



Council Meeting Agenda

Linton Customer Service Centre

Wednesday 26 April 2017, 4.00pm

Embargoed until 5pm on Friday 21 April 2017

Our Vision

Golden Plains Shire offers a lifestyle and opportunities that foster social, economic and environmental wellbeing. In partnership with the community we will provide strong leadership, encourage sustainable development and ensure quality services, to continue to improve the quality of life of residents.

Opening Prayer

*Almighty God,
Help us to undertake our duties impartially and honestly,
in the best interests of the people of the Golden Plains Shire.
We make this prayer through Jesus Christ Our Lord.
Amen.*

Acknowledgement of Traditional Custodians

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.

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.

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1. PRESENT

Cr Des Phelan, Mayor
Cr David Evans
Cr Joanne Gilbert
Cr Nathan Hansford
Cr Helena Kirby
Cr Les Rowe
Cr Owen Sharkey

Rod Nicholls
Greg Anders
Jillian Evans
Mike Barrow
Jason Clissold
Petra Neilson (Minutes)

Chief Executive Officer
Director Assets & Amenity
Director Community Services
Manager Executive Unit
Manager Finance
Council Support Officer

Gallery

2. APOLOGIES

3. DECLARATIONS, MINUTES & ASSEMBLIES

3.1. DECLARATIONS OF INTEREST

Councillors must disclose a conflict of interest in accordance with Section 79 of the *Local Government Act 1989*.

3.2. CONFIRMATION OF MINUTES

Recommendation

- 1. That the Minutes of the Ordinary meeting of Council held 28 March 2017, as circulated, be confirmed.**
- 2. That the Minutes of the 'In Camera' meeting of Council held 28 March 2017, as circulated, be confirmed.**

3.3. ASSEMBLIES OF COUNCILLORS

File: 02-03-004

3.3.1 Council Briefing: Peri Urban (28 March 2017)

| | |
|--------------------------|---|
| Meeting type and name | Council Briefing: Peri Urban |
| Meeting date and time | 12.45pm Tuesday 28 March 2017 |
| Matters discussed | Presentation by the Peri Urban Group of Councils |
| Councillor information | Nil |
| Councillors | Cr Des Phelan Cr David Evans Cr Joanne Gilbert Cr Helena Kirby Cr Les Rowe Cr Owen Sharkey |
| Apology | Cr Nathan Hansford |
| Staff | Rod Nicholls, Chief Executive Officer Greg Anders, Director Assets & Amenity Jillian Evans, Director Community Services Richard Trigg, Director Corporate Services Felicity Bolitho, Acting Manager Executive Services Tim Waller, Development Manager Petra Neilson, Council Support Officer |
| Guests | Paula Lawrence, Executive Officer, Peri Urban Group of Rural Councils |
| Declarations of Interest | Nil |

3.3.2 Council Briefing: Golden Plains Community & Civic Centre (28 March 2017)

| | |
|--------------------------|---|
| Meeting type and name | Council Briefing: Golden Plains Community & Civic Centre |
| Meeting date and time | 1.15pm Tuesday 28 March 2017 |
| Matters discussed | Golden Plains Community and Civic Centre |
| Councillor information | Concept plans for the redevelopment and extension of the existing Bannockburn Customer Service Centre |
| Councillors | Cr Des Phelan Cr David Evans Cr Joanne Gilbert Cr Helena Kirby Cr Les Rowe Cr Owen Sharkey |
| Apology | Cr Nathan Hansford |
| Staff | Rod Nicholls, Chief Executive Officer Greg Anders, Director Assets & Amenity Jillian Evans, Director Community Services Richard Trigg, Director Corporate Services Tim Waller, Development Manager Felicity Bolitho, Acting Manager Executive Services Petra Neilson, Council Support Officer |
| Guests | Nil |
| Declarations of Interest | Nil |

3.3.3 Council Briefing: AusNet (28 March 2017)

| | |
|--------------------------|--|
| Meeting type and name | Council Briefing: AusNet |
| Meeting date and time | 2.00pm Tuesday 28 March 2017 |
| Matters discussed | Bannockburn Natural Gas Rollout Update |
| Councillor information | Nil |
| Councillors | Cr Des Phelan Cr David Evans Cr Joanne Gilbert Cr Helena Kirby Cr Les Rowe Cr Owen Sharkey |
| Apology | Cr Nathan Hansford |
| Staff | Rod Nicholls, Chief Executive Officer Greg Anders, Director Assets & Amenity Jillian Evans, Director Community Services Richard Trigg, Director Corporate Services Felicity Bolitho, Acting Manager Executive Services Petra Neilson, Council Support Officer |
| Guests | Geoff Thorn, Program Manager, New Towns Delivery with AusNet Services |
| Declarations of Interest | Nil |

3.3.4 Council Workshop: Inverleigh Structure Plan (28 March 2017)

| | |
|--------------------------|---|
| Meeting type and name | Council Workshop: Inverleigh Structure Plan |
| Meeting date and time | 2.30pm Tuesday 28 March 2017 |
| Matters discussed | Inverleigh Structure Plan |
| Councillor information | Map Inverleigh Structure Plan 2005 (current) |
| Councillors | Cr Des Phelan Cr David Evans Cr Joanne Gilbert Cr Helena Kirby Cr Les Rowe Cr Owen Sharkey |
| Apology | Cr Nathan Hansford |
| Staff | Rod Nicholls, Chief Executive Officer Greg Anders, Director Assets & Amenity Jillian Evans, Director Community Services Richard Trigg, Director Corporate Services Felicity Bolitho, Acting Manager Executive Services Sarah Fisher, Acting Planning Team Leader Angela Vary, Strategic Planner Alicia te Wierek, Senior Strategic Planner Petra Neilson, Council Support Officer |
| Guests | Nil |
| Declarations of Interest | Nil |

3.3.5 Council Workshop: Development of the Council Plan 2017-2021 and Municipal Public Health Plan (11 April 2017)

| | |
|--------------------------|--|
| Meeting type and name | Council Workshop: Development of the Council Plan 2017-2021 and Municipal Public Health Plan |
| Meeting date and time | 10.35am Tuesday 11 April 2017 |
| Matters discussed | Council Plan and Municipal Public Health Plan |
| Councillor information | Draft Council Plan |
| Councillors | Cr Des Phelan Cr David Evans Cr Nathan Hansford Cr Helena Kirby Cr Les Rowe Cr Owen Sharkey |
| Apology | Cr Joanne Gilbert |
| Staff | Rod Nicholls, Chief Executive Officer Jillian Evans, Director Community Services Richard Trigg, Director Corporate Services Mike Barrow, Manager Executive Services Petra Neilson, Council Support Officer |
| Guests | Yvonne Crouch, mach2 Craig Kenny, mach2 |
| Declarations of Interest | Nil |

3.3.6 Council Workshop: Strategic Resource Plan (11 April 2017)

| | |
|--------------------------|---|
| Meeting type and name | Council Workshop: Strategic Resource Plan |
| Meeting date and time | 9.18am Tuesday 11 April 2017 |
| Matters discussed | Strategic Resource Plan |
| Councillor information | Strategic Resource Plan 2017-2021 |
| Councillors | Cr Des Phelan Cr David Evans Cr Nathan Hansford Cr Helena Kirby Cr Les Rowe Cr Owen Sharkey |
| Apology | Cr Joanne Gilbert |
| Staff | Rod Nicholls, Chief Executive Officer Jillian Evans, Director Community Services Richard Trigg, Director Corporate Services Mike Barrow, Manager Executive Services Jason Clissold, Finance Manager Petra Neilson, Council Support Officer |
| Guests | Nil |
| Declarations of Interest | Nil |

Recommendation

That Council notes the record of assemblies of Councillors:

- 1. Council Briefing: Peri Urban (28 March 2017)***
- 2. Council Briefing: Golden Plains Community & Civic Centre 28 March 2017)***
- 3. Council Briefing: AusNet Services (28 March 2017)***
- 4. Council Workshop: Inverleigh Structure Plan (28 March 2017)***
- 5. Council Workshop: Development of the Council Plan 2017-2021 and Municipal Public Health Plan***
- 6. Council Workshop: Strategic Resource Plan***

3.4. ADVISORY COMMITTEES OF COUNCIL

3.4.1 Audit & Risk Committee

Richard Trigg, Director Corporate Services
File: 02-01-001

No meeting.

3.4.2 Confidential: Chief Executive Officer (CEO) Review Committee

Cr Des Phelan, Chairperson
File: 02-01-002

No meeting held.

4. REPORTS

4.1. KEY RESULT AREA – CITIZEN & CUSTOMER SERVICE

No report.

4.2. KEY RESULT AREA – CIVIC LEADERSHIP

4.2.1 Council Plan 2013-2017 Implementation – Quarterly Report

| | |
|--|---|
| Department | Corporate Services |
| Unit | Corporate Services |
| Senior Manager | Richard Trigg, Director Corporate Services |
| Responsible Manager | Richard Trigg, Director Corporate Services |
| Author | Richard Trigg, Director Corporate Services |
| File References | EDMS File: 01-01-002 |
| Council Plan Link | Council Plan 2013-2017 |
| Relevant Council Strategies | <ul style="list-style-type: none"> ▪ Customer Services Strategy ▪ Communications and Marketing Strategy ▪ Emergency Management Plan ▪ Healthy Ageing Action Plan ▪ Arts Strategy ▪ Town Place Plans ▪ Recreation Strategy ▪ Road Strategy ▪ Asset Management Strategy |
| Relevant Policies & Legislative Frameworks | |
| Attachments | <p>Council Plan 2015-16 Actions Quarterly Report for March 2017</p> <p>1a KRA – Citizen & Customer Service</p> <p>1b KRA – Civic Leadership</p> <p>1c KRA – Economic Development</p> <p>1d KRA – Environment & Land Use Planning</p> <p>1e KRA – Financial Management</p> <p>1f KRA – Human Support Services</p> <p>1g KRA – Recreation & Community Development</p> <p>1h KRA - Roads & Streets Infrastructure</p> <p>1i KRA – Waste Management</p> |

Declarations of Interest: Councillors & Officers

Richard Trigg: In providing this advice as the senior manager, responsible manager and author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to update Council on the progress made in completing the 2016-17 actions contained in the Council Plan 2013-2017.

Background

The Council Plan 2013-2017 contains of 97 actions framed around 9 Key Result Areas. This is the third quarterly report to Council regarding implementation of the Plan for 2016-17. Council's management team has established an implementation timetable and monitor 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 financial year. These Actions are completed over 12 months with the report being provided in the allocated quarter each year. This is to ensure that the Actions are progressed over the 12 months and that all Actions are not due at the same time, to establish a smooth transition of all tasks. Each of the actions is numbered for ease of reference.

