly a Developer Contributions Overlay applied to the broader area. Both of these measures or any other method that calls on the residents to contribute to infrastructure costs must be done in a co-ordinated, transparent and equitable manner. And we would support that approach.

In the light of the above we look forward a direction to advertise the proposal and a positive officer report.

James Livingston

Planning Consultant, 27th June 2012

Fencing
Type 1 Exposed Cyprus posts with vertical balusters 150mm high, top rail to be horizontal between posts
Type 2 Coated steel post fence 1800mm high

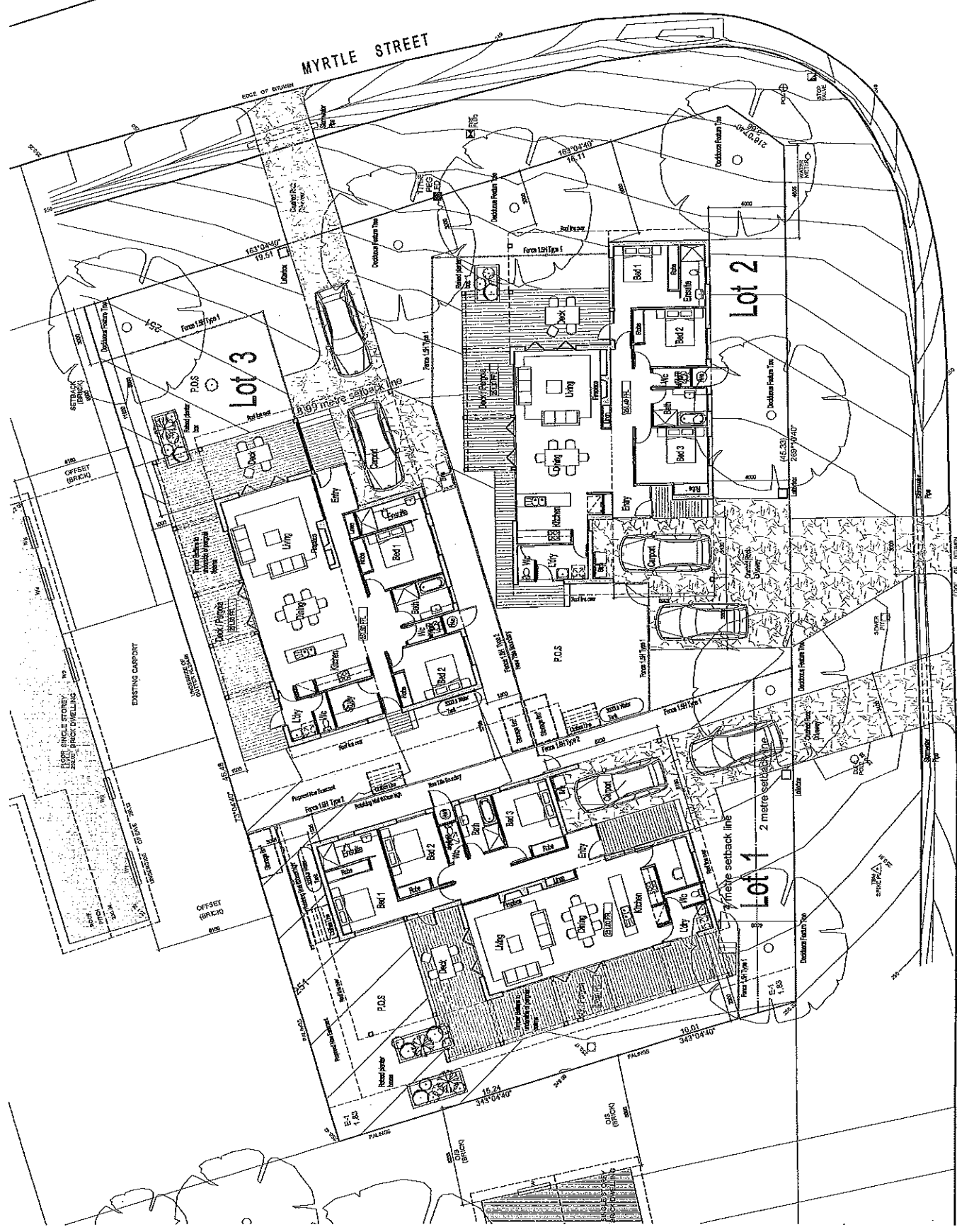
Finish: Alexandra
Tarmac: Alexandra
Lot 28 & 29 TP 29271
TP 100720V & TP 100338H
Level Datum: ACD Alexandra PM & T2. Contour Interval: 0.2m

Window	RL Top	RL Bottom
W1	254.03	252.00
W2	254.08	253.70
W3	254.02	252.08
W4	254.05	252.97
W5	254.06	252.97

