



# **AGENDA**

## **Ordinary Council Meeting**

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**6.00pm Tuesday 23 April 2019**

**VENUE:**  
**Linton Customer Service Centre**  
**Council Chambers**  
**68 Sussex Street, Linton**

NEXT ORDINARY COUNCIL MEETING  
6.00pm Tuesday 28 May 2019

Copies of Golden Plains Shire Council's Agendas & Minutes  
Can be obtained online at [www.goldenplains.vic.gov.au](http://www.goldenplains.vic.gov.au)

## **Code of Conduct Principles**

### **WORKING TOGETHER**

We Councillors will:

- acknowledge and respect that a diversity of opinion exists among us;
- recognise that each of us has different life experience, knowledge and values, and that all of these contribute collectively to our discussions;
- behave with courtesy towards each other, Council officers and our citizens;
- conform to the policy and precedents that guide the conduct of meetings;
- attend punctually and participate in all relevant meetings, workshops and briefings;
- share reasonably in the representation, ceremonial and hosting tasks of the full Council; and
- honour the majority decisions made by the Council, irrespective of our own position, and explain these decisions frankly to the community, once made.

### **BEHAVING WITH INTEGRITY**

We Councillors will:

- identify our financial and personal interest, or potential interest, in any matter that comes before the Council;
- be honest and truthful;
- comply with laws and the regulations deriving there from;
- respect Council property and be frugal in its use, where allowed;
- avoid using our position for personal gain or to achieve advantage over others or to obtain preferential treatment;
- be sympathetic to the legitimate concerns of our citizens;
- act impartially when making decisions and have due regard to the needs of the community as a whole, rather than that of narrow vested interest; and
- acknowledge the role of Council officers in providing advice to us and in implementing Council decisions.

### **MAKING COMPETENT DECISIONS**

We Councillors will:

- without diminishing the short term focus, approach decisions with due regard to the long term needs of the municipality;
- form policies with regard to the needs of the entire Shire;
- direct our attentions to the strategic and statutory needs of the municipality rather than short term, transient, operational issues;
- seek to fully inform ourselves on the issues before Council before making a decision;
- take all reasonable steps to improve our knowledge of matters relevant to our municipal duties; and
- use and respect the professional knowledge of Council officers and other advisers to Council.

## Order Of Business

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**1 OPENING DECLARATION**

We the Councillors of Golden Plains Shire declare that we will undertake, on every occasion, to carry out our duties in the best interest of the community and that our conduct shall maintain the standards of the code of good governance so that we may faithfully represent and uphold the trust placed in this Council by the people of Golden Plains Shire.

**2 ACKNOWLEDGEMENT OF COUNTRY**

Council acknowledges the traditional Wadawurrung owners of this land. Council pays its respects to Wadawurrung Elders both past and present and extends that respect to all Aboriginal and Torres Strait Islander People who are part of Golden Plains Shire.

**3 APOLOGIES AND LEAVE OF ABSENCE****4 CONFIRMATION OF MINUTES**

That the minutes of the meeting of Council, 26 March 2019 as circulated, be confirmed.

**5 DECLARATION OF CONFLICT OF INTEREST**

## **6 BUSINESS REPORTS FOR DECISION**

### **6.1 DELEGATES REPORT - 26 MARCH 2019 TO 22 APRIL 2019**

**File Number:** 78-07-002

**Author:** Sharon Naylor, Executive Assistant - Chief Executive Officer

**Authoriser:** Eric Braslis, CEO

**Attachments:** Nil

### **RECOMMENDATION**

That Council receive and note the Delegates Report – 26 March 2019 to 22 April 2019.

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The Delegates Report – 26 March 2019 to 22 April 2019 to be verbally provided at the meeting.

## 6.2 COUNCIL PLAN - ANNUAL REVIEW FEEDBACK

**File Number:****Author:** Felicity Bolitho, Acting Manager Healthy, Active & Engaged Communities**Authoriser:** Lisa Letic, Director Community Services**Attachments:**

1. Community Feedback Summary (under separate cover)
2. Council Plan Feedback - Survey Results (under separate cover)
3. Draft Council Plan and Updated Strategic Resource Plan (under separate cover)

**RECOMMENDATION**

That Council:

1. Receive the feedback on the Council Plan, noting that no significant changes are required to the strategic directions, key performance indicators or measures of success.
2. Acknowledge that the Council Plan is therefore not required to be formally re-exhibited under Section 223 of the *Local Government Act* 1999.
3. Note that the updated Council Plan (2019) including the Municipal Public Health and Wellbeing Plan and the Strategic Resource Plan will be presented to Council at its June meeting for adoption.

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**EXECUTIVE SUMMARY**

The Council Plan 2017-21 is the key document setting out Council's strategic direction. The *Local Government Act* 1989 (the Act) requires that at least once each financial year Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan.

During February, March and April 2019, community engagement was undertaken to ensure that Council's review of the Council Plan is appropriately informed. The engagement process included consultation with the community, staff and Councillors via a survey. Feedback was received from 12 community members, four Councillors and 73 council staff members. Feedback was generally positive with no specific gaps or issues identified.

The Local Government Act requires that a formal consultation process under section 223 of the Act be undertaken when changes to the strategic directions, key performance indicators or measures of success in a Council Plan are proposed (refer S. 125 (9)). In this case, however, no such amendments are considered necessary and therefore a section 223 consultation process is not required.

**BACKGROUND**

The community engagement process this year for the annual Council Plan review saw:

- Community survey via Council website promoted on social media, general media and community newsletters.
- Councillor and staff access to survey.
- Staff workshops on Unpacking the Council Plan.

**POLICY CONTEXT**

The Council Plan is the key strategic planning document for Council, setting the context for policy and strategy development.

## DISCUSSION

Consultation feedback was received from 12 community members, four Councillors and 73 council staff members. Commentary has been compiled in the Feedback Summary document (attachment 1) and survey results summarised in attachment 2.

Overall, feedback from staff was pleasing and identified that 100% of staff are familiar or somewhat familiar with the Council Plan and more than 60% understand how their day to day duties contribute to Council's overall vision.

Community and Councillor feedback relating directly to the Council Plan, was also generally positive, with no particular gaps or issues noted.

One strong theme did emerge across a number of community and councillor responses regarding infrastructure investment and maintenance. Feedback requests that Council continue to deliver strongly with regards to infrastructure maintenance and roads investment.

The 'Managing the Natural and Built Environment' pillar in the Council Plan places a strong emphasis on local community infrastructure maintenance and renewal for all communities in the Shire. While infrastructure and roads are mentioned in the Council Plan in a number of Pillars, it is proposed that the following insertion (underlined) be made on page 19 to improve clarity:

- "Invest in maintenance, renewal and improvement of community infrastructure and the local road network."

This insertion would not change the intent of the Council Plan but would highlight Council's increased focus on, and investment in, infrastructure renewal. The proposed change is not significant enough to trigger a formal consultation process under Section 223 of the *Local Government Act* and, accordingly, is not being recommended for formal consideration and resolution as part of this report. Rather, the intent is that it will form part of the recommendation to Council's June meeting to adopt the updated Council Plan.

## CONSULTATION

Engagement for this Annual Review was undertaken through three surveys between February and April 2019. The community survey was promoted via Council's website, social media and local media as to the Review process and the opportunity for input.

It is acknowledged that the responses collected were limited from the community perspective, but in light of the high levels of engagement and feedback from community during the development of the Plan and also during the first year review, this can potentially be viewed as a sign that Council's delivery of the Plan is meeting community expectation. However, Council aims to increase engagement and to source more representative feedback during next year's 2020 review and hold substantially more engagement with community during the development of the next Plan for 2021-2025.

## CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

## CONCLUSION

The Council Plan is the most significant strategic policy document for Council. Strong community engagement in its review assists in identifying gaps, issues and opportunities so that the Council Plan remains effective and relevant. It also enables Council to assess its effectiveness in implementing the current Council Plan.

The updated Council Plan (2019) including the Municipal Public Health and Wellbeing Plan and updated Strategic Resource Plan will be presented to Council at its June meeting for adoption.

**6.3 PREPARATION OF 2019-20 DRAFT BUDGET - ENDORSE FOR EXHIBITION****File Number: 40-01-016****Author: Fiona Rae, Finance Manager****Authoriser: Philippa O'Sullivan, Director Corporate Services****Attachments:**  
**1. Draft 2019-20 Budget-V2 (under separate cover)**  
**2. Draft Schedule of Fees and Charges (under separate cover)****RECOMMENDATION**

That Council:

1. In accordance with section 127 of the Local Government Act 1989, place the draft 2019-20 Annual Budget on public exhibition and that:
    - a. The Chief Executive Officer be authorised to:
      - (i) Give public notice of this, in accordance with Section 129 and 223 of the Local Government Act 1989; and
      - (ii) Make available for public inspection the draft 2019-20 budget.
    - b. Council consider any submissions on any proposal (or proposals) contained in the draft 2019-20 Annual Budget, made in accordance with Section 129 and 223 of the Local Government Act 1989 at a Council Meeting to be held Tuesday 11 June 2019.
    - c. Council consider a notice of motion to adopt such 2019-20 Annual Budget at the Council meeting to be held on Tuesday 25 June 2019.
  2. Endorse the draft 2019-20 schedule of fees and charges for adoption at the Council meeting to be held on Tuesday 25 June 2019
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**EXECUTIVE SUMMARY**

The 2019-20 Draft Budget is appended to this report and includes a detailed list of the capital works program. The proposed fees and charges are provided in attachment two. The 2019/20 draft budget been prepared based on the adopted principles within the 2017-2021 Council Plan and Strategic Resource Plan, however, some of the longer term assumptions have been altered to better reflect the current environment and known future changes.

The budget seeks to maintain and improve services and infrastructure as well as deliver projects and services that are valued by our community, delivering these within the 2.50% rate cap increase mandated by the State Government. This year, the creation of the draft budget was based on a number of new principles:

- No increases in operational expenditure beyond a CPI increase of 2.5%;
- All new initiatives / projects / programs have been evaluated against organisational priorities; and
- All savings to be redirected to asset maintenance or renewal.

As a result, the key indicators of the 2019-20 draft budget are:

- Total operating revenue of \$44.5m
  - Rate revenue modelled on pre-valuations with a 2.5% average rate cap increase which is in accordance with the State Government rate cap legislation;
  - The waste service charge is set at full cost recovery noting that the increase is in line with the rate cap of 2.5%.

- Existing fees and charges have been increased with CPI or market levels.
- Operating Expenditure of \$42.1m to continue to deliver services to the Golden Plains community with an increased focus on infrastructure maintenance.
- Operating surplus \$2.4 million.
- Underlying deficit of \$2.3 million.
- Cash inflow from operations of \$12.6 million.
- Total Capital Works investment of \$18.7 million of which asset renewal makes up 23%, capital upgrade 57% and new assets of 20%. The GPCCC budget of \$4.5m relates to refurbishing the existing building and is therefore treated as capital upgrade.

This year, rates will be based on new 2019 valuations with rate increases varying across the differential rating categories and individual properties. There can be a misunderstanding that as properties are revalued, council receives additional revenue. However, this is not the case, but instead the total revenue is re-distributed across all properties in the shire. Total income from rates can only be increased by the 2.5% rate cap. As such, as property values increase, the rate in the dollar will decrease.

In an effort to make this system fairer, Council proposes to decrease the amount received from total rate revenue (which is distributed using property values) and increase the revenue raised from the fixed municipal charge from \$225 to \$300. This approach aims to highlight that all rate payers will contribute to a base charge for council services and less revenue will be contributed from a property valuation based rating system.

Council makes two further distinctions within the property value component of rates based on the purpose for which the property is used and whether it is located within a defined geographic growth area.

Council's Rating Strategy ensures that the financial burden is shared equitably amongst ratepayers, whilst generating sufficient revenue to meet the increasing demands of future infrastructure and service needs of the Shire.

As indicated above, the 2019/20 draft budget has resulted in an adjusted underlying result of \$2.2m deficit noting that this is below the Council's financial sustainability threshold of zero. However, when preparing the 2019/20 budget a key objective was to increase the standard of infrastructure assets to meet the increasing demands of our growing population and ensure adequate services are maintained across the shire. As a result, this has impacted the financial position for 2019/20, but as these levels of expenditure reduce in future years coupled with a forecast in revenue from external sources such as the Berrybank windfarm, the long term financial sustainability of council is not impacted.

## **BACKGROUND**

In preparing the 2019/20 budget, the focus has been maintaining adequate services to the community which has included a focus on increasing asset renewals and infrastructure maintenance.

The draft budget highlights a significant increase capital investment of \$18.7m which is nearly double the investment of previous years. This has been driven through an increased effort to invest in asset renewals.

Some key new allocations that have been included are:

- Additional funding has been redirected into IT infrastructure and software increased from \$160k to \$500k.
- Significant funding has been redirected into asset renewal program as compared to 2018/19:
  - Reseals increased from \$850k to \$1.15m.

- Local Road Improvements increased from \$280k to \$1.3m.
  - Maude She Oaks Road Widening.
- Specific Local Road Projects (subject to successful fixing country roads funding).
  - Linton Mannibadar Road Widening (\$700k Roads to Recovery, \$700k FCR).
  - Cressy Pitfield Road Widening (\$400k Roads to Recovery, \$800k FCR).
- Gravel Resheeting increased from \$300k to \$600k.
- Footpaths & Trails increased from \$150k to \$300k.
- Kerb and Channel increased from \$0 to \$425k.
- Bridges expenditure include, \$1.1m Coopers Bridge, \$400k Barwon Park Rd Bridge Deck Replacement.
- Projects attracting significant grant funding include:
  - Bannockburn Oval lighting upgrade (Federal grant \$500k, Council \$75k).
  - Bannockburn Bowls upgrade (SRV Minor grant \$250k, Club \$90k, Council \$274).
  - Inverleigh Netball Courts (SRV Female Friendly Facilities \$250k, Council \$200k).
  - Rokewood Oval lighting upgrade (SRV Minor grant \$170k, Council \$115k).
  - Teesdale Turtle Bend upgrade (\$220k Berrybank Windfarm Community Contribution, \$220k Building Betters Regions).

In addition, new Initiatives include:

- Future Design Work \$100k.
- Environment Strategy Implementation \$50k.
- Shire Beautification \$40k.

The use of Retained Earnings has been directed toward:

- \$1.5m from Bakers Lane Reserve to enable construction of the infrastructure for Stage 4 of the 30 Lot Subdivision.
- \$100k from Open Space Reserve to enable playgrounds improvements.

## **STRATEGIC ALIGNMENT**

The draft 2019/20 budget also addresses all of the priorities and strategic objectives as outlined in Golden Plains Shire's 2017-2021 Council Plan as outlined below:

### Strategic Objective 1: Promoting Healthy and Connected Communities

- Operating and maintaining six multi-use community centres across the Shire to provide spaces for communities to connect.
- Delivery of the new Supported Playgroup program which is funded by the State Government.

### Strategic Objective 2: Enhancing Local Economies

- Ongoing focus on investment attraction, business support, tourism development, lobbying and advocacy and partnership.
- Promotion and delivery of the Golden Plains Farmers Market.

### Strategic Objective 3: Maintaining Natural and Built Environments

- Increased expenditure of \$716k allocated to assist in the maintenance of sealed and gravel roads, bridges, trees, drainage and footpaths. Additional investment of \$2.5m in renewal expenditure on roads and bridges.
- Increased focus on Asset Management systems and processes to assist in planning and resource allocation.
- Implementation of the Northern Settlement Strategy.

**Strategic Objective 4: Delivering Good Governance and Leadership**

- Additional resources have been allocated to further improve Council's practices to ensure ongoing legislative compliance in the areas of Health and Safety and Child Safe Standards.
- Increased focus on Council's transparency and communication to ensure residents are kept informed.

**CONSULTATION**

The principles contained in the 2017-2021 Council Plan were adopted after an extensive community engagement and consultation process. As mentioned earlier in the report the Draft Budget has been prepared based on these adopted principles.

The draft 2019/20 budget is to be placed on public exhibition as part of the legislated four week consultation period. The draft budget will be made available for inspection and comment to the 24 May 2019. Any person can make written comment on any proposal contained in the budget. Feedback will be heard at a council meeting on 11 June 2019.

The annual budget has been developed in consultation with team leaders, managers and directors responsible for managing budgets to deliver the programs and activities identified with the Corporate Services team providing detailed oversight and quality assurance of the overall budget development.

**CONFLICT OF INTEREST**

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

**CONCLUSION**

The strategies and long-term financial plans adopted by Council must underpin the preparation of the 2019-20 budget. It is also impacted by the Shire's unique demographics, increased demand for new services, population growth, extensive local road network of 1,800 kilometres and the competing interests between rural and urban communities. It is also important to note that a key ingredient in delivering budgeted outcomes continues to be the hard work of the Shire's many volunteers.

In accordance with the legislation, Council will place the Budget out for public exhibition prior to the adoption of the final budget 2019-20 by 30 June 2019.



## 6.4 ADOPTION OF LOCAL LAW NO. 1 OF 2019 - COUNCIL MEETING PROCEDURES & COMMON SEAL

**File Number:****Author:** Candice Holloway, Corporate Governance Coordinator**Authoriser:** Philippa O'Sullivan, Director Corporate Services

**Attachments:**

1. Local Law No. 1 of 2019 - Council Meeting Procedures & Common Seal (under separate cover)
2. Council Policy 4.4 – Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) (under separate cover)
3. Copy of Submissions Received (Redacted) (under separate cover)
4. Officer Response to Submissions Received (under separate cover)

**RECOMMENDATION**

That Council:

1. Adopt the Local Law No. 1 of 2019 – Council Meeting Procedures & Common Seal (local law) (Attachment 1) to come into effect on 13 May 2019, in accordance with Section 119 of the Local Government Act 1989.
2. Adopt the revised Council Policy 4.4 – Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) (Attachment 2) to come into effect on 13 May 2019, with the local law.

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**EXECUTIVE SUMMARY**

In March 2019 Local Law No. 1 of 2019 – Council Meeting Procedures & Common Seal (local law) was publically exhibited in accordance with Section 119 and 223 of the Local Government Act 1989 (the Act), along with the supporting Council Policy 4.4 – Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) (policy).

Submissions from the public were invited via email, hardcopy mail or through Council's Have Your Say webpage, with a closing date of 7 April 2019.

3 public submissions were received, including 1 late submission. The issues raised in the submissions were considered in detail and minor changes are proposed, summarised in the report.

The local law and policy are now presented for final adoption. Once adopted, the statutory process for making a local law as described in Section 119 of the Act will be followed, with the local law and policy then coming into effect on 13 May 2019.

**BACKGROUND**

Council's Local Law No. 1 was previously adopted in 2009 and will sunset on 28 May 2019.

A full review of the local law was undertaken and at its meeting held on 26 February 2019 Council endorsed the proposed local law and supporting policy and resolved to publicly exhibit the documents in accordance with Section 223 of the *Local Government Act 1989*.

A public notice inviting submissions was published on the 7 March 2019 with a closing date of 7 April 2019.

The timeline for formal adoption of the local law was set out as follows:

| Date      | Action   |
|-----------|--|
| Completed | Officer review and benchmarking with other Councils. |
| Completed | Legal advice in relation to some sections.           |

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|----------------|--|
| Completed      | Full management team consideration.  |
| Completed      | Councillor Briefing.   |
| Completed      | Council meeting to adopt draft local law and place on public exhibition.   |
| Completed      | Public notice in Golden Plains Times and Government Gazettal advising of intention to amend the local law and invite public submissions.<br>Publishing of Community Impact Statement with draft local law. |
| Completed      | Public exhibition period (at least 28 days).   |
| Completed      | Council to consider public submissions and where appropriate, incorporate any amendments suggested during the submissions process.   |
| Completed      | Councillor Briefing.   |
| April 2019     | Council meeting to adopt finalised local law.  |
| Early May 2019 | Public notice in Golden Plains Times and Government Gazettal advising adoption of local law.   |
| Early May 2019 | Submit copy of final local law to the Minister for Local Government.   |
| Mid-May 2018   | Local Law No. 1 of 2019 commences.   |

## POLICY CONTENT

*Council Plan 2017-2021*

Strategic Direction: 4. Delivering good governance and leadership.

## DISCUSSION

### **Summary of Submissions**

In accordance with Section 223 of the Act, the public notice inviting submissions was placed in the Government Gazette, Golden Plains Times and on Council's website on 7 March 2019.

Submissions were invited via email, hardcopy mail or through Council's Have Your Say webpage with a closing date of 7 April 2019.

3 public submissions were received, including 1 late submission, summarised as follows:

| No. | Submitter  | Position          | Details of Submission  | Officer Response   |
|-----|--|-------------------|--|--|
| 1.  | Submitter 1<br>(Councillor)                      | Changes proposed. | Various changes proposed to the local law and policy.<br><br>Refer to full copy of submission (Attachment 3).              | Comments noted. Minor changes recommended.<br><br>Refer to recommended changes table below and detailed officer response (Attachment 4). |
| 2.  | Submitter 2<br>(Individual)                      | Comment.          | Comment regarding removing Christian Prayer from Council Meetings.<br><br>Refer to full copy of submission (Attachment 3). | Comments noted and no changed recommended.<br><br>Refer to detailed officer response (Attachment 4).                                     |
| 3.  | Submitter 3 –<br>Late Submission<br>(Individual) | Changes proposed. | Various changes proposed to the local law and policy.<br><br>Refer to full copy of   | Comments noted. Minor changes recommended.<br><br>Refer to recommended changes table below and   |

|  |  |  |                               |  |
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|  |  |  | submission<br>(Attachment 3). | detailed officer response<br>(Attachment 4). |
|--|--|--|-------------------------------|--|

A full copy of the 3 submissions received is provided (Attachment 3).

In accordance with Section 223 of the Act, a Meeting of Council was not required to hear submitters as no submitters indicated in their submissions that they wished to appear in person to be heard by Council.

The issues raised in the submissions have been considered and a detailed officer response prepared (Attachment 4).

Following consideration of submissions and further review of the local law and policy, minor changes are proposed, summarised as follows:

| <b>Local Law No. 1 – Council Meeting Procedures &amp; Common Seal</b> |  |  |
|---|--|--|
| <b>Clause Number</b>  | <b>Recommended Change</b>  | <b>Reason for Change</b>   |
| Part 1 – Section 5<br>– Definitions –<br>Joint Letter                 | Delete words ‘at least ten people’ and replace with the words ‘the required number of people determined in a policy adopted by Council’. Definition to now read as follows:<br><br><i>‘Joint Letter’ means a formal application to Council in the form of a letter which has been signed by the required number of people determined in a policy adopted by Council from separate entities whose names and physical addresses also appear on the letter. A letter from a single entity or organisation that is signed by multiple parties from that organisation or entity will not be classed as a joint letter;’</i> | In accordance with clause 55.2, the number of people required to sign petitions is determined in revised Council Policy 4.4 clause 3.2.1.  |
| Part 1 – Section 5<br>– Definitions –<br>Petition                     | Delete words ‘at least ten people’ and replace with the words ‘the required number of people determined in a policy adopted by Council’. Definition to now read as follows:<br><br><i>‘Petition’ means a formal written application to Council, typed or printed without erasure, signed by the required number of people determined in a policy adopted by Council whose names and physical addresses also appear, and on which each page of the petition bears the wording of the whole of the petition;’</i>  | In accordance with clause 55.2, the number of people required to sign petitions is determined in revised Council Policy 4.4 clause 3.2.1.  |
| Section 6 –<br>Procedure for<br>Election of Mayor                     | Include two new clauses, clause 6.11.6 and 6.11.7, to read as follows:   | Change provides clarity in regard to withdrawal of nominations and process to follow if a candidate has been elected as Mayor but was also |

|  |  |                             |
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|  | <p><i>'6.11.6 A candidate may withdraw their nomination at any time prior to the election being conducted.</i></p> <p><i>6.11.7 If a candidate is nominated for both the position of Mayor and Deputy Mayor and is successfully elected as Mayor, then their nomination for Deputy Mayor is deemed to be withdrawn.'</i></p> | nominated for Deputy Mayor. |
|--|--|-----------------------------|

| <b>Council Policy 4.4 – Public Participation in Council Meetings</b>             |   |   |
|--|---|---|
| <b>Clause Number</b>   | <b>Recommended Change</b>   | <b>Reason for Change</b>  |
| Section 2 – Public Presentations and Submissions – Clause 2.1                    | <p>Add the words 'In regard to the Planning and Environment Act 1987, persons will only be able to make a presentation to Council at an Ordinary or Special Council Meeting on applications for planning permits that are before Council for determination.' to the last paragraph of clause 2.1.</p> <p>Clause to now read as follows:</p> <p><i>'Council will provide a specific opportunity for the submitter to appear in person (or have a nominated representative appear in person) to make a presentation to Council, if they wish to do so. In regard to the Planning and Environment Act 1987, persons will only be able to make a presentation to Council at an Ordinary or Special Council Meeting on applications for planning permits that are before Council for determination.'</i></p> | Change provides clarity that for planning related matters the opportunity to appear in person to make a public presentation at a Council Meeting only applies where the planning application will be decided by Council (as the Responsible Authority). |
| Section 2 – Public Presentations and Submissions – Clause 2.14                   | <p>Delete the words 'that point in time when the matter listed on the agenda is discussed, or at any other', and add the word 'any'.</p> <p>Clause to now read as follows:</p> <p><i>'Council reserves the right to deal with presentations as it sees fit. This may be at any time during the meeting, at the discretion of the Chairperson.'</i></p>  | Change provides clarity and removes unnecessary words. Clause retains same meaning.   |
| Section 3 – Petitions and Joint Letters – New clause 3.3 (previously clause 3.5) | <p>Previous clause 3.5 to become new clause 3.3, which reads as follows:</p> <p><i>'If Council receives a petition or joint letter which does not comply with clause and sub-clauses 3.2</i></p>  | Change allows new clause 3.3 to follow on from clause 3.2 for flow and readability.   |

|   |   |                          |
|---|---|--------------------------|
|   | <i>and the origin of the petition or joint letter is not disclosed, then the Chief Executive Officer shall examine the petition or joint letter and determine whether or not it is appropriate to present the petition to Council as soon as practicable.'</i>      |                          |
| Section 3 –<br>Petitions and Joint Letters – New clause 3.4 (previously clause 3.3) | Add words 'pursuant to clause 3.3' to new clause 3.4. Clause to now read as follows:<br><br><i>'Pursuant to clause 3.3, the Council may, by resolution, resolve to receive the petition or joint letter which does not comply with clause and sub-clauses 3.2.'</i> | Change provides clarity. |

The local law (Attachment 1) and the policy (Attachment 2) and are presented for final adoption.