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 (✓).

| PM Ref | Actions | Quarter | | | |
|----------|---|---------|-----|-----|-----|
| | | Sept | Dec | Mar | Jun |
| 1.1.2.03 | 1. Regularly consult with communities | | | | ● |
| 1.1.3.01 | 2. Provide high quality point of contact customer service at Customer Service Centres by telephone and manage requests effectively | | | | ● |
| 1.1.2.01 | 3. Provide tailored and targeted communications and marketing actions aligned to the requirements and expectations of Shire residents, businesses and internal stakeholders | | | | ● |
| 1.7.2.02 | 4. Implement volunteer support programs | | | | ● |
| 1.1.2.05 | 5. Develop an Advocacy and Lobbying Plan to advocate on behalf of the community with Members of Parliament and other key stakeholders | ✓ | | | |
| 1.2.1.05 | 6. Implement Council's obligations within the Bushfires Royal Commission's recommendations | | | | ● |
| 1.2.2.05 | 7. Secure Representation on Federal, State, regional and local government bodies | | | ✓ | |
| 1.2.2.07 | 8. Promote support to Council including professional development opportunities | | | | ● |
| 1.2.2.01 | 9. Facilitate and support community celebrations of important national events and days | | | | ● |
| 1.2.2.03 | 10. Consider community plan priorities when conducting Council planning activities and community grant allocation | | | ✓ | |
| 1.2.1.09 | 11. Advocate and lobby for Bannockburn Emergency Services Precinct | | | ✓ | |
| 1.2.1.11 | 12. Advocate and lobby for Municipal Emergency Resourcing Program | | | ✓ | |
| 1.3.1.05 | 13. Continue to develop the Golden Plains Food Production Precinct | | | | ● |
| 1.3.1.05 | 14. Facilitate natural gas connection to townships | | | | ● |
| 1.3.1.05 | 15. Attract investment in the Gheringhap Employment Precinct | | | | ● |
| 1.3.1.05 | 16. Facilitate development of Lethbridge Airport | | | | ● |
| 1.3.1.05 | 17. Facilitate Bannockburn Plaza redevelopment | | | | ● |
| 1.3.1.05 | 18. Facilitate development of Bannockburn Civic Heart | | | | ● |
| 1.3.1.05 | 19. Investigate the opportunity for the development of the aged care industry | | | | ● |
| 1.3.1.05 | 20. Further develop and enhance the Golden Plains Farmers' Market | | | | ● |
| 1.1.2.01 | 21. Partner with Arts & Culture in the development of the Golden Plains Arts Trail | | | | ● |
| 1.1.2.01 | 22. Provide facilitation support for community/township events | | | | ● |

| PM Ref | Actions | Quarter | | | |
|----------|---|---------|-----|-----|-----|
| | | Sept | Dec | Mar | Jun |
| 1.1.2.01 | 23. Provide local small businesses with information on and access to business support services | | | | ● |
| 1.3.1.15 | 24. Advocate and lobby for improved high speed broadband | ✓ | | | |
| 1.3.1.16 | 25. Advocate and lobby for improved mobile phone coverage | ✓ | | | |
| 1.3.3.03 | 26. Advocate and lobby for industrial development in the north west of the Shire | | | ✓ | |
| 1.3.1.17 | 27. Advocate and lobby for major infrastructure project funding | | | | ● |
| 1.3.1.18 | 28. Advocate and lobby for recognition and funding for Greater Geelong and Bellarine tourism region | | | | ● |
| 1.4.3.05 | 29. Review the Greenhouse Action Plan | | | ✓ | |
| 1.4.1.10 | 30. Participate in State Government's Peri Urban Group of Rural Councils | | | ✓ | |
| 1.4.1.02 | 31. Participate in Regional Land Use Planning Groups | ✓ | | | |
| 1.4.1.09 | 32. Promote Council's Heritage Advisory Service | | | ✓ | |
| 1.4.3.02 | 33. Develop and implement a new Domestic Waste Water Management Plan | | | ✓ | |
| 1.4.1.14 | 34. Undertake compliance and enforcement for the Planning Scheme, Local Laws and Animal Control, and Swimming Pools | | | ✓ | |
| 1.4.1.02 | 35. Develop a comprehensive Settlement Strategy for the north of the Shire | | ✓ | | |
| 1.4.1.16 | 36. Advocate and lobby for protection of viable agricultural land for farming purposes | | ✓ | | |
| 1.5.1.01 | 37. Acquire property within the municipality for future development | | | | ● |
| 1.5.1.09 | 38. Invest surplus funds to maximise return and minimise risk | | | | ● |
| 1.5.1.05 | 39. Maintain accurate property and valuation records, including supplementary valuations | | | ✓ | |
| 1.5.1.11 | 40. Preparation and auditing of financial statements | ✓ | | | |
| 1.5.1.12 | 41. Implement Council's Procurement Policy and Procurement Strategy to ensure best value outcomes for the Shire | | | | ● |
| 1.5.1.13 | 42. Advocate and lobby for resources for a developing municipality | | | | ● |
| 1.5.1.04 | 43. Advocate and lobby for equitable share of Federal and State taxes | | | ✓ | |
| 1.5.1.14 | 44. Advocate and lobby for minimising cost shifting by Federal and State Governments | | | ✓ | |
| 1.5.1.08 | 45. Advocate and lobby for minimising the effects of the defined benefits scheme | | | | ● |
| 1.6.1.09 | 46. Facilitate the development of a network of community health providers | | | | ● |
| 1.6.1.12 | 47. Facilitate the Health Planning Network in Golden Plains Shire | | | | ● |
| 1.6.1.03 | 48. Establish services at the Meredith Early Learning Centre | | ✓ | | |
| 1.6.1.17 | 49. Complete Stage 2 development of the Smythesdale Well | | ✓ | | |

| PM Ref | Actions | Quarter | | | |
|----------|---|---------|-----|-----|-----|
| | | Sept | Dec | Mar | Jun |
| 1.6.1.03 | 50. Manage the planning and delivery of Council's Kindergarten, Long Day Care, Family Day Care and Occasional Child Care services | | ✓ | | |
| 1.6.1.03 | 51. Provide enhanced Maternal and Child Health home visiting services for families who are isolated or at risk | | ✓ | | |
| 1.6.1.03 | 52. Provide support and advice to local Playgroups, including the 'Playgroup Plus' health promotion program | | ✓ | | |
| 1.6.1.03 | 53. Enhance the service planning and deliver relationships with district nursing, community health and disability service providers in Ballarat and Geelong | | ✓ | | |
| 1.6.1.19 | 54. Undertake emergency relief and recovery services as necessary | | | | ● |
| 1.6.1.18 | 55. Provide a range of Home and Community Care Services to older residents and people with disabilities to enable them to remain in their own homes | | | | ● |
| 1.6.1.18 | 56. Continue to provide community transport through a network of volunteer drivers | | | | ● |
| 1.6.1.08 | 57. Advocate and lobby for public transport needs in the Shire | | | | ● |
| 1.6.1.01 | 58. Advocate and lobby for co-location of schools with community facilities | | | ✓ | |
| 1.6.1.14 | 59. Advocate and lobby for health and community services needs | | | | ● |
| 1.6.1.15 | 60. Advocate and lobby for secondary and post compulsory education and support provision | ✓ | | | |
| 1.6.1.20 | 61. Advocate and lobby for continuation of Federal funding for universal access to 15 hours of kindergarten | ✓ | | | |
| 1.7.1.01 | 62. Implement Community Grants program | | | ✓ | |
| 1.7.1.09 | 63. Develop Northern Equestrian Centre as a state centre | | | ✓ | |
| 1.7.1.08 | 64. Review volunteer committees including S86 Committees of Management | | | ✓ | |
| 1.7.2.03 | 65. Facilitate development of Bannockburn Civic Heart community and recreation facilities | | | ✓ | |
| 1.7.2.01 | 66. Facilitate the development of Community Plans in towns across the Shire, including Bannockburn | | | | ● |
| 1.7.2.01 | 67. Provide seed funding for the implementation of local projects identified in community plans | | | | ● |
| 1.7.2.05 | 68. Develop volunteer policies, procedures, newsletters and promotional material to encourage recruitment and retention of volunteers | | | | ● |
| 1.7.2.01 | 69. Establish an online community portal to increase community participation and capacity | | | | ● |
| 1.7.1.04 | 70. Support the development of young people in the Shire | | ✓ | | |
| 1.7.1.06 | 71. Deliver the annual Arts Trail event | | | | ● |

| PM Ref | Actions | Quarter | | | |
|----------|--|---------|-----|-----|-----|
| | | Sept | Dec | Mar | Jun |
| 1.7.4.01 | 72. Participate in the management of the Geelong Regional Library Corporation | | | ✓ | |
| 1.7.5.01 | 73. Improve organisational community engagement processes | | | | ● |
| 1.7.1.10 | 74. Advocate and lobby for regional youth service providers to service the Golden Plains Shire | | | ✓ | |
| 1.7.4.02 | 75. Advocate and lobby for increased funding for library services | | | ✓ | |
| 1.7.2.04 | 76. Advocate and lobby for increased funding for recreation and community infrastructure development | | | ✓ | |
| 1.8.2.19 | 77. Advocate for continuation of the Regional TIRES (Timber Impacted Roads Evaluation Study) funding program | ✓ | | | |
| 1.8.2.07 | 78. Participate in regional roads groups | | ✓ | | |
| 1.8.1.01 | 79. Implement bridge replacement program | | ✓ | | |
| 1.8.2.23 | 80. Support the Development of the Ballarat Western Link project | ✓ | | | |
| 1.8.1.02 | 81. Implement routine pavement maintenance, patching and resealing for the sealed road network | | | | ● |
| 1.8.1.02 | 82. Implement cyclical re-sheeting and routing maintenance grading of gravel roads | | | | ● |
| 1.8.1.02 | 83. Implement bridge and culvert reconstruction, replacement or maintenance | | | | ● |
| 1.8.1.03 | 84. Implement maintenance of drainage systems | | | ✓ | |
| 1.8.1.02 | 85. Implement maintenance on all footpaths and join-use paths located on road reserves with constructed roads | | | | ● |
| 1.8.1.03 | 86. Implement restoration program for Council utilised gravel pits and former landfill sites | | | ✓ | |
| 1.8.1.04 | 87. Support small township restoration and development through safety clearing of road side trees, maintenance of avenues of honour, streetscape beautification tree planting, grass mowing and parks and reserves maintenance | | | | ● |
| 1.8.1.02 | 88. Implement maintenance of Ballarat-Skipton Rail Trail | | | | ● |
| 1.8.2.24 | 89. Advocate and lobby for Regional Transport Plans | ✓ | | | |
| 1.8.2.15 | 90. Advocate and lobby for increased VicRoads expenditure on maintenance of the main road network | ✓ | | | |
| 1.8.2.13 | 91. Advocate and lobby for duplication of Midland Highway between Geelong and Bannockburn | ✓ | | | |
| 1.8.2.14 | 92. Advocate and lobby for duplication of the Glenelg Highway between Ballarat and Smythesdale | ✓ | | | |
| 1.9.1.01 | 93. Implement a new garbage collection service that is highly focused on sustainability and recycling | | | ✓ | |

| PM Ref | Actions | Quarter | | | |
|----------|--|---------|-----|-----|-----|
| | | Sept | Dec | Mar | Jun |
| 1.9.1.01 | 94. Investigate opportunities for transfer stations within the Shire | | | √ | |
| 1.9.2.05 | 95. Participate in the Regional Waste Management Group | | | √ | |
| 1.9.2.01 | 96. Advocate and lobby for local projects funded by the State Landfill Levy | | | √ | |
| 1.9.2.04 | 97. Advocate and lobby for Ballarat's Regional Landfill compliance with the planning scheme and EPA licences | | √ | | |

A detailed explanation of actions can be obtained from Attachments 1a to 1i – Council Plan 2016-17 Actions Quarterly Report for March 2017.

Community Engagement

A formal consultation process was not required.

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social and Environmental Implications

It is considered that there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

The implementation timetable adopted by officers is an effective monitoring method to enable Council to complete the 2016-17 actions contained in the 2013-2017 Plan.

Recommendation

That Council note the report and achievements attained in the implementation of the actions contained in the Council Plan 2013-2017.

4.2.2 Preparation of 2017-2021 Council Plan and 2017-18 Budget

| | |
|--|--|
| Department | Corporate Services |
| Unit | Finance |
| Senior Manager | Rod Nicholls, Chief Executive Officer |
| Responsible Manager | Richard Trigg, Director Corporate Services |
| Author | Jason Clissold, Finance Manager |
| File References | EDMS file: 40-01-012 |
| Council Plan Link | <ul style="list-style-type: none"> ▪ Civic Leadership ▪ Financial Management |
| Relevant Council Strategies | <ul style="list-style-type: none"> ▪ Council Plan ▪ Strategic Resource Plan |
| Relevant Policies & Legislative Frameworks | <ul style="list-style-type: none"> ▪ Local Government Act 1989 ▪ Local Government Amendment (Fair Go Rates) Act 2015 ▪ Local Government (Planning and Reporting) Regulations 2014 |
| Attachments | Nil |

Declarations of Interest: Councillors & Officers

Rod Nicholls: In providing this advice as the senior manager, I have no disclosable interests in this report.