E - 1. Dimpled Element
W - Window
251.44T Level at top
251.308 Level at bottom

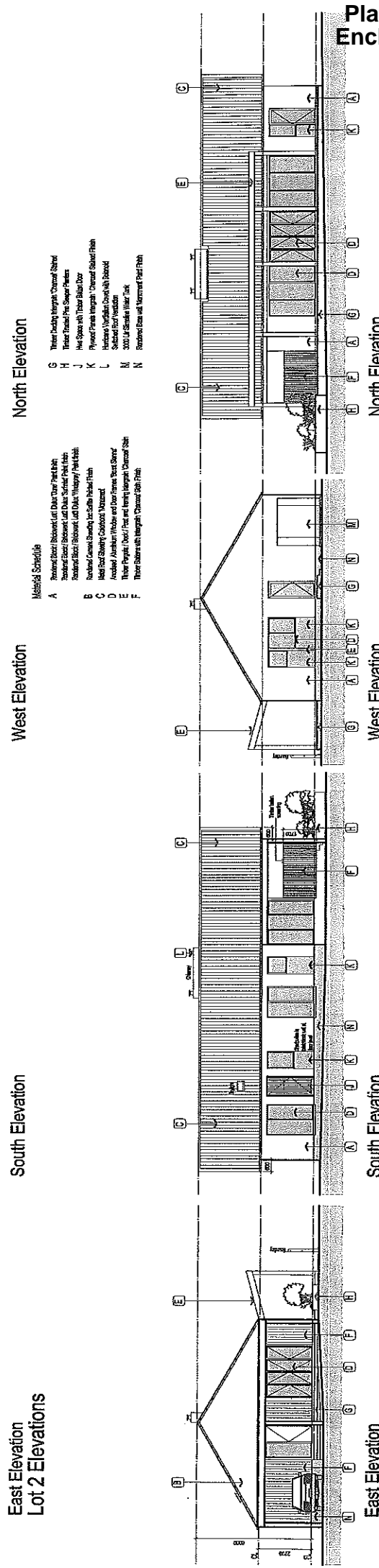
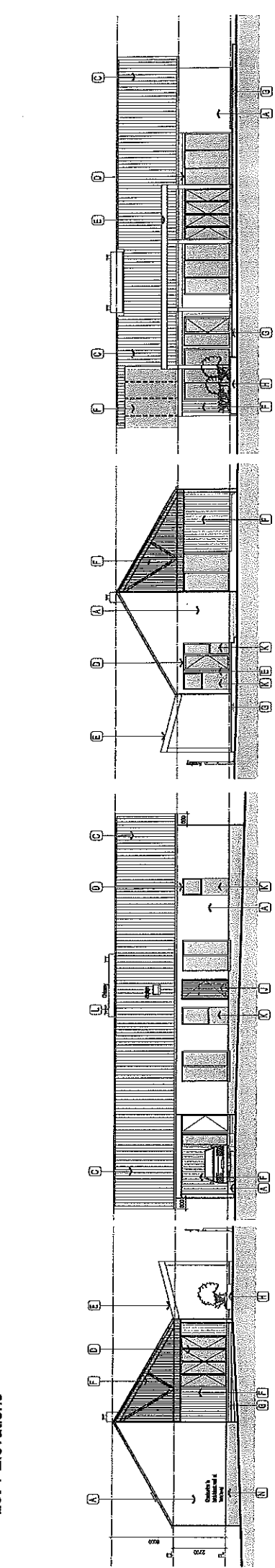
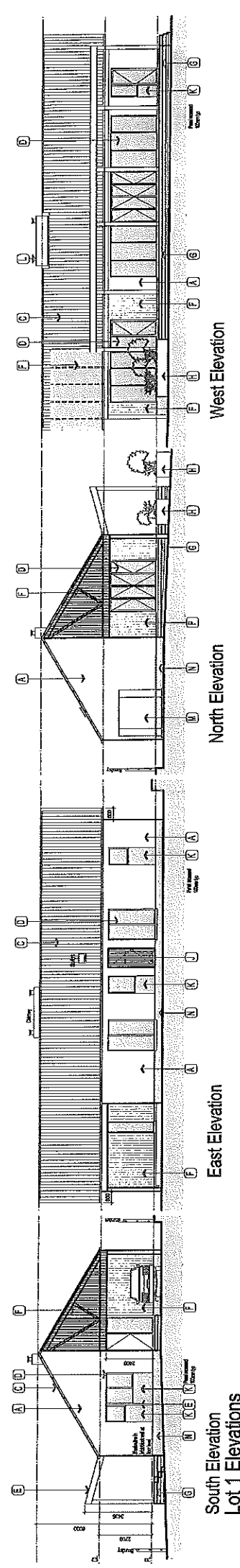
Area Schedule

Lot	Area	Percentage	Notes
Lot 1	Lot 1 Site	100.00%	
	Residence	30.24%	
	Front Porch	1.74%	
	Deck	11.70%	
	Carport	4.29%	
	Private Open Space	27.10%	Not including deck
	Open Space	18.16%	Not including driveway
Lot 2	Lot 2 Site	100.00%	
	Residence	20.29%	
	Front Porch	0.77%	
	Deck	4.27%	
	Carport	4.27%	
	Private Open Space	49.22%	Not including deck
	Open Space	20.21%	Not including driveway
Lot 3	Lot 3 Site	100.00%	
	Residence	29.23%	
	Front Porch	1.10%	
	Deck	11.84%	
	Carport	3.08%	
	Private Open Space	30.70%	Not including deck
	Open Space	15.88%	Not including driveway
Total Site Area		1481.00m ²	
Compasses per Unit		2 spaces	1 space (Carport)
Storage per Unit		6.0m ²	Carport 2.0m ² x 1.25 = 2.5m ²



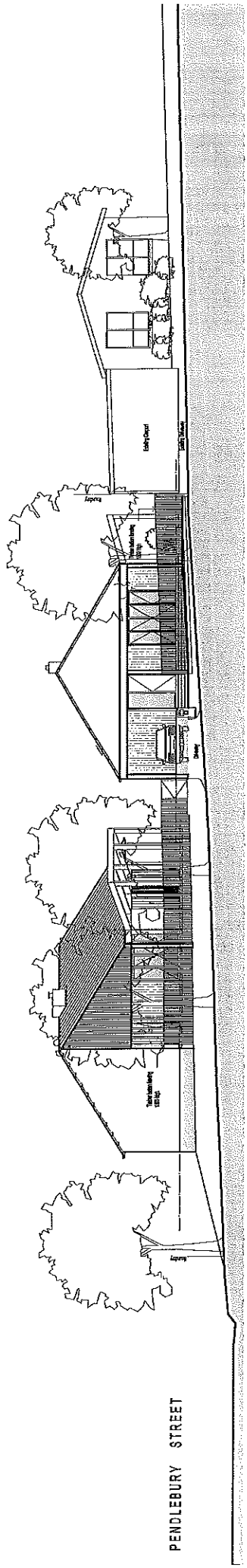
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 DATE: 15.06.12
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 PROJECT: MYRTLE STREET DEVELOPMENT
 SITE AND FLOOR PLAN
 DESIGN RESPONSE PLAN
 TOWN PLANNING APPLICATION
 BALDASSO CORTESE
 JINEN PTY LTD
 2011142/TP/000_Site
 SHEET NO: TP 02
 OF: 8