## CONSULTATION

Senior staff and Councillors have been consulted in the review of the local law and the supporting policy. The proposed local law and policy were advertised seeking public submissions in accordance with Section 223 of the Act.

Following adoption of the final documents, the required public notices will be published within the local media and in the Government Gazette in accordance with Section 119 of the Act. A copy of the final local law along with the supporting policy will be made available for public inspection at Council's offices and on Council's website. A copy will also be forwarded to the Minister for Local Government.

## CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

## CONCLUSION

Local Law No. 1 of 2019 – Council Meeting Procedures & Common Seal, along with the supporting Council Policy 4.4 – Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) are provided for final adoption by Council. Following adoption, the statutory process for the local law described in Section 119 of the Act will be followed. It is proposed that the local law and policy come into effect on 13 May 2019 to allow time for statutory process to be carried out.

**6.5 PLANNING APPLICATION P18-165 - VARIATION OF RESTRICTIVE COVENANT W659580N, 77 YORKSHIRE CLOSE, BATESFORD****File Number:****Author:** [REDACTED] Town Planner**Authoriser:** [REDACTED], Director Assets and Amenity**Applicant:** [REDACTED]**Owner:** [REDACTED]**Proposal:** Variation of Restrictive Covenant W659580N to allow two dwellings on the land**Location:** 77 Yorkshire Close, Batesford**Attachments:** 1. Copy of Application Documents  
2. Copy of Objections (Redacted)**RECOMMENDATION**

That Council issue a Notice of Decision to Grant a Planning Permit to vary restrictive covenant W659580N over 77 Yorkshire Close, Batesford to allow two dwellings on the Lot, with the proposed conditions listed in this report

---

**EXECUTIVE SUMMARY**

This report relates to planning permit application P18-165 which proposes to vary registered restrictive covenant W659580N, to allow two dwellings on the land at 77 Yorkshire Close, Batesford. This report provides a background to the application, a summary of the relevant planning considerations and an officer recommendation which supports the issue of a planning permit.

**PURPOSE**

The application has been referred to the Council Meeting for determination as there are two (2) outstanding objections to the issue of a planning permit.

**CONFLICT OF INTEREST**

In accordance with Section 80B of the Local Government Act 1989, the officers preparing this report declare no conflict of interest in regard to this matter.

**COUNCIL PLAN**

Managing the natural and built environment.

**BACKGROUND INFORMATION**

The application proposes a variation of the restrictive covenant W659580N to allow no more than two dwellings on the lot (see attachment 1).

The applicant is seeking to alter (i) of part (a) from:

(a) shall not at any time hereafter erect or build or cause or suffer to be erected or built on the Lot or any part thereof:

(i) any more than one single dwelling house.

To be amended to become:

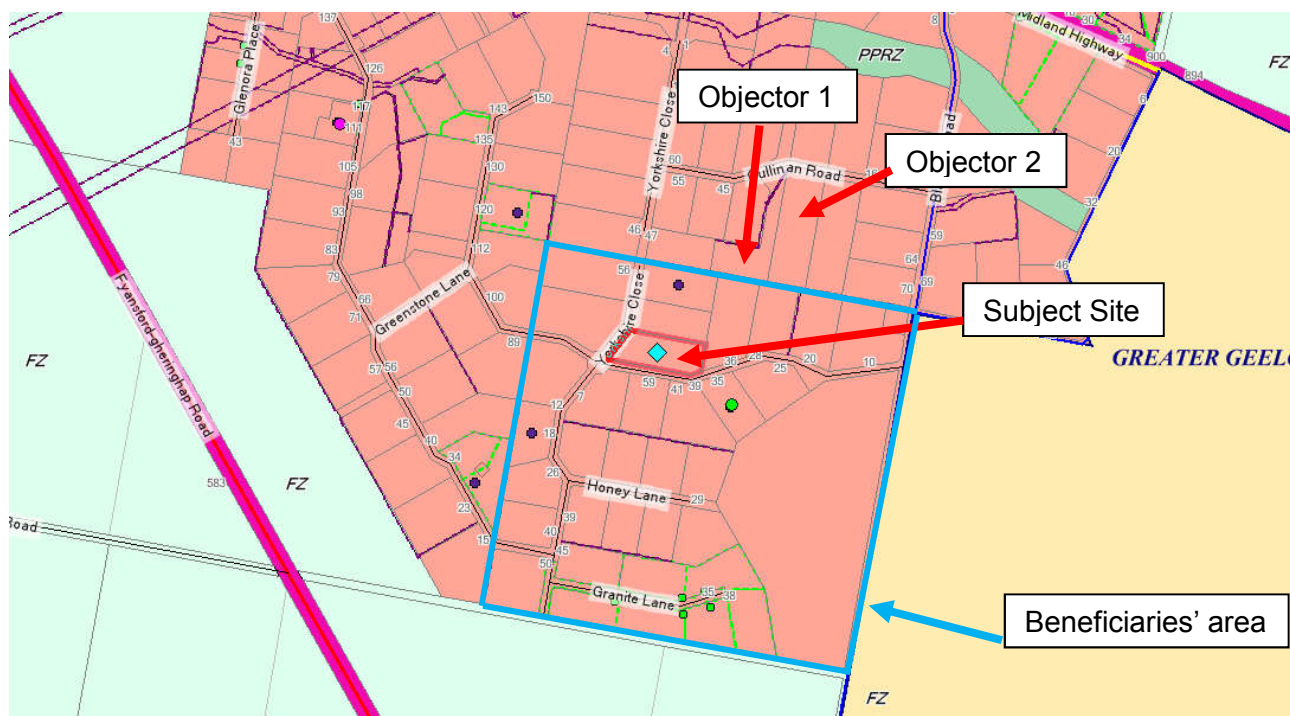
(a) shall not at any time hereafter erect or build or cause or suffer to be erected or built on the Lot or any part thereof:

(i) any more than two single dwelling houses

### Locality

The subject land is situated at 77 Yorkshire Close, Batesford and is formally described as Lot 5 on Plan of Subdivision 406956V. The site is located within a Low Density Residential Zone (LDRZ) area of the Batesford township. Design and Development Overlay 5 (DDO5) and Development Plan Overlay 2 (DPO2) also apply to the site.

DDO5 seeks to ensure that the siting and design of any new buildings are in keeping with the character and appearance of the area. DPO2 will only be applicable to the site if an application for planning permit to subdivide the land is received in the future.



The subject site has an area of 1.3 hectares and contains an existing dwelling and associated shed. Vehicular access to the property is provided from Yorkshire Close. The lots within this area of Batesford range in size from approximately 4,000 square metres up to 1 hectare, they are predominately rectangular in shape and contain single dwellings with associated outbuildings.

The application was received by Council on 25 June 2018 and a preliminary assessment of the application was undertaken. Council requested a copy of title for all lots benefitted by the covenant; this information was received on 13 July 2017.

### CONSULTATION

Notice of the application was given in accordance with Section 52 of the *Planning and Environment Act 1987*. Notice was provided by registered mail to all adjoining and neighbouring owners and occupiers who are beneficiaries to the covenant. A sign was placed onsite and a copy of the notice placed in a Saturday edition of the Geelong Advertiser.

As a result of the public notice two (2) objections were received (see attachment 2). Neither of the objectors are beneficiaries to the covenant. It is considered that the objectors have an in-principle

objection to restrictive covenants being varied and that no resolution would be achieved as a result of a consultation meeting. No formal consultation was conducted.

### Beneficiaries

Owners of land within the same subdivision are not all necessarily beneficiaries of a covenant shown on the title for a particular lot. The extent of nearby land owners having the benefit of the covenant is dependent upon the wording of the covenant and the date that each stage and associated lots were transferred from the parent title.

Given the varying nature of covenants, a covenant restriction may apply to every lot in the subdivision or it may only apply to a few lots, meaning the legal beneficiaries of a particular covenant may be the owners of every lot in the street or they may be scattered through a large subdivision. The determination of beneficiaries are identified on the title of the land and require a title search to establish the entitlements of each lot within the original subdivision.

## **ASSESSMENT**

### **Planning Scheme**

#### Particular Provisions

##### Clause 52.02 – Easements, restrictions and reserves

A planning permit is required under Clause 52.02 to create, vary or remove an easement or restriction. The purpose of the clause is to enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme but only after the interests of affected people are considered.

A permit is required under the *Planning and Environment Act 1987* before a person proceeds under Section 23 of the *Subdivision Act 1988* to create, vary or remove a restriction. Before deciding on an application, the responsible authority must consider the interests of affected people.

In the case of a restrictive covenant, the affected people are primarily the beneficiaries. Beneficiaries are those who own land affected by the same covenant to which a variation is sought. Non-beneficiaries can still make an objection.

#### General Provisions

The decision guidelines contained in Clause 65 of the planning scheme require Council to consider the following matters, as appropriate:

- The matters set out in Section 60 of the Act
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay, or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

#### Section 60 of the Planning and Environment Act

Section 60 of the Act specifies a number of matters that the responsible authority must consider before deciding an application. Specifically, for covenants listed post 1991, Section 60(2) of the *Planning and Environment Act 1987* says that Council must satisfy itself that the owners of any



land benefitted by a covenant will be unlikely to suffer detriment of any kind. Section 60(2) states the following:

*The responsible authority must not grant a permit which allows the removal or variation of a restriction unless it is satisfied that the owner of any land benefitted by the restriction will be unlikely to suffer:-*

- (a) financial loss; or*
- (b) loss of amenity; or*
- (c) loss arising from change to the character of the neighbourhood; or*
- (d) any other material detriment:-*  
*as a consequence of the removal or variation of the restriction.*

Therefore if an objection is received from a person benefitting from the covenant, Council must not grant a permit unless they are satisfied that the grant of a permit is unlikely to cause detriment to the person/s benefitted by the covenant. The covenant this application seeks to vary, was registered in 2000.

## **DISCUSSION**

### ***(i) Planning Scheme***

The application seeks to vary the restrictive covenant only (subdivision does not form part of this application), therefore there are limited relevant policy provisions within the planning scheme to be considered.

Concerns raised by the objectors relate to matters concerning the subdivision of the land. Currently there are no restrictions on the owner/applicant applying for a two lot subdivision of the land, however, if successful they would not be allowed to build a dwelling on the newly created lot as it would be restricted by the existing covenant.

As the application is only for a variation to the restrictive covenant, and not for the subdivision of the land, the issues raised in the objections are considered to be irrelevant to this application. The owner/applicant will be required to apply for a subdivision of the land via a separate planning application.

Clause 22.09 of the Golden Plains Planning Scheme, provides a local planning policy for low density residential subdivision. This policy encourages appropriate infill development. The minimum lot size for the Low Density Residential Zone (0.4ha) is smaller now than it was at the time this estate was created, due to a planning scheme amendment by the State.

### ***(ii) Planning and Environment Act 1987***

In relation to the proposed variation of the covenant, notice of the application was carried out in accordance with the Act and there were no objections to the variation of the covenant from persons *benefitting* from the covenant.

Therefore, in accordance with Section 60(2) of the Act, it is considered that the grant of a permit will not cause detriment to any person benefitted by the covenant. In accordance with Section 57(1)(a) of the Act, given the objectors do not benefit from the covenant, they are not deemed to be a person affected by the recommendation to issue a NOD to grant a planning permit.

It is therefore considered that under Section 57(1)(a) an objector who is not benefitting from the covenant is not deemed to be a person affected by the grant of a permit.

## **OPTION ANALYSIS**

Not applicable to this application.

## **RISK IMPLICATIONS**

It is considered that there are no risk implications associated with this application.

**FINANCIAL IMPLICATIONS**

It is considered that there are no financial implications associated with this application.

**CULTURAL HERITAGE IMPLICATIONS**

This proposal does not require the preparation of a Cultural Heritage Management Plan under the Aboriginal Heritage Regulations 2007.

**CONCLUSION**

A recommendation has been made to issue a Notice of Decision to Grant a Planning Permit to allow the variation to restrictive covenant W659580N to allow two dwellings on the land. Notice of the application was provided to all persons benefitting from the covenant and no objections were received from those benefitting from the covenant. For these reasons the issue of a permit is not considered to cause material detriment to any person.

**PROPOSED CONDITIONS**

1. A plan of variation of a restriction must be submitted to the responsible authority for certification.
2. The certified plan must be lodged with the Office of Titles for registration in accordance with section 23 of the Subdivision Act 1988.
3. This permit will expire if the certified plan is not lodged at the Office of Titles for registration within two years of the issue date of this permit. In accordance with section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.



GOLDEN PLAINS SHIRE

## Application for Planning Permit and Certification

Supplied by  
Submitted Date

21/06/2018

## Application Details

## Application Type

Planning Permit and Certification under the  
Subdivision Act

Version 1

Applicant Reference Number

18045

Application name or Estate name

Responsible Authority Name

Golden Plains Shire Council

Responsible Authority Reference Number(s)

(Not Supplied)

SPEAR Reference Number

S124674P

## The Land

## Primary Parcel

77 YORKSHIRE CLOSE, BATESFORD VIC 3213  
Lot 5/Plan PS406956  
SPI 5\PS406956  
CPN 43600079

**Zone:** 32.03 Low Density  
Residential

**Overlay:** 43.02 Design and  
Development  
43.03 Incorporated Plan

## The Proposal

Subdivision Act (1988) Dealing Type

Section 23 (Variation of Restriction)

Plan Number

(Not Supplied)

Number of lots

0

Proposal Description

Variation of restrictive covenant W659580N so as to  
allow not more than TWO dwelling houses to be built  
or erected on the subject lot (part (a) (i))

Estimated cost of the development for which a permit is required \$ 0

## Existing Conditions

Existing Conditions Description

existing dwelling and associated outbuilding existing  
on the land

Title Information - Does the proposal breach an encumbrance on  
Title?

The proposal does not breach an encumbrance on  
title, such as a restrictive covenant, section 173  
agreement or other obligation such as an easement  
or building envelope.

## Applicant Contact

Applicant Contact

Rodney Martin and Associates  
45 Pakington Street, Geelong West, VIC, 3218  
Business Phone: 03 5229 3788  
Mobile Phone  
Email:

**Applicant**

**Applicant**

(Applicant details as per Applicant Contact)

**Owner**

**Owner**




**Declaration**


I, [REDACTED] declare that the owner (if not myself) has been notified about this application.  
 I, [REDACTED] declare that all the information supplied is true.  
 I, [REDACTED] apply to have the attached plan of subdivision / consolidation certified under the Subdivision Act 1988 and to have advice of street numbers allocated.

**Authorised by  
Organisation**



Rodney Martin and Associates

|   |  |                                   |                            |
|---|--|-----------------------------------|----------------------------|
| <b>PLAN OF VARIATION OF RESTRICTION</b>   |  | <b>EDITION 1</b>                  |                            |
| <b>LOCATION OF LAND</b><br>PARISH: GHERINGHAP<br>TOWNSHIP: —<br>SECTION: 16<br>CROWN ALLOTMENT: 2 (PART)<br>CROWN PORTION: 18 (PART)<br>TITLE REFERENCE: 10355/013<br><br>LAST PLAN REFERENCE: 5/PS406956V<br>POSTAL ADDRESS: 77 YORKSHIRE CLOSE, BATESFORD, VIC, 3213.<br><br>MGA CO-ORDINATES: E: 259 850      ZONE: 55<br>(of approx centre of land in plan)      N: 5780 240      GDA 94  |  | COUNCIL NAME: GOLDEN PLAINS SHIRE |                            |
| <p>UPON REGISTRATION OF THIS PLAN THE FOLLOWING RESTRICTION IS TO BE <del>REMOVED</del>/VARIED SO AS TO ALLOW NOT MORE THAN TWO DWELLING HOUSES TO BE BUILT OR ERECTED ON THE LOT (part (a) (ii)).</p> <p>THIS <del>REMOVAL</del>/VARIATION IS REGULATED OR AUTHORISED BY PLANNING PERMIT No. P18- ISSUED UNDER THE GOLDEN PLAINS PLANNING SCHEME.</p> <p>LAND OVER WHICH THE RESTRICTION IS TO BE VARIED/<del>REMOVED</del>:</p> <p>ADDRESS OF LAND: 77 YORKSHIRE CLOSE, BATESFORD 3213<br/>         TITLE: 10355/013</p> <p>IDENTITY OF RESTRICTION: W659580N</p> <p>THIS IS A SPEAR PLAN</p> |  |                                   |                            |
| <b>Rodney Martin &amp; Associates Pty.Ltd.</b><br><br>GEELONG WEST      A.C.N. 053 461 073<br>45 Pilkington Street, Geelong West 3218. Ph (03)52 293780, Fx (03)52 293782  |  | SURVEYORS FILE REF: 18045         | ORIGINAL SHEET<br>SIZE: A3 |
|   |  | RODNEY MARTIN, VERSION 1          | SHEET 1 OF 1               |

|  |  |   |  |
|--|--|---|--|
| <b>PLAN OF VARIATION OF RESTRICTION</b>  |  | <b>EDITION 1</b>  |  |
| <b>LOCATION OF LAND</b><br>PARISH: GHERINGHAP<br>TOWNSHIP: —<br>SECTION: 16<br>CROWN ALLOTMENT: 2 (PART)<br>CROWN PORTION: 18 (PART)<br>TITLE REFERENCE: 10355/013<br><br>LAST PLAN REFERENCE: 5/PS406956V<br>POSTAL ADDRESS: 77 YORKSHIRE CLOSE, BATESFORD, VIC. 3213.<br><br>MGA CO-ORDINATES: E: 259 850      ZONE: 55<br>(of approx centre of land in plan)      N: 5780 240      GDA 94   |  | Council Name: Golden Plains Shire Council<br>SPEAR Reference Number: S124674P |  |
| <p>UPON REGISTRATION OF THIS PLAN THE FOLLOWING RESTRICTION IS TO BE <del>REMOVED</del>/VARIED SO AS TO ALLOW NOT MORE THAN TWO DWELLING HOUSES TO BE BUILT OR ERECTED ON THE LOT (part (a) (i)).</p> <p>THIS <del>REMOVAL</del>/VARIATION IS REGULATED OR AUTHORISED BY PLANNING PERMIT No. P18- ISSUED UNDER THE GOLDEN PLAINS PLANNING SCHEME.</p> <p>LAND OVER WHICH THE RESTRICTION IS TO BE VARIED/<del>REMOVED</del>:</p> <p>ADDRESS OF LAND: 77 YORKSHIRE CLOSE, BATESFORD 3213<br/>         TITLE: 10355/013</p> <p>IDENTITY OF RESTRICTION: W659580N</p> <p>THIS IS A SPEAR PLAN</p> |  |   |  |
| <b>Rodney Martin &amp; Associates Pty.Ltd.</b><br><br>GEELONG WEST      A.C.N. 053 461 073<br>45 Pilkington Street, Geelong West 3218. Ph.(03)52 293788, Fx (03)52 293782   |  | SURVEYORS FILE REF: 18045<br><br>ORIGINAL SHEET SIZE: A3<br>SHEET 1 OF 1      |  |
|  |  | RODNEY MARTIN, VERSION 1  |  |

Department of  
Environment, Land,  
Water and Planning

## Planning Property Report

from [www.planning.vic.gov.au](http://www.planning.vic.gov.au) on 21 June 2018 02:04 PM

**Lot and Plan Number:** Lot 5 PS406956

**Address:** 77 YORKSHIRE CLOSE BATESFORD 3213

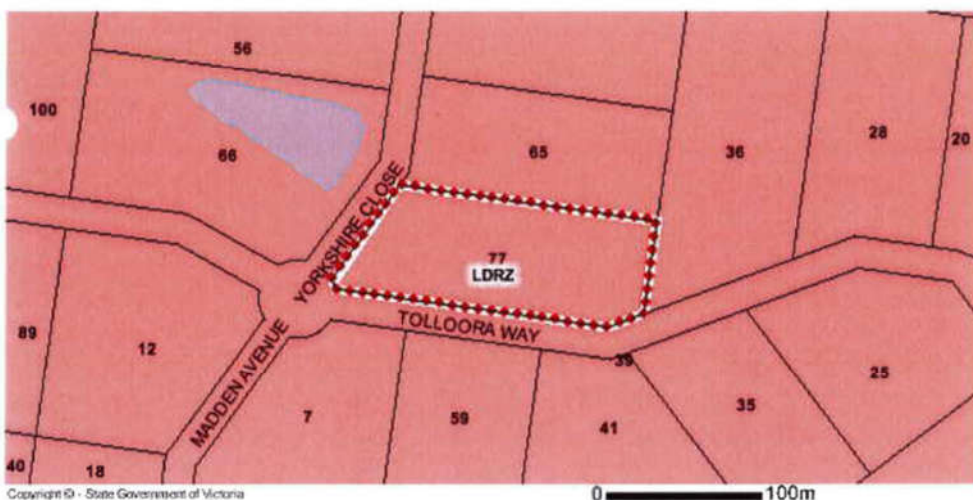
**Local Government (Council):** GOLDEN PLAINS **Council Property Number:** 43600079

**Directory Reference:** Melway 439 K1

### Planning Zone

LOW DENSITY RESIDENTIAL ZONE (LDRZ)

SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE (LDRZ)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

#### Zones Legend

|                                 |  |                           |
|---------------------------------|--|---------------------------|
| ACZ - Activity Centre           | IN1Z - Industrial 1                      | R1Z - General Residential |
| B1Z - Commercial 1              | IN2Z - Industrial 2                      | R2Z - General Residential |
| B2Z - Commercial 1              | IN3Z - Industrial 3                      | R3Z - General Residential |
| B3Z - Commercial 2              | LDRZ - Low Density Residential           | RAZ - Rural Activity      |
| B4Z - Commercial 2              | MUZ - Mixed Use                          | RCZ - Rural Conservation  |
| B5Z - Commercial 1              | NRZ - Neighbourhood Residential          | RDZ1 - Road - Category 1  |
| C1Z - Commercial 1              | PCRZ - Public Conservation & Resource    | RDZ2 - Road - Category 2  |
| C2Z - Commercial 2              | PDZ - Priority Development               | RGZ - Residential Growth  |
| CA - Commonwealth Land          | PPRZ - Public Park & Recreation          | RLZ - Rural Living        |
| CCZ - Capital City              | PUZ1 - Public Use - Service & Utility    | RUZ - Rural               |
| CDZ - Comprehensive Development | PUZ2 - Public Use - Education            | SUZ - Special Use         |
| DZ - Dockland                   | PUZ3 - Public Use - Health Community     | TZ - Township             |
| ERZ - Environmental Rural       | PUZ4 - Public Use - Transport            | UFZ - Urban Floodway      |
| FZ - Farming                    | PUZ5 - Public Use - Cemetery/Crematorium | UGZ - Urban Growth        |
| GRZ - General Residential       | PUZ6 - Public Use - Local Government     |                           |
| GWAZ - Green Wedge A            | PUZ7 - Public Use - Other Public Use     |                           |
| GWZ - Green Wedge               | PZ - Port                                |                           |

++++++ Railway    +---+---+ Tram    ——— River, stream    Lake, waterbody

- - - - - Urban Growth Boundary

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Lot 5-PS406956-PLANNING-PROPERTY-REPORT

Page 1 of 3

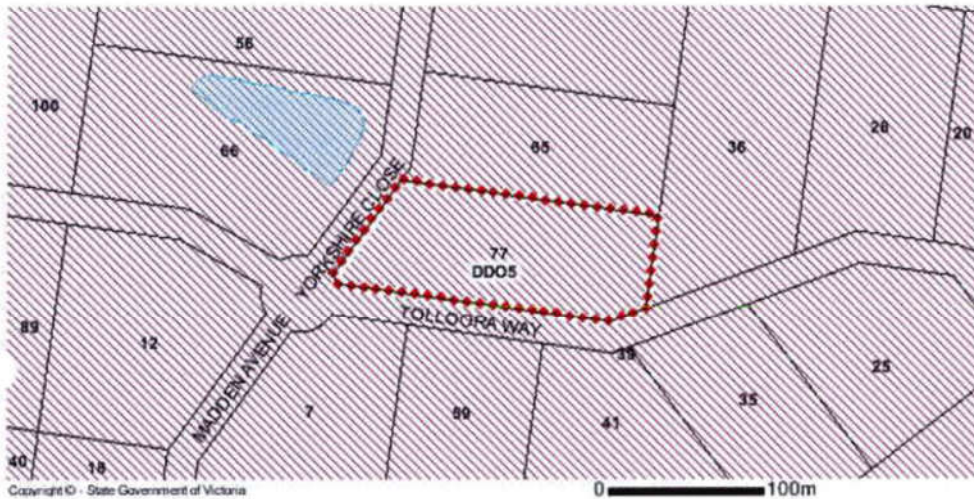


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## Planning Overlays

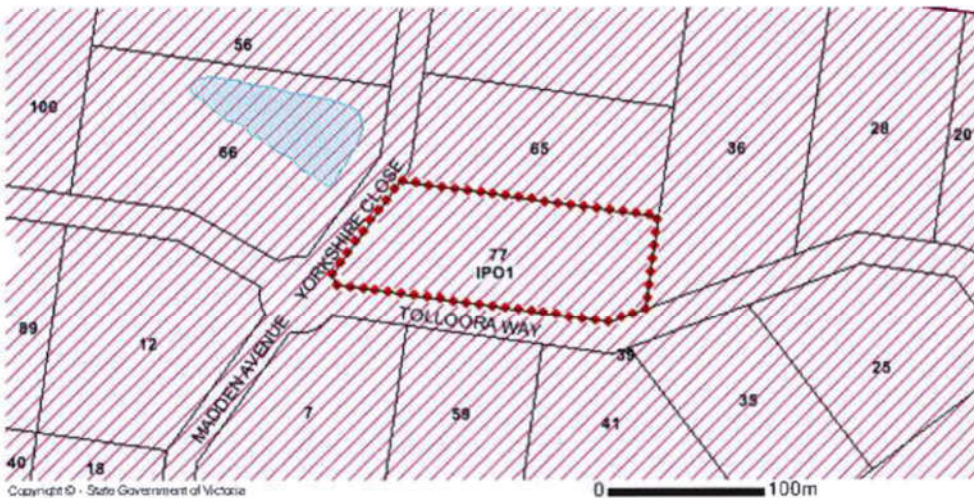
### DESIGN AND DEVELOPMENT OVERLAY (DDO)

#### DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 5 (DDO5)



### INCORPORATED PLAN OVERLAY (IPO)

#### INCORPORATED PLAN OVERLAY - SCHEDULE 1 (IPO1)



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Lot 5 PS408956 PLANNING-PROPERTY REPORT





Page 2 of 3



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Environment, Land,  
Water and Planning

## Planning Overlays Legend

### Overlays Legend

|  |  |
|--|--|
|  AEO - Airport Environs                   |  IPO - Incorporated Plan              |
|  BMO - Bushfire Management                |  LSIO - Land Subject to Inundation    |
|  CLPO - City Link Project                 |  MAEO1 - Melbourne Airport Environs 1 |
|  DCPD - Development Contributions Plan    |  MAEO2 - Melbourne Airport Environs 2 |
|  DDO - Design & Development               |  NCO - Neighbourhood Character        |
|  DDOPT - Design & Development Part        |  PO - Parking                         |
|  DPO - Development Plan                   |  PAO - Public Acquisition             |
|  EAO - Environmental Audit                |  RO - Restructure                     |
|  EMO - Erosion Management                 |  RCO - Road Closure                   |
|  ESO - Environmental Significance         |  SBO - Special Building               |
|  FO - Floodway                            |  SLO - Significant Landscape          |
|  HO - Heritage                            |  SMO - Salinity Management            |
|  ICPO - Infrastructure Contributions Plan |  SRO - State Resource                 |
|  |  VPO - Vegetation Protection          |
|  Railway                                  |  Tram                                 |
|  River, stream                            |  Lake, waterbody                     |

Note: due to overlaps some colours on the maps may not match those in the legend.