Richard Trigg: In providing this advice as the responsible manager, I have no disclosable interests in this report.

Jason Clissold: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

To formally:

- Prepare the 2017-2021 Council Plan pursuant to Sections 125 and 126 of the Local Government Act 1989; and under Section 27 of the Public Health and Wellbeing Act 2008 incorporating the Municipal Health and Wellbeing Plan.
- Prepare the 2017-18 Annual Budget pursuant to Section 127 of the Local Government Act 1989.

Background

Victorian Councils are required to operate within a highly regulated Planning and Accountability framework, where the timing, contents and even format of planning and reporting documents are prescribed by State legislation and regulations. This framework guides the Council in identifying community needs and aspirations over the long term, medium term (Council Plan) and short term (Annual Budget) and then holding itself accountable (Annual Report).

The Council Plan is a four year plan that describes Council's vision, mission and values; strategic objectives; ways to achieve the objectives; indicators for measuring progress and the Strategic Resource Plan to fund delivery of the Council Plan.

Council engaged consultant group mach2 to assist in the development of the Council Plan which included a series of Council workshops plus a comprehensive community engagement and communications strategy encompassing:

- A community survey
- Community Listening Posts facilitated by Council officers for face to face conversations with the community about their priorities for the future.
- Community Workshops facilitated by mach2 and Council officers to have a more in depth conversation with the community.
- A Community Reference Group to enable more in depth involvement of members of the community.

The result of these processes is a set of objectives across four strategic pillars:

1. *Promoting healthy and connected communities*
2. *Enhancing local economies*
3. *Managing natural and built environments*
4. *Delivering good governance and leadership*

For the first time Council has also included the Municipal Health and Wellbeing Plan integrating its commitment to health and wellbeing across the Council' strategic directions and priorities.

"...to work in a coordinated and integrated way to support, protect and improve the health and wellbeing of our community members and the places they live, learn, work and play."

The Strategic Resource Plan is a legislated component of the Council Plan that summarises the financial and non-financial resources that Council has forecast to be required to fund the delivery of the objectives contained in the Council Plan.

Council have undertaken a further two workshops to review the assumptions that are contained within the Strategic Resource Plan to ensure they reflect the objectives in the Council Plan and subsequently reflective of the feedback from the community engagement and communication process.

The annual budget is then prepared to reflect the first year of the Strategic Resource Plan. As required by legislation the budget document provides:

- Detail of the services and initiatives to be delivered;
- Service outcome indicators;
- Major Initiatives; and
- Financial Statements

The draft budget was presented to Council at a Budget Workshop on Friday 17 March 2017, where it was reviewed and agreed that it delivered the services and initiatives contained in the Council Plan and again reflective of the feedback from the community.

The commentary in this agenda item and the documents that will be available for public viewing reflect the decisions made during the process of developing the Council Plan. Councillors have been provided with the original draft documents at previous workshops and the final drafts will be provided at the conclusion of this meeting in readiness for the public notice period.

Discussion

Council Plan, MPHW Plan and Strategic Resource Plan

The draft Council Plan is a result of a comprehensive examination of the demographic, economic and social profile of Golden Plains Shire; an extensive community engagement process; involvement of Golden Plains Shire staff leadership and a series of workshops with Council. It acknowledges the traditional custodians of the land the Wadawurrong, and incorporates the Municipal Public Health and Wellbeing (MPHW) Plan.

It is the key strategic document that guides Council over its four year term and this report seeks Council's endorsement of the draft Plan for a final stage of community engagement to ensure that the strategic direction and priorities are true to the aspirations of the community.

The key issues and priorities identified by the community for action by Council include:

- Maintaining, improving and further developing our road network
- Improving access to transport and technology
- Improving community health and social infrastructure to support community health and wellbeing
- Longer term, evidence based community planning that recognises the Shire's changing demographic profile
- Improving community engagement and responsiveness and increasing citizen engagement
- Advocating to government and key stakeholders for the development of services and infrastructure
- Increasing efficiency and effectiveness – doing more with less
- Encouraging economic growth
- Protecting, valuing and caring for our natural environment and open spaces
- Balancing growth and development with protecting the rural nature of the Shire
- Developing partnerships and working with others to achieve outcomes
- Building community capacity and resilience
- Adapting to climate change

In responding to the community Council has drafted a new Vision:

*“A healthy, safe, vibrant, prosperous and sustainable community supported by strong leadership, transparent governance and community partnerships - **Our Community, Our Economy, and Our Pride.**”*

The draft vision is based on the values of:

- Honesty and Integrity
- Leadership
- Accountability
- Adaptability
- Fairness

It would be achieved through the following Mission:

- demonstrating good governance and involving the community in decision making
- working and advocating in partnership with our community to address social, economic and environmental challenges
- promoting gender equality and equity and inclusion for all
- sustaining a focus on long term outcomes and delivering increased public value through good decision-making and wise spending
- building awareness and strategic alliances with government, regional groups and community.

Community priorities and other important issues identified through the Council Plan development process are encapsulated in the strategic pillars:

1. Promoting healthy and connected communities

We commit to creating a healthy, active and safe community that provides opportunities for all residents to connect and engage with their local community.

2. Enhancing local economies

We work with business, government and community partners to sustain a diverse, resilient, prosperous and socially responsible economy, through investment attraction, supporting local business, and tourism development.

3. Managing natural and built environments

We work to promote and protect the natural environment and ensure that growth and change in the built environment is managed for the benefit of all of our community.

4. Delivering good governance and leadership

We govern with integrity, plan for the future, and advocate for our community.

The Victorian Local Government Act requires that the Council Plan include objectives, strategic directions and indicators of achievement. In each of these pillars the objective is defined as “what we are going to do”; the strategic directions as “how we will go about it” and the indicators as “how will we know if we are successful”.

The Public Health and Wellbeing Act 2008 requires Council to prepare a Municipal Health and Wellbeing (MPHW) Plan within 12 months of the election of a new Council. Section 27 of this Act allows for the integration of the MPHW Plan into the Council Plan.

Fundamental to Council achieving its Vision is the commitment to Health and Wellbeing expressed through incorporation of the Municipal Health and Wellbeing Plan in the Council plan. This creates a single, high level plan to drive an emphasis on health and wellbeing across Council and strengthen the monitoring, reporting and public accountability of health and wellbeing matters from across Council departments.

Health and wellbeing priorities permeate the draft Council Plan identifying opportunities in each of the four pillars. On the direction of State Government this includes a strong and specific focus on prevention of family violence. It also includes action on gender equity, one of the key determinants of a healthy and safe society.

The plan will be implemented in a variety of ways. Council will lead by example; provide services; deliver key projects and works; advocate on behalf of the community; partner with others to achieve outcomes; facilitate stakeholder engagement; provide funding and resources; act as a regulator across a range of areas; and plan to meet the needs and aspirations of our community now and into the future

The draft Council Plan incorporating the MPHW Plan is underpinned by the four year Strategic Resource Plan included in the Council Plan. Annually Council determines its priorities from the Council Plan and sets a financial year budget according to those priorities.

Fair Go Rates System

In relation to the Budget 2017-18 will be the second year of operating within the State Government’s Fair Go Rates System (FGRS). As per the determination by the Minister for Local Government, in December 2016, the average rate increase in Council’s 2017-18 budget will be capped at 2.0%. This has been reduced from a cap of 2.5% in 2016-17. The Strategic Resource Plan (SRP) assumes an annual cap of 2.0% for the next four years.

While the legislation limits Council’s ability to raise revenue, it does recognise the differing challenges faced by the 79 Councils across the state by including the provision for Councils to apply to the Essential Services Commission (ESC) for a variation to the cap. Golden Plains Shire Council will not be applying for a variation for the 2017-18 year.

In 2017-18, the State Government rate cap only applies to general rates and municipal charges, not to other revenue, such as service rates and charges (i.e. garbage services). Such charges are to be calculated based on ‘full cost recovery’. However, these charges will be monitored by the ESC with provision within the legislation for the Minister to extend the application of the rate cap to other rates or charges in future. In 2017-18 Council has budgeted for an increase of 2.2% in the garbage charge.

Similarly, User Fees and Charges are not included in the rate cap, however Council has generally kept increases in non-statutory fees to 2.5%.

For more information, please visit <http://www.delwp.vic.gov.au/fairgorates>

The Rate Increase

As outlined above the Budget provides for an average annual rate increase of 2.0%. Table 1 provides a summary of the calculation, according to the formula prescribed by the State Government.

Table 1

| | |
|--|-------------------|
| Forecast Annualised Rate Revenue at 30 June 2017 | \$18,602,892 |
| Forecast Number of Assessments at 30 June 2017 | 10,846 |
| Forecast Base Average Rate 2016-17 per assessment | \$1,715.18 |
| Budget Rate Revenue 2017-18 | \$18,974,662 |
| Capped Average Rate 2017-18 per assessment | \$1,749.46 |
| Average Capped Increase | 2.00% |

It is important to note that this is only an **average** increase and actual increases will vary depending on the relative value of individual properties. As required by legislation, the rate burden must be distributed based upon the value of a property which will result in higher valued properties increasing by more than 2.0% and lower valued properties increasing by less than 2.0%.

Some of the initiatives Council has implemented since the introduction of the FGRS, to ensure it complies with the State Government cap are:

- No additional or improved services
- No additional staff resources funded by rates
- Deferred replacement of fleet vehicles
- Deferred replacement of non-critical computer hardware
- Reduced the 'real value' of asset maintenance, by constraining increased costs.

These are only short term options and appropriate planning must be undertaken to ensure Council's long term sustainability. This may or may not require a future application/s for a variance to the cap.

Prior to the introduction of the FGRS, Golden Plains Shire Council had spent 10-15 years restoring its financial sustainability, due to an over-reliance on grant income and inadequate levels of rate revenue. It was evident that the business model would not be sustainable if Council was going to meet the service demands of a rapidly growing and changing community.

As demonstrated in the Budget and many of the financial indicators, the decision to address these concerns, improved strategic planning and financial discipline have built a strong foundation for Council to commence operating within a 'rate capping' environment.

This greatly assisted the previous Council in making the decision to implement some interim initiatives and prevent the need to apply for a variation to the cap in the first two years of the framework, allowing the new Council time to develop the strategies within their Council Plan. This is not necessarily the case with many small rural councils within the State.

Under the FGRS, Victorian Council's will need to continue with the process of developing new and innovative ways of meeting the needs of a growing community. Golden Plains Shire Council has been working in this environment for many years already, but has seen an increase in the willingness from other organisations to collaborate and participate.

One such initiative has been the commitment of the G21 Councils to work together to demonstrate innovation and enhance operations to improve outcomes for our communities.

Major Initiatives

As per Section 127 of the Local Government Act, the following six initiatives have been identified by Council as priorities to be undertaken during the 2017-18 financial year:

1. Council will support the opening of the Bannockburn P-12 school in January 2018 through the planning for future development and facilitation of programs to support secondary school students in the local community.