BALDASSO CORTESE ARCHITECTS 1700 WEST 10TH AVENUE DENVER, CO 80202 TEL: 303.733.8444 FAX: 303.733.8445 WWW.BALDASSO.COM	TOWN PLANNING APPLICATION		PROJECT NO: 2011422/TP/06_3/8
	DATE: 12.04.12	SCALE: CL	SHEET NO: TP-03
	PROJECT: 82 - 84 MYRTLE STREET ALEXANDRIA	CLIENT: LINEX PTY LTD	DESIGNER: B



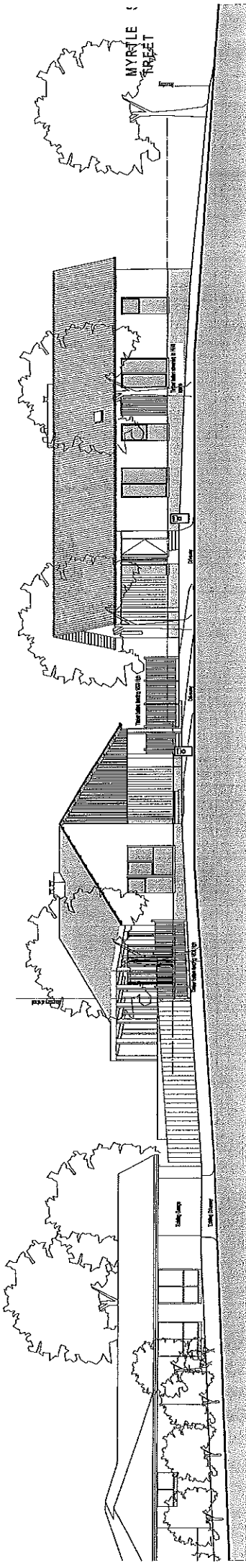
- Material Schedule**
- A Random Block (Random Col) Dark Taupe Paint Finish
 - B Random Block (Random Col) Dark Charcoal Paint Finish
 - C Random Block (Random Col) Dark Whiskey Paint Finish
 - D Random Block (Random Col) Dark Slate Paint Finish
 - E Random Block (Random Col) Dark Slate Paint Finish
 - F Random Block (Random Col) Dark Slate Paint Finish
 - G Timber Slatted (Vertical) Charcoal Stained
 - H Timber Slatted (Vertical) Charcoal Stained
 - I Hard Stone with Timber Slatted Door
 - J Powder Coated (Vertical) Charcoal Stained Panel
 - K Powder Coated (Vertical) Charcoal Stained Panel
 - L Powder Coated (Vertical) Charcoal Stained Panel
 - M 3000 LA Slatted Metal Tank
 - N Random Block (Random Col) Dark Taupe Paint Finish

ALL DRAWINGS TO BE PREPARED IN ACCORDANCE WITH THE AUSTRALIAN STANDARDS AS NEEDED FOR THE PROJECT AND TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL AUTHORITY. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED AND FOR THE COMPLETION OF THE PROJECT. THE ARCHITECTS ACCEPT RESPONSIBILITY FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE ARCHITECTS SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE ARCHITECTS SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.