## Further Planning Information

Planning scheme data last updated on 13 June 2018.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State, local, particular and general provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting [Planning Schemes Online](#)

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the Planning & Environment Act 1987.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to [Titles and Property Certificates](#)

For details of surrounding properties, use this service to get the Reports for properties of interest

To view planning zones, overlay and heritage information in an interactive format visit [Planning Maps Online](#)

For other information about planning in Victoria visit [www.planning.vic.gov.au](http://www.planning.vic.gov.au)

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**Subdivision ( Procedures ) Regulations 2011 - Regulation 6**  
**SCHEDULES FORMS FORM 1 SUBDIVISION ACT 1988**

**APPLICATION FOR CERTIFICATION**

PART A. All Applicants complete this section

Plan No. PS -  
 To: GOLDEN PLAINS SHIRE  
 I/We RODNEY MARTIN & ASSOCIATES PTY LTD  
 Of 45 Pakington Street Geelong West 3218  
 Telephone 52 293788

Apply to have the attached

\*PLAN OF SUBDIVISION

\*PLAN OF CONSOLIDATION

\*PLAN OF CREATION/REMOVAL/VARIATION OF EASEMENT/  
 RESTRICTION

Certified under the Subdivision Act 1988

\*and to have advice of street numbers allocated

1) Situation of land 77 Yorkshire Close Batesford 3213

2) Name & address of registered proprietor of land or owner Mark & Nadia Tkaczuk both of 77 Yorkshire Close Batesford, vic 3213

3) Name and address of applicant Rodney Martin & Associates Pty Ltd of 45 Pakington Street Geelong West VIC 3218  
 Does the attached plan do anything requiring the unanimous resolution of the members of the owners corporation under Division 3 of Part 5 of the Subdivision Act 1988 or an order of the Victorian Civil and Administrative Tribunal under section 34D of the Subdivision Act 1988?

\*YES (provide details) \*NO

If 'YES', have the members of the affected owners corporation passed a unanimous resolution to proceed with the alterations shown on the attached plan?

\*YES/\*NO

If 'NO', has the Victorian Civil and Administrative Tribunal made an order under section 34D of the Subdivision Act 1988?

Sch. 1

\*YES/\*NO

Signed:

[Name and signature of Applicant]

\*Delete if not applicable.

IF THE APPLICANT IS NOT THE OWNER, the owner must provide written consent under section 5(5) of the Subdivision Act 1988—

(a) If the application is made in paper form by signing the following—

I/We consent to the applicant submitting this plan to the Council for certification.

Signed

(b) if the application is made in a form other than paper the owner's written consent (in the form set out under paragraph (a)) must be provided in a separate document.

Note 1: The applicant must sign this application whether or not the applicant is the owner.

Note 2: If the applicant is not the owner, the owner must either—

(a) if the application is to be lodged in paper, co-sign this application; or

(b) if the application is to be lodged in a form other than paper, give the applicant the written consent required under section 5(5) of the Subdivision Act 1988 in a separate document.

Note 3: Where there is more than one owner, all owners that are not the applicant must co-sign the application or give written consent as set out in Note 2.

Note 4: Where there is more than one owner and where an agent is not acting on behalf of all owners, then the owners who are not represented by the agent must co-sign the application or give written consent as set out in Note 2.

PART B. Only applicants having 'old law' land complete this section. (not required by acquiring authorities – See section 35 (6) (g).)

I certify that steps have been taken to bring this land under the operation of the Transfer of Land Act 1958

signed

PART C. Only acquiring Authorities complete this section

THIS APPLICATION RELATES TO THE ACQUISITION OF LAND BY

Note 5: The following should be attached to this application—

(a) a copy of any planning permit applicable to the land or any application for a planning permit made concurrently with this application; or

(b) an extract of the planning scheme indicating any conditions or exemptions which may support your application; or

(c) evidence of referral authorities' consent within the previous 3 months (see section 8 of the Subdivision Act 1988).

Note 6: If the attached plan does anything requiring either the unanimous resolution of the members of the owners corporation under Division 3 of Part 5 of the Subdivision Act 1988 or an order of the Victorian Civil and Administrative Tribunal under section 34D of the Subdivision Act 1988, a copy of the resolution or the order must be attached to this application.

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

VOLUME 10355 FOLIO 013

Security no : 124072490808W  
Produced 21/06/2018 01:49 pm

LAND DESCRIPTION

Lot 5 on Plan of Subdivision 406956V.  
PARENT TITLE Volume 05946 Folio 185  
Created by instrument PS406956V 19/11/1997

REGISTERED PROPRIETOR

Estate Fee Simple  
Joint Proprietors

W659580N 14/03/2000

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE W659581K 14/03/2000  
COMMONWEALTH BANK OF AUSTRALIA

COVENANT W659580N 14/03/2000

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

DIAGRAM LOCATION

SEE PS406956V FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 77 YORKSHIRE CLOSE BATESFORD VIC 3213

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA  
Effective from 23/10/2016

DOCUMENT END

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# TRANSFER OF LAND

Section 45 Transfer of Land Act 1958

Lodged by:

Name:

Phone:

Address:

Ref.:

Customer Code:

7438/99

16074 205

WITHDRAWN  
-2 AUG 1999

MADE AVAILABLE

Land Titles Office Use On

W610545F  
320199 0916 45 \$0

W659580N  
140300 0916 45 \$0



The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed—

- together with any easements created by this transfer;
- subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and
- subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land: (volume and folio reference)

VOLUME 10355 FOLIO 013

(Ppty: Lot 5, Tolloora Way, Batesford)

Estate and Interest: (e.g. "all my estate in fee simple")

All its estate in fee simple.

Consideration:

\$95,000.00



W659580N-1-0

Transferor: (full name)

Transferee: (full name and address including postcode)

Directing Party: (full name)

Creation and/or Reservation and/or Covenant:

And the Transferees with the intent that the benefit of this covenant shall be attached to and run at Law and in equity with every Lot on Plan of Subdivision No. 406958V other than the Lot hereby transferred and that the burden of this covenant shall be annexed to and run at Law and in equity with the land hereby transferred to hereby for themselves and their transferees, executors, administrators and assignees and as separate covenants covenant with the transferor, and other registered proprietor or proprietors for the time being of the land comprised in the said Plan of Subdivision or any part or parts thereof other than the Lot hereby transferred, that the transferee

Continued on T2 Page 2

Approval No. 571967L

ORDER TO REGISTER

Please register and issue title to

T2



Signed

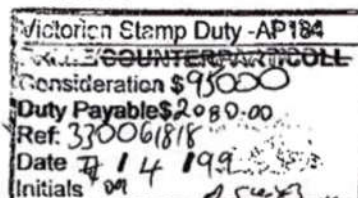
Cust. Code:

21 MAR 2000

13 5 9 9

THE BACK OF THIS FORM MUST NOT BE USED

STAMP DUTY USE ONLY



Blue Star Office L71A

Delivered by LANDATA®, Land Use Victoria timestamp 21/06/2018 13:51 Page 2 of 3

- (a) shall not at any time hereafter erect or build or cause or suffer to be erected or built on the Lot or any part thereof:
- (i) any more than one single dwelling house;
  - (ii) any dwelling house unless 65% of the external walls (excluding windows) shall be constructed of brick, concrete, brick veneer, stone or like material;
  - (iii) any dwelling house unless the gross floor area, excluding verandahs and attached garage or carport, shall be not less than 140 square metres;
  - (iv) any dwelling house relocated from any other place whatever.
- (b) shall not cause or suffer the use of metal roofing or cladding material on any dwelling, outbuilding, shelter, fence or any structure save where such metal is colourbond and where any such colourbond material is to be used prior to the 28th February 2001 the prior written consent of the Transferor has been obtained.
- (c) shall not cause or suffer any fence to be erected on any boundary of the land prior to the 28th February, 2001, other than a rural post and wire or post and rail fence without the prior written consent of the Transferor such consent to an alternative suitable fence not to be unreasonably withheld;
- (d) shall not cause or permit the land or any part thereof to be used for the purpose of carrying on any noxious or offensive trade or any activity which involves the use of a motor vehicle either registered or unregistered save for entering and exiting the said property or carrying out necessary improvements or maintenance to the said land and for the purposes of this clause motor vehicle shall include motor bike or a motorised three wheel vehicle;
- Dated: 7/4/99

Execution and attestation:



Secretary  
Elizabeth Clarke of  
111 Richmond Terrace Richmond 3121

Approval No. 571967L

**T2 Page 2** **W659580N**  
140300 0916 45 \$0



THE E DW659580N-2-7



USED

Blue Star Office L718

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# ANNEXURE PAGE

## Transfer of Land Act 1958

Approved Form A1  
Victorian Land Titles Office

This is page **3** of *Approved Form T2* dated **7.4.99** between [REDACTED]

Signatures of the parties

### Panel Heading

### EXECUTION & ATTESTATION:

THE COMMON SEAL of BEACON SERVICES PTY LTD was hereunto affixed in the presence of the authorised persons:



Director

Director  
Address

**W659580N**  
140300 0916 45 50

Approval No. 571987L

**A1**



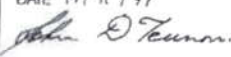
1. If there is insufficient space to do so, insert the words "See Annexure Page 2" (or as the case may be) on the Annexure Page under the appropriate panel heading. **THE BACK OF THE ANNEXURE PAGE IS NOT TO BE USED.**
2. If multiple copies of a mortgage are lodged, original Annexure Pages must be attached to each.
3. The Annexure Pages must be properly identified and signed by the parties to the *Approved Form* to which it is annexed.
4. All pages must be attached together by being stapled in the top left corner.

of the *Approved Form*  
the information

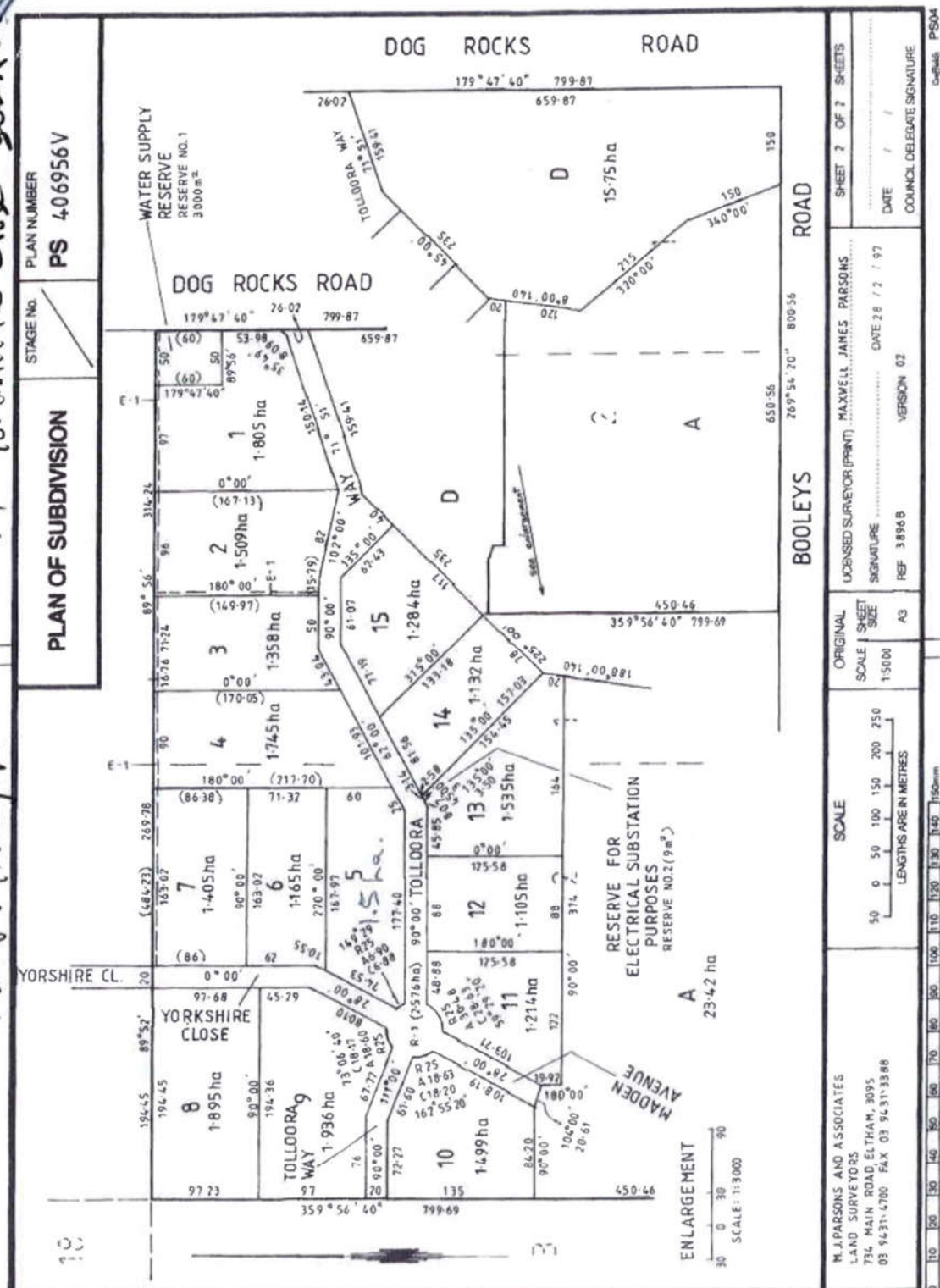
 Blue Star Office L78



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 LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

|  |  |  |                                  |  |
|--|--|--|----------------------------------|--|
| <b>PLAN OF SUBDIVISION</b>   |  | STAGE No.  | LTO USE ONLY<br><b>EDITION 1</b> | PLAN NUMBER<br><b>PS 406956V</b>   |
| <b>LOCATION OF LAND</b><br>PARISH: GHERINGHAP<br>TOWNSHIP: —<br>SECTION: 16<br>CROWN ALLOTMENT: 1(PART), 2<br>CROWN PORTION: —<br>LTO BASE RECORD: LITHO<br>TITLE REFERENCES: VOLUME 5946 FOLIO 185<br>LAST PLAN REFERENCE/S: —<br>POSTAL ADDRESS: 006 ROCKS ROAD,<br>(At time of subdivision) BATESFORD, 3221<br>AMG Co-ordinates E 259900 ZONE: 55<br>(of approx centre of land in plan) N 5779800 |  | <b>COUNCIL CERTIFICATION AND ENDORSEMENT</b><br>COUNCIL NAME: GOLDEN PLAINS SHIRE REF: SUB-053<br>1. This plan is certified under Section 6 of the Subdivision Act 1988.<br><del>2. This plan is certified under Section 11(7) of the Subdivision Act 1988.</del><br><del>Date of original certification under Section 6</del><br>3. This is a statement of compliance issued under Section 21 of the Subdivision Act 1988.<br>OPEN SPACE<br>(i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has not been made.<br><del>(ii) The requirement has been satisfied.</del><br><del>(iii) The requirement is to be satisfied in Stage</del><br>Council Delegate<br><del>Council Seal</del><br>Date 3/11/97<br>Re-certified under Section 11(7) of the Subdivision Act 1988<br>Council Delegate<br>Council Seal<br>Date / / |                                  |  |
| <b>VESTING OF ROADS AND/OR RESERVES</b>  |  |  |                                  |  |
| IDENTIFIER   | COUNCIL/BODY/PERSON  |  |                                  |  |
| ROAD R-1   | GOLDEN PLAINS SHIRE  |  |                                  |  |
| RESERVE NO. 1  | BARWON WATER   |  |                                  |  |
| RESERVE NO. 2  | POWERCOR AUSTRALIA LTD.  |  |                                  |  |
| <b>NOTATIONS</b>   |  |  |                                  |  |
| STAGING This is not a staged subdivision.<br>Planning permit No. P96-139   |  |  |                                  |  |
| DEPTH LIMITATION DOES NOT APPLY  |  |  |                                  |  |
| SURVEY THIS PLAN IS BASED ON SURVEY<br>THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s)<br>IN PROCLAIMED SURVEY AREA No.  |  |  |                                  |  |
| <b>EASEMENT INFORMATION</b>  |  |  |                                  |  |
| LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)   |  |  |                                  |  |
| SECTION 12(2) OF THE SUBDIVISION ACT 1988 DOES NOT APPLY TO THE LAND IN THIS PLAN  |  |  |                                  |  |
| Easement Reference   | Purpose  | Width (Metres)   | Origin                           | Land Benefited/In Favour Of  |
| R-1  | WAY DRAINAGE SEWERAGE SUPPLY OF GAS ELECTRICITY WATER & DATA TRANSMISSION DRAINAGE | SEE DIAG   | THIS PLAN                        | LOTS ON THIS PLAN.   |
| E-1  | DRAINAGE   | 3  | THIS PLAN                        | GOLDEN PLAINS SHIRE  |
| M J. PARSONS AND ASSOCIATES<br>LAND SURVEYORS<br>734 MAIN ROAD, ELTHAM, 3095<br>03 94314700 FAX 03 94313388  |  | LICENSED SURVEYOR (PRINT) MAXWELL JAMES PARSONS...<br>SIGNATURE DATE 28/2/97<br>REF 38568 VERSION 02   |                                  | LTO USE ONLY<br>STATEMENT OF COMPLIANCE/<br>EXEMPTION STATEMENT<br>RECEIVED <input checked="" type="checkbox"/><br>DATE 5/11/97<br>LTO USE ONLY<br>PLAN REGISTERED<br>TIME 3.50 PM<br>DATE 19/11/97<br><br>Assistant Registrar of Titles<br>SHEET 1 OF 2 SHEETS<br>DATE 3/11/97<br>COUNCIL DELEGATE SIGNATURE<br>ORIGINAL SHEET SIZE A3 |

Coffrage PS01







## LICENSED SURVEYORS

ACN 053 461 073

Directors :

M.M.Martin

R.I.Martin Dip.App.Sc. (surveying), L.S., M.I.S.



Subdivisions Manager  
Golden Plains Shire  
P.O.Box 111  
Bannockburn VIC 3331

21 June, 2018

Dear Madam

**PE variation of restriction and 2 lot subdivision at 77 Yorkshire Close Batesford 3213 spear of S124674P**

Please find enclosed the relevant council fees for our recent SPEAR application for the above mentioned development.

Yours sincerely,  
**Rodney Martin & Associates.**

Consulting Surveyors in Land Development throughout Victoria  
Title re-establishment : Subdivision design : Land development : Engineering surveys  
Level contour surveys : Feature survey plans : Construction setting out : Building & Strata subdivisions  
Planning applications : Check surveys : Consolidation of titles : Easements  
**Fax : 5229 3782**  
45 Pakington St, Geelong West, Victoria, 3218. Ph : 5229 3788

Planning Department  
Golden Plains Shire  
2 Pope Street  
Bannockburn 3331

Objection to Application for Planning Permit Reference Number P18-165.

Reasons for objection and how we would be affected by the granting of a Planning Permit:

The Application made on behalf of [REDACTED] (Rodney Martin and Associates), for the variation of the restrictive covenant prohibiting the construction of "any more than one single dwelling house" on its property at 77 Yorkshire Close, Batesford fundamentally contradicts the purpose of the Low Density Residential zoning which applies to both the subject property and to the large number of properties surrounding it in both its subdivision and the adjoining Blackall Estate and Dog Rocks Estate.

The restrictive covenant exists in order to maintain the ambiance and enjoyment of this rural-residential community, and to retain the existing neighbourhood character and its sense of place which has attracted many Batesford residents to settle here. Our concern is that if a variation of the restrictive covenant were allowed, enabling [REDACTED] the fundamental character of the area with its highly valued sense of place and its current value and classification as a Low Density Residential Zone would be irrevocably diminished. Further, a successful application for the removal of the single dwelling covenant very probably would encourage others to follow with similar applications and, inevitably, accompanying applications for subdivision.

Batesford accommodates a blend and range of dwellings demonstrating a complexity of housing options and needs on both sides of the Midland Highway and in the village itself. The most recent subdivision north of the Midland Highway in Batesford, Riverstone Estate, has provided for those wanting smaller allotments. Further subdivision of allotments south of the Midland Highway would, we believe, destroy the character of the area. We have already seen this process being explored by some. We believe that if the character and size of a current allotment in this area is no longer suitable for owners' needs, then they have the option to sell and move to an area of higher density housing elsewhere which might suit them better.

More intensive residential development necessarily brings with it increased demands for electricity and water usage, the effective disposal of waste in an unsewered environment, increased fire damage potential and increased traffic/vehicle movements on roads. Coupled with this if higher density housing and its associated problems were allowed it would threaten the designated areas of natural ecological, geological and archaeological conservation and significance which exist along the banks of the Moorabool River, around the Dog Rocks, and further afield. Once lost, they are lost forever.

We believe that opportunists who wish to manipulate the planning laws and appeal processes for their own ends, should be prevented from degrading this community's sense of place, which plays a large role in drawing people to live in Batesford. It is disingenuous to encourage people to settle in a particular environment where covenants, which were originally put in place specifically to protect this sense of place, can be abused. A number of residents who have lived in Batesford, south of the Midland Highway, have had the benefit of this particular rural-residential ambiance for some years. But as they eventually move on they attempt to abuse covenants, sacrificing the sense of place from

which they once benefited, seeking financial gain over and above the value of their properties, and leaving the neighbourhood diminished and devalued for those who remain. A number of more recent residents appear to assume that they can move in, subdivide, move on, or alternatively turn the area into a potential suburbia. Sadly this is increasingly the case.

Batesford must be valued for its rural - residential setting together with recognized and significant environmental assets, not for its potential to become another poorly planned and densely populated suburbia. Acknowledging that there will be a greater need for housing in the Geelong region is also an opportunity to demonstrate enlightened planning for the future where a variety of human habitats, environmental and recreational spaces might coexist. Our concern is that if a variation of the restrictive covenant is allowed, enabling [REDACTED] to build another dwelling a precedent will be set for others in the neighbourhood who will see this as opening the redevelopment floodgates.

For all these reasons we believe that the application should be rejected.



31 October 2018

## SUBMISSION / OBJECTION TO GRANTING A PLANNING PERMIT

*Planning and Environment Act 1987*

Before completing this form, it is recommended you inspect the planning permit application online or at a Customer Service Centre.



GOLDEN PLAINS SHIRE

Golden Plains Shire Council

Bannockburn -

2 Pope Street, Bannockburn

Linton -

68 Sussex Street, Linton

M: PO Box 111

Bannockburn, Victoria 3331

P: (03) 5220 7111

F: (03) 5220 7100

E: [enquiries@gplains.vic.gov.au](mailto:enquiries@gplains.vic.gov.au)

W: [www.goldenplains.vic.gov.au](http://www.goldenplains.vic.gov.au)

### YOUR DETAILS:

Name: (block letters)

Postal Address:

Postcode:

Contact No:

Email:

### DETAILS OF THE PERMIT APPLICATION YOU ARE RESPONDING TO:

Application Number: P18-165

Address of Subject Land: 77 YORKSHIRE CLOSE

Description of Proposal: ALLOWING 2 DWELLINGS.

Name of Applicant:

### DETAILS OF SUBMISSION / OBJECTION:

*(State reasons for objection and how you would be affected by the granting of a planning permit)*

DO NOT HAVE ANY OBJECTIONS TO A SECOND  
DWELLING.

AS LONG AS THE LAND CANNOT BE SUBDIVIDED  
AT LATER DATE.

Continued - see over

obj(2)

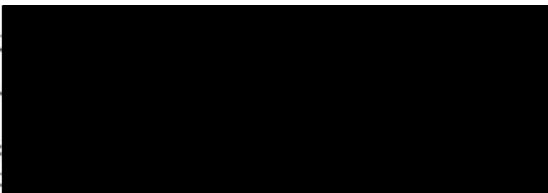


**DETAILS OF SUBMISSION / OBJECTION:** Continued

Attach additional pages if required

Are there any changes that could be made to the proposal to address your concerns? Yes ☐ No ☒

If yes, what changes would you suggest that would meet your concerns:

Signed:  Date: 26-10-18

#### IMPORTANT NOTES ABOUT SUBMISSIONS / OBJECTIONS TO PERMIT APPLICATIONS

1. This form is to help you make an objection to an application in a way which complies with the *Planning and Environment Act 1987*, and which can be readily understood by the responsible authority. There is no requirement under the Act that you use any particular form.
2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the responsible authority's office.
3. To make an objection you should clearly complete the details on this form and lodge it with the responsible authority as shown on the Public Notice - Application for Planning Permit.
4. An objection must state the reasons for your objection; and state how you would be affected if a permit is granted.
5. The responsible authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
6. Please be aware that copies of objections/submissions received may be made available to any person for the purpose of consideration as part of the planning process in accordance with the *Planning & Environment Act 1987*.
7. To ensure the responsible authority considers your objection, make sure that the authority receives it by the date shown in the notice you were sent or which you saw in a newspaper or on the website.
8. If you object before the responsible authority makes a decision, the authority will tell you its decision.
9. If despite your objection the responsible authority decides to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil and Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the responsible authority. The closing date for appeals is 21 days of the responsible authority giving notice of its decision.
10. If the responsible authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.

#### Golden Plains Shire Privacy Statement

The Golden Plains Shire considers that the responsible handling of personal information is a key aspect of democratic governance, and is strongly committed to protecting an individual's right to privacy. Council will comply with the Information Privacy Principles as set out in the Privacy and Data Protection Act 2014. Council has in place a standard operating procedure that sets out the requirements for the management and handling of personal information.