Council will be working towards increasing:

- the number of students involved in employment training programs;
 - the number of students employed in part time and casual employment;
 - the activity at the hub and the library;
 - community engagement and community development activities with young people; and
 - the options for transport.
2. Funding has been secured to build stage one of the Bannockburn Civic Heart Precinct. Stage one will be a \$2.6m project to create a play space with water play elements, a new car park, public toilets, a BBQ area, shade and a paved plaza next to the Bannockburn Library and Cultural Centre.
 3. In 2017-18 Council will complete a Northern Settlement Strategy that will explore where the projected growth in the North of the Shire can be sustainably accommodated. It will identify the most sustainable locations for growth and development and those areas where growth should not be encouraged.
 4. 2017-18 will be the first full year of operation of the new Resource Recovery Centre at Rokewood. This facility replaces the landfill which had operated at the site for a period in excess of twenty years. The facility will provide convenient and safe access to waste and recyclables containers and will also provide for the disposal of waste oil, tyres, vehicle batteries, mattresses, empty chemical containers, gas bottles, scrap metal and white goods. The facility will continue to be open to the public for 5 hours each Sunday.
 5. Golden Plains Shire Council is focused on providing quality customer service and achieving efficiencies for residents. As part of these efforts, this Budget allocates \$500k for community engagement, and detailed architectural and engineering designs for redevelopment of the existing customer service centre located at 2 Pope Street, Bannockburn. The Golden Plains Community and Civic Centre is one aspect of a broader Civic Precinct including the Bannockburn Family Services Centre, planned for the site in future. This will enable Council to deliver community services from this site for many years to come.

Council has made this decision for a number of reasons, including the need to provide more modern and welcoming public areas, improve efficiencies in our operations, and provide improved access and transparency around monthly Council meetings.

The existing Shire Hall and Customer Service Centre are over 120 and 35 years old respectively and present a number of building compliance and safety issues, resulting in increased spending on building maintenance. In addition, the customer service areas are outdated and do not provide privacy for residents to discuss sensitive issues such as planning matters.

The redeveloped facility will have an increased focus on the availability of dedicated community space within the central building.

6. During 2017-18 Council will advocate for a new emergency services precinct on an appropriate site in Bannockburn with a purpose built multifunction centre to accommodate the CFA and SES.

Waste Management

Waste management, in particular the volume of waste going to landfill, continues to be one of the largest issues facing society at present (both from an environmental and financial perspective). Council has already taken significant steps to reduce the levels of waste it is sending to landfill. This has seen an approximate 30% reduction in the amount of waste per household being sent to landfill. Approximately 700kg of waste has reduced to approximately 500kg per household per annum, significantly reducing waste disposal costs.

Council's Garbage Charge is inclusive of the State Government Landfill Levy, which is the prescribed fee that the operators of regional landfills are required to pay to the State Government for each tonne of waste deposited at their facilities.

The Garbage Charge is set at \$252 (2.2% increase) which represents full cost recovery of the service, as required under the rate capping framework.

Financial Performance and Sustainability

The draft budget, with total expenditure of \$37.3m and a capital program totalling \$9.2m, will deliver a broad range of services, programs and infrastructure projects.

The budgeted programs include:

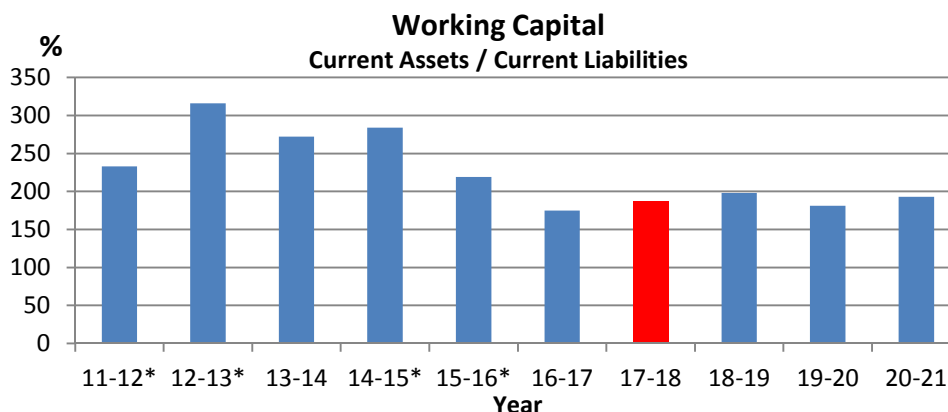
- \$14.6m allocated to the construction and maintenance of road and street infrastructure;
- \$9.8m to support and develop our recreation and community spaces and groups;
- \$8.7m to human support services, including children, aged, disability and maternal support;
- \$3.6m to managing Council's environmental and land use planning responsibilities;
- \$2.3m to managing Council's waste collection and disposal service;
- \$601k to support economic development and tourism; and
- \$333k to support Council's emergency management responsibilities.

Council's Rate Concentration as calculated under the Local Government Performance Reporting Framework (LGPRF) (rates, municipal charge and garbage charges compared to adjusted underlying revenue) is budgeted to be 56%, well behind similar large rural shires and the state average of 64%, in 2015-16.

This ratio is vitally important in ensuring Council is able to continue to deliver a broad range of services without over dependence on grants.

A key indicator of financial sustainability is Council's Working Capital balance. As Chart 1 demonstrates this balance has reduced slightly since the introduction of rate capping, but it has also been impacted by the Federal Government decision to cease paying 50% of their Federal Assistance Grant's in advance. Council's liquidity (working capital), while currently at an acceptable level will continue to be placed under pressure as a result of the high growth in population and the corresponding demand for services.

Chart 1



*includes 50% of Federal Assistance Grants received in advance

The Financial Performance Indicators disclosed in the budget reflect Council's ongoing commitment to sound financial management. This has provided Council with a sound foundation to begin operating within a rate capping environment.

The indicators Council considers critical in maintaining financial sustainability are outlined in Table 2 and show that the 2017-18 results are generally positive when compared to best practice and Council's preferred targets.

As mentioned earlier, it is critical that the strategies identified in the 2017-2021 Council Plan and SRP are adhered to, in order to achieve the financial outcomes detailed in the plan.

Council's strong financial performance during recent periods has been achieved by adhering to Council's long term strategy of decreasing its reliance on grant revenue and increasing the level of rates and charges.

Table 2 compares some key indicators to best practice and GPS targets.

Table 2

| Indicator | Budget 2017-18 | Best Practice | GPS Target | Traffic Light Position |
|--|----------------|---------------|------------|------------------------|
| Surplus ¹ | \$2,987k | >\$0 | >\$5,000k | Amber |
| Adjusted Underlying Result ² | (\$85k) | >\$0 | >\$0 | Red |
| Working Capital (%) ³ | 188% | >100% | >180% | Green |
| Discretionary Retained Earnings ⁴ | \$3,897k | >\$1,000k | >\$2,000k | Green |
| Borrowings (% of Rates and Charges) ⁵ | 37.2% | <60% | <30% | Amber |
| Cash Balance ⁶ | \$6,580k | >\$0 | >\$5,000k | Green |
| Rate Determination ⁷ | \$920k | >\$0 | >\$0 | Green |

Indicators that meet both Best Practice and GPS Target are given a 'Green' light, one of the two targets 'Amber' and neither target a 'Red' light.

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. Further detail of Council's rating principles can be found in Section 5.4 and Appendix 6.1 of the budget.

¹ Surplus – The net result of total revenue and expenditure, including non-cash items such as depreciation.

² Adjusted Underlying Result – Surplus less non-recurrent capital grants, non-monetary asset contributions and other contributions to fund capital expenditure. These items have the potential to incorrectly inflate the operating surplus.

³ Working Capital – This is a measure of Council's ability to meet its short term commitments.

⁴ Discretionary Retained Earnings – The component of total equity that is not committed (includes proceeds from sale of land at Bakers Lane and VGC received in advance).

⁵ Borrowings – Balance of total interest bearing loans and liabilities as a percentage of rates and charges (including garbage charges). The prudent limit is considered to be 60%.

⁶ Cash Balance – The total cash and cash equivalents.

⁷ Rate Determination – This calculation demonstrates Council's ability to fund its capital program from operations. A deficit means retained earnings will be depleted further.

In preparing the Council Plan and Budget, Council considered the long term financial planning principles which include:

- Ensuring long term financial sustainability
- Delivering services in a cost effective and efficient manner
- Ensuring operating revenues are sustainable and consider community wide and individual benefits (rates versus user charges)
- Using debt finance where appropriate
- Maintaining cash reserves and operating surpluses at appropriate levels
- Identifying and quantifying long term liabilities
- Meeting social equity objectives through specific programs
- Managing the Shire's capital assets to maximise long term community benefit
- Recognising that funding from State and Federal Government is a crucial element of financial sustainability and
- Ensuring there is an underlying surplus

The strategies adopted in the Council Plan are reflected in the Budget and meet these requirements. This was more challenging than in the past given Council is now operating within an environment where revenue is restricted due to rate capping and Federal Assistance Grants have been frozen for the last three years, creating a permanent impact on Council's revenue and reserves.

Furthermore, Council has implemented the principles of sound financial management as required under Section 136 of the Act:

- Managing financial risks faced by the Council prudently, having regard to economic circumstances;
- Pursuing spending and rating policies that are consistent with a reasonable degree of stability in the level of the rates burden;
- Ensuring that decisions are made and actions are taken having regard to their financial effects on future generations; and
- Ensuring full, accurate and timely disclosure of financial information relating to the Council.

As has been the case for many years, Golden Plains faces many challenges:

- **High population growth.**
Golden Plains Shire is ranked as one of the fastest growing regional municipalities in Victoria with a current growth rate of 2.0%. Leading this growth is Bannockburn at 7.2%, Smythesdale at 12%, Teesdale at 7.4% and Inverleigh at 4.9%.

- **Substantial challenges associated with provision and renewal of roads, paths, and community and recreation facilities.**
In February 2014, VAGO tabled a report in Parliament highlighting its concerns over this exact challenge that councils face in meeting the growing demand of asset maintenance and renewal. The Auditor-General, Mr. John Doyle, states in the report:

'They also have legislative obligations to manage financial risks prudently and to ensure that their asset management decisions take into account economic circumstances and their financial effects on future generations. This is especially important in the current economic climate and in an environment where reliance on sources of revenue such as government grants cannot be assured.'

This challenge is even greater for Golden Plains Shire Council who has a comparatively larger infrastructure network to maintain than other Victorian Municipalities and is further exacerbated with the introduction of rate capping. History shows that the cost of maintaining and constructing such assets greatly exceeds CPI and the rate cap.

- **Increased demand for new services.**

Golden Plains Shire has one of the highest proportions of 0-4 year olds in Victoria with 7.0%, compared to the state figure of 6.4%. 5-9 year olds comprise 8.1% of Golden Plains' population but only 6.4% of Victoria. In the 10-14 age range Golden Plains has 8.4% compared to Victoria with 6.1%. Young people make up almost one third of the population and this places pressure on Council to deliver services from day care, kindergartens and play groups to play grounds, pathways, recreation reserves, skate parks and youth support activities.

Our ageing population is also outstripping the State average with the 60-64 age group in Golden Plains Shire making up 6.6% of the population while in Victoria it is only 5.4%. Council provides home and community care, meals on wheels and other services, but as the population grows demand will also continue to grow. Demand will also grow in the provision of infrastructure to meet the needs of an ageing population, and as with the needs of young people, the need for increased services and infrastructure is spread across the Shire's 56 communities and 16 townships.

- **Although increasing, still a comparatively low rating revenue base.**

Council's Rate Concentration (rates, municipal charge and garbage charges compared to adjusted underlying revenue) is budgeted to be 56%, well behind similar large rural shires and the state average of 64%, in 2015-16.

- **A history of significant dependence on grants, contributions and recoupments.**

This has had the effect of reducing the level of funds required from rate revenue to build community infrastructure and provide programs and services. For example, planned community infrastructure capital projects in 2017-18 total \$4m, with anticipated grant income of \$2.3m and other contributions of \$550k, leaving Council a lesser contribution of \$1.1m. Many grant funds are competitive and by definition are granted, not provided automatically.