Existing Brick Veneer residence

Lot 3



Lot 2

Lot 1

Existing Brick Veneer residence

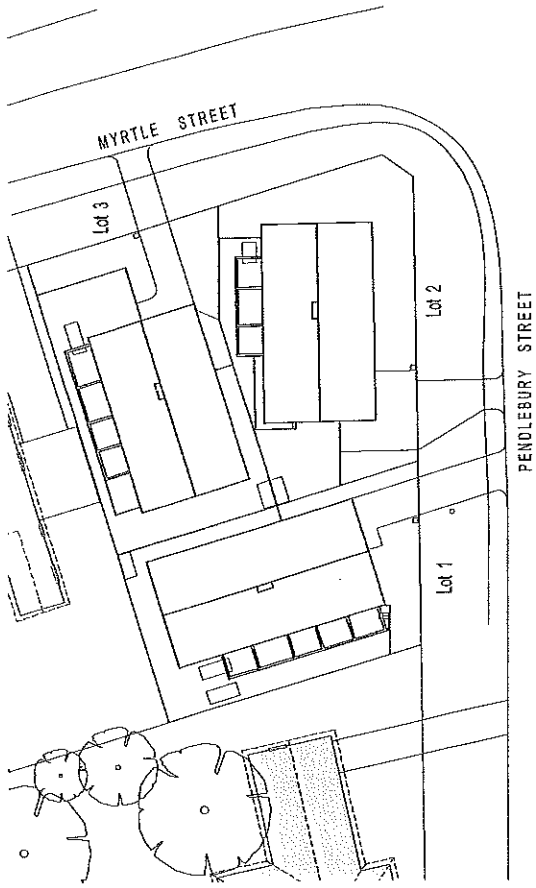
Streetscape
Pendlebury Street

PENDLEBURY STREET

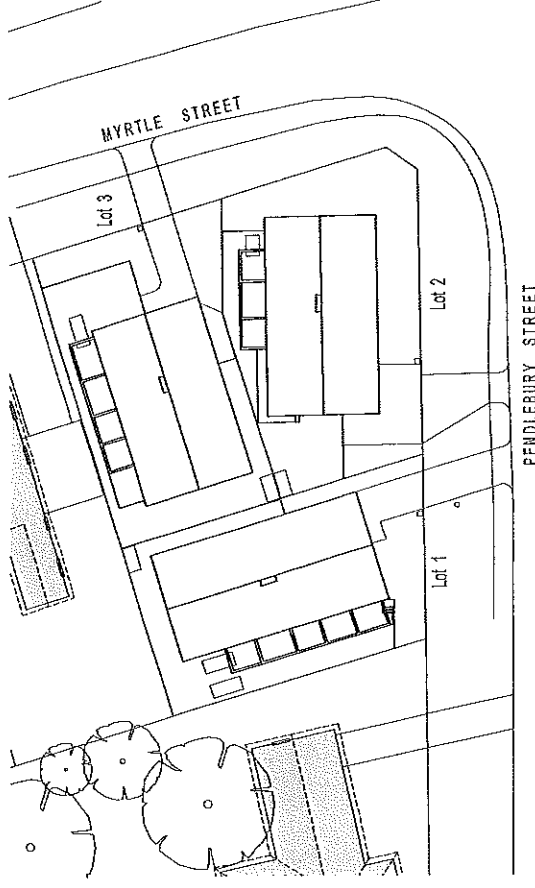
Streetscape
Myrtle Street

MYRTLE STREET

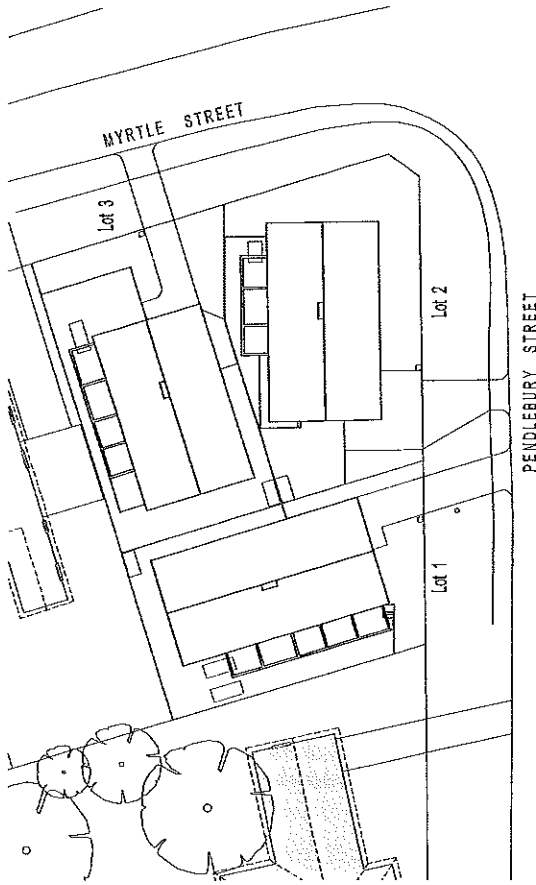
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			<p>DATE: 19.06.12</p>			
<p>PROJECT TITLE: MYRTLE STREET DEVELOPMENT 82-84 MYRTLE STREET ALEXANDRA</p>		<p>PROPOSED: STREETScape ELEVATIONS</p>		<p>DATE: 2011/42/TP/04/2/3/16</p>		
<p>CLIENT: LINEN PTY LTD</p>		<p>PROJECT NO: 2011/42/TP/04/2/3/16</p>		<p>DATE: 2011/42/TP/04/2/3/16</p>		



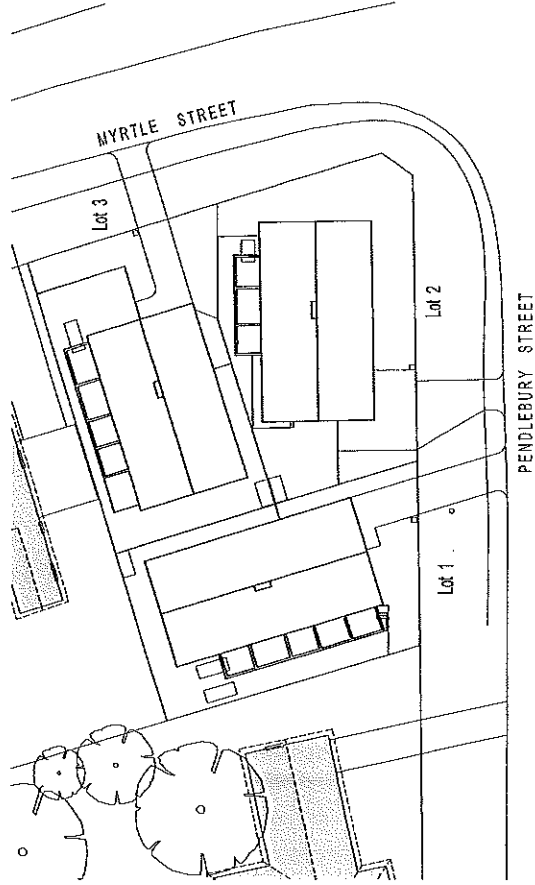
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Shadow Diagram