## **6.6 ADOPTION OF THE NORTHERN SETTLEMENT STRATEGY**

**File Number:****Author:** Tim Waller, Development Manager**Authoriser:** Greg Anders, Director Assets and Amenity**Attachments:** 1. Northern Settlement Strategy (under separate cover)**RECOMMENDATION**

That Council:

1. Endorse the Northern Settlement Strategy including the Background and Issues report.
  2. Authorise the preparation and exhibition of the planning scheme amendment which incorporates the Northern Settlement Strategy into the Golden Plains Planning Scheme.
- 

**EXECUTIVE SUMMARY**

The Northern Settlement Strategy (NSS) introduces a framework to connect the objectives of State Planning Policy with Council's township structure planning process. Developed over a three year period the Northern Settlement Strategy brings together detailed studies considering township profiles, land supply analysis and economic modelling. These supporting studies have provided a foundation for comprehensive and purposeful engagement. Community survey responses and public submissions have confirmed the legitimacy of study findings and populated the strategy with the aspirations of residents from across the north of the Shire. This report seeks Council's endorsement of the NSS and its accompanying Background and Issues Report. It is further recommended that Council authorise the preparation and exhibition of a planning scheme amendment to incorporate the NSS into the Golden Plains Planning Scheme.

**BACKGROUND**

The process of developing the NSS was commenced with the presentation of a report to the Golden Plains Shire Council Planning Committee in 2014. The stated purpose of this report was to provide Councillors with a detailed briefing on the 2013 rural zoning reforms. More specifically the report explored the potential impact of zone reforms on future subdivision and development in the Shire's Rural Living Zone (RLZ) areas.

The report concluded that a comprehensive review of the RLZ schedule, and its related North-West Area policy, was required to address a broad range of issues including the relative cost to Council of servicing different forms of residential development. In addition the report recommended further strategic work to better understand the complex relationship between the existing northern townships and the adjoining regional city of Ballarat. In conclusion the report provided a recommendation that Council develop a long term strategic approach for the review of Rural Living Zone land supply and demand.

The NSS Study area is consistent with the Central Highlands Central Growth Plan and has been developed to ensure growth in the Golden Plains Shire occurs within the bounds of policy to guide future development and in the best interest of the northern communities. The Strategy will provide a link between the State Planning Policy Framework, Central Highlands Regional Growth Plan, Local Planning Policies and Structure Plans.

Figure: 2 NSS Study Area

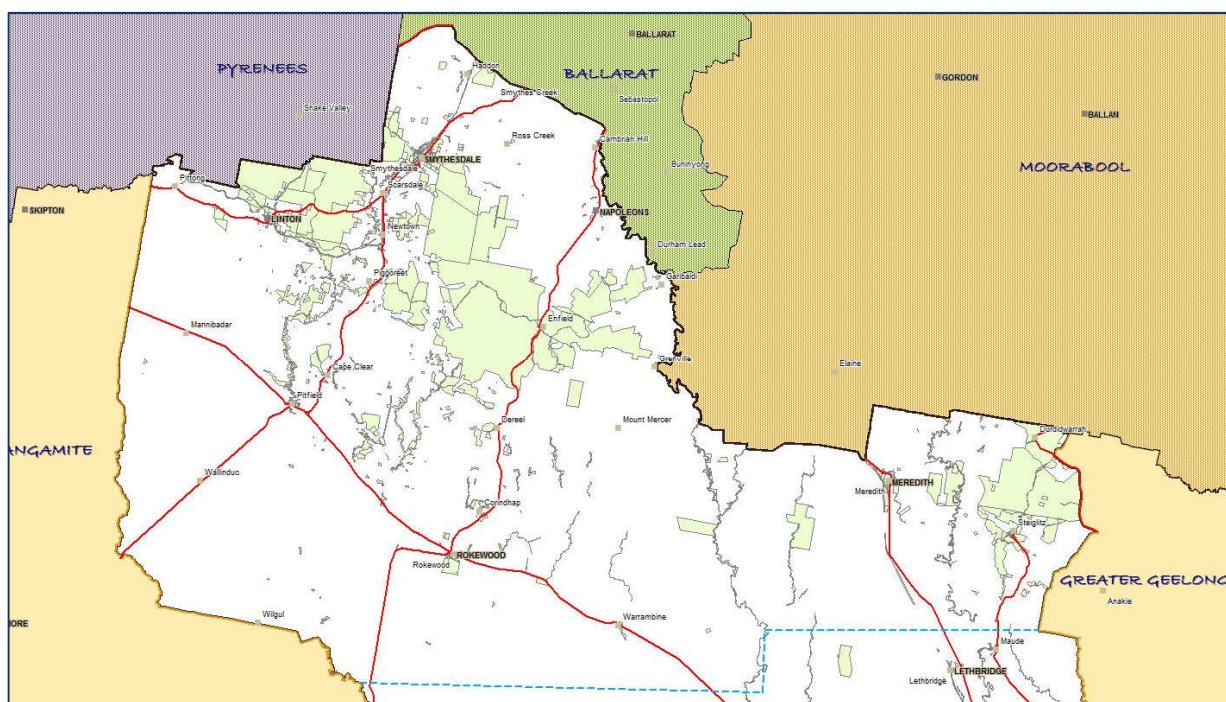


Figure: 3 Project Timelines

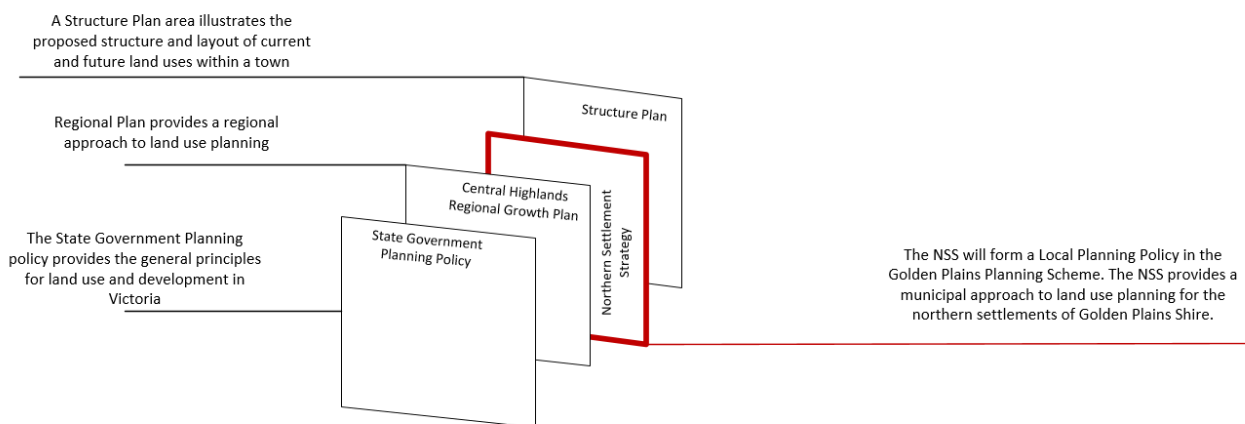


The project has been undertaken in five phases as outlined within Figure 3. The project has been supported by a comprehensive engagement plan, incorporating a number of innovative techniques for collecting valuable information from residents and workshop participants.

## POLICY CONTEXT

The NSS represents one of the most complex and comprehensive land use planning tools developed by the Golden Plains Shire Council. The NSS is a municipal approach to land use planning for the northern part of the Golden Plains Shire. The strategy will guide the structure, function and character of the Shire's settlements taking into account municipal, regional and state contexts and obligations as illustrated in Figure 1.

**Figure 1**



## PRODUCTS

The following products have been completed to inform the preparation of the NSS:

- Settlement Typology
- Residential Land Supply Study
- Land Use Economic Modelling
- Area Profiles

A copy of these products have been made available on Council's website and support the Background and Issues Report and subsequently the development of the Strategy.

## AREA PROFILES AND TYPOLOGY OF SETTLEMENTS

Area profiles were established to better understand the role and function of the townships and localities. The seven 'settlement profiles' identified existing utilities, services, infrastructure and key land use planning constraints for each area. Area profiles were exhibited to local communities for feedback and comment to ensure potential gaps in information were identified.

The analysis of existing settlements emphasises the relationships between settlements in the study area. It identifies three different types of settlements; towns, small towns and localities, based on population size, infrastructure and facilities.

With a better informed understanding of the role and of the interaction between settlements, the project team developed a typology of settlements. When combined with the findings of the residential land supply study, the settlement typology informs directions regarding appropriate levels of growth for each settlement designation.



## **RESIDENTIAL LAND SUPPLY STUDY**

Historically strategic planners have prioritised structure plan work to provide a 10-15 year land supply for each town based on documented rates of residential land take up (lot supply and dwelling construction).

The NSS provides a more rigorous approach to future strategic work and seeks to determine which townships are more suitable than others to accommodate future growth. The Study also identifies those towns that have sufficient land supply to accommodate residential growth and conversely those settlements with an oversupply of residential land.

## **RESIDENTIAL LAND SUPPLY STUDY FINDINGS**

The northern settlements cover 13,800 ha of residential land, however population densities are considered to be low in the regional context. Increasing density whilst retaining the rural character of the region will be best achieved through targeting areas with the capacity for reticulated sewerage, infill development and the sustainable rezoning of land.

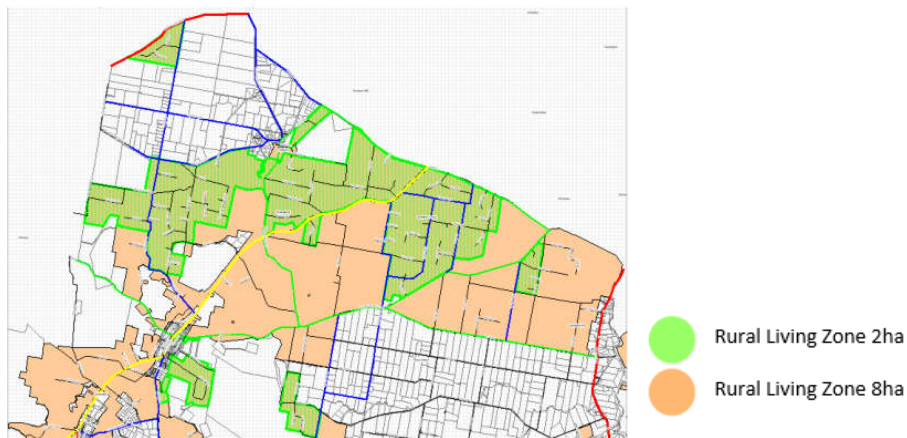
The Study documented 3,035 residential lots across the three residential zones Township Zone (680), Low Density Residential Zone (488) and Rural Living Zone (1867). In July 2016 there were 1,211 vacant lots located across the northern settlements, representing approximately 40% of all lots. These vacant lots are distributed across the different residential zones with 30% of all vacant lots located in LDRZ areas and up to 44% in Township Zones.

In the period March 2010 to July 2016 there were 291 dwellings constructed and 213 new subdivisions resulting in a net reduction of 78 vacant lots available for development. At this level of activity there is strong supply to address immediate future demand. However, if demand increased moderately i.e. by 25 dwellings per annum, (a likely scenario) the supply will be reduced.










On average 49 dwellings are constructed each year, a trend that is likely to continue. Demand is higher in the northern part of the Study area in localities such as Haddon, Smythes Creek and Ross Creek where development has occurred on rural living zoned land. This demand is related to the areas' proximity to the City of Ballarat. The Study also found an increased demand for small lots particularly in Meredith and Smythesdale where there have been significant numbers of dwellings built in the Township Zone areas.

The Rural Living Zone covers a substantial area, accounting for 11,800ha of zoned land in the north of which approximately 5,000ha remains vacant. These areas are designated by a schedule to the zone for either 2ha or 8ha allotments (as illustrated in Figure 4). The remaining 2000ha residential land is zoned either Low Density Residential Zone or Township Zone. The NSS found there is no need to identify any land for additional rural residential supply, and therefore Farming Zoned land should be protected from such zoning.

The demand for small lots, particularly with good access to township amenities is evident in Smythesdale where reticulated sewerage is available. This results in the realisation of higher densities within the Township Zone. Land rezoned as Low Density Residential to the north west of the town (Yellowglen) will effectively increase supply across the study area whilst maintaining the rural character.

**Figure 4: Rural Living Zone Schedule****Figure 5: Summary of Activity: Lots Created and Dwellings constructed July 2010 – March 2016**

| Towns         | Lots created through subdivision July 2010 - March 2016 | Distribution of lots per zone | Towns         | Dwellings created July 2010- March 2016 | Distribution of dwelling stock per zone | Vac ha TZ | Vac ha LDRZ | Vac ha RLZ |
|---------------|---|-------------------------------|---------------|---|---|-----------|-------------|------------|
| Smythesdale   | 43  | 34 ●<br>9 ●                   | Smythesdale   | 50                                      | 21 ●<br>29 ●                            | 25        | 92          | 564        |
| Ross Creek    | 37  | 37 ●                          | Ross Creek    | 26                                      | 26 ●                                    | 5         | N/A         | 527        |
| Smythes Creek | 28  | 28 ●                          | Smythes Creek | 23                                      | 23 ●                                    | N/A       | N/A         | 454        |
| Scarsdale     | 20  | 5 ●<br>3 ●<br>12 ●            | Scarsdale     | 31                                      | 6 ●<br>9 ●<br>16 ●                      | 15        | 119         | 794        |
| Meredith      | 12  | 10 ●<br>2 ●                   | Meredith      | 33                                      | 31 ●<br>2 ●                             | 12        | 24          | N/A        |
| Haddon        | 17  | 13 ●<br>4 ●                   | Haddon        | 30                                      | 4 ●<br>26 ●                             | 14        | N/A         | 229        |
| Dereel        | 14  | 2 ●<br>12 ●                   | Dereel        | 11                                      | 1 ●<br>1 ●<br>9 ●                       | 20        | 76          | 359        |
| Napoleons     | 10  | 5 ●<br>5 ●                    | Napoleons     | 5                                       | 2 ●<br>3 ●                              | 33        | N/A         | 149        |
| Cambrian Hill | 8   | 4 ●<br>4 ●                    | Cambrian Hill | 14                                      | 3 ●<br>11 ●                             | N/A       | 16          | 334        |
| Newtown       | 8   | 8 ●                           | Newtown       | 10                                      | 2 ●<br>8 ●                              | N/A       | 3           | 260        |
| Corindhap     | 3   | 3 ●                           | Corindhap     | 9                                       | 3 ●<br>6 ●                              | 3         | 25          | N/A        |
| Linton        | 1   | 1 ●                           | Linton        | 13                                      | 6 ●<br>4 ●<br>3 ●                       | 30        | 41          | 280        |
| Enfield       | 0   | 0                             | Enfield       | 20                                      | 3 ●<br>17 ●                             | 2         | 37          | N/A        |
| Rokewood      | 2   | 2 ●                           | Rokewood      | 2                                       | 2 ●                                     | 14        | 2           | N/A        |
| Garibaldi     | 2   | 2 ●                           | Garibaldi     | 1                                       | 1 ●                                     | N/A       | N/A         | 229        |
| Berringa      | 2   | 2 ●                           | Berringa      | 2                                       | 2 ●                                     | 14        | N/A         | 419        |

|   |   |   |                    |   |   |       |       |         |
|---|---|---|--------------------|---|---|-------|-------|---------|
| Happy Valley  | 3 | 3  | Happy Valley       | 3 | 3  | N/A   | N/A   | 111     |
| Staffordshire Reef  | 3 | 3  | Staffordshire Reef | 5 | 5  | 3     | N/A   | N/A     |
| Nintingbool   | 0 | 0   | Nintingbool        | 1 | 1  | N/A   | N/A   | 2       |
| Steiglitz   | 0 | 0   | Steiglitz          | 2 | 2  | N/A   | N/A   | 165     |
| Illabrook   | 0 | 0   | Illabrook          | 0 | 0   | N/A   | N/A   | 100     |
| Cape Clear  | 0 | 0   | Cape Clear         | 0 | 0   | 35    | N/A   | N/A     |
| TOTAL ha  |   |   |                    |   |   | 225ha | 435ha | 4,976ha |
|  - TZ  - LDRZ  - RLZ |   |   |                    |   |   |       |       |         |

## LAND USE ECONOMIC MODELLING

Council commissioned a Land Use Modelling Study to provide a number of scenarios demonstrating how the Shire could accommodate predicted population growth. Three spatial scenarios defined by location and density were designed to highlight the financial implications of various settlement patterns. Outcomes from this study will assist Council to better understand the cost of capital, maintenance and service provision of different settlement patterns and the cumulative effect of development decisions over time. The Study provides development scenarios to accommodate an aspirational increase in population of 2000 residents with an occupancy rate of 2.4 persons per dwelling.

**Policy Reform Scenario** applies to the Rural Living Zone and considers using either the 8ha minimum lot size or the 2ha minimum lot size. The standard minimum lot size set by the State in the Rural Living Zone is 2ha. The Golden Plains Planning Scheme includes a schedule to the Rural Living Zone which restricts the subdivision size to a minimum 8 ha. This schedule was applied to manage the oversupply of available rural residential land in the north. The policy reform scenarios calculate the potential cost of capital, maintenance and service provision at an 8ha min lot size vs the 2ha min lot size. Under these scenarios 9,500 ha of land would be required to accommodate the target population in a dispersed development scenario. This is illustrated in Figures 6 and 7 as **Scenario 1: 8ha RLZ and Scenario 2: 2ha RLZ**.

**Urban Consolidation Scenario** – accommodating growth within existing settlements. This scenario explored three potential development types in a residential area covering 150ha. The scenario uses the Township Zone and Low Density Residential Zone (unsewered vs sewerage) to demonstrate relative costs. Consolidation models are illustrated in Figures 6 and 7 as **Scenario 3: Infill 1,000sqm, Scenario 4: Infill 2,000sqm and Scenario 5: Infill 4,000sqm**.

**Conceptual Growth Scenario** explored Greenfield growth in an area covering 450ha that uses General Residential, Low Density Residential (unsewered) and Low Density Residential (sewered). This is illustrated in Figures 6 and 7 as **Scenario 6: Greenfield 1,000sqm, Scenario 7: Greenfield 2,000sqm and Scenario 8 Greenfield 4,000sqm**.

## LAND USE ECONOMIC MODELLING FINDINGS

The study found that Scenario 3 detailing infill dwelling lots at 1,000sqm provides the lowest cost settlement option in terms of annual maintenance costs and lowest capital costs. Annual maintenance costs associated with this scenario are calculated at approximately \$1.1m per annum

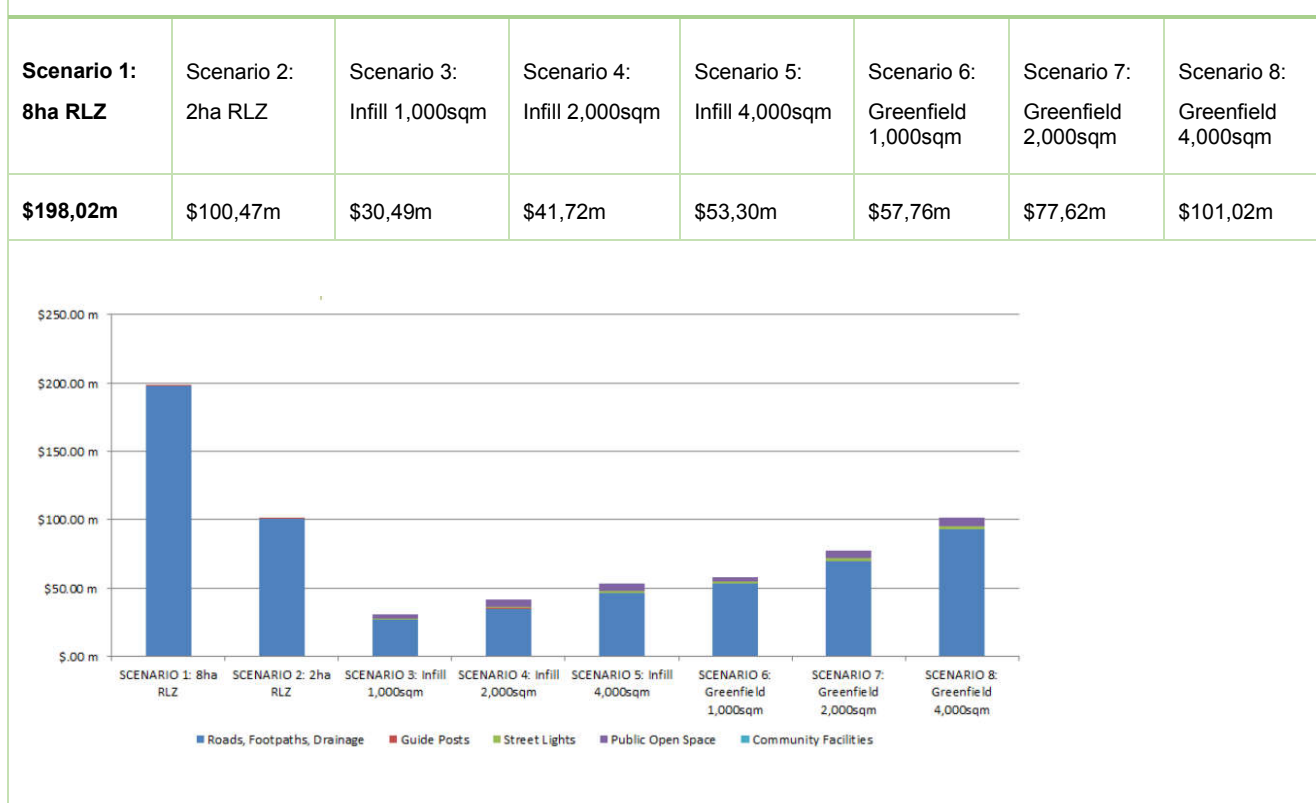
(or \$19m over 30 years in 2016 dollars). Capital costs for Scenario 3 are also the lowest cost settlement option for Council, costing approximately \$30m (as illustrated in Figures 6 and 7).

From an ongoing maintenance perspective, the most expensive settlement option for the Golden Plains Shire is Scenario 1 detailing a dispersed development scenario involving minimum lots sizes of 8ha. The average annual ongoing maintenance costs to Council under this scenario would be in the order of \$5.9m, or \$103m over 30 years (in 2016 dollars). Capital cost in Scenario 1 would also be the most expensive option costing in the order of \$198m.

In summary the study found that large dispersed lots and residential development in new areas bear significant expense due to the costs of providing infrastructure. Adding residential lots around existing infrastructure is notably more cost efficient.

**Figure: 6**

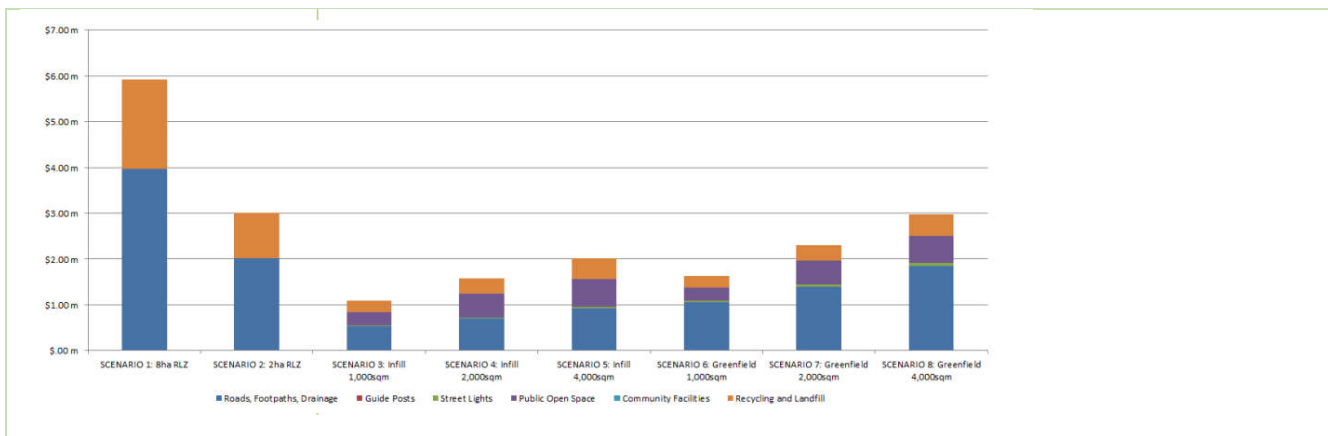
**Indicative Capital Costs for future dwelling development Scenario (initial outlay to accommodate increased population by 2000 people)**



**Figure: 7**

**Indicative Maintenance Cost for each development scenario (per annum) to accommodate increased population of 2000 people)**

| Scenario 1:<br>8ha RLZ | Scenario 2:<br>2ha RLZ | Scenario 3:<br>Infill 1,000sqm | Scenario 4:<br>Infill 2,000sqm | Scenario 5:<br>Infill 4,000sqm | Scenario 6:<br>Greenfield<br>1,000sqm | Scenario 7:<br>Greenfield<br>2,000sqm | Scenario 8:<br>Greenfield<br>4,000sqm |
|------------------------|------------------------|--------------------------------|--------------------------------|--------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| <b>\$103.09m</b>       | \$52.31m               | \$18.97m                       | \$27.50m                       | \$35.21m                       | \$28.47m                              | \$40.00m                              | \$51.83m                              |



## ENGAGEMENT

The engagement plan included interviews and ongoing liaisons with key stakeholders and sought participation from residents and community groups across the Study area. This was achieved through website engagement, online survey and initial drop-in sessions held in 7 locations. The drop-in sessions were attended by more than 100 residents.

Stakeholders advised that growth challenges for the study area include limited sewerage, bushfire risk and a lack of transport. Settlements in the study area are generally commuter based with limited public transport and other services.

Overall community views on managing growth can be summarised as follows:

- Protection of landscapes and lifestyle, including large block sizes
- Continue to develop and provide services and infrastructure in Smythesdale, Rokewood and Meredith which are recognised as the larger hub towns servicing surrounding hinterland
- Protect environmental diversity and heritage of remnant bushland areas
- Restrict development in fire prone areas and create safe communities
- Allow farmland to continue to be farmed
- Provide housing diversity, including options for older persons
- Recognise the opportunities that will come from the Western Link Road and Ballarat West Precinct
- Consider generational change and limitations to economic opportunities due to the restrictive lot size of the Rural Activity Zone.

In August 2018 the draft Framework Plan was made available to the public on the Council website and with hard copies distributed to customer service centres and other Council buildings. An article were published in the gazette and drop-in-sessions were facilitated in Napoleons and Smythesdale to allow interested residents to seek information on the principles of the NSS.

The draft Background and Issues Report was made available on Council's website in December 2018 following the last detailed report to Council. Since the posting of the report interested parties have been encouraged to contact the Strategic Planning Team to discuss key elements of the NSS and what they mean for land owners. Planning staff have also taken the opportunity to explain the process for implementing the NSS into the Golden Plains Planning Scheme.