- **Supporting community based Committees and Volunteers that currently manage the vast majority of community and recreation facilities on Council and Crown land.**

Council currently has 21 groups that require staffing support to assist with facility hire, managing volunteers, strategic and financial planning, and compliance with governance regulations in respect to meetings, minutes, annual returns and financial statements. This structure is currently being reviewed to ensure it remains the most efficient method for managing these facilities.

- **Managing the competing interests of rural and urban communities.**

Council must balance the demands being placed on resources, from the rapidly growing urban areas, with those of our ever important rural sector. Over 70% of properties in Golden Plains Shire are now classified as residential.

- **Managing the expectations of new residents who have relocated from highly urbanised Councils to a semi-rural Council.**

New residents relocating from more urbanised localities need to understand that Golden Plains Shire will not necessarily deliver the same level of services in relation to community infrastructure, etc.

- **Maintaining the extensive road network of over 1,800km.**

Golden Plains Shire was formed originally as an agricultural municipality with a number of small settlements across 2,705 square kilometres of rural land. While it remains predominantly rural and agricultural, rapid growth over the past 10 years has created a more urban character in parts of the Shire.

In 1994 the Shire's population was approximately 13,000 with 75% of rates income from rural areas. Now the population is approximately 21,000 and 75% of rates income is from townships. Council must maintain a high level of service to its rural areas, but is now also facing far greater demand for infrastructure in residential areas such as footpaths, curb and channel, drainage and sealed roads.

Therefore, Council must remain focused on its adopted strategies to provide the foundations on which to plan positively for the future.

Further highlights of this Budget include Council's investment in activities and initiatives such as:

- Delivery of a range of human support services that maintain or enhance the wellbeing and quality of life of Golden Plains' residents;
- Implementation of Council's Municipal Early Years Plan, which focuses on all areas that impact on the health and wellbeing of children from the ages of birth to ten years;
- Ensuring the necessary infrastructure is developed to accommodate the new school in Milton Street, Bannockburn.
- The development of the Bannockburn Civic Heart;
- Commitment to contribute funding to the redevelopment of new recreation pavilions at both the Rokewood and Maude Recreation Reserves. These projects are subject to other government funding;
- Sustained investment in the maintenance of recreation and community facilities;
- Continuing commitment to assist in the maintenance of major recreation facilities; and
- Strategic investment in economic development to facilitate the growth of the local economy, particularly in township development and rural based industries

Council is confident the 2017-18 budget meets the requirements of sound financial management, while delivering the strategies identified in the 2017-2021 Council Plan.

Revenue

The following key points relate to the budgeted revenue of \$40.2m which has decreased by \$6.7m.

- Rates and charges total \$21.2m.
- Operating grants have decreased by \$200k to \$10.1m.
- The Federal Assistance Grants distributed via the Victoria Grants Commission is assumed to increase by 2.0% from the 2016-17 allocation. This is the first budgeted increase in three years after the Federal Government placed a 'freeze' on this funding in 2013.
- Capital grants have decreased by \$8.1m to \$2.3m. This is the result of Council successfully applying for significant capital grants in 2016-17 and an increased distribution from the Roads to Recovery program in 2016-17.
- Monetary Contributions of \$1.8m include \$400k relating to the Rokewood recreation reserve pavilion, \$211k from the Wind Farm at Mt Mercer and \$150k towards the construction of Gumley Road.
- Non-Monetary Contributions of \$1m relate to the assets that are handed to Council after the maintenance period has expired on new subdivisions.
- Statutory fees and fines have increased by \$114k to \$412k, primarily due to the legislated increase in Statutory Fees.
- User fees total \$3.1m.
- Other income has increased by \$50k primarily due to an increase in interest on rates and charges.

Expenditure

The following key points relate to the budgeted expenditure of \$37.2m which has decreased by \$1.5m.

- Materials and services have decreased by \$2.4m to \$10.7m.
- Employee costs allow for an annual Enterprise Agreement (EA) increment of 1.5%
- Depreciation expense will increase by \$339k to \$7.7m.
- Borrowing costs will decrease by \$13k to \$346k.

Balance Sheet

The key points to note are:

- Council's net worth will increase by \$3.0m to \$437m. Property, infrastructure, plant and equipment comprise 97% of Council's total assets.
- \$650k will be borrowed in 2017-18 to:
 - partly fund Council's contribution to the construction of the Maude recreation reserve pavilion (\$150k); and
 - to commence the Golden Plains Community and Civic Centre redevelopment (\$500k).
- The MAV Local Government Funding Vehicle will be utilised to fund new borrowings.
- Working capital is in surplus \$4.5m. Current assets will be 1.9 times current liabilities at the end of the financial year, up from 1.75 in 2016-17.
- Non-current assets include an investment totalling \$1.9m relating to the sinking fund established to repay the LGFV bonds when they mature. The first of which is due in November 2019.
- The retained earnings balance at 30 June 2018 is budgeted to be \$4.5m, of which \$3.9m will be classified as discretionary. This retained earnings balance includes the proceeds from the sale of the Bakers Lane Teesdale, Stage 3 (\$1.35m) and the surplus from the sale of the Warrambine Hall (\$171k).

Cash Flow

- The cash balance is \$6.6m.
- Under the regulations \$6.0m of this balance will be classified as unrestricted, with the remaining \$560k being restricted within statutory and discretionary reserves.
- As depicted in chart 1, the closing cash balance will be sufficient to cover all of Council's commitments and have a cash surplus from operations of \$4.5m.
- Cash inflow generated from operating activities will be applied to capital expenditure (\$9.2m).
- As shown in Chart 3, the cash flow trend for 2017-18 is expected to be similar to 2016-17 and previous years.

Chart 2: Closing Cash Balance (\$6.6m)

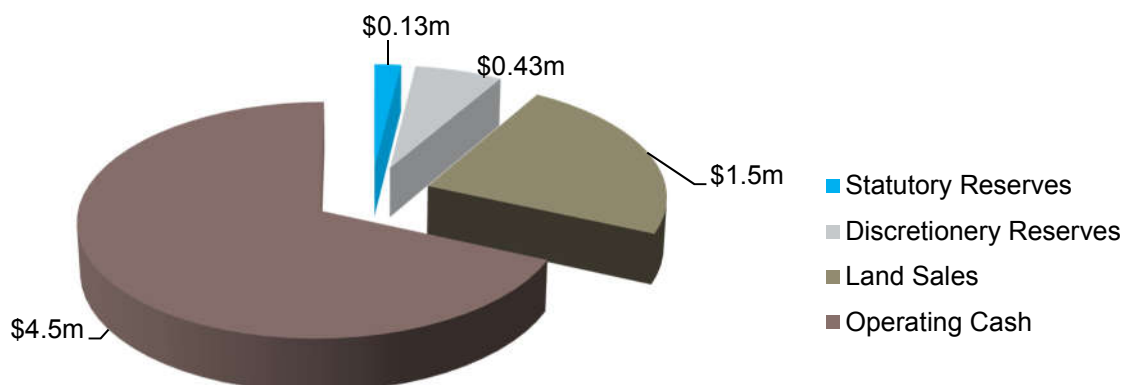
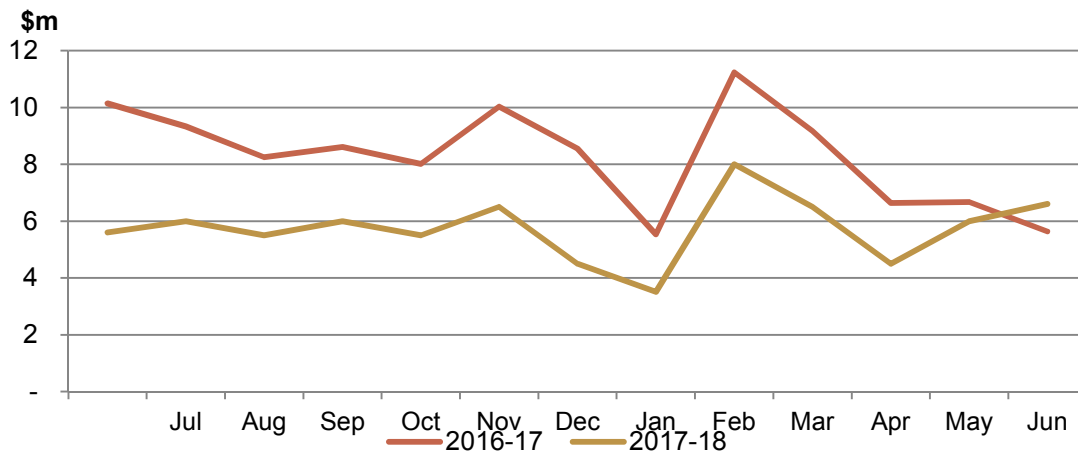


Chart 3

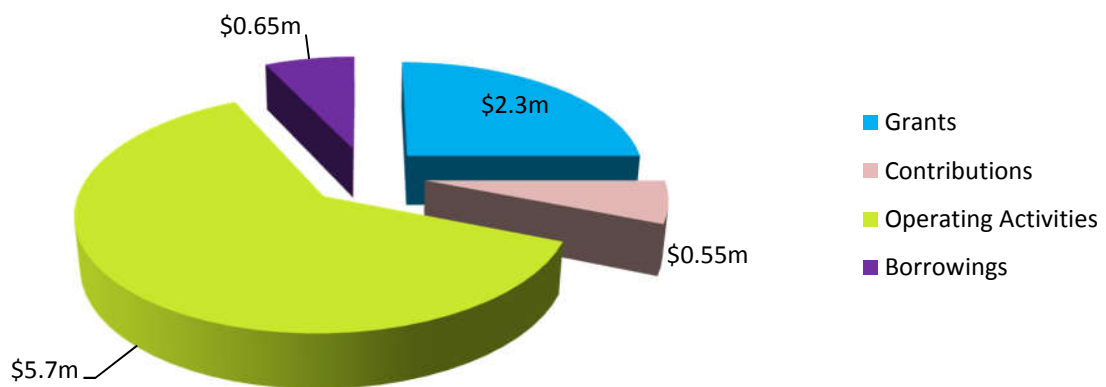


Capital Works

The key points to note are:

- The capital works program for 2017-18 has reduced significantly to \$9.2m, a decrease of \$9m compared to the 2016-17 forecast of \$18.2m.
- The program is divided between capital renewal (45%), capital upgrade (15%), capital expansion (5%) and new assets (35%).
- The capital works budget is funded from a mix of external and internal sources. Chart 4 below demonstrates that 25% is funded by grants, 6% by contributions, 62% by operations and 7% from borrowings.

Chart 4: Capital Works Funding Sources (\$9.2m)



Following is a summary of the major items of capital expenditure funded in the budget:

- Rokewood Recreation Reserve pavilion - \$1.15m.
- Roads to Recovery – \$950k
- Gumley Road reconstruction - \$900k
- Local roads resealing – \$850k.
- Plant and machinery replacements – a replacement cost of \$1.3m, of which \$0.63m is the net cost to Council after asset sales.
- Maude Recreation Reserve pavilion - \$650k
- Golden Plains Community and Civic Centre - \$500k
- Construction of Ross Creek Reserve toilet block - \$200k

Cost Shifting

Cost shifting continues to have a significant impact on Council's ability to deliver services. Cost shifting occurs when Commonwealth and State programs transfer responsibilities to Local Government with insufficient funding or grants which don't keep pace with delivery costs. Some examples are:

Cost Shifting for Specific Services

1. Library Services - \$246k from 2011-12 to 2017-18
2. Maternal and Child Health - \$98k from 2011-12 to 2017-18

Loss of funding in General

3. A freeze on indexation of the federal financial assistance grants. The Commonwealth announced in its 2014-15 Budget that it would pause indexation of the total national pool of financial assistance grants to local government for three years (2014-15, 2015-16, 2016-17). The cumulative impact on Council for the three years exceeded \$800k and although the freeze has now been removed this is a permanent compounding loss of revenue
4. Discontinuance of the Community Support Program (CSP) Fund for Family Day Care program from 1 July 2015 - \$55k per annum.