22nd September 3:00pm
Shadow Diagram



22nd September 9:00am
Shadow Diagram



22nd September 1:00pm
Shadow Diagram

PROJECT TITLE
MYRTLE STREET DEVELOPMENT
82-84 MYRTLE STREET ALEXANDRA

PROJECT NO
2011422

DATE
19.06.12

SCALE
1:250 @ A1

PROJECT
TP 05

CLIENT
JUNJEN PTY LTD

FILE NO
2011422TP/PC/SH

DATE
22nd SEPTEMBER

PROJECT
CL

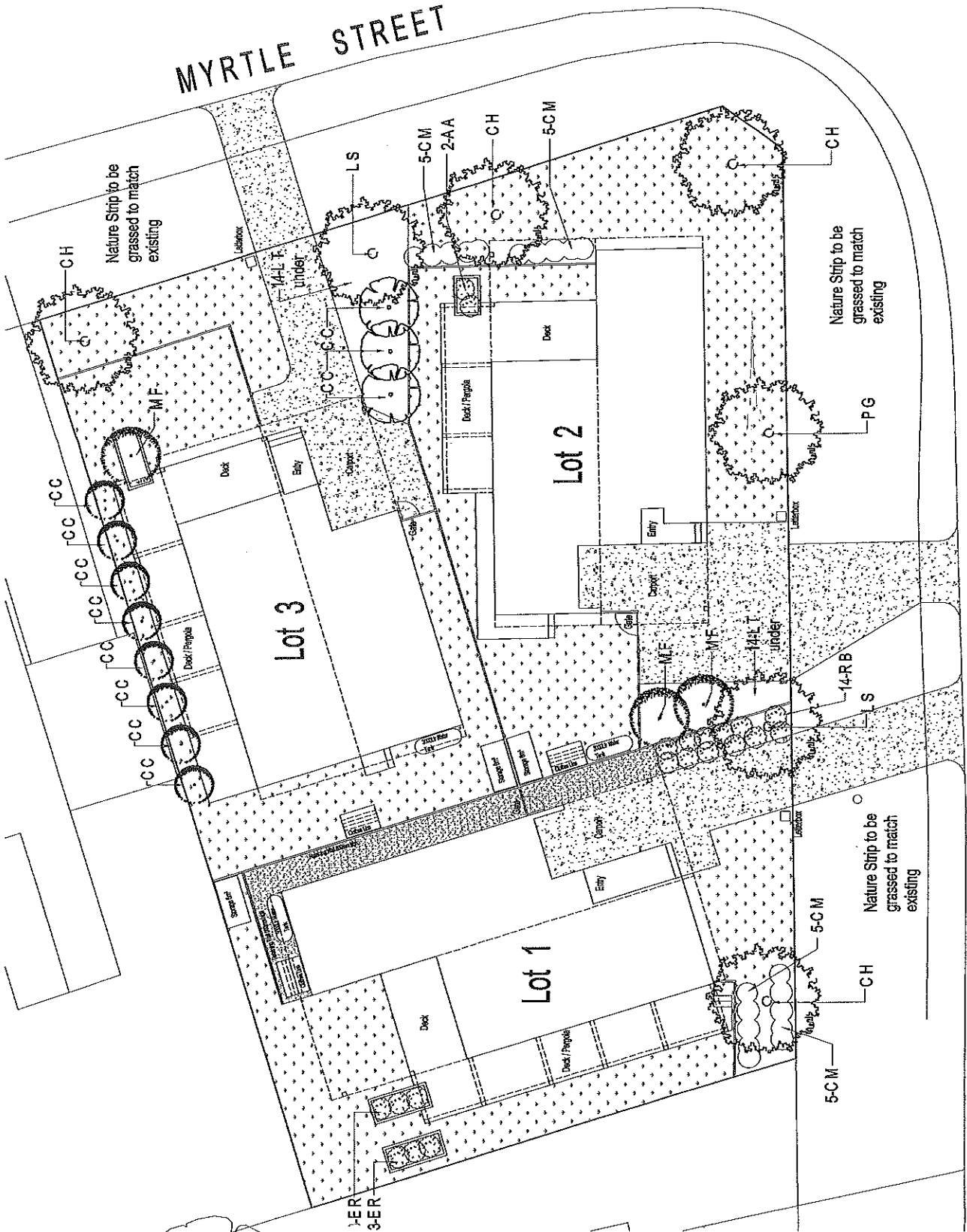
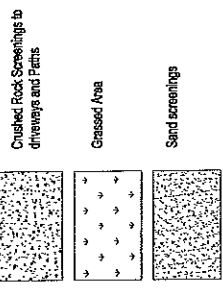
NO. DATE BY
1 2012 BALDASSO CORTESE

IN ORDER TO OBTAIN A TOWN PLANNING APPLICATION YOU MUST PAY THE TOWN PLANNING APPLICATION FEE TO THE TOWN PLANNING DEPARTMENT, 100 RIVER STREET, ALEXANDRA, NSW 2800. THE FEE IS \$1000 PER LOT. THE FEE IS NON-REFUNDABLE. THE FEE IS NOT A GUARANTEE OF APPROVAL. THE TOWN PLANNING DEPARTMENT WILL NOT BE RESPONSIBLE FOR ANY DELAYS OR CANCELLATIONS OF AN APPLICATION. THE TOWN PLANNING DEPARTMENT WILL NOT BE RESPONSIBLE FOR ANY DELAYS OR CANCELLATIONS OF AN APPLICATION. THE TOWN PLANNING DEPARTMENT WILL NOT BE RESPONSIBLE FOR ANY DELAYS OR CANCELLATIONS OF AN APPLICATION.

**TOWN
PLANNING
APPLICATION**

BALDASSO CORTESE

Planting Schedule					
Code	Botanical Name	Common Name	Max Height (metres)	Plant Spacing	Qty
TRGS					
CH	Callistemon 'Hemmi Bay'	Bottlebrush	5.0m	45/12	4
LS	Lagotis linearis	Cape Myrtle	5.0m	45/12	2
PG	Panicum granatum	Panicgrass	7.2m	45/12	1
Shrubs					
AA	Azalea	Century Plant	1.0m	25/12	2
CC	Callistemon	Callistemon	3.0m	5/12	11
ER	Eucalyptus 'Red Knight'	Red Knight Eucalypt	1.2m	5/12	6
MF	Metrosideros 'Pit Fire'	New Zealand Xmas Bush	3.0m	25/12	3
Groundcover					
CM	Coriaria 'Marg Mair'	Coriaria	0.7m	5/12	20
LT	Lomandra 'Tankie'	Tankie	0.8m	5/12	28
RB	Rozella 'Blue Lagoon'	Rosemary	0.5m	5/12	14