## DISCUSSION

## **ANALYSIS OF PRODUCTS AND RELEVANCE TO DEVELOPMENT OF SETTLEMENT TYPOLOGY**

Extensive and comprehensive research has been undertaken to inform the NSS and settlement typology. This research has been analysed to build a clear and well informed representation of:

- constraints
- opportunities
- commercial realities
- trends and community attitudes

Key data to emerge from the analysis of the area profiles, land use supply study and settlement pattern modelling supports the typology of settlements framework. Areas suitable for growth start to emerge from the mapping of constraint layers. Mapping layers developed through the NSS address bushfire, flood and salinity risks, as well as identifying areas of State Forest and broad acre farming land.

Additional factors considered in the analysis include:

- capacity of infrastructure to service settlements and localities
- costs of servicing rural residential style development
- trends and predicted housing needs

All of this information has been used to determine trends and predict housing needs across the northern part of the Shire into the future. Clear directions emerge for the consideration of where residential growth should be encouraged.

The designated of towns for future growth, sustainable growth or contained growth are directly linked to the key findings of the research. The township designations align with higher order strategies including the State Planning Policy Framework, the Central Highlands Regional Growth Plan and the objectives contained within the Council Plan and Municipal Strategic Statement.

The NSS products confirm that current policies are relevant and appropriate however, they also highlight areas for opportunities and growth. Principles prepared as part of this strategy will ensure changes in land use are considered in light of the research and state and regional policy context.

## **INFRASTRUCTURE FINDINGS**

The NSS project team identified potential greenfield opportunities that could significantly influence residential land supply on the Shire's northern border.

Due to the availability of reticulated sewerage close to the shared boundary with the City of Ballarat there is opportunity to explore the feasibility of development in the corridor between the City of Ballarat and the settlements of Cambrian Hill, Smythes Creek and Haddon. A recommendation is included within the Strategic Directions Plan to undertake further work to consider development feasibility in the Cambrian Hill locality. A further recommendation encourages the development of a new structure plan for the settlement of Haddon to consider the impacts and opportunities associated with growth in the Ballarat West corridor. If deemed suitable for future residential development these areas would represent new greenfield development locations.

It is acknowledged that future housing densities across the study area will be largely market driven based on consumer preference. The Northern Settlement Strategy will equip Golden Plains Shire Council with a framework to manage expectations and demand.

## SERVICES AND EMPLOYMENT

The primary objectives of the NSS relate to accommodating future population growth. A desktop review of employment and service related considerations provides some insight into how future populations will work and access services within the north. These chapters do however acknowledge that there will continue to be a significant reliance on the higher order services and job opportunities available in the regional city of Ballarat.

## KEY DIRECTIONS SUMMARY

Figures 8 and 9 summarise the key directions of the Northern Settlement Strategy. The most significant directions relate to the identification of two locations for further investigation. The locations both directly adjoin the northern Shire border with the City of Ballarat. The directions regarding these two locations will potentially inform future feasibility studies or structure plans. This work would likely consider residential growth opportunities leveraging infrastructure associated within the Ballarat West precinct.

Another key direction relates to the identification of 'Strategic Movement Corridors' along the Glenelg Highway and the Colac-Ballarat Road. These two roads support public transport services and allow the movement of people and produce through the Shire. The strongest growth in the north is occurring in the towns located along the two corridors.

Four of the smaller settlements in the north have been identified as locations where growth is likely to be contained. Profile studies demonstrate that these settlements have limited infrastructure, are experiencing very little demand for new dwelling opportunities and may be challenged by constraints such as bushfire threat.

## DOCUMENT LAYOUT

The final NSS is contained within two documents, the detailed background and issues report and the concise strategy document.

## EXISTING KEY DIRECTIONS AND PROPOSED PLANNING POLICY CONTAINED WITH EXISTING PLANNING POLICY

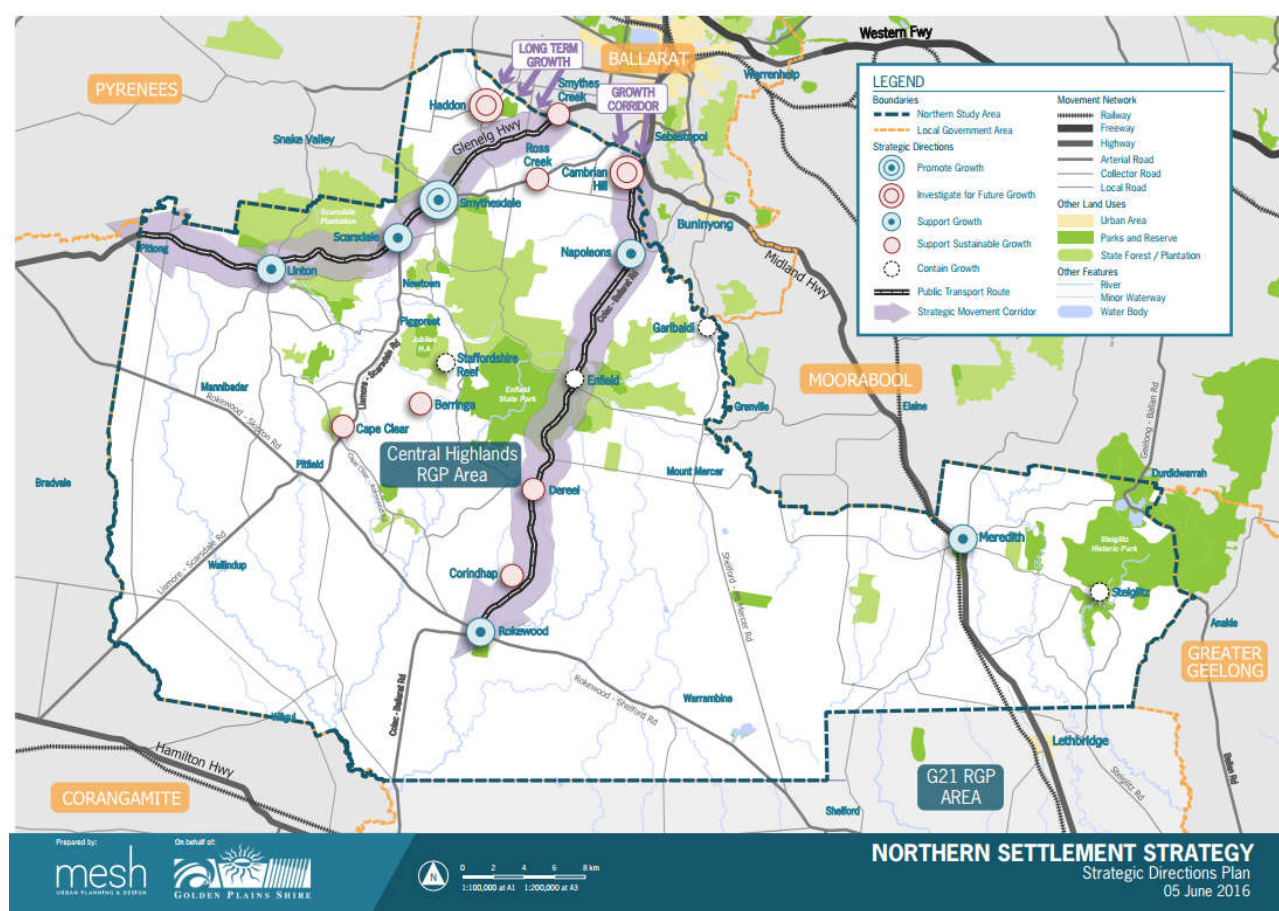
Figure 8

|   | Existing Policy Directions  | NSS Directions  |
|---|---|---|
| <b>Central Highlands Regional Growth Plan</b> | <p>Recognise the role of Smythesdale as requiring local and sub-regional services, and supports ongoing growth for those towns closer to Ballarat.</p> <p>Support Smythesdale as the preferred growth town for the northern part of Golden Plains Shire in Ballarat's hinterland.</p> <p>Promote further employment opportunities and services to reduce Smythesdale's role as a commuter centre.</p> <p>Favour infill development and planned growth areas in Smythesdale.</p> <p>Describes Smythesdale as a 'Town' within the regional settlement</p> | <p>Continue to promote the directions of the Smythesdale Urban Design Framework including the promotion of infill development.</p> <p>Review the Smythesdale UDF given the direction to 'Promote Growth' in this town.</p> <p>Describe Smythesdale as a 'Town' within the Strategic Directions.</p> <p>Maintain the identification of the Strategic Movement Corridor (Glenelg Highway). Identify a second Strategic Movement Corridor (Colac-Ballarat Road).</p> |



|                                      |  |  |
|--------------------------------------|--|--|
|                                      | framework plan.<br><br>Identifies the Glenelg Highway as a Key Road corridor.  |  |
| <b>Golden Plains Planning Scheme</b> | <p>Haddon - Consider development consistent with the existing Structure Plan.</p> <p>Cambrian Hill – No local policy</p> <p>Many of the smaller towns and localities have existing Structure Plans which support growth where appropriate.</p> <p>Enfield, Steiglitz, Garibaldi and Staffordshire Reef – No local policy</p> | <p>Haddon – ‘Investigate for future growth’ through the development of a new Structure Plan.</p> <p>Cambrian Hill – ‘Investigate for future growth’ through a feasibility study or structure plan.</p> <p>Continue to ‘Support Growth’ consistent with existing Structure Plans for each town / locality or where the principles for development can be met.</p> <p>Enfield, Steiglitz, Garibaldi and Staffordshire Reef – The NSS directs that growth be contained within these localities.</p> |

Figure 9





**CONSULTATION**

Once adopted officers will make the NSS available on Council's website along with details regarding the implementation phase. The next steps in the process will require the design of a local planning policy in consultation with the Department of Environment, Land, Water and Planning. Once finalised the local policy will be subject to a formal amendment process to facilitate its incorporation into the Golden Plains Planning Scheme.

The planning scheme amendment process affords residents and stakeholders another opportunity to make a submission. Should anyone wish to make a submission when the planning scheme amendment is exhibited they will be afforded an opportunity to have their concerns considered by an independent panel.

**CONFLICT OF INTEREST**

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

**CONCLUSION**

The NSS represents the culmination of a significant volume of work engaging residents and stakeholders from the settlements across the study area and the directly adjoining regions. The NSS provides an understanding of the changing demographics of existing townships and a roadmap for their future growth.

Importantly the Strategic Directions Plan acknowledges Ballarat West and the impacts of this growth on our northern communities. Through its implementation the NSS will provide a logical and practical framework for future structure plan prioritisation.

Research regarding Rural Living Zone development has found that although this pattern of settlement is popular and helps define the character of many northern towns, it has the highest establishment and servicing costs and is challenged by a range of environmental constraints. The future expansion or release of additional RLZ land supply through a review of the existing zone schedule should be deferred and when appropriate limited to those locations which meet criteria detailed with the strategy.

With the adoption of the NSS the future sustainability of our communities will be improved through the identification of infill development opportunities and the potential for new growth fronts.

## 6.7 COUNCIL AUTHORISATION FOR VICTORIAN PLANNING AUTHORITY TO ACT AS PLANNING AUTHORITY - BANNOCKBURN

### File Number:

**Author:** Tim Waller, Development Manager

**Authoriser:** Greg Anders, Director Assets and Amenity

**Attachments:** 1. Examples of Strategic Planning Stages

### RECOMMENDATION

That Council;

1. Write to the Minister for Planning requesting that the Victorian Planning Authority be appointed Planning Authority for the completion of the Bannockburn South West Precinct, the Bannockburn Growth Framework and the associated Precinct Structure Plans that are nominated in the Bannockburn Growth Framework.
2. Request that appropriate funding be allocated to the Victorian Planning Authority for the completion of the above listed projects.

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### EXECUTIVE SUMMARY

This report requests Council's authorisation to appoint the Victorian Planning Authority (VPA) as the Planning Authority for two strategic planning projects and for future Precinct Structure Plans (PSP) proposing growth in Bannockburn. The first project titled the 'Bannockburn South West Precinct' was commenced in 2018 with VPA funding secured through the 'Streamlining Growth for the Regions Program'. The second project, currently listed in the strategic work plan, seeks to identify and provide for additional residential land supply in Bannockburn. Council's request to appoint the VPA recognises the significant demand for zoned residential land within the G21 region.

### BACKGROUND

The VPA works closely with local councils to identify development and investment initiatives. The VPA also assists with the processing of planning applications for strategic sites, so that development can occur in a timely fashion. In recent years, the VPA has had direct planning involvement in Warragul, Drouin, Wodonga, Shepparton, Bacchus Marsh and Torquay.

In 2018 Council commenced working with the VPA on the Bannockburn South West Precinct project. The key purpose of this work is to unlock employment land opportunities directly adjoining the existing Bannockburn Business Estate. The scope of the study also considers opportunities for residential development that would support significant investment in service infrastructure. In the process of progressing background reports Council officers have communicated with the VPA regarding resource assistance opportunities for growth proposals at the Precinct Structure Plan scale. Council's enquiries regarding support were enthusiastically received by the VPA.

### POLICY CONTEXT

Section 9 (1) of the Planning and Environment Act 1987 states: *'The Minister may authorise any other Minister or public authority to prepare an amendment to any part of the State standard provisions and local provisions of a planning scheme'*. An authorisation must be in writing and the authorised public body becomes a Planning Authority under the Act.

### DISCUSSION

In 2015 a report was prepared for Council regarding residential land supply in Bannockburn. The report was prepared by Spatial Economics, a consultant team who had previously been engaged

to work with Council on the G21 Regional Growth Plan. The consultant team made the following recommendation:

*'It is considered that there is an immediate need for additional zoned broad hectare residential land supply stocks within Bannockburn as there are only 4 years of zoned supply. There is ample land identified for future residential development purposes within Bannockburn.'*

As a result of the report findings Council officers met with key land owners and property developers to discuss the progression of background documentation to support the rezoning of strategically identified land. Whilst subdivision and development activities have kept pace with forecast trends, requests for major broad hectare rezonings have not been forthcoming. As predicted the amount of zoned land area available for General Residential Zone development has been greatly reduced, Council should therefore consider other options to provide zoned land to meet regional demand.

## Regional Growth

In 2013 the G21 Regional Growth Plan identified Bannockburn as the north-west gateway to the Geelong region, and a location that provides *'lifestyle lots and affordable housing options with services for smaller outlying towns and rural areas'*. The final framework designated Bannockburn as a district town location where strong growth should be encouraged. Bannockburn shared this designation with the other fast growing towns of Lara, Drysdale and Leopold. More recently the City of Greater Geelong has adopted the Northern and Western Growth Area Plans identifying land for up to 40,000 new homes in an area interfacing with the Shire's border. The Bannockburn Urban Design Framework first approved in 2003 and last reviewed in 2012 does not take into consideration the likely impacts of Geelong's significant growth. The current strategic work plan identifies the need for a new Bannockburn Structure / Framework Plan.

## Growth Area Planning Principles

Council is effectively seeking VPA assistance to undertake high level strategic planning for the Shire's largest growth corridor. In general terms there are three stages of local planning that determine appropriate locations for major development. The first stage is the **framework planning** phase, where a plan is prepared to identify major infrastructure requirements, environmental constraints, proposed zonings, linking roads and staging directions. Council is seeking VPA support at this level for Bannockburn's future planning.

The second key stage is the preparation of a **Precinct Structure Plan (PSP)**. A PSP contains the next layer of detail regarding open spaces, community infrastructure, key roads and intersections, schools and services. A PSP is typically incorporated into a planning scheme at the same time as the rezoning of land. Councils also utilise PSPs to administer Development Contributions Plans.

The third and final stage of major development facilitation is the subdivision or **detailed design** stage. Council would continue to assess individual planning permits for major subdivisions within a Precinct Structure Plan area.

Attachment 1 provides examples of plans relevant to each planning stage and a description of key features.

## CONSULTATION

Any future strategic planning work prepared by the VPA would be undertaken in accordance with the relevant requirements of the Planning and Environment Act 1987.

## CONFLICT OF INTEREST

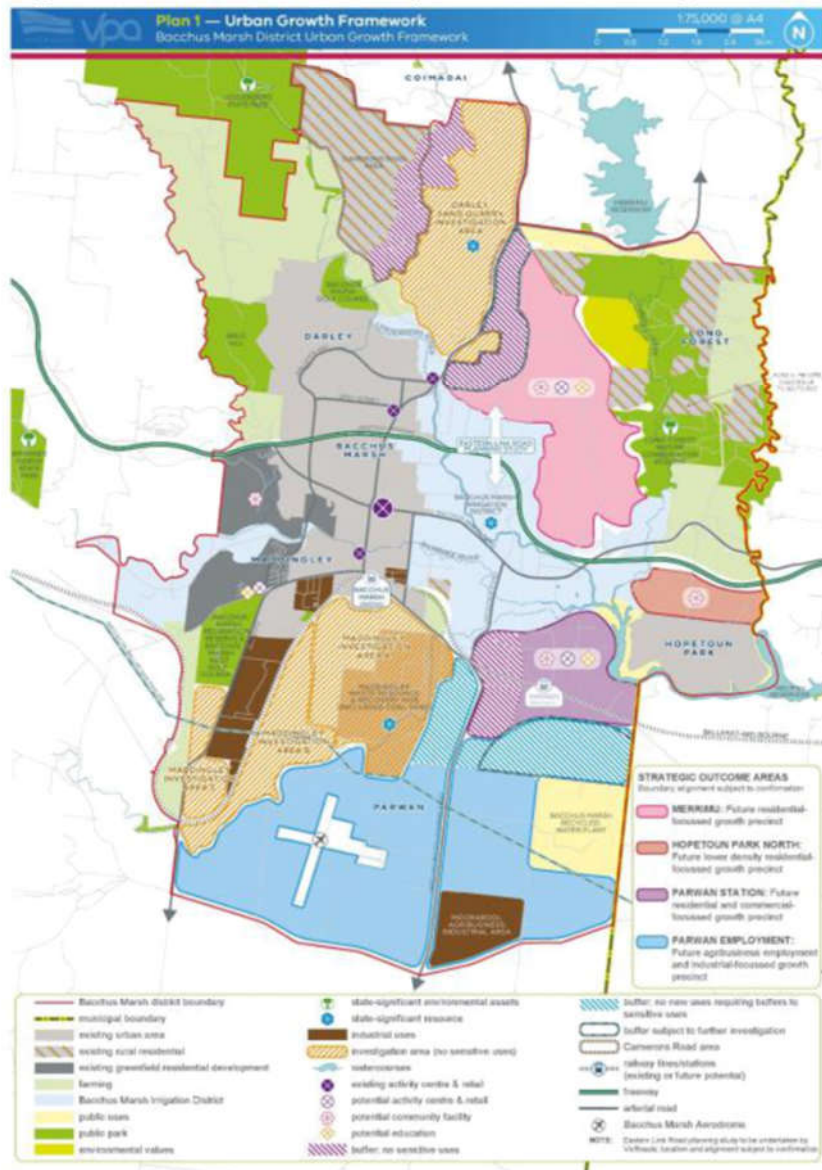
In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

**CONCLUSION**

The VPA is appropriately resourced to facilitate major strategic planning projects in a comprehensive and timely manner. The VPA has the capacity to undertake staged project work in close collaboration with Council's strategic planning team. The proposed approach has been adopted with success by a neighbouring municipality facing similar strong demand for zoned residential land supply. The VPA team will deliver strategic project outcomes that might otherwise take several years to be achieved with internal resourcing.

## Attachment 2. Examples of Strategic Planning Stages

### Stage 1: Urban Growth Framework (Bacchus Marsh shown)



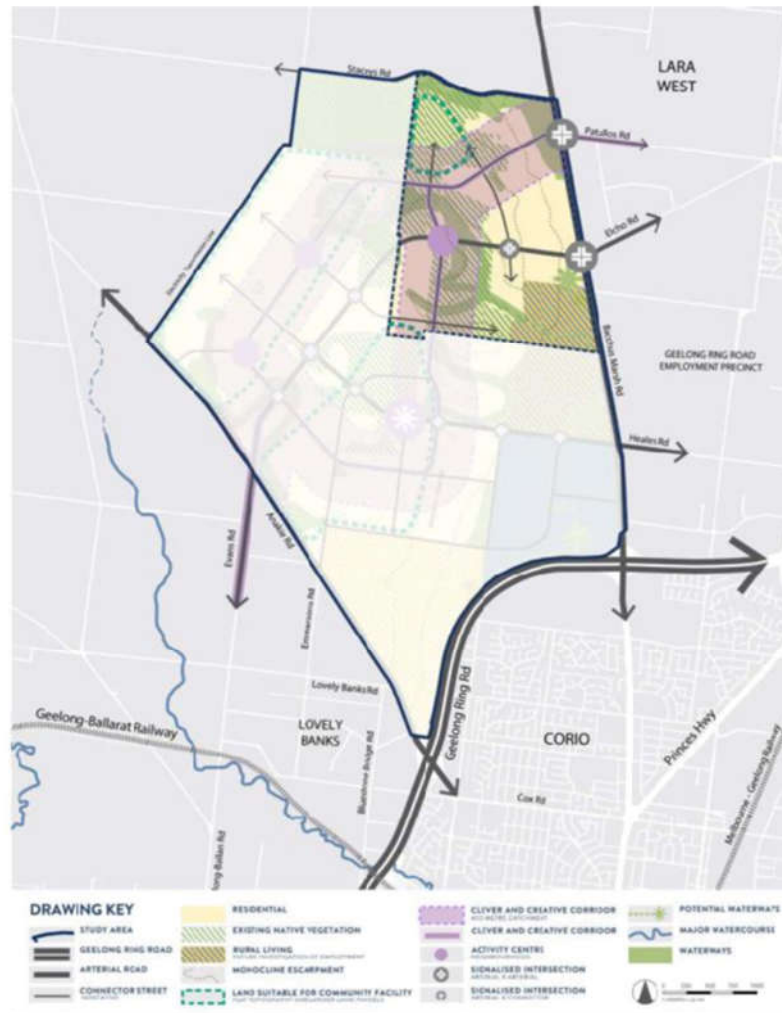
#### Key features:

Designates areas for future Precinct Structure Plans (PSPs).

Designates broad pre conditions for rezoning (including identifying development contributions as necessary).

Designates the significant future infrastructure e.g Link Road, public transport corridors.

Designates responsibilities for future planning e.g. which authority prepares the PSP, and undertakes the rezoning

**Stage 2: Precinct Structure Plan PSP (Elcho Road East Precinct shown)****Key features:**

Sets detailed requirements for subdivision.

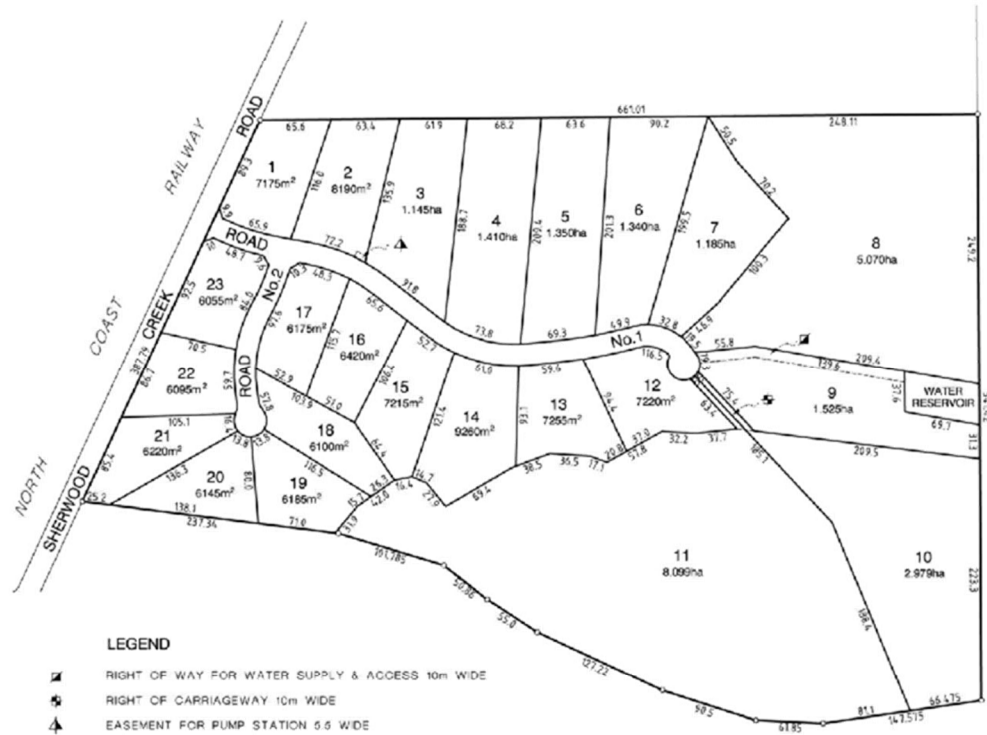
Identifies locations for open space, community and development infrastructure and any commercial land. The PSP ensures holistic consideration of these matters across land ownerships e.g. to ensure roads are connected across land ownerships.

Accompanied by a Development Contributions Plan to say who pays for infrastructure and when, as well as active open space.

Identifies key roads and intersections (though not necessarily all small roads).

Supported by detailed studies including a stormwater plan, community infrastructure assessment, traffic impact assessment etc. To ensure functionality and sufficiency of infrastructure.

Usually inserted to the Planning Scheme at the same time that land is rezoned.

**Stage 3. Plan of Subdivision****Key features:**

The detailed plan that includes exact lot, road, drainage and other specifications.

Shows easements.

Enables new titles to be legally created.

Accompanied by a planning permit that requires particular matters are addressed e.g. that the area is landscaped before titles are created.

Utilities and other authorities must sign off on the plan.

Guided by direction from the Planning Scheme and sometimes a PSP.

## **6.8 AMENDMENT TO VEGETATION PROTECTION CONTROLS AND ASSOCIATED MAPPING**

**File Number:**

**Author:** Geoff Alexander, Strategic Planner  
**Authoriser:** Greg Anders, Director Assets and Amenity  
**Applicant:** Not Applicable  
**Owner:** Council and State Government  
**Proposal:** Amend Vegetation Protection Controls  
**Location:** Various Roadsides in Golden Plains Shire  
**Attachments:** 1. Proposed VPO1 Schedule  
2. Proposed VPO2 Schedule  
3. Proposed VPO1 Mapping  
4. Proposed VPO2 Mapping

### **RECOMMENDATION**

That Council authorise the preparation and exhibition of an amendment to the Golden Plains Planning Scheme to:

- Remove the existing Vegetation Protection Overlay (VPO) Schedules 1 and 2 and associated mapping.
- Introduce new VPO1 and VPO2 Schedules.
- Apply the new VPO1 and VPO2 Schedules to selected roadsides in Golden Plains as described in this report.