Statutory fee that prohibits full cost recovery

5. After freezing planning fees since 2009 the State Government in October 2016 increased the allowable fee that Council may charge for these services. While this belated action is welcomed the new fees still do not cover the full cost of providing the service hence rate payers are still forced to subsidise the activities of developers across the city.

Levies

6. Fire Service Property levy – Council is legislated to collect this levy on behalf of the State Government. The net cost of administering this process is estimated to be approximately \$30k per annum

Statutory requirements lead to increased costs

7. Council is now compelled to utilise the services of the Victorian Electoral Commission to deliver electoral services, removing the competitive procurement process. This resulted in a 30% increase in the 2016 election costs for Council
8. New national policy of 15 hours kinder for four-year olds – Over \$3m of capital works over the past 5 years

Community Engagement

Under the *Local Government Act 1989*, drafts of the Council Plan and Annual Budget will be released for public inspection and comment for a period of at least 28 days prior to their consideration and adoption. Councillors are provided with fact sheets and are encouraged to engage with ratepayers during the submission period. All public submissions will be heard at a public meeting currently scheduled for Tuesday 13 June 2017, prior to adopting the budget on 27 June.

In developing the draft Council Plan incorporating the MPHWP Plan, Council undertook a comprehensive community engagement and communications strategy encompassing:

- A community survey
- Community Listening Posts facilitated by Council officers for face to face conversations with the community about their priorities for the future.
- Community Workshops facilitated by mach2 and Council officers to have a more in depth conversation with the community.
- A Community Reference Group to enable more in depth involvement of members of the community
- Consultation with key health and wellbeing stakeholders including the Department of Health and Human Services

Council will continue to proactively engage the community through a series of listening posts across the Shire and detailed consultation with the Community Reference Group before completing input to the final draft Council Plan.

Financial & Risk Management Implications

The financial outcomes included in the documents are critical in ensuring Council's long term financial sustainability.

It is considered that there are no risk management implications.

Economic, Social & Environmental Implications

It is considered that there are no economic, social or environmental implications.

Communications

A communication plan has been developed to inform the community on the opportunity to read and submit their thoughts on the draft Council Plan including the MPHWP Plan 2017- 2021; the Strategic Resource Plan and on the 2017/18 Budget.

The Council Plan attached to this report is the final draft supported by Council and should now be placed on public exhibition.

Conclusion

Council is required under the Local Government Act 1989 to set a four year Council Plan by 30 June 2017. Council is also required under the Public Health and Wellbeing Act 2008 to deliver a MPHWP Plan. Under Section 27 of this act the MPHWP Plan has been incorporated into the Council Plan to set high level plan to guide Council and drive an emphasis on health and wellbeing across all areas of Council service delivery.

The draft Council Plan incorporating the MPHWP Plan is a responsive plan based on extensive community and key stakeholder input; it responds to the needs of the community and their aspirations. It is a four year plan underpinned by long term strategic financial planning in the Strategic Resource Plan and the annual budget process.

While negatively impacted by the introduction of the State Governments rate capping framework, the draft 2017-18 budget still delivers the core services required of Council while maintaining a sustainable financial position, which has only been achieved by implementing several short term initiatives that cannot be sustained in the long term.

Council's financial discipline over recent years has allowed it to implement the strategies and deliver the services detailed within its Council Plan, during a challenging period, without placing its financial sustainability at risk. This has built a strong foundation to commence operating within a rate capping environment.

The Council Plan strategies and long-term financial plans adopted by Council underpin the preparation of the 2017-18 budget. It is also framed by the Shire's unique demographics, increased demand for new services, growing rating base, 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.

Importantly, the budget decisions made by Council today will impact not only on the next 12 months, but will set the scene for Council's continued long-term viability and strategic direction. Continuing to manage in a steady and decisive manner will set Golden Plains Shire Council up to deliver on its aspirations to work towards a more healthy, vibrant and sustainable future. This is the key to creating and delivering greater value for our communities over the longer term.

The draft Council Plan and draft Budget provide Council with a clear direction and the capacity to make Golden Plains Shire a great regional municipality where opportunities for residents, businesses and investors continue to grow.

It is therefore recommended that Council place the draft 2017-2021 Council Plan and the draft 2017-18 Budget on public exhibition.

In order to implement these programs and initiatives an amount of \$21,130,847 (or such other amount as is lawfully raised) will need to be declared as the amount which Council intends to raise by general rates, the municipal charge and the annual service charges, which amount is calculated as follows:

| | |
|---------------------------------------|--------------|
| General Rate | \$16,654,012 |
| Municipal Charge | \$2,320,650 |
| Annual Service (Garbage) Charge | \$2,156,185 |

Council is required to give public notice of the preparation of the Budget and Council Plan and invite submissions under Section 223 of the Act on any proposal contained in the budget and Council Plan.

Recommendation

That, in accordance with sections 125, 126 and 127 of the Local Government Act 1989, and the Public Health and Wellbeing Act 2008, Council place the draft Council Plan incorporating the MPHWP Plan 2017-2021 and 2017-18 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 Council Plan incorporating the MPHWP Plan 2017-2021 and 2017-18 Annual Budget.***

- (b) Council consider any submissions on any proposal (or proposals) contained in the draft Council Plan incorporating the MPHWP Plan 2017-2021 and 2017-18 Annual Budget, made in accordance with Section 129 and 223 of the Local Government Act 1989 at a Council Meeting to be held Tuesday 13 June 2017.***

- (c) Council consider a notice of motion to adopt such Council Plan incorporating the MPHWP Plan 2017-2021 and 2017-18 Annual Budget at the Council meeting to be held on Tuesday 27 June 2017.***

4.3. **KEY RESULT AREA – ECONOMIC DEVELOPMENT**

No report.

4.4. **KEY RESULT AREA – ENVIRONMENT & LAND USE PLANNING**

4.4.1 **Planning application P16-318 for a dwelling at Crown Allotments 58, 59, 62 and 63 Jubilee Street, Inverleigh**

| | |
|--|---|
| Directorate | Assets and Amenity |
| Unit | Development |
| Senior Manager | Greg Anders, Director Assets and Amenity |
| Responsible Manager | Tim Waller, Development Manager |
| Responsible Team Leader | Sarah Fisher, Planning Team Leader |
| Author | Peter O'Brien, Town Planner |
| File References | Planning application P16-318 |
| Relevant Policies & Legislative Frameworks | Golden Plains Planning Scheme |
| Proposal Summary | Dwelling |
| Land Address | Crown Allotments 58, 59, 62 & 63 Township of Inverleigh Parish of Doroq (Jubilee Street, Inverleigh) |
| Applicant | Kathryne Jursak |
| Zone & Overlay Summary | <ul style="list-style-type: none"> ▪ Farming Zone (FZ) ▪ Part Floodway Overlay (FO) ▪ Part Land Subject to Inundation Overlay (LSIO) |
| Attachments | <ol style="list-style-type: none"> 2. P16-318 Copy of application and plans 3. P16-318 Locality map 4. P16-318 CCMA referral response 5. P16-318 Copy of objections |

Declarations of Interest: Councillors & Officers

Greg Anders: In providing this advice as the senior manager, I have no disclosable interests in this report.

Tim Waller: In providing this advice as the responsible manager, I have no disclosable interests in this report.

Sarah Fisher: In providing this advice as the responsible team leader, I have no disclosable interests in this report.

Peter O'Brien: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

This report relates to a planning permit application for a dwelling at Crown Allotments 58, 59, 62 & 63 Jubilee Street, Inverleigh. The application has been referred to the Council Meeting for determination because there are objections to the application and because Council officers' are of the opinion that the application does not satisfy the provisions of the planning scheme and should be refused. This report provides a background to the application, a summary of the relevant planning considerations and an officer recommendation.

Proposal

The application proposes the use and development of the land for a dwelling (refer to Attachment 2 – copy of application and plans). The dwelling is proposed to be located on Crown Allotment 59 with a setback distance of 57.6m from the front boundary (Jubilee Street) and 85m from the northern property boundary. Professionally drawn plans of the dwelling were not submitted with the application. The plans submitted with the application show a two storey dwelling with a footprint of 135.7m². The external materials of the dwelling consist of weatherboard walls and colourbond roofing. Access to the dwelling is proposed from Jubilee Street which is currently an unmade road.

The application originally proposed to open the property to the public for farm visits however the applicant has since removed this from the application in response to objectors' concerns. Instead the applicant intends to operate a mobile petting farm (not on site), and use the land for animal keeping, horticulture and a registered kitchen.

Site Description

The subject land is situated on Jubilee Street, Inverleigh and is formally described as 58, 59, 62 & 63 Parish of Doroq. The site is located in a farming area to the south of the Inverleigh township (refer to Attachment 3 – locality map). The total area of the site is approximately 6.1ha. The site is currently used for grazing and there is an existing farm shed. The site is located on the Barwon River floodplain. The land is mostly cleared except for planted trees. Access to the site is from Jubilee Street which is an unmade road. Surrounding land is predominately used for farming purposes however the site adjoins the Inverleigh township and adjoining land to the north is used for residential purposes.

History

The application was received by Council on 30 November 2016. The applicant was advised by Council officers prior to lodging the application that it was unlikely that Council would support the application due to the flood risk associated with the site. The application was referred under Section 55 of the Planning & Environment Act to the Corangamite Catchment Management Authority (CCMA) in accordance with the provisions of the Floodway Overlay and Land Subject to Inundation Overlay. The CCMA objected to the issue of a permit due to the flood risk associated with the site. A copy of the CCMA referral response is provided in Attachment 4. The application was also internally referred to Council's Works Engineer and Environmental Health Officer. These parties requested further information which was not submitted. The Works Engineer has advised that the development of the site would require the construction of Jubilee Street at the cost of the applicant and that the road must be designed so that it is compatible with the flood hazard.

Communications

Notice of the application was given in accordance with Section 52(1)(a) and (d) of the Act. Notice was sent by mail to 16 adjoining and surrounding owners and occupiers. Notice was also provided by placing a sign on the site.

Summary of Objections

As a result of the public notice three objections were received. A copy of the objections are provided in Attachment 5. The main grounds of objection are summarised as follows:

- Traffic. Objectors are concerned that increased traffic to the site will result in adverse impacts such as noise, dust, road damage and create a safety risk to pedestrians.
- Noise. Objectors are concerned that as the property is not connected to mains power, generators will be used on the site and that this will create excessive noise.
- Other concerns. One of the objectors, whose property adjoins the site, is concerned about the loss of privacy and damage to fencing. This objector also raised concerns regarding the flood risk associated with the site.

A consultation meeting with the objectors and the applicant was held on 14 March 2017. There was no resolution or agreement reached at the meeting however following the meeting the applicant decided to amend the application by removing the farm visit business in order to address the objectors concerns regarding traffic impacts.

Golden Plains Planning Scheme

State Planning Policy Framework (SPPF)

Clause 11.05 Regional development

The policy for Melbourne's hinterland areas (Clause 11.05-2) seeks to manage growth in the area within 100km of Melbourne. This policy includes strategies to strengthen and enhance the character and identities of towns, prevent dispersed settlement and site and design new development to minimise risk to life and property from natural hazards such as flooding. The

objective of the policy for Rural Productivity (Clause 11.05-3) is to manage land use change and development in rural areas to promote agriculture and rural production. The policy seeks to prevent inappropriately dispersed housing development in rural areas by directing housing growth into existing settlements and by discouraging development of isolated small lots in the rural zones from use for single dwellings.

Clause 11.07 Geelong (G21) regional growth

The Geelong (G21) regional growth identifies the site within a productive agricultural area. The policy for agricultural productivity (Clause 11.07-5) aims to protect critical agricultural land by focussing development to existing township areas.