TOWN PLANNING APPLICATION

BALDASSO CORTESE

PROJECT TITLE: MYRTLE STREET DEVELOPMENT
82-84 MYRTLE STREET ALEXANDRIA

CLIENT: LINEN PTY LTD

DATE: 15/06/12
DRAWN: NS
CHECKED: CL

PROJECT NO: 2011422
SCALE: 1:100

NO. SHEETS: 01 OF 01

DATE: 15/06/12

PROJECT NO: 2011422/PP/Ref/She

DATE: 15/06/12

PROJECT TITLE: MYRTLE STREET DEVELOPMENT
82-84 MYRTLE STREET ALEXANDRIA

CLIENT: LINEN PTY LTD

TITLE PLAN

TP 949956 C

LOCATION OF LAND

PARISH: MOLESWORTH
 TOWNSHIP: _____
 SECTION: 1
 CROWN ALLOTMENT: 23 (Part)
 CROWN PORTION: _____
 TITLE REFERENCES: C/T's Vol. 2475 Fol. 893 (Part) & Vol. 3788 Fol. 529 (Part)
 LAST PLAN REFERENCE/S: LOT 1 ON TP 545623 J (Part) & LOT 1 ON TP 930220 L (Part)
 DEPTH LIMITATION: NIL

WARNING:

THIS PLAN REPRESENTS AN EXPECTED DIVISION OF LAND, ANY ONE LOT MAY NOT HAVE BEEN CREATED. CHECK THE LOT/PLAN INDEX FOR CURRENT INFORMATION.

NOTATIONS

EASEMENT INFORMATION

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of

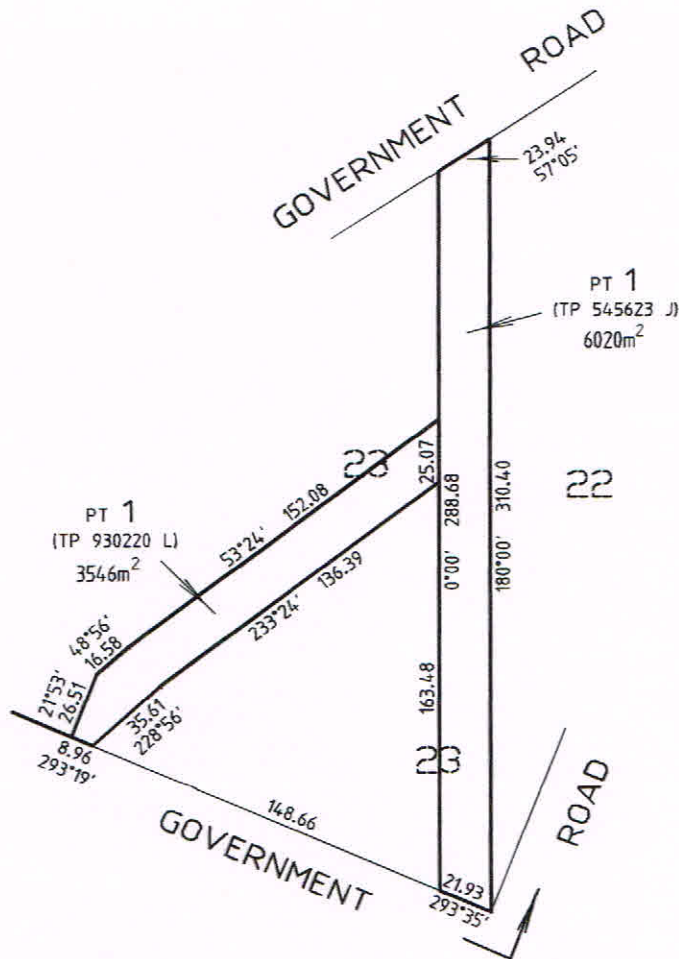
THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT.

CHECKED BY.....

DATE : / /

ASSISTANT REGISTRAR OF TITLES.

APPROX. TRUE NORTH X



RODNEY AUJARD and ASSOCIATES

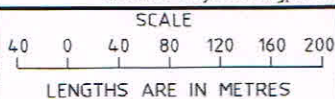
Licensed Land Surveyors

Level 1, 325 Camberwell Road, CAMBERWELL. 3124.

Ph: 9813 2222 Fax: 9813 2244

82 High Street, Yea. 3717. Ph: 5797 2056

EMAIL: aujard@bigpond.net.au



ORIGINAL SCALE SHEET SIZE
 1:2000 A3

LOCAL GOVERNMENT DEALING FILE No.

REF : 17984/C

SHEET 1

MURRINDINDI SHIRE COUNCIL

CHARTER OF THE AUDIT COMMITTEE

1. OBJECTIVES

The Audit Committee is an independent advisory committee to Council. The primary objective of the Audit 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 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 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.

2. TERMS OF REFERENCE

General

- (a) The Audit Committee is a formally appointed committee of the Council and is responsible to that body. The Audit Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Audit Committee does not have any management functions and is therefore independent of management.

The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision-making by Council in relation to the discharge of its responsibilities.

Membership

- (b) The Audit Committee will comprise a minimum of six members – three external independent persons (voting rights), two Councillors (voting rights) and the Mayor (or substitute-both non voting).
- (c) Appointments of external independent persons shall be made by Council by way of a public advertisement and be for a maximum term of two years with an option of a one year extension. The terms of the appointment should be arranged to ensure a staggered rotation and continuity of membership despite changes to Council's elected representatives.
- (d) All external independent persons will have senior business or financial management/reporting knowledge and experience, and be conversant with the financial and other reporting requirements. The evaluation of potential members will be undertaken by the Mayor, member Councillor and Chief Executive Officer taking account of the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills, and a recommendation for appointment put to Council.
- (e) If the Council proposes to remove a member of the Committee, it must give written notice to the member of its intention to do so and provide that member with an opportunity to be heard at a Council meeting which is open to the public, if the member so requests.
- (f) Remuneration will be determined by Council and reviewed periodically. Payment will be paid to each independent member of the Committee on a quarterly basis in arrears.
- (g) The Chairperson shall be appointed from the external members of the Committee by the Audit Committee subject to Council's approval. In the absence of the appointed Chairperson from a meeting, the meeting will appoint an acting Chairperson from the external members present.
- (h) A quorum will be a simple majority of the members of the Committee.
- (i) The Chief Executive Officer and internal auditor (whether a member of staff or contractor) should attend all meetings, except when the Committee chooses to meet without management in attendance. Other members of Council or Council staff may be invited to attend at the discretion of the Committee to advise and provide information when required.
- (j) Representatives of the external auditor should be invited to attend at the discretion of the Committee but **must** attend meetings considering the draft annual financial report and results of the external audit.