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### **EXECUTIVE SUMMARY**

This report seeks authority to prepare and exhibit an amendment to the Golden Plains Planning Scheme, applying a new Vegetation Protection Overlay (VPO):

- To protect areas of significant vegetation.
- To ensure that development minimises loss of vegetation.
- To preserve existing trees and other vegetation.
- To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
- To maintain and enhance habitat and habitat corridors for indigenous fauna.
- To encourage the regeneration of native vegetation.

The existing VPO1 and VPO2 are redundant and do not trigger any planning permit applications, deleting them will remove unnecessary content from the Planning Scheme. The proposed new VPO1 and VPO2 seek to protect native vegetation along roadsides which are known to contain vegetation communities of very high conservation significance, and a status of endangered or vulnerable. The extent of the VPO is based on a comprehensive Roadside Vegetation Survey completed in 2014-2015. The controls seek to remedy an existing situation whereby some of the most significant vegetation in the Shire can be removed without a planning permit.

### **PURPOSE**

To consider whether to proceed with a Planning Scheme Amendment that would modify Vegetation Protection controls in Golden Plains Shire.



## CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officers preparing this report declare no conflict of interest in regard to this matter.

## COUNCIL PLAN

Managing Natural and Built Environments – We work to promote, conserve, enhance and protect the natural environment and ensure that growth and change in the built environment is managed for the benefit of all communities.

## BACKGROUND INFORMATION

In 2014-2015 Golden Plains Shire Council undertook an extensive Roadside Survey with the intention of identifying significant flora and fauna on roadsides within the Shire. The study informed the Golden Plains Roadside Environmental Management Plan. A total of 3443km of roads were surveyed with nearly 28,000 photos taken. The study identified Ecological Vegetation Classes and classified levels of vegetation significance in accordance with a method prescribed by the Roadside Conservation Advisory Committee (RCAC).

The study confirmed that certain roadsides within Golden Plains Shire are important locations for endangered and vulnerable native vegetation species with very high conservation significance. In addition to the flora biodiversity benefits, roadside vegetation plays an important role in facilitating the movement of wildlife and helps to enhance the visual amenity of roadside landscapes.

The development of the Roadside Vegetation Survey provides an opportunity to develop a Planning Scheme Amendment to protect vulnerable and endangered native vegetation along roadsides, in situations where a Planning Permit would otherwise not be required.

Currently native vegetation in Golden Plains Shire is largely protected by Clause 52.17 (Native Vegetation) of the Golden Plains Planning Scheme. Clause 52.17 has proven to be relatively effective for protecting native vegetation within the Shire, however it is recognised as a broad-brush planning tool, designed to apply to the entire State. Clause 52.17 also includes a large number of exemptions, which should not apply to roadside works where vulnerable or endangered vegetation communities are concerned.

## CONSULTATION

Should the amendment proceed past the authorisation stage, public exhibition of the amendment would occur in accordance with the requirements of the *Planning and Environment Act 1987*.

## ASSESSMENT

It is proposed to initiate a Planning Scheme Amendment to:

- Delete the existing VPO1, VPO2 and associated mapping.
- Introduce a new VPO1 and VPO2 as shown at Attachment 1 and 2 to this report.
- Apply the new VPO1 to roadsides in Golden Plains where endangered roadside native vegetation has been identified, generally in accordance with the indicative map shown at Attachment 3 to this report.
- Apply the new VPO2 to roadsides in Golden Plains where vulnerable roadside vegetation of has been identified, generally in accordance with the indicative map shown at Attachment 4 to this report.

Note\* Some of the proposed VPO mapping shown along road reserves in attachments 3 and 4 is intended for one side of the road only, however the correct side of the road is not shown in the indicative maps. Should Council resolve to continue with the amendment DELWP mapping services would be provided with the full data needed to prepare maps for one or both sides of the road as per the 2014-2015 Golden Plains Roadside Survey. The amendment maps would then be provided to Council at the next Council meeting related to the consideration of this amendment.

## DISCUSSION

### Proposed Removal of the existing VPO1 and VPO2 and associated mapping

The VPO1 and VPO2 are local controls in the Golden Plains Planning Scheme aimed at protecting native vegetation, however these controls are very old and considered redundant. In reality they offer no protection to vegetation and therefore it is considered appropriate to remove them.

The existing VPO2 is targeted at the protection of roadside vegetation and bushland reserves. However it is understood to be based on information from a vegetation study completed in the 1990s which has since been superseded by the 2014-2015 study. The existing VPO1 is targeted at the protection of native grasslands and applies to specific areas of grasslands within the Shire. This control is redundant because native grasslands are now protected by Clause 52.17 (Native Vegetation).

Of key relevance to the proposed removal of the existing VPO1 and VPO2 is the fact that these controls lack any active planning permit triggers and therefore have no ability to influence the planning process in their current form. Due to this, the proposed removal of these controls (together with associated mapping) would be policy neutral and would not represent any reduction in environmental protection in Golden Plains.

### Proposed Introduction of a new VPO1 and VPO2

The proposed VPO1 and VPO2 would seek to ensure consideration of native vegetation removal in specific situations that a Planning Permit would otherwise not be required. In spite of sharing the same numbers “1 and 2” the wording in the proposed new VPO1 and VPO2 is not based on the existing VPO1 and VPO2 and is entirely new.

The new VPO1 is proposed to apply to road reserves in Golden Plains where endangered native vegetation with very high conservation significance has been identified. The VPO1 would require a planning permit for the removal of native vegetation, with a number of exemptions including for emergency works for utilities authorities, for the removal of vegetation which presents an immediate risk to life or property and for limited works undertaken by public authorities and Landcare groups. The key reason for proposing the VPO1 is to ensure a planning permit requirement, and consideration for, the avoidance (where possible), minimisation and offsetting of endangered native vegetation in situations that a Planning Permit would otherwise not be required.

The new VPO2 is proposed to apply to road reserves in Golden Plains where vulnerable (but not endangered) native vegetation with very high conservation significance has been identified. The content and reasons for the new VPO2 are nearly identical to the new VPO1, however the VPO2 is only proposed to apply to road reserves containing vulnerable vegetation, which is a step down in biodiversity significance to the endangered vegetation proposed to be protected by the VPO1.

In terms of policy difference to the VPO1, the VPO2 includes an additional planning permit exemption. The exemption allows individuals to remove vegetation to create, maintain or vary an access or to remove vegetation to maintain a fence, where written consent has been attained from Golden Plains Shire Council. In practice this means that a formal planning permit process could be avoided in most cases. Instead of a planning permit with associated costs, residents would have the option to seek written consent from the Environment and Sustainability Team at Golden Plains Shire Council. In practice the Environment and Sustainability Team would review a vegetation removal plan to ensure that the land owner has made an effort to minimise or avoid (where practicable) the removal of any significant vegetation before providing written consent for the removal. This is considered a less formal and onerous process than applying for a planning permit, and reflects the lower level of significance of vegetation to be protected. The additional exemption will also reduce the administrative burden of processing extra Planning Permit applications for Council's statutory planning department.

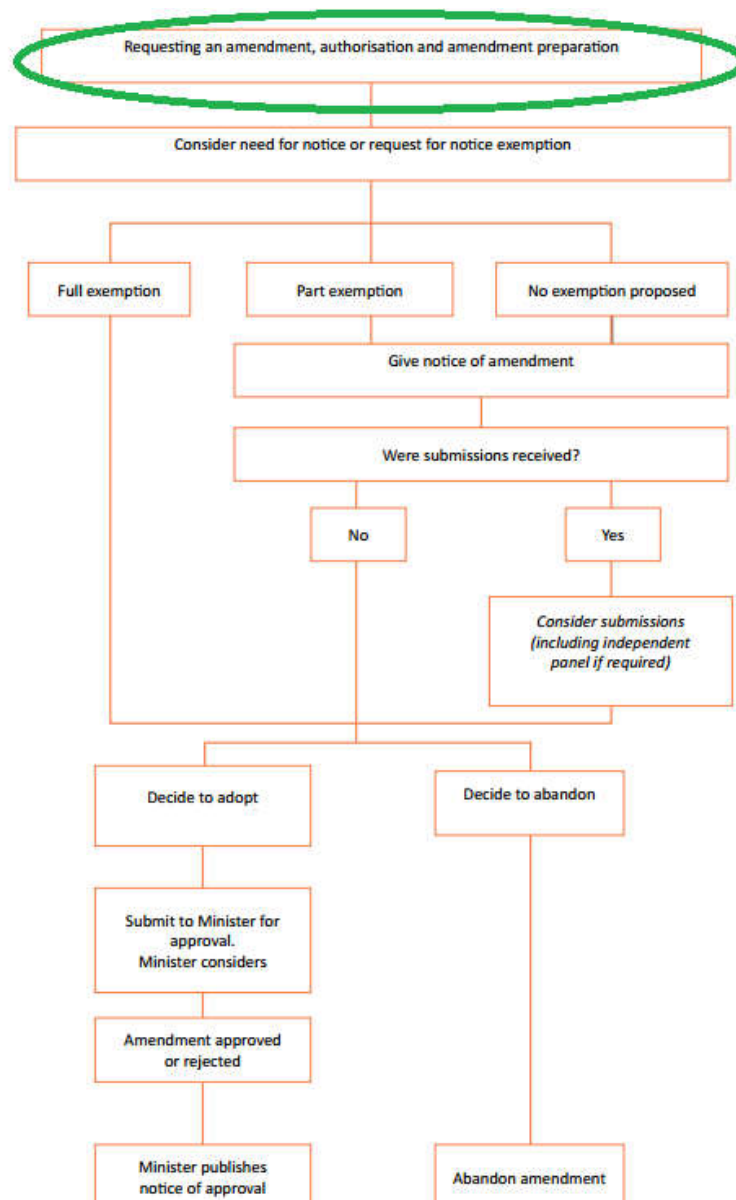
## OPTION ANALYSIS

Council has the options of:

- Proceeding to lodge an application with the Minister for Planning to request authorisation to proceed with, and exhibit the amendment in accordance with the *Planning and Environment Act 1987*.
- Deciding not to proceed with the Amendment.

Should Council decide to proceed with the Amendment, the Amendment would continue to the stage outlined in green in Figure 1 below.

Figure 1



## RISK IMPLICATIONS

There are no obvious risk implications to proceeding with the amendment, however not proceeding with the amendment carries a risk that endangered and vulnerable native vegetation could be

removed from roadsides, in particular situations, without a planning permit application or consent from Council.

### **FINANCIAL IMPLICATIONS**

The primary cost associated with the amendment is officer time. If objections to the amendment are received that cannot be resolved during the exhibition process a Planning Panel would need to be initiated to resolve the objections. Panel costs are normal to Planning Scheme Amendments and would be carried within the ordinary budget of Strategic Planning. Furthermore should the amendment be approved, in future Golden Plains would experience a modest increase in the number of planning permit applications for vegetation removal.

### **CULTURAL HERITAGE IMPLICATIONS**

There are no evident cultural heritage implications associated with the amendment.

### **CONCLUSION**

The amendment proposes to delete redundant vegetation protection controls within the Golden Plains Planning Scheme known as the VPO1 and VPO2, together with the associated mapping. The removal of the VPO1 and VPO2 is considered to be policy neutral as these controls contain no active planning permit triggers, and have no impact on planning permit applications. The removal of these controls does not represent any reduction in environmental protection in Golden Plains Shire.

The amendment also proposes to insert a new VPO1 and VPO2 and to apply the controls to selected roadsides in Golden Plains where endangered and vulnerable vegetation has been identified. These controls are considered beneficial because the main vegetation protection Clause (52.17 Native Vegetation) in the Golden Plains Planning Scheme provides significant exemptions for vegetation removal where roadsides are concerned. This is not appropriate in the context of protecting endangered and vulnerable native vegetation which has been identified on roadsides in Golden Plains Shire.

## GOLDEN PLAINS PLANNING SCHEME

~f~20~  
C~

## **SCHEDULE 1 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY**

Shown on the planning scheme map as **VPO1**

### **ENDANGERED ROADSIDE VEGETATION**

#### **1.0**

#### **Statement of nature and significance of vegetation to be protected**

~f~20~  
C~

Due to past management practices, roadsides often contain the only remnants of once extensive native grasslands or forests. They also provide habitat for native animals and provide visual amenity for our towns and rural areas.

Roadsides comprise only 2% of the total land in the Golden Plains Shire but contain remnants of vulnerable and endangered vegetation communities as well as rare flora and fauna species.

Roadside native vegetation acts as 'wildlife corridors' by providing important linkages between larger areas of native vegetation. Where larger remnants no longer exist, roadside vegetation can provide the only functional habitat for flora and fauna.

Roadside vegetation enhances the quality of travel experiences and contributes to the visual quality of areas.

This Overlay Schedule applies to all native vegetation components including tree, shrub and ground layer species.

#### **2.0**

#### **Vegetation protection objectives to be achieved**

~f~20~  
C~

To protect areas of significant remnant native vegetation located along roadsides throughout the municipality.

Protection of high quality occurrences of endangered Ecological Vegetation Classes (EVC) on roadsides within the municipality.

Protection of populations of rare and/or threatened native flora and fauna and regionally significant species on roadsides within the municipality.

#### **3.0**

#### **Permit requirement**

~f~20~  
C~

A permit is required to remove, destroy or lop any native vegetation.

This does not apply to:

- The removal of native vegetation which presents an immediate risk of personal injury or damage to property. Immediate risk must be demonstrated by clear and obvious damage to the tree (e.g storm damage) or a report by a qualified arborist.
- Works undertaken by a public authority or local landcare group relating to fire management or environmental improvements.
- The removal, destruction or lopping of vegetation to the minimum extent necessary by a utilities authority for emergency works related to maintaining water, sewerage, telephone, internet or electricity supply.

#### **4.0**

#### **Application requirements**

~f~20~  
C~

An application to remove, destroy or lop native vegetation must:

## GOLDEN PLAINS PLANNING SCHEME

- Indicate the purpose and total extent of all proposed works.
- Demonstrate that the need for vegetation removal has been reduced to the minimum extent that is reasonable.

**5.0**

4-20-  
C.

**Decision guidelines**

Before deciding on a permit application, Council must consider as appropriate:

- Any offsets required in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017).
- The Golden Plains Shire Council Roadside Environmental Management Plan.
- The need to remove any remnant native vegetation including the consideration of alternative ways of carrying out any development on the land.
- The native fauna and flora (including rare and/or threatened species) habitat value of the native vegetation to be removed, lopped or destroyed.
- The conservation status and quality of the native vegetation to be removed, lopped or destroyed.
- The value of the native vegetation in maintaining the health of riparian, waterway and wetland ecosystems.
- The landscape, recreational and amenity values of the native vegetation.
- The location and linkage values of native vegetation in the local landscape.
- Any relevant fire management plan.
- The potential cultural heritage value (e.g possible scar trees) of the native vegetation.
- The potential exacerbation of pest plant and animal control issues.

## GOLDEN PLAINS PLANNING SCHEME

~f~r20~  
C~

## **SCHEDULE 2 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY**

Shown on the planning scheme map as **VPO2**

### **VULNERABLE ROADSIDE VEGETATION**

#### **1.0**

#### **Statement of nature and significance of vegetation to be protected**

~f~r20~  
C~

Due to past management practices, roadsides often contain the only remnants of once extensive native grasslands or forests. They also provide habitat for native animals and provide visual amenity for our towns and rural areas.

Roadsides comprise only 2% of the total land in the Golden Plains Shire but contain remnants of vulnerable and endangered vegetation communities as well as rare flora and fauna species.

Roadside native vegetation acts as 'wildlife corridors' by providing important linkages between larger areas of native vegetation. Where larger remnants no longer exist, roadside vegetation can provide the only functional habitat for flora and fauna.

Roadside vegetation enhances the quality of travel experiences and contributes to the visual quality of areas.

This Overlay Schedule applies to all native vegetation components including tree, shrub and ground layer species.

#### **2.0**

#### **Vegetation protection objectives to be achieved**

~f~r20~  
C~

To protect areas of significant remnant native vegetation located along roadsides throughout the municipality.

Protection of high quality occurrences of vulnerable Ecological Vegetation Classes (EVC) on roadsides within the municipality.

Protection of populations of rare and/or threatened native flora and fauna and regionally significant species on roadsides within the municipality.

#### **3.0**

#### **Permit requirement**

~f~r20~  
C~

A permit is required to remove, destroy or lop any native vegetation.

This does not apply to:

- The removal, destruction or lopping of native vegetation to the minimum extent necessary to maintain a boundary fence or to create, vary or maintain an access where written consent has been attained from Golden Plains Shire Council.
- The removal of native vegetation which presents an immediate risk of personal injury or damage to property. Immediate risk must be demonstrated by clear and obvious damage to the tree (e.g. storm damage) or a report by a qualified arborist.
- Works undertaken by a public authority or local landcare group relating to fire management or environmental improvements.
- The removal, destruction or lopping of vegetation to the minimum extent necessary by a utilities authority for emergency works related to maintaining water, sewerage, telephone, internet or electricity supply.



## GOLDEN PLAINS PLANNING SCHEME

**4.0 Application requirements**

4.0-20-  
C-

An application to remove, destroy or lop native vegetation must:

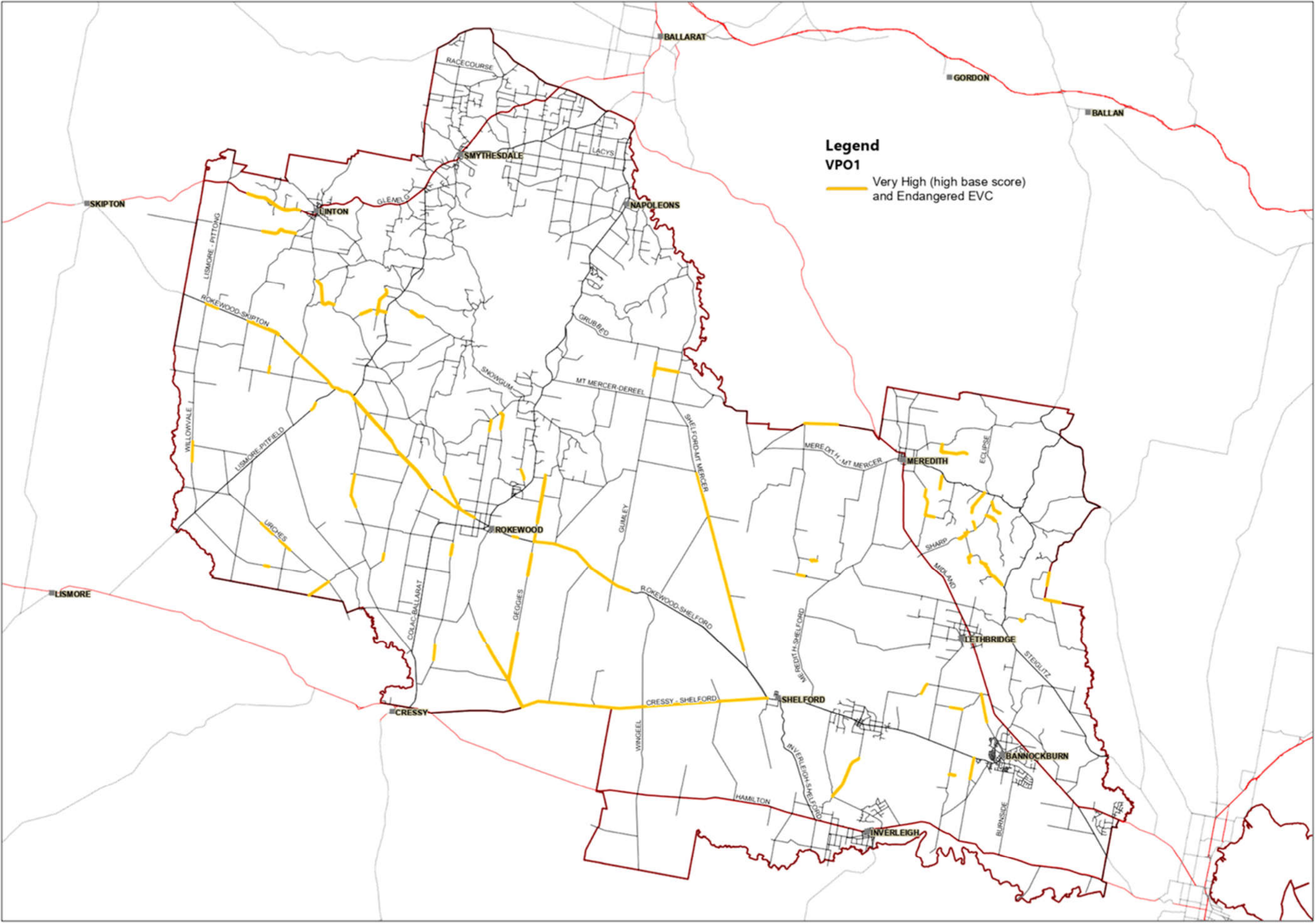
- Indicate the purpose and total extent of all proposed works.
- Demonstrate that the need for vegetation removal has been reduced to the minimum extent that is reasonable.

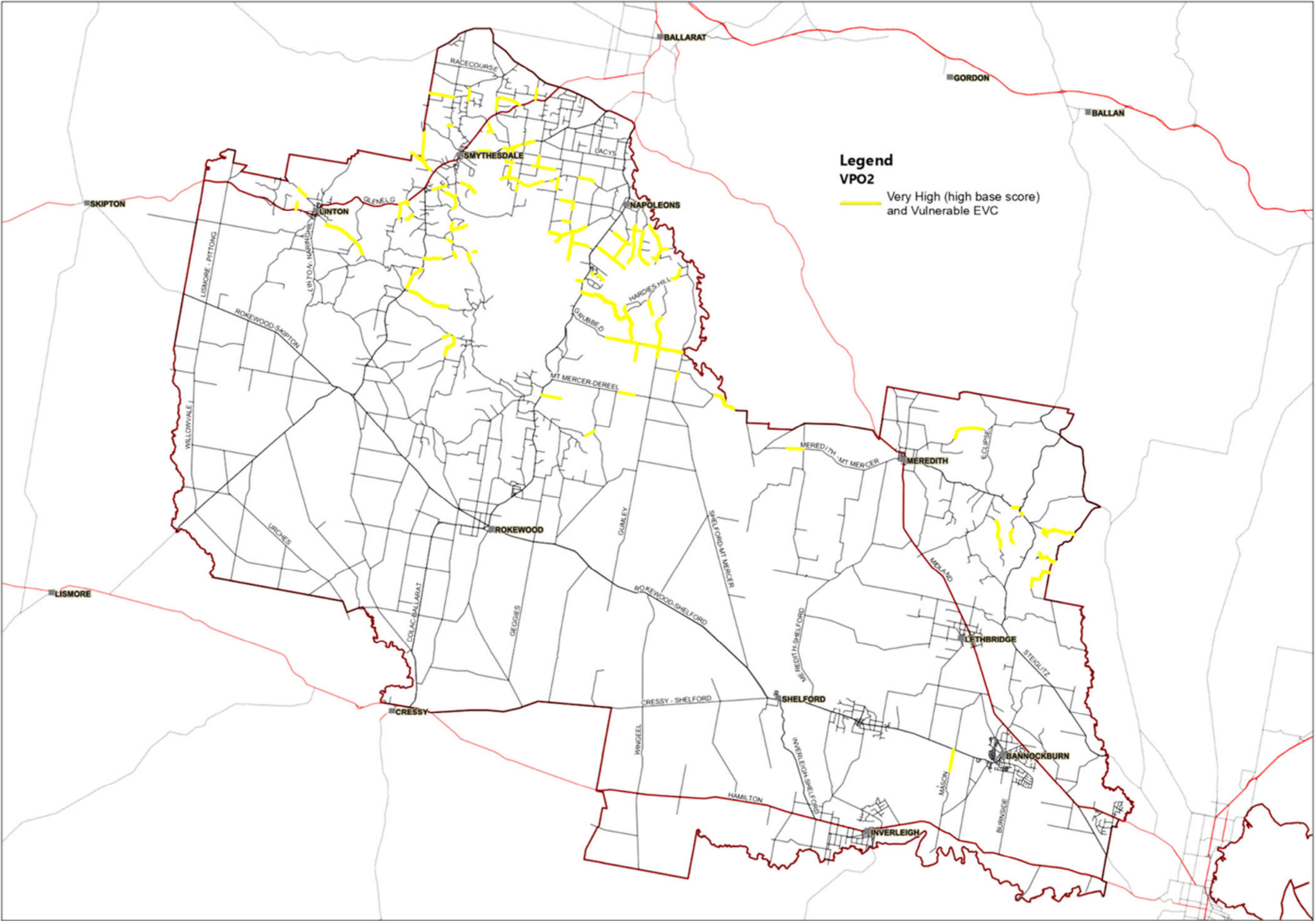
**5.0 Decision guidelines**

5.0-20-  
C-

Before deciding on a permit application, Council must consider as appropriate:

- Any offsets required in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017).
- The Golden Plains Shire Council Roadside Environmental Management Plan.
- The need to remove any remnant native vegetation including the consideration of alternative ways of carrying out any development on the land.
- The native fauna and flora (including rare and/or threatened species) habitat value of the native vegetation to be removed, lopped or destroyed.
- The conservation status and quality of the native vegetation to be removed, lopped or destroyed.
- The value of the native vegetation in maintaining the health of riparian, waterway and wetland ecosystems.
- The landscape, recreational and amenity values of the native vegetation.
- The location and linkage values of native vegetation in the local landscape.
- Any relevant fire management plan.
- The potential cultural heritage value (e.g possible scar trees) of the native vegetation.
- The potential exacerbation of pest plant and animal control issues.







## **6.9 VICTORIAN ELECTORAL COMMISSION (VEC) - PRELIMINARY REPORT ELECTORAL REPRESENTATION REVIEW**

**File Number:****Author:** Candice Holloway, Corporate Governance Coordinator**Authoriser:** Philippa O'Sullivan, Director Corporate Services**Attachments:**

1. VEC Preliminary Report Golden Plains Shire Council Representation Review - March 2019 (under separate cover)
2. VEC Options - Maps

**RECOMMENDATION**

That Council:

1. Note the Victorian Electoral Commission (VEC) Preliminary Report Golden Plains Shire Council Representation Review - March 2019 (Attachment 1).
  2. Consider the three options included in the VEC Preliminary Report and determine if it wishes to make a submission to the VEC by the 24 April 2019.
- 

**EXECUTIVE SUMMARY**

The Victorian Electoral Commission (VEC) is legislated to undertake electoral representation reviews once every 12 years. The current representation review for Golden Plains Shire Council commenced on 30 January 2019.

The VEC have released the Preliminary Report Golden Plains Shire Council Representation Review - March 2019 (VEC Preliminary Report) (Attachment 1).