Clause 13.02 Floodplains

The objective of the State Policy for Floodplain management (Clause 13.02-1) is, among other things, to assist the protection of life, property and community infrastructure from flood hazard. The policy seeks to identify land affected by flooding, including floodway areas, as verified by the relevant floodplain management authority, in planning scheme maps, and avoid intensifying the impacts of flooding through inappropriately located uses and developments.

Clause 14.01-1 Protection of agricultural land

The objective of this policy is to protect productive farmland which is of strategic significance in the local or regional context. The policy seeks to ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use. In considering a proposal to develop agricultural land, factors to be considered include the impacts of the proposed development on the continuation of primary production on adjacent land, with particular regard to land values.

Local Planning Policy Framework (LPPF)

Clause 21 Municipal Strategic Statement (MSS)

According to the Municipal Profile (Clause 21.01) the main use of land in the shire is for primary production including grazing and broad acre cropping. Agricultural industries generate approximately \$44 million worth of product and 14% of the workforce is employed in primary industry. The Golden Plains Shire has three water supply catchment basins including the Barwon/Leigh river system. Flooding is recognised as one of the important issues that must be managed in the Barwon/Leigh catchment.

Clause 21.01-7 identifies managing residential growth, economic growth and maintaining and encouraging viable agricultural industries as major issues affecting the Shire's land use planning and development. The policy states that the Shire contains a relatively large number of small townships and that Council seeks to focus residential development within the boundaries of these townships. It is recognised that there is pressure for development outside these townships particularly for hobby farm development therefore the urban-rural interface needs to be managed appropriately. The policy also recognises that the Shire relies on the strength of its grazing and cropping industries as its economic base therefore it is vitally important to maintain a viable agricultural sector.

The vision for the Shire contained in Clause 21.02 includes, among other things, recognising a prosperous agricultural industry. This will be achieved in part by focusing urban development into existing townships, sustainable management and protection of natural resources, facilitating productive agricultural activities, and protecting rural areas. Town structure plans have been prepared for most settlements and establish a basis for future strategic planning decisions in each town.

The Settlement policy (Clause 21.03) states that the Shire is characterised by a number of small towns located in the midst of productive agricultural areas and the maintenance of a clear distinction between urban and rural areas is essential to continued agriculture. The policy contains strategies which seek to direct residential development to township areas provided with water, sewerage and social infrastructure, establish an urban edge to all settlements by using

zoning to provide a clear urban growth boundary, and protect land in agricultural production from adjoining uses and development inconsistent with normal farming practices.

The Environment and Natural Resources policy identifies flooding as a particular problem in the Shire (Clause 21.04-2). It states that the most significant flooding in the Shire occurs in Inverleigh where the Barwon and Leigh Rivers meet. The policy seeks to ensure the protection of the environmental attributes of floodplains through minimising the impact of development through the preparation of floodplain management plans.

The Agriculture policy (Clause 21.05-2) emphasises the economic importance of agricultural industries to the Shire however this is potentially threatened by the fragmentation of land for non-agricultural purposes, including rural residential development and conflict between sensitive uses and agricultural practices. The policy aims to ensure that agricultural land is protected and used as an economically valuable resource and to maintain farm size to allow for viable agriculture. This will be achieved by ensuring that the use and development of rural land is both compatible and complementary to agricultural activities and by avoiding the fragmentation of land for non-agricultural purposes, including rural residential development.

The Inverleigh Town Structure Plan (Clause 21.07-5) seeks to contain development within the identified growth area of and actively discourages residential development in the floodway and floodplain as identified in the Structure Plan. Growth areas identified in the Structure Plan are located outside of the floodplain to the west and the north of the town. The Structure Plan shows the subject land in a rural area outside the township boundary and in the identified floodplain area.

Clause 22.11 Local policy for Floodplain Management

This policy applies to all land affected by the Floodway Overlay (FO) or the Land Subject to Inundation Overlay (LSIO). The policy states that sound floodplain management in Golden Plains Shire is critical because the municipality includes areas of flood prone land where flooding has historically caused substantial damage to the natural and built environment. The policy makes particular mention of the town of Inverleigh which is most affected by flooding due to the confluence of the Leigh and Barwon Rivers. The objectives of the policy include, among other things, to minimise flood risk, to ensure land use and development on the floodplain is compatible with flood risk and to discourage the intensification of land use and development in the floodplain. It is policy to discourage any new buildings and works in the Floodway Overlay and to discourage new dwellings in the Land Subject to Inundation Overlay.

Rural land use strategy

The Golden Plains Rural Land Use Strategy was adopted by Council in 2008 and is a reference document to the planning scheme. The strategy is designed to guide future land use and development across the Shire's rural areas. The strategy recognises the existence of inappropriate subdivisions containing small lots located in broad acre farming areas. These areas have limited access to social and physical infrastructure that would be required for residential development. The strategy states that although these lots can be sold individually no provision should be made for their development. The strategy recognises that the loss of agricultural land through conversion of land to rural living is a significant issue and that these changes have caused the inflation of rural land values thereby preventing farmers from purchasing land for agriculture.

Zone and overlay provisions

Farming Zone

The site and surrounding area is in a Farming Zone. The purpose of the Farming Zone is, among other things, to provide for the use of land for agriculture, to encourage the retention of productive agricultural land and to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture. The schedule to the Farming Zone specifies that a permit is required for a dwelling where the lot area is less than 100 hectares.

Before deciding on an application Council must consider, among other things, the decision guidelines for dwellings which are as follows:

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

Floodway and Land Subject to Inundation Overlays

The site is partly affected by a Floodway Overlay and Land Subject to Inundation Overlay. The Floodway Overlay identifies waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding and the Land Subject to Inundation Overlay identifies land in a flood storage or flood fringe area affected by the 1 in 100 year flood. Both overlays seek to ensure that development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard. A permit is required to construct a building or to construct or carry out works in the Floodway Overlay (Clause 44.03-1) and Land Subject to Inundation Overlay (Clause 44.04-1).

An application in the Floodway Overlay and Land Subject to Inundation Overlay must be referred under Section 55 of the Act to the relevant floodplain management authority (Corangamite Catchment Management Authority). The CCMA is a recommending referral authority under Clause 66.03 of the planning scheme. The decision guidelines of the Floodway Overlay and Land Subject to Inundation Overlay require Council to consider any comments of the relevant floodplain management authority before deciding on an application. The overlays also require Council to consider the potential flood risk to life, health and safety associated with the development. Flood risk factors include the frequency, duration, extent, depth and velocity of flooding of the site and accessway and the danger to the occupants of the development, other floodplain residents and emergency personnel if the site and accessway is flooded.

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.

Discussion

The relevant planning considerations for this application are addressed as follows:

Flood risk

The planning scheme identifies land subject to flooding for the purpose of minimising flood risk and avoiding the intensification of flooding through inappropriately located uses and development. The local policy for Floodplain Management (Clause 22.11) discourages the intensification of use and development in the floodplain. It is considered that rather than minimising flood risk the proposed development will increase the danger to the life, health and safety of the occupants and emergency services.

Flood data provided by the Corangamite Catchment Management Authority (CCMA) shows that whilst the dwelling site is located outside the 1 in 100 year flood extent the accessway to the site along Jubilee Street is subject to significant flooding of at least 1 metre. The serious danger presented by flooding is clearly shown by an aerial photograph submitted by the applicant which shows the site as an island surrounding by floodwaters. The CCMA has advised that access to the property is unsafe and in the event of a flood will result in danger to life of occupants of the development and emergency personnel. For these reasons the CCMA, as the expert authority in these matters, does not support the proposal and has advised Council against issuing a permit.

Council's Works Engineer also requested information showing that the proposed construction of Jubilee Street is compatible with the flood hazard. The applicant has not submitted any information addressing these concerns.

Land capability

Council's Environmental Health Department has raised concerns regarding the capability of the site for the treatment and retention of wastewater in accordance with the State Environment Protection Policy (Waters of Victoria). Further information was requested in the form of a Land Capability Assessment however this information has not been provided. Therefore the application fails to demonstrate that the site is capable of treating and retaining all wastewater.

Dwelling in the Farming Zone

The State and Local planning policies related to Agriculture, Rural Land Use Strategy and Farming Zone all recognise the importance of agriculture to State and local economies and seek to protect agricultural land from use and development that is inconsistent with existing agricultural activities, prevent inappropriately dispersed housing development in rural areas by directing housing growth into existing settlements and avoid the fragmentation of land for non-agricultural purposes, including rural residential development. The use of the land for a dwelling is considered to be inappropriate because it is inconsistent with agricultural uses in the surrounding area and may result in land use conflicts that constrain 'as of right' agricultural uses on adjacent and nearby land.

The planning scheme discourages the use of small lots in the Farming Zone for dwellings. The subject land has a total combined area of only 6.1ha. The applicants intended purpose of the land is not as a working farm or for intensive agriculture but is more akin to a 'hobby farm' type development which is strongly discouraged by the policy framework. The issue of a permit in these circumstances is likely to lead to further fragmentation of rural land in the area and a proliferation of similar proposals that will have an impact on rural land values and result in the loss of productive agricultural land.

Objectors concerns

The main concern of the objectors relates to the increase of traffic on Jubilee Street mainly due to the proposed farm visit business. This concern was mostly addressed with the applicant deciding not to go ahead with the farm visit business and to replace it with a mobile petting farm. As a result there will be no visitor traffic to the site which will reduce potential impacts such as noise, dust and safety issues. In relation to concerns regarding noise from power generators the applicant has stated to Council that they intend to use solar power, gas and wood heating.

Cultural Heritage Implications

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

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social & Environmental Implications

It is considered that there are no economic, social or environmental implications.

Conclusion

The application is not considered to satisfy the provisions of the planning scheme, including the State and Local Planning Policy Frameworks, Local Policy for Floodplain Management (Clause 22.11), Farming Zone, Floodway Overlay and Land Subject to Inundation Overlay. The use and development of the land for a dwelling presents an unacceptable risk to life due to flooding and the Corangamite Catchment Management Authority, as the relevant floodplain management authority, does not support the grant of a permit. Furthermore the use of the land for a dwelling has the potential to impact existing agricultural use and lead to the loss of productive agricultural land. It is therefore recommended that the application be refused.

Recommendation

That Council resolves to issue a Notice of Decision to Refuse to Grant a Permit for the use and development of a dwelling at Crown Allotments 58, 59, 62 & 63 Parish of Doroq Jubilee Street, Inverleigh for the following reasons:

- 1. The proposal fails to accord with the State & Local Planning Policy Frameworks, in particular Clauses 13.02 & 22.11, and the Floodway Overlay and Land Subject to Inundation Overlay which aims to protect life, property and community infrastructure from flood hazard, minimise flood risk and avoid the intensification of flooding through inappropriately located uses and development.***
- 2. The proposal is contrary to the State & Local Planning Policy Frameworks, in particular Clauses 11.05-3, 11.07, 14.01-1 & 21.05-2, and Farming Zone which seeks to protect agricultural land, by discouraging use and development that is inconsistent with agricultural activities and the development of dwellings on small lots in rural areas. The proposal also has the potential to impact the continuation of primary production on adjacent land and lead to a proliferation of dwellings in the surrounding area.***
- 3. The application fails to demonstrate that the land is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.***

4.4.2 Planning application P16-174 for stone extraction (sand quarry) at 79 Fairman Road, Murgheboluc

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| Directorate | Assets and Amenity |
| Unit | Development |
| Senior Manager | Greg Anders, Director Assets and Amenity |
| Responsible Manager | Tim Waller, Development Manager |
| Responsible Team Leader | Sarah Fisher, Planning Team Leader |
| Author | Peter O'Brien, Town Planner |
| File References | Planning application P16-174 |
| Relevant Policies & Legislative Frameworks | Golden Plains Planning Scheme |
| Proposal Summary | Stone extraction (sand quarry) |
| Land Address | 79 Fairman Road, Murgheboluc |
| Applicant | CK Prowse & Associates Pty Ltd |
| Zone & Overlay Summary | Farming Zone (FZ) Environmental Significance Overlay – Schedule 2 (ESO2) Part Floodway Overlay (FO) Part Land Subject to Inundation Overlay (LSIO) |
| Attachments | 6. P16-174 Copy of application and plans 7. P16-174 Locality map 8. P16-174 Copy of objections/submissions |

Declarations of Interest: Councillors & Officers

Greg Anders: In providing this advice as the senior manager, I have no disclosable interests in this report.