- (k) Council shall provide secretarial and administrative support to the Committee.
- (l) Induction of new members – any prospective new committee members should be provided with a copy of the audit committee’s charter and with the following documentation:
 - Council plan;
 - Annual report;
 - Key financial reporting policies, including related-party issues; and
 - Current council plan performance report.

Annual Agenda

- (m) An annual agenda including schedule of meeting dates will be developed and agreed to by the members. As an indicative guide, meetings would be arranged to coincide with relevant Council reporting deadlines, for example to coincide with the approval of the Council Plan, annual plans and budgets and in August to coincide with the finalisation of the financial statements and the draft annual report to the Minister.

The Committee shall meet at least quarterly.

Additional meetings shall be convened at the discretion of the Chairperson or at the written request of any member of the Committee, internal or external auditor.

All meetings of the Committee shall be conducted in accordance with Council’s Local Law No. 3 – Meetings & Common Seal.

Reporting

- (n) The Audit Committee shall after every meeting forward the minutes of that meeting to the next ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes.
- (o) The Committee shall report annually to the Council summarising the activities of the Committee during the previous financial year.

Duties and Responsibilities

- (p) The following are the duties and responsibilities of the Audit Committee in pursuing its Charter:
 - (i) To review the scope of the internal audit plan and program and the effectiveness of the function. This review should consider whether, over a period of years the internal audit plan systematically addresses:

- internal controls over significant areas of risk, including non-financial management control systems;
 - internal controls over revenue, expenditure, assets and liability processes;
 - the efficiency, effectiveness and economy of significant Council programs; and
 - compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements.
- (ii) Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or Chief Executive Officer.
- (iii) Review the level of resources allocated to internal audit and the scope of its authority.
- (iv) Review reports of internal audit and the extent to which Council and management respond to matters raised by internal audit, by monitoring the implementation of recommendations made by internal audit.
- (v) Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs.
- (vi) Critically analyse and follow up any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues, and any other matters relevant under the Committee's terms of reference. Review management's response to, and actions taken as a result of the issues raised.
- (vii) Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems.
- (viii) Monitor ethical standards and related party transactions by determining whether the systems of control are adequate.
- (ix) Review Council's draft annual financial report, focusing on:
- accounting policies and practices;
 - changes to accounting policies and practices;
 - the process used in making significant accounting estimates;
 - significant adjustments to the financial report (if any) arising from the audit process;
 - compliance with accounting standards and other reporting requirements;
 - significant variances from prior years.

- (x) Recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the financial report is signed.
- (xi) Discuss with the external auditor the scope of the audit and the planning of the audit.
- (xii) Discuss with the external auditor issues arising from the audit, including any management letter issued by the auditor and the resolution of such matters.
- (xiii) Review procurement practices against best practice and legislation and advise Council.
- (xiv) Review the annual performance statement and recommend its adoption to Council.
- (xv) Review issues relating to national competition policy, financial reporting by Council business units and comparative performance indicators.
- (xvi) Identify and refer specific projects or investigations deemed necessary through the Chief Executive Officer, the internal auditor and the Council if appropriate. Oversee any subsequent investigation, including overseeing of the investigation of any suspected cases of fraud within the organisation.
- (xvii) Monitor the progress of any major lawsuits facing the Council.
- (xviii) Address issues brought to the attention of the Committee, including responding to requests from Council for advice that are within the parameters of the Committee's terms of reference.
- (xix) The Audit Committee in conjunction with Council and the Chief Executive Officer should develop the Committee's performance indicators.
- (xx) Receiving mandatory quarterly financial statements.
- (xxi) Review key policies impacting the effectiveness of Council's governance framework, including the Code of Ethics, Fraud Policy, Whistleblower Policy, etc.

Quorum

- (q) The Audit Committee, through the Chief Executive Officer and following authorisation from Council, and within the scope of its responsibilities, may seek information or obtain expert advice on matters of concern.

Review

- (r) The audit committee shall be subject to a periodic review, including a review by the Council and the completion of a self-assessment program. The reviews should include the following:
- Obtaining feedback on the committee's performance and operations from key people such as the external auditor, the internal auditor, and senior financial and other management staff.
 - Obtaining feedback from the Council on the effectiveness of the committee.
 - Assessing the performance of the audit committee against its terms of reference.
 - Assessing the contribution of individual committee members (review to be completed by the committee's chairperson) and the chairperson (review by committee members), for discussion with the Mayor.

3. MISUSE OF POSITION

In accordance with section 76D of the Local Government Act 1989 as amended (the Act), members must not misuse their position to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or to cause, or attempt to cause, detriment to the Council or another person.

4. CONFLICT OF INTEREST

In accordance with Section 79 of the Act, members are required to disclose all conflicts of interest and may not be eligible to vote on a matter or attend a meeting at which the subject of the conflict will be considered, depending on the nature of the conflict. Members are expected to be aware of the provisions of the Act with regard to conflicts of interest and disclosure thereof. Failure to comply with the provisions of the Act with regard to conflicts of interest may result in the member's appointment being terminated.

5. CONFIDENTIALITY

All members are expected to be aware of their responsibilities with regard to the confidentiality of information about Council's affairs pursuant to Section 77 of the Act. Failure to comply with the provisions of the Act with regard to confidentiality may result in the member's appointment being terminated.

6. ATTACHMENTS

The Council has attached the following documents or copies of the document to this Charter.

- Local Law No. 3 – Meetings & Common Seal

The Audit Committee Charter was endorsed by the Murrindindi Shire Council on 25 August 2010.

.....
Margaret Abbey
CHIEF EXECUTIVE OFFICER

DRAFT

December 2012

The Councillors
Murrindindi Shire Council
Perkins Street
Alexandra

Annual Report – Audit Committee

The committees charter determines that its principal functions relate to assisting council with the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisations ethical development.