The VEC Preliminary Report includes three options, being:

- Option A (VEC preferred option):
  - Seven councillors;
  - Elected from an un-subdivided electoral structure.
- Option B (alternative option):
  - Seven councillors;
  - Elected from three wards;
  - Two two-councillor wards and one three-councillor ward.
- Option C (alternative option):
  - Eight Councillors;
  - Elected from three wards;
  - Two three-councillor wards and one two-councillor ward.

Any person or group, including the Council, can now make a submission to the VEC in response to the three options. Submissions must be received by the VEC by 24 April 2019.

**BACKGROUND**

The Local Government Act 1989 requires the VEC to review each council before every third general election. In 2019 and 2020, the VEC will be conducting representation reviews for 31 councils.

Representation reviews ensure all voters in a local council area have their concerns and interests fairly represented by their council. A representation review cannot change the external boundaries of the local council, divide local councils or combine local councils.

A review examines:

- Whether a local council has the appropriate number of councillors.
- Whether the local council should be un-subdivided, with councillors elected from the whole local council, or subdivided into wards.
- If subdivided, the number of wards, ward boundaries and the number of councillors per ward.

The last electoral representation of the Golden Plains Shire Council was undertaken in 2007 which brought a change from nine to seven councillors and from nine wards to a single un-subdivided municipality.

The current VEC electoral representation review of Golden Plains Shire Council commenced on 30 January 2019.

Public information sessions were held by the VEC in Symthesdale and Bannockburn on 30 January after which time, preliminary submissions were invited from any person or group with a closing date of 27 February 2019.

At its meeting held 28 February 2019, Council endorsed its original submission, being:

- Council Submission – February 2019:
  - The return of a ward based structure;
  - Preference for three Wards being North, Central and South having two, one and four councillors respectively.

The VEC Preliminary Report was released in March 2019 and includes three options, being:

- Option A (VEC preferred option):
  - Seven councillors;
  - Elected from an un-subdivided electoral structure.
- Option B (alternative option):
  - Seven councillors;
  - Elected from three wards;
  - Two two-councillor wards and one three-councillor ward.
- Option C (alternative option):
  - Eight Councillors;
  - Elected from three wards;
  - Two three-councillor wards and one two-councillor ward.

Each option is explained in detail (including a map) in the VEC Preliminary Report (Attachment 1).

## **POLICY CONTENT**

*The Local Government Act 1989*, Division 2 – Electoral Representation Reviews.

## **DISCUSSION**

Any person or group, including the Council, can now make a response submission to the VEC to the three options included in the VEC Preliminary Report. Response submissions must be received by the VEC by 24 April 2019.

The benefits and challenges of each option are provided in VEC Preliminary Report (Attachment 1).

The VEC have indicated Option A as their preferred option which retains the current structure following the last representation review of Golden Plains Shire Council in 2007.

### **CONSULTATION**

Any person or group, including the Council, can now make a submission to the VEC in response to the three options included in the VEC Preliminary Report. Response submissions must be received by the VEC by 24 April 2019.

The key dates for the review are:

- Public information sessions held in Symthesdale and Bannockburn on 30 January 2019.
- Preliminary submissions closed on 27 February 2019.
- Release of VEC Preliminary Report March 2019.
- Response submissions close at 5.00 pm on 24 April 2019.
- Public hearing to be held at the Rokewood Recreation Reserve at 6.30pm on 1 May 2019. If there are no requests to speak at the hearing, it will not be held.
- VEC publishes a final report for the Minister for Local Government containing a recommended electoral structure in May 2019.
- Scheduled release of final report on 22 May 2019.
- Any changes resulting from the final report will apply at the October 2020 general election.

### **CONFLICT OF INTEREST**

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

### **CONCLUSION**

As response submissions to Victorian Electoral Commission (VEC) Preliminary Report Golden Plains Shire Council Representation Review are due by 24 April 2019, Council should decide if it wishes to make a response submission to support or oppose any of the three options included in the preliminary report.



# Golden Plains Shire Council Option A (Preferred Option)



**Legend**

- Proposed Boundary
- Existing Wards
- Unsubdivided
- Map Symbols
- Freeway
- Main Road
- Collector Road
- Road
- Unsealed Road
- Railway Line
- River/Creek
- Park/Reserve
- Lake
- Locality Boundary

| Ward         | Councillors | Electors* | Deviation | Area sq km |
|--------------|-------------|-----------|-----------|------------|
| Unsubdivided | 7           | 18,567    | -0.00%    | 2,701.5    |
| Total        | 7           | 18,567    | -0.00%    | 2,701.5    |
| Average      |             | 2,652     |           | 2,701.5    |

\*Elector numbers at 2nd Nov 2018

Data used:



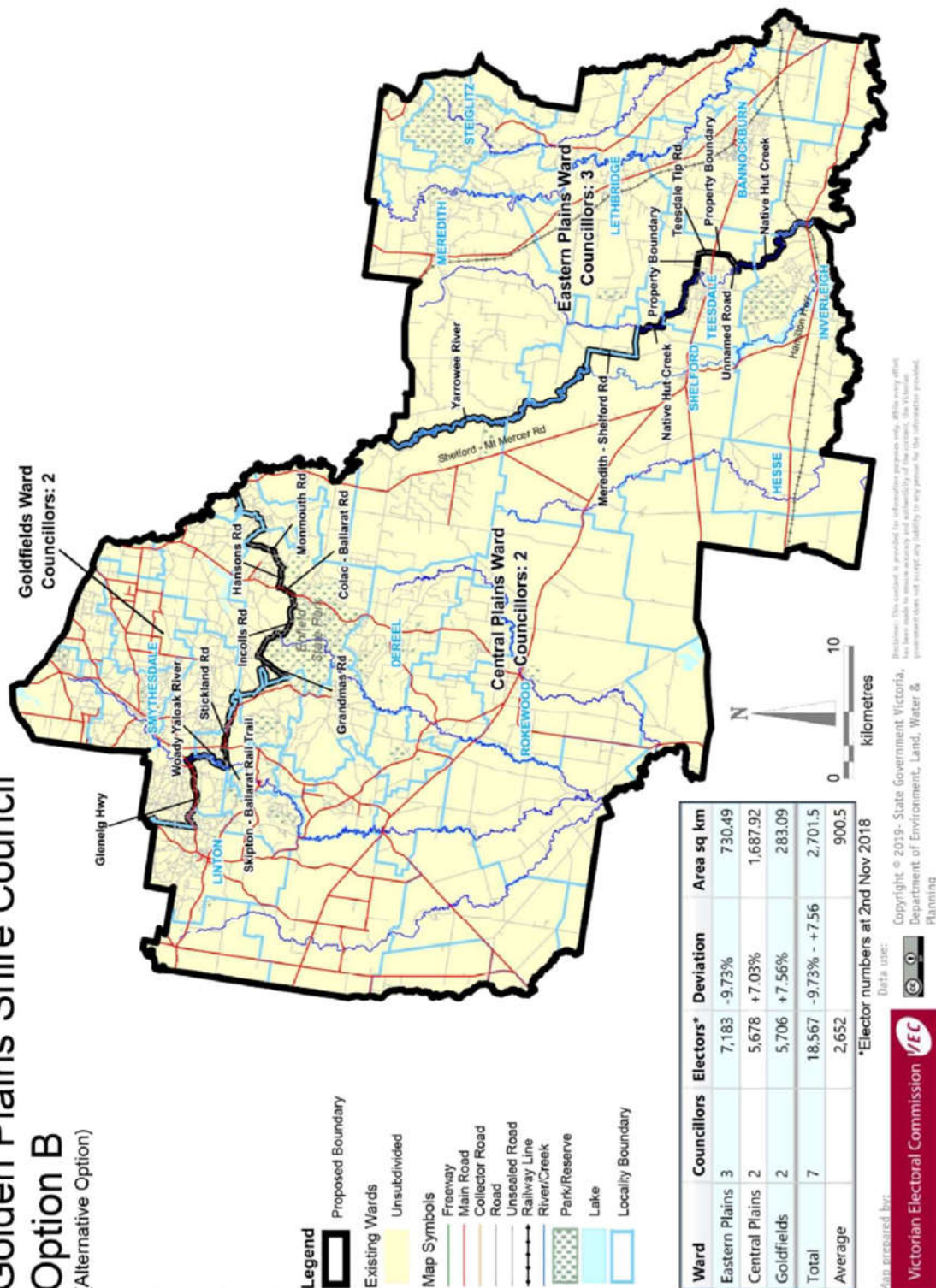
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Department of Environment, Land, Water &  
Planning



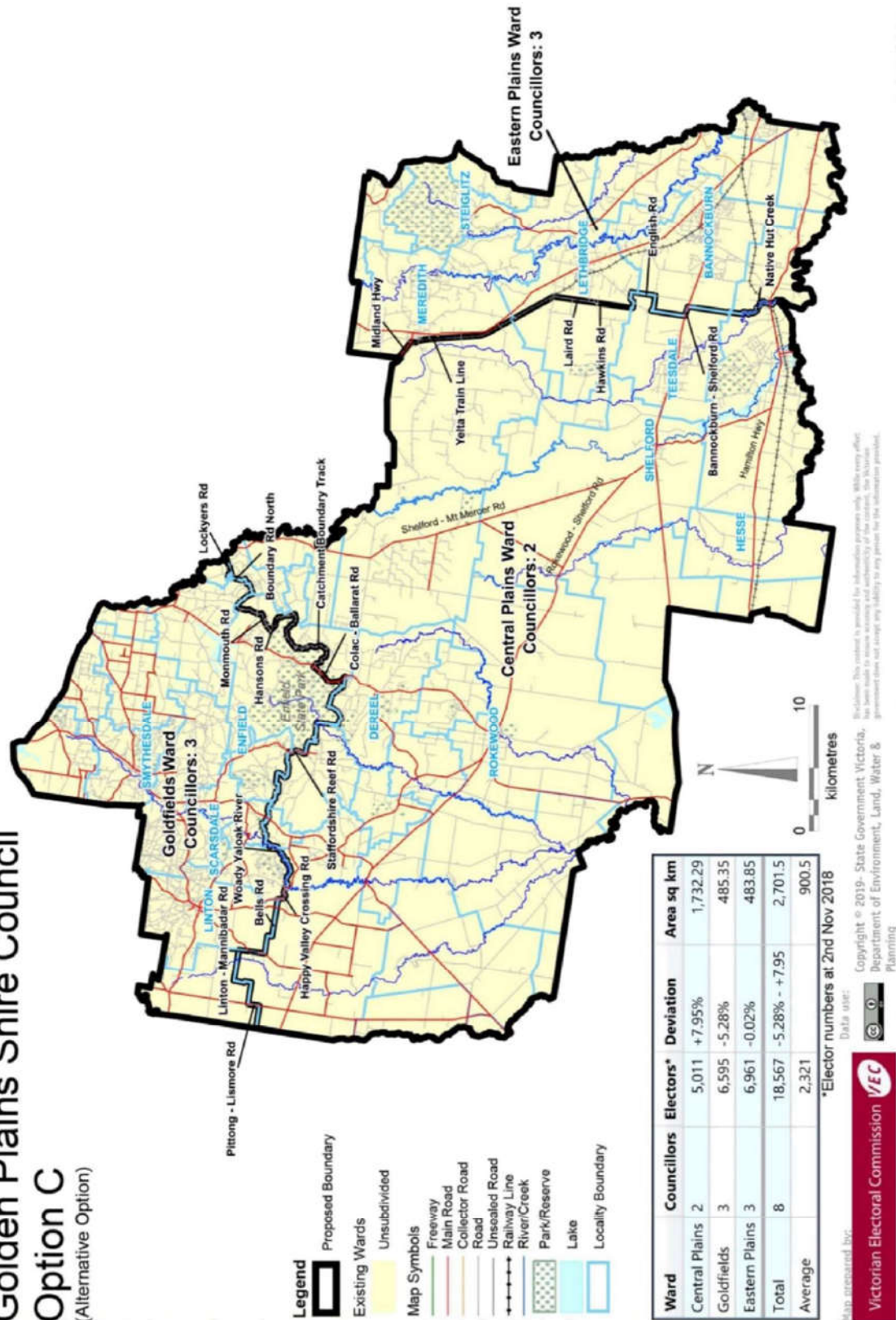
# Golden Plains Shire Council

## Option B (Alternative Option)





# Golden Plains Shire Council Option C (Alternative Option)



## 6.10 RURAL COUNCILS TRANSFORMATION PROJECTS - LODGEMENT OF BUSINESS CASE 2

**File Number:****Author:** Felicity Bolitho, Acting Manager Healthy, Active & Engaged Communities**Authoriser:** Lisa Letic, Director Community Services**Attachments:** 1. RCCC Business Case (under separate cover)**RECOMMENDATION**

That Council:

1. Approves the submission of the Rural Council Transformation Project (RCTP) business case by Horsham Rural City Council on behalf of Golden Plains Shire Council (Attachment 1).
  2. Approves implementation of the projects/initiatives within the submitted business case by Golden Plains Shire Council, subject to the application being approved for RCTP funding
- 

**EXECUTIVE SUMMARY**

As reported to the 26 March 2019 Council Meeting Golden Plains Shire Council is participating in three groupings of councils making application for funding under the Victorian Government Rural Councils Transformation Program (RCTP). An application for RCTP funding must meet the following criteria to be eligible for consideration:

- Submission of a joint business case by 31 March, 2019
- Each Council must pass an accompanying resolution committing to implement any business case, if approved for funding. The resolution must be lodged with Local Government Victoria (LGV) by 30 April, 2019.

Golden Plains Shire Council approved the submission of the G21 Regional Service Collaboration project public submission at its 26 March 2019 Council meeting. Appreciating that all business cases had to be lodged by 31 March, this has been done. However, a formal resolution of Council is still necessary, to acknowledge the submission of the remaining 2 applications and the accompanying business cases along with Councils commitment to their implementation should the applications be successful.

**BACKGROUND**

Golden Plains Shire Council has been involved in three projects aiming to assist in the delivery of shared service models throughout the Central Highlands region, the G21 Region and the northern rural region.

The Horsham Rural City Council has led a submission of a transformative project called Rural Councils Corporate Collaboration (RCCC) project. The business case for this application is provided (Attachment 1).

City of Ballarat has led the submission of a transformative project, called Central Highlands Councils Victoria Regional Shared Services (CHCV) project. The business case for this application is provided in the Confidential Agenda for the Ordinary Council Meeting 23 April 2019. This group of seven councils has unanimously elected to preserve this business case confidential determining that it deals with contractual matters and is part of a competitive submission for funding process.

**POLICY CONTEXT**

- Golden Plains Shire Council Plan 2017-2021
- *Local Government Act 1989*

- Victorian State Government [Rural and Regional Councils Sustainability Reform Program](#)

**CONSULTATION**

Extensive consultation has occurred between the participating councils, Local Government Victoria and the three consultant groups. Council has obligations under the Enterprise Agreement regarding consultation where it is considering the introduction of a major change and such communications with staff and unions has occurred.

**CONFLICT OF INTEREST**

In accordance with Section 80B of the *Local Government Act* 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

**CONCLUSION**

That Council resolve to note the additional business case that has been prepared for the Rural Councils Transformation Program, endorse the submission by Horsham Rural City Council and commit to the delivery in the event of successful funding.

**6.11 NATIONAL GENERAL ASSEMBLY (NGA) OF LOCAL GOVERNMENT 2019 - MAYORAL ATTENDANCE****File Number: 02-03-003****Author: Sharon Naylor, Executive Assistant - Chief Executive Officer****Authoriser: Eric Braslis, CEO****Attachments: 1. NGA Conference Program****RECOMMENDATION**

That Council approve the attendance of the Mayor and Deputy Mayor at the National General Assembly of Local Government 2019 and the related expenditure

---

**EXECUTIVE SUMMARY**

Seek approval for Councillor Sharkey to attend the 2019 National General Assembly (NGA) of Local Government in Canberra from Sunday 16 to Wednesday 19 June, and request a written report following participation of the event.

**BACKGROUND**

The National General Assembly (NGA) is convened annually by the Australian Local Government Association (ALGA), attracts in excess of 800 delegates from councils across Australia and has been running annually for more than 20 years. The NGA is the premiere event in the local government calendar and is an opportunity for key local government representatives to debate issues of national significance, hear from political and academics speakers as well as to develop policy and fiscal strategy for the coming year.

The 2019 NGA will be held from Sunday 16 to Wednesday 19 June at the National Convention Centre in Canberra. In the past, it has been common practice that the Mayor would represent the Council at this conference. The NGA is an important event for Golden Plains Shire Council, as it provides Council with the opportunity to communicate and jointly advocate on major strategic issues and projects across the region. Councillors attending the conference will also gain insight into a range of issues affecting the Local Government sector and bring crucial information back to Council.

**KEY POINTS**

The theme for the 2019 NGA is Future Focused: 25 Years of NGA, celebrating past achievements whilst remaining firmly focused on the future. The theme acknowledges that change is constant and that every Council should be positioned to seize the opportunities and reap the rewards for their communities. Cr Sharkey will have the opportunity to debate issues of national significance and influence ALGA policy, in addition to meeting with members of Parliament to advocate for our communities and promote issues of importance to Golden Plains Shire.

Sessions during the NGA will include discussions from leading politicians; receiving deep insights from nation-leading experts; being inspired by keynote speakers at the forefront of community engagement and crowd powered communities; and concurrent sessions exploring housing affordability and density pressures; community harm and waste.

A copy of the conference program is attached.

**CONCLUSION**

The National General Assembly of Local Government provides Council with a vital opportunity to elevate the Shire and our priorities to the Federal level. The Mayors attendance at this conference will allow him to gain insight into a range of issues affecting the Local Government Sector and bring crucial information back to Council. The Mayors attendance at the NGA is highly



recommended, as he will have the opportunity to influence ALGA policy for the coming year, as well as advocate for our communities.





# NGA 19

Charity Partner

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Foundation Sponsors

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Best People Fit

**JLT**

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Regional Development and Cities

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## Great Benefits of NGA



### Experts and influencers

— Meet experts and influencers face to face.



### 60+ exhibitors

— Encounter over 60 exhibitors with innovative and new solutions specifically to address Local Government issues.



### Largest national conference

— for Local Government held in Australia with over 870 delegates.



### 140+ motions debated

— Over 140 motions debated and used to engage with 24 Ministers and Federal portfolios.



### 15+ networking hours

— Over 15 hours available to network with other local Government leaders.

# WELCOME

**National General Assembly  
16—19 June 2019**

Dear Colleagues,

**It is my pleasure to invite you to the 2019 National General Assembly of Local Government at the National Convention Centre in Canberra on 16 to 19 June.**

This year we are Future Focused as we mark the NGA's 25th anniversary, celebrating past achievements whilst firmly focused on the future.

Our theme this year acknowledges that change is constant - and we know you want your council to be positioned to seize the opportunities and reap the rewards for your communities.

Change is everywhere be it digital transformation, community activism, ageing demographics, population policies, planning overlays, voice recognition, artificial intelligence and even self-driving cars are just around the corner. Layers of complexity are added by attitudes to climate change, energy generation, cost shifting and tax distributions. Not to mention increasing community expectations about the level and types of services and infrastructure provided by councils.

It is up to each and every council to understand these developments, work through the challenges, and find the best way to shape their response to

their communities. The NGA this year will consider what councils can do today to get ready for the challenges, opportunities and changes that pave the path ahead.

As part of our exciting program, delegates can look forward to hearing from leading politicians; receiving deep insights from nation-leading experts; being inspired by keynote speakers at the forefront of community engagement and crowd-powered communities; and concurrent sessions exploring housing affordability and density pressures; community harm and waste. Together we will ignite thought-provoking discussions about what can be expected as we look to the future.

Previous NGAs have provided participants with experiences, inspiration, information and an abundance of tools and techniques to take back and apply in their councils. This year will be no exception.

This year's NGA will also be held just after the next federal election. Before the dust settles, join us to make sure the incoming government is focussed on the future of our sector, and the future prosperity and wellbeing of our communities. When we come together, the power of our collective voices working to sustain vital funding and programs for local government cannot be denied - it is an unmissable opportunity for your council's voice to be heard.



The NGA is the only event on the local government calendar that truly brings councils, staff and industry together nationwide to advocate, network, celebrate, learn and build strategic relationships that, collectively, will position participants at the forefront of local governance in Australia.

Are you Future Focused?

Mayor David O'Loughlin  
ALGA President

Future  
Focused

# NGA19

25 Years of NGA

## Key Dates:

Submissions of Motions for Debate  
By 11:59pm Friday 29 March 2019

Early Bird Registration  
On or before Friday 10 May 2019

Standard Registration  
On or before Friday 7 June 2019

Late Registration  
After Friday 7 June 2019



# 2019 Speakers

## Keynote Speakers



### **KAREN MIDDLETON**

Political Commentator  
The ins-and-outs for Local Government post-election.



### **KURT FEARNLEY**

Paralympic Champion  
An incredible story of drive and courage who will also provide insights into the opportunities to improve services for the disabled.



### **KYLIE COCHRAN**

Community Engagement Specialist  
A fantastic presenter that makes understanding community engagement a pleasure through practical examples and humour.



### **STEVE SAMMARTINO**

Australian Futurist, Author, Technologist and Speaker  
Futurist, whose energy and passion will challenge current thinking and what to anticipate in the future.



### **GRETEL KILLEEN**

TV Personality  
Gretel's knack for humorous story telling draws on her family farming background and varied TV hosting experiences.



### **NATALIE EGLETON**

CEO — Foundation for Rural and Regional Renewal  
Natalie works with philanthropists, business and government to strengthen rural, regional and remote communities.



### **DR ERIN LALOR**

CEO — Alcohol and Drug Foundation  
Providing insights on how councils are achieving great outcomes in reducing drug and alcohol use in their communities.



### **DR JÓN SIGFÚSSON**

Drug Prevention in Iceland  
An international perspective on how to tackle youth drug use.

# Provisional Program

2019 National General Assembly  
16—19 June

National Convention Centre  
Canberra

Future Focused  
25 Years of NGA

| SUNDAY 16 JUNE  |   |
|-----------------|---|
| 08:00am         | Registration Opens  |
| 05:00pm 07:00pm | Welcome Reception   |
| MONDAY 17 JUNE  |   |
| 09:00am         | Opening Ceremony<br>Wally Bell — Welcome to Country   |
| 09:20am         | ALGA President Opens the Assembly   |
| 09:30am         | Prime Minister Address  |
| 10:00am         | ALGA President Address  |
| 10:30am         | MORNING TEA   |
| 11:00am         | Keynote Address<br>Karen Middleton — How did Local Government Fair Post Election  |
| 11:45am         | Panel of Mayors<br>Opportunities for Local Government Post Election   |
| 12:30pm         | LUNCH   |
| 01:30pm         | Keynote Address<br>Steve Sammartino — Crowd Powered Communities<br><i>Exploring a future where the way forward is about handing over the technology tools of design and production to those who populate our communities.</i> |
| 02:30pm         | Councils Using Technology to Excel  |
| 03:00pm         | AFTERNOON TEA   |
| 03:30pm         | Debate on Motions   |
| 04:30pm         | Federal Minister for Local Government   |
| 04:55pm         | ALGA President Close  |
| 07:00pm         | Networking Dinner<br>Australian War Memorial  |

| TUESDAY 18 JUNE |  |
|-----------------|--|
| 09:00am         | Keynote Address<br>Andrew Beer: Dean of Research and Innovation UniSA — The Role of Local Government in Housing Australians in the 21st Century  |
| 10:30am         | Keynote Address<br>Kylie Cochrane: Global Leader in Community Engagement — Engaging with your Community into the Future  |
| 11:00am         | MORNING TEA  |
| 11:30am         | Debate on Motions  |
| 12:30pm         | LUNCH  |
| 01:30pm         | Concurrent Sessions<br><b>Housing your Community</b><br>TBC<br><b>Reducing Community Harm</b><br>Dr Jón Sigfússon — Working with local government in alcohol and drug misuse in youth – a preventative approach from Iceland<br>Dr Erin Lalor — Local Drug Action Teams – an Australian community led approach to alcohol and drug misuse<br><b>Built Environment in Your Community</b><br>TBC<br><b>Your Community, Your Environment</b><br>TBC |
| 03:00pm         | AFTERNOON TEA  |
| 03:30pm         | Leader of the Opposition Address   |
| 04:00pm         | Debate on Motions  |
| 07:00pm 11:00pm | National General Assembly Dinner<br>To be announced  |

| WEDNESDAY 19 JUNE |   |
|-------------------|---|
| 09:00am           | The Great Debate<br>Revenue, Cost Shifting, Rate Capping                |
| 10:00am           | David Pich; CEO, Institute of Managers and Leaders — Leadership Matters |
| 10:30am           | MORNING TEA   |
| 11:00am           | Keynote Address<br>Kurt Fearnley — Overcoming the Odds                  |
| 12:00pm           | ALGA President's Close — ALGA National Lobbying Priorities              |
| 12:30pm           | LUNCH   |



# PROVISIONAL PROGRAM

2019 REGIONAL COOPERATION AND DEVELOPMENT FORUM

SUNDAY 16 JUNE

NATIONAL CONVENTION CENTRE  
CANBERRA

REGIONS ARE DYNAMIC, MOVING THROUGH BOOM AND BUST CYCLES AND TIMES OF GROWTH AND DECLINE.  
WITH CASE STUDIES AND FACILITATED HYPOTHETICAL SESSIONS AND Q&A PANELS OF INDUSTRY EXPERTS, THIS YEAR'S FORUM FOCUSES ON 2 MAIN THEMES:

**BOOM OR BUST: THE REGIONAL YO-YO DIET**  
The rising pressures of rapidly growing regions, and those in decline, who are the winners and losers and how it relates to housing, youth, immigration and social cohesion, the impact of drought, funding and resilience.