In the execution of these responsibilities the committee this year has been involved in the consideration and assessment of several reviews and audits including;

- Tendering
- Purchasing
- Compliance with local government act
- Procurement and Contract Management
- Business Continuity and disaster recovery plans
- KPMG Risk Assessment and modelling of financial assistance report
- Human Resources

During the year the committee also conducted its examination of quarterly management financial reports, the audit and preparation of the annual financial statements and the annual budget and plan. The year also saw the introduction of some new initiatives to improve the operation and accountability of the committee these included the development of an annual plan and a formal internal annual assessment of committee performance.

From the committees perspective the main area of interest for further improvement is in the development, implementation and compliance of a framework, processes and procedures in relation to purchasing, procurement and contract management. It is anticipated that this will be a focus of the committees work for the 2013 year.

Personally, I would like to take this opportunity to formally thank Margaret Rae for her leadership of the committee over the prior year. I am confident that the loss to our committee will be of benefit for the wider council. Additionally I believe that it is appropriate to express acknowledgement to Margaret Abbey

and Robert Cherry for their ardour to the proper governance of council. Particularly their steadfast commitment to transparency, accountability and excellence. And to Jennifer Lewis who as always is tireless and dedicated to the difficult task of continued operational improvement and the fulfilment of council objectives.

I would be pleased to discuss any issues that relate to the activities and performance of the committee with councillors.

Yours Sincerely

Jeff Hunter
Independent Member Audit Committee



Rotary Club of Alexandra Inc.

REG NO. 18261 DISTRICT 9790 ABN 84 977 021 210
Meet Wednesdays 6-30pm for 7pm Alexandra Golf Club Gordon St Alexandra
Attendance Marianne Raymond on 03 57721915 BH
Or <http://www.rotary9790.org.au/alexandra>



COPY

Margaret Abbey,
Chief Executive Officer,
Murrindindi Shire Council,
P.O.Box 138,
Alexandra 3714

MURRINDINDI SHIRE COUNCIL	DIST. LIST
RECEIVED	MA
14 DEC 2012	RBC copy
File No 10/08/05	KMA
	PC 10348

Dear Margaret, Re Library Redundancies & Services

On behalf of the Rotary Club of Alexandra and Friends of the Alexandra Library, we wish to submit a Petition to Council.

Our understanding is that this would be tabled at the Regular Meeting of Council on Monday 17th December and lay on the Table until the next Regular Meeting of Council, which we understand is on Wednesday 23rd January 2013.

We give notice that we would like to be heard in the Open Session of Council on 23rd January 2013

Yours sincerely

Tom Farrell
Secretary

President: Ross Thompson
Secretary: Tom Farrell
Treasurer: Maurie Pawsey

ALL CORRESPONDENCE TO:
P.O. BOX 76
ALEXANDRA 3714 VICTORIA
tfarrell@dkc.net.au

TO The MURRINDINDI SHIRE COUNCIL

We the undersigned, residents and ratepayers of Murrindindi Shire formally request the Murrindindi Shire Council to receive, consider and act on the following Motions carried by show of hands at the Special Public Meeting convened by Rotary Club of Alexandra and Alexandra Friends of the Library and held in Alexandra Shire Hall at 5 pm Thursday 6 December 2012.

The purpose of the meeting was to voice concerns over recent decisions by Murrindindi Shire Council to outsource library book acquisitions and retrench by immediate dismissal three community-valued Alexandra Library staff. Over 200 people attended the meeting.

Motions Carried:

1. This Public Meeting requests council to present to the public the financial analysis used to underpin their decision to abolish the Library Headquarters activity and make three people redundant.
2. This Public Meeting requests council to inform the public of the basis behind creating redundancies before any costing for an alternative proposal were available
3. This Meeting notes that the Shire has given commitments to not cut program funding and Services and we demand that this commitment be honoured and reviewed regularly.
4. This Meeting censures the shire for the insensitive manner in which the three Library staff were made redundant, without notice, or prior consultation with the staff, or the stakeholders and without any recognition of their contribution to the community. This meeting requires the shire to recognise that a mistake has been made and reinstate these three members.
5. This Public Meeting censures Council for the failure to adhere to Council Community Engagement Policy and Guidance in its considerations relating to the restructuring of library management.

From Tom Farrell

Pamela Thompson

Maurice Pawsey

SIGNED

T. Farrell

[Signature] [Signature]

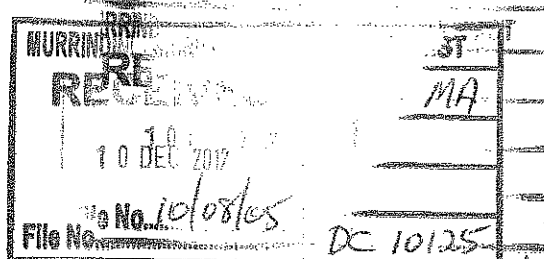
DATED

12/12/2012

09/12/12

Att: CEO Ms M Abbey

re: Alexandra Library staff sackings.



Dear Ms Abbey,

Recent dismissal of key library staff in Alexandra, (Murrindindi Shire) , brings into stark relief, the lack of general public consultation in such decision making.

Small communities often go through cycles of hardship and good fortune. Alexandra is not immune. However, we are enriched by small groups, sparkling individuals and well respected elders who help us get through the tough patches and provide guidance and inspiration when it is most needed.

Amongst these are our librarians including one dynamic and vibrant Libby Kotchet, who for three decades has touched and enriched the lives of our young people. Others toil quietly in the background. All who have come to know them acknowledge and value their contributions. This cannot be said of those who summarily dismiss them and thereby insult the very community they profess to work for.

Small communities rely on good people. Those we elect and those who administer local government have a primary responsibility to engage with their constituents and to find out and act upon what is important to them. I ask that this recent travesty be reversed and that our leaders accept their responsibility to protect our invaluable library.

[Redacted block]

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Please table at next council meeting .