**CONNECTED COMMUNITIES**  
Digital readiness, the importance of social connectivity in a digital world, transport linkages and the challenges of digital demography with large, geographically-dispersed communities.

| SUNDAY 16 JUNE |   |
|----------------|---|
| 09:30am        | Wally Bell — Welcome to Country   |
| 09:40am        | ALGA's President Opening  |
| 09:50am        | Keynote Address<br>Gretel Killeen — Personal experiences in our regions, setting the scene and hypothetical introduction                              |
| 10:05am        | Boom or Bust: the Regional Yo-Yo Diet<br>Examining regional growth and decline related to social cohesion, settlement, impacts of drought and funding |
| 11:15am        | Morning Tea   |
| 11:45am        | Shadow Minister for Regional Services, Territories and Local Government Address   |
| 12:00pm        | Q&A Panel<br>How regional leaders are tackling real problems in our rural and regional communities  |
| 12:45pm        | State of the Regions Report Launch  |
| 01:15pm        | Lunch   |
| 02:15pm        | Connected Communities<br>Exploring digital readiness telecommunications, transport, youth projects and successful Local Government initiatives        |
| 03:30pm        | Afternoon Tea   |
| 04:00pm        | Minister for Regional Development, Territories and Local Government   |
| 04:15pm        | Closing remarks   |

REGIONAL  
FORUM 2019



# General Registration

| GENERAL ASSEMBLY REGISTRATION FEES   |            | INCLUSIONS   |
|--|------------|--|
| Registration Fees — Early Bird<br>Payment received by Friday 10 May 2019         | \$989.00   | <ul style="list-style-type: none"> <li>— Attendance at all General Assembly sessions</li> <li>— Morning tea, lunch and afternoon tea as per the General Assembly program</li> <li>— 1 Ticket to the Welcome Reception: Sunday 16 June</li> <li>— General Assembly satchel and materials</li> </ul> |
| Registration Fees — Standard<br>Payment received on or before Friday 7 June 2019 | \$1,099.00 |  |
| Registration Fees — Late<br>Payment received after Friday 7 June 2019            | \$1,199.00 |  |

| GENERAL ASSEMBLY REGISTRATION FEES |          | INCLUSIONS   |
|------------------------------------|----------|--|
| Monday 17 June 2019                | \$529.00 | <ul style="list-style-type: none"> <li>— Attendance at all General Assembly sessions on the day of registration</li> <li>— Morning tea, lunch and afternoon tea as per the General Assembly program on that day</li> <li>— General Assembly satchel and materials</li> </ul> |
| Tuesday 18 June 2019               | \$529.00 |  |
| Wednesday 19 June 2019             | \$280.00 |  |

| SUNDAY REGIONAL FORUM REGISTRATION FEES  |          |  |
|--|----------|--|
| Forum Only — Sunday 16 June 2019   | \$445.00 |  |
| NGA Delegate<br>Delegates attending the Regional Forum and the NGA are entitled to this discount | \$245.00 |  |

| ACCOMPANYING PARTNERS REGISTRATION FEES |          | INCLUSIONS  |
|---|----------|---|
| Accompanying Partners Registration Fee  | \$280.00 | <ul style="list-style-type: none"> <li>— 1 Ticket to the Welcome Reception — Sunday 16 June</li> <li>— Day Tour 'Lake Cruise to Monet' — Monday 17 June</li> <li>— Day Tour 'Pottery and Wine Experience' — Tuesday 18 June</li> <li>— Lunch with General Assembly Delegates — Wednesday 19 June</li> </ul> |

# General Information



## Payment Procedures:

Payment can be made by:

### Credit card

MasterCard and Visa

### Cheque

Made payable to ALGA

### Electronic Funds Transfer

Bank: Commonwealth Bank

Branch: Curtin

BSB No: 062905

Account No: 10097760

**NOTE:** If paying via EFT you must quote your transaction reference number on the registration form.

## Cancellation Policy:

All alterations or cancellations to your registration must be made in writing and will be acknowledged by email. Notification should be sent to:

### Conference Co-ordinators

PO Box 4994

Chisholm ACT 2905

Facsimile: 02 6292 9002

E-mail: conference@confco.com.au

An administration charge of \$110.00 will be made to any participant cancelling before Friday 10 May 2019.

Cancellations received after Friday 10 May 2019 will be required to pay full registration fees. However, if you are unable to attend, substitutes are welcome at no additional cost.

By submitting your registration you agree to the terms of the cancellation policy.

## Photographs:

During the National General Assembly there will be a contracted photographer; the photographer will take images during the sessions and social functions.

If you have your picture taken it is assumed that you are giving consent for ALGA to use the image.

Images may be used for print and electronic publications.

## Privacy Disclosure:

ALGA collects your personal contact information in its role as a peak body for local government. ALGA may disclose your personal contact information to the sponsors of the event for the purposes of commercial business opportunities. If you consent to ALGA using and disclosing your personal contact information in this way, please tick the appropriate box on the registration form.

Importantly, your name may also be included in the General Assembly List of Participants. You must tick the appropriate box on the registration form if you wish your name to appear in this list.

## Canberra Weather in June:

Winter days in Canberra are characterised by clear sunny skies but the days are cool at around 12-15C and temperatures do drop to 1c on average in the evenings, so be sure to bring a warm jacket. Mornings can be foggy so keep this in mind when booking flights. It is best to avoid early arrivals or departures in case of delays due to fog.

## Coach Transfers:

### Welcome Reception and Exhibition Opening — Sunday 16 June 2019

Coaches will collect delegates from all General Assembly hotels (except Crowne Plaza Canberra) at approximately 4:45pm. The return coaches will depart at 7:00pm.

### Daily Shuttles to and from the National Convention Centre

A shuttle service between all General Assembly hotels (except Crowne Plaza Canberra) and the National Convention Centre will operate between 8:00am and 8:30am. Return shuttles will depart the National Convention Centre at 5:30pm.

### Networking Dinner: Australian War Memorial — Monday 17 June

Coaches will collect delegates from all General Assembly hotels at approximately 6:45pm. A return shuttle service will commence at 10:15pm.

### General Assembly Annual Dinner: To be announced — Tuesday 18 June

Coaches will collect delegates from all General Assembly hotels at approximately 6:45pm. A return shuttle service will operate between 10:30pm and 11:45pm.

## Car Parking:

Parking for delegates is available underneath the National Convention Centre for a cost of approximately \$19.00 per day. Alternatively, voucher public parking is available 300m from the Centre at a cost of approximately \$15.70 per day. The voucher machines accept either coins or credit cards (Visa or MasterCard).

# Social Functions

## Welcome Reception and Exhibition Opening

**Sunday 16 June 2019**

Venue: National Convention Centre

The Welcome Reception will be held in the exhibition hall and foyer.

05:00pm—07:00pm

\$50.00 per person for day delegates and guests. No charge for full registered delegates. No charge for registered accompanying partners.

Dress Code: Smart casual.

## Networking Dinner

**Monday 17 June 2019**

Venue: Australian War Memorial

The dinner is being held in the Anzac Hall.

07:00pm—11:00pm

\$110.00 per person.

Dress Code: Smart casual.

This year we take the Networking Dinner to the Australian War Memorial, regarded as one of the most significant war memorials worldwide.

Dinner will be held in the Anzac Hall where you can see historical Military items such as famous Lancaster bomber G for George in the Striking By Night exhibit, a midget submarine created from sections of two full sized submarines in Sydney Under Attack, and world war

aircraft in the Over The Front: The Great War In The Air exhibition.

You are welcome to browse these at your leisure whilst also having the opportunity to network with delegates from other councils and organisations.

Note: Numbers are limited and booking early is highly recommended.

## General Assembly Dinner

**Tuesday 19 June 2019**

Venue: To be announced.

07:00pm—11:00pm

\$140.00 per person.

Dress Code:

Lounge suit/collar & tie for men

Cocktail for women.

Note: Bookings are accepted in order of receipt.

## Partner Tours

**Monday 17 June 2019**

### Lake Cruise to Monet

Enjoy the view from the recently refurbished MV Southern Cross Yacht as you cruise around Lake Burley Griffin learning about some of Canberra monuments, museums and political landmarks.

After lunch, there will be an opportunity to view the Monet: Impression, Sunrise Exhibition at the National Gallery Australia. This exclusive exhibition will feature Monet pieces on lend from Paris and London along with work from artists like JMW Turner inspired by the impressionist master.

**Tuesday 18 June 2019**

### Pottery and Wine Experience

Today we will be travelling just out of Canberra to nearby town of Murrumbateman. Here we will be visiting Hillgrove Pottery where we will be treated to a history of pottery, demonstrations and a tour of the centre.

We will also be joined by local boutique winery, Idyllic Hills Wines, who will provide tastings and the opportunity for you to ask any questions you have ever had in the process of wine making.

We will then begin making our way back to Canberra with a stop for lunch along the way.

# Accommodation

## Crowne Plaza

1 Binara Street, Canberra

The Crowne Plaza is adjacent to the Convention Centre.

Twin option at the hotel consists of two double beds.

Superior Room \$325 per night  
— Single/twin/double

Deluxe Room \$375 per night  
— Single/twin/double

## Avenue Hotel

80 Northbourne Avenue, Canberra

The Avenue Hotel is one of the newest options in Canberra and offers guests both studio and apartment style rooms. The hotel is a 15-20 minute walk from the Convention Centre.

Twin option at the hotel consists of two king singles.

Superior King Rooms: \$280 per night  
— Single/twin/double

1 Bedroom Apartments \$330 per night  
— Single/double

## Waldorf

2 Akuna Street, Canberra

Located in the heart of Canberra's CBD, the Waldorf is only a five minute walk from the National Convention Centre.

Twin option at the hotel consists of two single beds. Additional costs will apply if more than 2 guests are within the one room.

Studio Apartment: \$210 per night  
— Single/twin/double

1 Bedroom Apartment \$230 per night  
— Single/twin/double

## Mantra

84 Northbourne Avenue, Canberra

Mantra on Northbourne is centrally located within the CBD and approximately a 15-20 minute walk from the National Convention Centre.

Bedding configuration in a hotel room is one king or two single beds and a 1 bedroom apartment has one queen or two singles.

Hotel Room \$240 per night  
— Single/twin/double

1 Bedroom Apartment \$280 per night  
— Single/twin/double

## Novotel

65 Northbourne Avenue, Canberra

Located on Northbourne Avenue, one of Canberra's main thoroughfares, the Novotel is a 15 minute walk from the National Convention Centre.

Twin option for the Standard Room type consists of two double beds and the

Executive Room type consists of one king bed and a pull out sofa bed.

Standard Room \$290 per night  
— Single/twin/double

Executive Room \$325 per night  
— Single/twin/double

## Medina Apartment Hotel

74 Northbourne Avenue, Canberra

The Medina Apartments Hotel James Court is approximately a 15-20 minute walk from the National Convention Centre

Twin option at the hotel consists of two single beds.

Note: Reception operates between the hours of 06:30am and 11:00pm

1 Bedroom Apartment \$225 per night  
— Single/twin/double

2 Bedroom Apartment \$299 per night  
— Single/double

## QT Hotel

1 London Circuit, Canberra

QT Hotel is a modern hotel with boutique style furnishings, central to the city and a 10 minute walk to the National Convention Centre.

Twin option at the hotel consists of two single beds.

Standard Room \$249 per night  
— Single/twin/double



Future  
Focused

# NGA19

16 — 19 June 2019. Canberra  
National Convention Centre



## Registration:

Online: [nga19.com.au](http://nga19.com.au)

Hard copy registration  
forms and PDF versions  
are available by emailing:

[NGA@confco.com.au](mailto:NGA@confco.com.au)



## Debate on Motions:

To assist in identifying  
motions for the 2019 NGA,  
a discussion paper has  
been prepared and is  
available at: [ALGA.asn.au](http://ALGA.asn.au)

Submission of motions  
can also be accessed at:  
[ALGA.asn.au](http://ALGA.asn.au)



AUSTRALIAN  
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Celebrating 25 Years of NGA

[nga19.com.au](http://nga19.com.au)

**6.12 COUNCIL PLAN IMPLEMENTATION - MARCH QUARTER 2019****File Number:** 01-01-002**Author:** Philippa O'Sullivan, Director Corporate Services**Authoriser:** Philippa O'Sullivan, Director Corporate Services

**Attachments:**

1. Pillar 1 - Healthy & Connected Communities (under separate cover)
2. Pillar 2 - Local Economies (under separate cover)
3. Pillar 3 - Natural & Built Environment (under separate cover)
4. Pillar 4 - Good Governance & Leadership (under separate cover)

**RECOMMENDATION**

That Council note the report and progress made, as at 31 March 2019, in implementing actions contained in the Council Plan 2017-2021.

**EXECUTIVE SUMMARY**

To update Council on the progress made to 31 March 2019, in completing the 2018-19 actions contained in the Council Plan 2017-2021.

**BACKGROUND**

The Council Plan 2017-2021 contains 40 actions framed around 4 Pillars. This is the quarter three report to Council regarding implementation of the Plan for 2018-19. Council's management team has established an implementation timetable and monitors the organisation's progress of the Plan on a monthly basis to ensure that all of the actions set by Council are achieved by the end of the year. Each of the actions is numbered for ease of reference.

**POLICY CONTENT**

Bannockburn Community Infrastructure Development Plan  
Council Plan 2017-2021

**DISCUSSION**

The following table indicates the quarter the actions are to be finalised (●) and the quarter they are completed and reported on to Council is shown by a tick (✓).

| <b>Pillar 1: Healthy &amp; Connected Communities</b>   |  |             |            |            |             |               |
|--|--|-------------|------------|------------|-------------|---------------|
| <b>Action</b>  | <b>Strategy</b>                            | <b>Sept</b> | <b>Dec</b> | <b>Mar</b> | <b>June</b> | <b>PM Ref</b> |
| 1. Provide and support programs, activities, and spaces to promote and encourage health and wellbeing for people of all ages and abilities | • Access & Inclusion                       |             |            |            | ●           | 1.3.01        |
|  | • Arts & Culture                           |             |            |            | ●           |               |
|  | • Community Development                    |             |            |            | ●           |               |
|  | • Recreation                               |             |            |            | ●           |               |
|  | • Youth                                    |             | ✓          |            |             |               |
| 2. Develop a longer term vision and planning for an integrated approach to providing quality health and community services infrastructure  | • Municipal Public Health & Wellbeing Plan |             |            |            | ●           | 1.3.02        |

|  |                                      |   |   |   |   |        |
|--|--------------------------------------|---|---|---|---|--------|
| 3. Support local sporting and community groups to provide participation and engagement opportunities and continue to encourage and value volunteering in our community                             | • Recreation                         |   |   |   | • | 1.1.01 |
| 4. Provide and support contemporary and innovative community development programs initiatives and opportunities  | • Community Development              |   |   |   | • | 1.2.01 |
| 5. Identify, facilitate and advocate for initiatives to increase access to public and community transport  | • Ageing Well                        |   |   |   | • | 1.2.02 |
| 6. Support people at all life stages and abilities to maximise their potential and participation in community life   | • Municipal Early Years              |   | ✓ |   |   | 1.2.03 |
|  | • Events, Marketing & Communications | ✓ |   |   |   |        |
| 7. Lobby, advocate and work with others to maintain and enhance the safety and security of all people across our community and proactively address family violence                                 | • Governance                         | ✓ |   |   |   | 1.3.03 |
| 8. Communicate, consult, and engage with our community to ensure the provision of responsive and effective services and to enable people to increase control over, and to improve, their wellbeing | • Community Engagement               |   |   | ✓ |   | 1.3.04 |
|  | • Events, Marketing & Communications | ✓ |   |   |   |        |
| 9. Respect, celebrate and protect the history and diversity of our heritage, the arts and community spaces   | • Arts & Culture                     |   |   |   | • | 1.2.04 |
| 10. Implement a range of activities and programs to support young people in our Shire to be healthy, resilient and empowered   | • Youth                              |   | ✓ |   |   | 1.3.05 |

## Pillar 2: Local Economies

| Action  | Strategy                         | Sept | Dec | Mar | June | PM Ref |
|---|----------------------------------|------|-----|-----|------|--------|
| 11. Implement a strategic approach to support, promote and grow our local business sector, attract new business investment, and build our visitor economy | • Economic Development & Tourism |      |     | ✓   |      | 2.1.01 |



|  |                                      |   |   |   |   |        |
|--|--------------------------------------|---|---|---|---|--------|
| 12. Promote and support the development and sustainability of our rural economy  | • Economic Development & Tourism     |   |   | ✓ |   | 2.1.02 |
|  | • Road                               |   |   |   | • |        |
|  | • Road Management Plan               |   |   |   | • |        |
| 13. Promote and support innovative, environmentally sustainable and value adding approaches and solutions within our business, rural and visitor economies                               | • Economic Development & Tourism     |   |   | ✓ |   | 2.1.03 |
|  | • Environment                        |   |   |   | • |        |
|  | • Events, Marketing & Communications | ✓ |   |   |   |        |
| 14. Advocate, facilitate and provide built, service and technology infrastructure to support business and industry growth and development  | • Economic Development & Tourism     |   |   | ✓ |   | 2.1.04 |
| 15. Promote and advocate for education, vocational and lifelong learning opportunities to support skill development and employment opportunities   | • Youth                              |   | ✓ |   |   | 2.1.05 |
| 16. Lobby, advocate, collaborate and develop strategic relationships with government, business, community and key stakeholders to facilitate local economic development and job creation | • Economic Development & Tourism     |   |   | ✓ |   | 2.1.06 |
|  | • Events, Marketing & Communications | ✓ |   |   |   |        |
| 17. Encourage greater investment in the Shire through creative industries, local events and festivals  | • Events, Marketing & Communications | ✓ |   |   |   | 2.1.07 |
|  | • Economic Development & Tourism     |   |   | ✓ |   |        |

### Pillar 3: Natural & Built Environment

| Action  | Strategy      | Sept | Dec | Mar | June | PM Ref |
|---|---------------|------|-----|-----|------|--------|
| 18. Support and encourage community resilience to respond to a changing climate and the impact of natural disasters | • Environment |      |     |     | •    | 3.1.01 |
| 19. Define a pathway to achieving carbon neutrality for Council operations  | • Environment |      |     |     | •    | 3.1.02 |

|  |   |   |   |   |   |        |
|--|---|---|---|---|---|--------|
| 20. Encourage all landholders to more effectively manage the risk of pest and invasive plants across the municipality  | • Environment   |   |   |   | • | 3.1.03 |
| 21. Implement waste management and minimisation practices that are innovative, effective and reflect best practice   | • Waste   |   |   | ✓ |   | 3.2.01 |
| 22. Promote and support innovative and environmentally sustainable management of water resources through strategic partnerships  | • Environment   |   |   |   | • | 3.1.04 |
| 23. Review the existing Road Strategy and Road Asset Management Plan in consultation with the community and continue to advocate for improvements to arterial roads and highways | • Road  |   |   |   | • | 3.3.01 |
|  | • Road Management Plan                                  |   |   |   | • |        |
| 24. Implement our Paths and Trails Strategy to increase safety, connectivity, and active transport networks within and between townships   | • Paths & Trails  |   |   |   | • | 3.4.01 |
| 25. Progressively review township structure plans and urban design frameworks to effectively manage growth, encourage diversity and maintain township character                  | • Urban Design Frameworks                               |   | ✓ |   |   | 3.5.01 |
| 26. Proactively support and encourage an increase in civic pride and build ownership of place  | • Community Development                                 |   |   |   | • | 3.6.01 |
| 27. Invest in maintenance, renewal and improvement of community infrastructure   | • Bannockburn Community Infrastructure Development Plan |   |   | ✓ |   | 3.3.02 |
|  | • Recreation  |   |   | ✓ |   |        |
| 28. Implement the Municipal Fire Management Plan and fire related statutory controls   | • Environment   |   |   |   | • | 3.1.05 |
|  | • Governance  | ✓ |   |   |   |        |
| 29. Work with the community and fire agencies to improve community preparedness and resilience   | • Environment   |   |   |   | • | 3.1.06 |

**Pillar 4: Good Governance & Leadership**

| Action | Strategy | Sept | Dec | Mar | June | PM Ref |
|--------|----------|------|-----|-----|------|--------|
|--------|----------|------|-----|-----|------|--------|

|   |                                      |   |   |   |   |        |
|---|--------------------------------------|---|---|---|---|--------|
| 30. Develop a long term (25 year) community plan outlining a future vision for Golden Plains Shire  | • Governance                         |   |   |   | • | 4.1.01 |
| 31. Continue long term financial planning that outlines the emerging challenges for the Shire   | • Finance                            | ✓ |   |   |   | 4.2.01 |
| 32. Further develop and implement an advocacy framework in partnership with the community   | • Economic Development & Tourism     |   |   | ✓ |   | 4.3.01 |
| 33. Maintain active regional partnerships with a focus on economic development, wellbeing, environmental sustainability and shared services   | • Economic Development & Tourism     |   |   | ✓ |   | 4.3.02 |
| 34. Provide a consistent coordinated and innovative approach to communicating with the community  | • Events, Marketing & Communications | ✓ |   |   |   | 4.4.01 |
| 35. Review decision making and governance processes and structures to improve transparency, accountability and progressively implement Council's Community Engagement Strategy  | • Community Engagement               |   |   | ✓ |   | 4.1.02 |
| 36. Build commitment to the organisational Customer Service Charter   | • Customer Service                   |   |   |   | • | 4.5.01 |
| 37. Work towards the application of 'deliberative engagement' processes   | • Community Engagement               |   |   | ✓ |   | 4.1.03 |
| 38. Continue to implement Council's commitment to equal employment opportunity and influencing broader access, inclusion and gender equity issues in our community  | • Organisational Development         |   | ✓ |   |   | 4.6.01 |
| 39. The Golden Plains Community and Civic Centre will be a redevelopment of the Bannockburn Customer Service Centre to provide a suite of community, municipal and office spaces to meet the needs of community access to Council, Council governance processes and Council staff delivery of the key pillars of the Council Plan | • Governance                         |   |   |   | • | 4.6.02 |
| 40. Provide a workplace that facilitates the highest level of productivity and supports a healthy lifestyle for employees   | • Governance                         |   |   |   | • | 4.6.03 |
|   | • Organisational Development         |   | ✓ |   |   |        |

A detailed explanation of actions can be obtained from Attachments 1 to 4 – Council Plan 2017-2021 Actions Quarterly Report for March 2019.

## **CONSULTATION**

A formal consultation process was not required.

## **CONFLICT OF INTEREST**

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

## **CONCLUSION**

The adopted implementation timetable is an effective monitoring method to enable Council to complete the 2018-19 actions contained in the 2017-2021 Plan.

**6.13 ASSEMBLY OF COUNCILLORS****File Number:** 02-03-004**Author:** Sharon Naylor, Executive Assistant - Chief Executive Officer**Authoriser:** Eric Braslis, CEO**Attachments:** 1. Assembly of Councillors record**RECOMMENDATION**

That Council notes the Assembly of Councillors Record from 26 March 2019 to 22 April 2019 as attached.

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**EXECUTIVE SUMMARY**

To present Council with written records of Assembly of Councillors in accordance with section 80A of the Local Government Act 1989 from 26 March 2019 to 22 April 2019.

**BACKGROUND**

In accordance with Section 80A of the Local Government Act 1989 a written record of assembly of Councillors must be reported at an ordinary Council meeting and minuted as soon as practicable.

**DISCUSSION**

The record must include:

1. The names of all Councillors and members of Council staff attending
2. The matters considered
3. Any conflict of interest disclosures made by a Councillor attending
4. Whether a Councillor who has disclosed a conflict of interest left the assembly

**CONSULTATION**

A formal consultation process is not required.

**CONFLICT OF INTEREST**

In Accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

**CONCLUSION**

The information provided in this report is compliant with Section 76A of the Local Government Act 1989.



### Assembly of Councillors Record

|   |   |
|---|---|
| Date of meeting:  | Tuesday 16 April 2019   |
| Time:   | 12.30pm   |
| Purpose of meeting:                                     | Councillor Briefing session   |
| Councillors present:                                    | Cr Owen Sharkey, Mayor<br>Cr Joanne Gilbert<br>Cr Nathan Hansford<br>Cr Les Rowe<br>Cr David Evans  |
| Apologies:  | Cr Helena Kirby<br>Cr Des Phelan  |
| Council staff present:                                  | Eric Braslis, Chief Executive Officer<br>Greg Anders, Director Assets & Amenity<br>Lisa Letic, Acting Director Community Services<br>Philippa O'Sullivan, Director Corporate Services<br>Felicity Bolitho, Acting Healthy, Active and Engaged Communities Manager,<br>Candice Holloway, Corporate Governance Coordinator<br>Fiona Rae, Finance Manager<br>Leigh Page, Town Planner<br>Geoff Alexander, Strategic Planner<br>Tim Waller, Development Manager<br>Laura Wilks, Strategic Planning Team Leader<br>Sarah Fisher, Statutory Planning Team Leader  |
| Other people present:                                   | Bev McArthur MP Upper House Member for Western Victoria   |
| Conflict of Interest Disclosures ( <i>Councillors</i> ) | NIL   |
| Conflict of Interest Disclosures ( <i>Officers</i> )    | NIL   |
| Matters discussed:                                      | <p><b>Presentations</b></p> <ul style="list-style-type: none"> <li>- Bev McArthur MP Upper House Member for Western Victoria</li> </ul> <p><b>Reports</b></p> <ul style="list-style-type: none"> <li>- Council Plan - Annual Review Feedback</li> <li>- Preparation of 2019-20 Draft Budget - Endorse for Exhibition</li> <li>- Adoption of Local Law No. 1 of 2019 - Council Meeting Procedures &amp; Common Seal</li> <li>- Planning Application P18-165 - Variation of Restrictive Covenant W659580N, 77 Yorkshire Close, Batesford</li> <li>- Adoption of the Northern Settlement Strategy</li> <li>- Council authorisation for Victorian Planning Authority to act as Planning Authority – Bannockburn</li> <li>- Amendment to Vegetation Protection Controls and Associated Mapping</li> <li>- Victorian Electoral Commission (VEC) - Preliminary Report Electoral Representation Review</li> <li>- Rural Councils Transformation Projects - Lodgement of business cases 2 &amp; 3.</li> <li>- National General Assembly (NGA) of Local Government 2019 - Mayoral Attendance</li> <li>- Council Plan Implementation - March quarter 2019</li> </ul> <p><b>Updates</b></p> <ul style="list-style-type: none"> <li>- Bannockburn Shire Hall - Future Use</li> </ul> |

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|--|---|
|  <p>GOLDEN PLAINS SHIRE</p> | <ul style="list-style-type: none"> <li>- Inverleigh Streetscape Masterplan Update</li> <li>- Quarterly CEO KPI Update</li> </ul> <p><b>Council Issues</b></p> <p>SMT Only</p> <ul style="list-style-type: none"> <li>- Rural Road grading</li> <li>- Tall Tree Road</li> <li>- Asset Disposal</li> </ul> <p><b>Council Issues</b></p> <p>CEO Only</p> <ul style="list-style-type: none"> <li>- Customer Service Centre – The Well</li> <li>- Federal Government Funding Announcements</li> <li>- Rate Relief</li> <li>- June Council Briefing Dinner Guest</li> </ul> |
| <p>Completed by:</p>   | <p>Eric Braslis, Chief Executive Officer</p>   |



**7 NOTICES OF MOTION**

Nil

**8 PETITIONS**

## **9 CONFIDENTIAL ITEMS**

### **RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 89(2) of the Local Government Act 1989:

#### **9.1 Rural Councils Transformation Projects - Lodgement of Business Case 3**

This matter is considered to be confidential under Section 89(2) - d of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contractual matters.

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