Tim Waller: In providing this advice as the responsible manager, I have no disclosable interests in this report.

Sarah Fisher: In providing this advice as the responsible team leader, I have no disclosable interests in this report.

Peter O'Brien: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

This report relates to a planning permit application for stone extraction (sand quarry) at 79 Fairman Road, Murgheboluc. The application has been referred to the Planning Committee for determination because there are objections to the application. This report provides a background to the application, a summary of the relevant planning considerations and an officer recommendation.

Proposal

The application proposes the use and development of the land for stone extraction (sand quarry) (refer to Attachment 6 – copy of application and plans). The proposed quarry is located on a large farming property and is approximately 1.5km from the nearest neighbouring dwelling. The proposed quarrying activities involve the extraction of fine sand and specialty sand products. The extraction will occur in three shallow excavations adjacent to Native Hut Creek. The total excavation area of the quarry is 6.8ha.

The operations will use conventional earthmoving equipment to remove and stockpile topsoil and excavate sand to a depth of approximately 5m. Mobile processing plant will be located at the northern end of the site to screen and blend products. Sand products will be transported from the site by truck via Fairman Road and Spring Creek Road.

Site operations will occur within the hours of 7am and 6pm Monday to Friday and 7am to 1pm on Saturdays. It is anticipated that the quarry will produce an average of 10,000m³ of sand products annually over a 10 year period. The site will be progressively rehabilitated using topsoil/overburden and clean fill and returned to pasture.

Site Description

The subject land is situated at 79 Fairman Road, Murgheboluc and is formally known as Lots 1, 2 & 5 on Title Plan 838192C. The site is located on a large farming property approximately 1.5km north-east of the Inverleigh township (refer to Attachment 7 – locality map). The proposed extraction area is located adjacent to Native Hut Creek. The land is undulating and mostly cleared except for scattered native trees. Vehicle access to the site is via Fairman Road which is an all-weather gravel road. Surrounding land is used for agricultural purposes and the nearest neighbouring dwellings are located approximately 1.5km to the south and west of the site.

History

The application was received by Council on 5 July 2016 and a preliminary assessment of the application was undertaken. Under Clause 52.09-4 of the planning scheme an application for stone extraction is not required to be referred to referral authorities where the work plan was previously referred to the relevant authorities by the Department of State Development, Business and Innovation (DSDBI) as part of the Work Plan approval process. The application was referred by the DSDBI to the Department of Environment Land Water and Planning (DELWP), Heritage Victoria, Southern Rural Water and Corangamite Catchment Management Authority (CCMA). The CCMA is the only mandatory referral authority the provisions of the planning scheme. These authorities had no objection to the issue of a permit.

The application was internally referred to Council's Works Engineer and as a result further information was requested in the form of a Traffic Report. The requested information was received on 12 December 2016 and the Works Engineer consented to the issue of a permit subject to conditions.

Communications

Notice of the application was given in accordance with Section 52 (1)(a) & (d) of the Planning and Environment Act 1987 ('the Act'). Notice was provided by mail to 7 adjoining and neighbouring owners and occupiers within a 1km radius of the site. Notice was also carried out by placing a sign on the site and by publishing a notice in the Geelong Advertiser newspaper.

Summary of Objections

As a result of the public notice two objections and one submission were received. A copy of the objections/submissions are provided in Attachment 8. The objections were received from residents in Masons Road whose main concern is that trucks travelling to and from the site will cause a safety risk to other road users. The objectors are particularly concerned due to poor visibility associated with a crest on Masons Road and the narrow width of the road. A submission was also received from a neighbouring landowner highlighting concerns stockpiles affecting boundary fences and Native Hut Creek.

A consultation meeting with the objectors and the applicant was held on 22 February 2017. There was no resolution or agreement reached at the meeting however in response to the concerns raised in objections, the applicant agreed for all quarry trucks to only travel to and from the site via Spring Creek Road and not via Masons to the north.

Golden Plains Planning Scheme

State Planning Policy Framework (SPPF)

Clause 13.02 Floodplains

The objectives of the State Policy for Floodplain management (Clause 13.02-1) are, among other things, to protect the natural flood carrying capacity of streams and floodways and to protect floodplain areas of environmental significance or of importance to river health. The policy seeks to avoid intensifying the impacts of flooding through inappropriately located uses and developments.

Clause 13.04 Noise and air

The State Policy for Noise Abatement (Clause 13.04-1) aims to assist the control of noise effects on sensitive land uses and ensure that community amenity is not reduced by using land use separation techniques as appropriate to the land use functions and character of the area. The objective of the State Policy for Air Quality (Clause 13.04-2) is to assist the protection and improvement of air quality. The policy seeks to ensure, wherever possible, that there is suitable separation between land uses that reduce amenity and sensitive land uses.

Planning must consider the *Recommended separation distances for industrial residual air emissions* (EPA, March 2013) in assessing the separation between land uses that reduce amenity and sensitive land uses. The EPA guidelines provide advice on recommended separation distances between industrial uses that emit odour or dust, and sensitive land uses (i.e. dwellings). In accordance with the guidelines, a separation distance of 250m is applicable to the proposal.

Clause 14.02-1 Catchment planning and management

This policy seeks to assist the protection and, where possible, restoration of catchments and waterways. This will be achieved by ensuring that works at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their instream uses.

Clause 14.03 Resource exploration and extraction

The objective of the State policy for resource exploration and extraction is to encourage exploration and extraction of natural resources in accordance with acceptable environmental standards and to provide a planning approval process that is consistent with the relevant legislation.

Local Planning Policy Framework (LPPF)

Clause 21.02 Municipal Strategic Statement (MSS) – Vision and Strategic Framework

The vision to guide planning and development in the Shire is, among other things, to provide an economically, environmentally and socially sustainable future, to respect the environment, and to support the orderly and proper planning of land use and development. The vision is to be achieved, in part, through sustainable management and protection of natural resources and by facilitating productive agricultural, forestry and mining activities and protecting rural areas.

The MSS includes town structure plans that have been prepared for most settlements and establish a basis for future strategic planning decisions in each town. The subject land is located outside the township area shown in the Lethbridge Town Structure Plan. The Structure Plan identifies Lower Plains Road as a preferred heavy vehicle route to the Midland Highway.

Clause 21.05-3 Industry

The local policy for industry seeks to support sustainable value adding industries and service industries, particularly those which relate to the agricultural base, forestry and natural resources.

Clause 22.11 Local policy for Floodplain Management

This policy applies to all land affected by the Floodway Overlay (FO) or the Land Subject to Inundation Overlay (LSIO). The objectives of the policy include, among other things, to minimise flood risk, to ensure land use and development on the floodplain is compatible with flood risk and to protect surface water quality, and preserve areas of environmental significance. It is policy to discourage any new buildings and works in the Floodway Overlay and to discourage new dwellings in the Land Subject to Inundation Overlay.

Zone and overlays

The site and surrounding area is in a Farming Zone (FZ). The purpose of the Farming Zone is, among other things, to provide for the use of land for agriculture, to ensure that non-agricultural uses do not adversely affect the use of land for agriculture, and to encourage the retention of employment and population to support rural communities. Stone extraction is a "Section 2 – permit required" use in the Farming Zone.

Before deciding on an application to use and develop land, Council must consider the decision guidelines contained in the Farming Zone, which include the following matters:

- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- Whether the use or development will permanently remove land from agricultural production and the potential to limit the operation and expansion of adjoining and nearby agricultural uses.
- Whether the use and development will require traffic management measures.

Environmental Significance Overlay – Schedule 2 (ESO2)

The Environmental Significance Overlay – Schedule 2 (ESO2) relates to watercourse protection and applies to land adjacent to Native Hut Creek. The objectives of the ESO2 are to maintain the quality and quantity of water within the watercourse, to prevent erosion and pollution of the watercourse and to protect habitat. Under the provisions of the ESO2 a permit is required to develop land. There are no referral authorities specified in the ESO2 however an application may be referred for comment to the Department of Environment, Land, Water & Planning (DELWP) and the relevant water catchment (CCMA) and water supply authorities.

Floodway and Land Subject to Inundation Overlays

The site is partly affected by a Floodway Overlay and Land Subject to Inundation Overlay. The Floodway Overlay identifies waterways which have the greatest risk and frequency of being affected by flooding and the Land Subject to Inundation Overlay identifies land in a flood fringe area affected by the 1 in 100 year flood. Both overlays seek to ensure that development maintains the free passage and temporary storage of floodwater and is compatible with flood hazard. A permit is required to construct a building or to construct or carry out works in the Floodway Overlay (Clause 44.03-1) and Land Subject to Inundation Overlay (Clause 44.04-1).

An application in the Floodway Overlay and Land Subject to Inundation Overlay must be referred under Section 55 of the Act to the relevant floodplain management authority (Corangamite Catchment Management Authority). The CCMA is a recommending referral authority under Clause 66.03 of the planning scheme. The decision guidelines of the Floodway Overlay and Land Subject to Inundation Overlay require Council to consider any comments of the relevant floodplain management authority before deciding on an application.

Particular provisions

Clause 52.09 Stone extraction and extractive industry interest areas

The purpose of this clause is, among other things, to ensure that use and development of land for stone extraction does not adversely affect the environment or amenity of the area during or after extraction.

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.

Discussion

Planning Scheme

The application is considered to satisfy the relevant provisions of the planning scheme including State and Local planning policies (MSS), Farming Zone, Environmental Significance Overlay – Schedule 2 (ESO2), Floodway Overlay (FO), Land Subject to Inundation Overlay (LSIO) and Clauses 52.09 and 65 of the Victoria Planning Provisions. State policies and planning provisions encourage the use and development of land for resource extraction in accordance with acceptable environmental standards and where the amenity of the area is not adversely affected.

The proposal satisfies State policies related to noise abatement and air quality because there are adequate separation distances to neighbouring sensitive uses and conditions of the permit will control the hours of operation, dust, and noise. The application satisfies the EPA's *Recommended separation distances for industrial residual air emissions* which recommends a separation distance of 250m to neighbouring dwellings. The proposed quarry is approximately 1.5km from the nearest neighbouring dwelling.

The application is supported by the Local Policy for Industry which encourages value adding industries related to natural resources. In respect to the provisions of the ESO2, FO & LSIO the proposal has the support of the relevant authorities including DELWP, CCMA & SRW and the implementation of protection measures by these authorities will ensure there is no adverse impact on the watercourse or floodplain.

Objectors concerns

The main concern of the objectors related to trucks travelling to and from the site causing a safety risk on Masons Road. These concerns were supported by the traffic report submitted with the application which found that Masons Road does not meet safety standards due to its narrow width and visibility issues associated with a crest. As previously stated the applicant has agreed to direct all truck traffic to the site via Spring Creek Road to the south which will address the objectors' immediate concerns regarding quarry trucks using Masons Road. The traffic report suggests that subject to some minor safety improvements such as tree lopping and signage Spring Creek Road is suitable for quarry traffic. Therefore it is recommended that conditions be placed on the permit requiring that all quarry trucks only access the site via Spring Creek Road and that necessary safety improvements including tree lopping and signage are carried out before the use commences.

As noted a neighbouring landowner also raised concerns regarding stockpiles affecting boundary fences and Native Hut Creek. The neighbour has agreed to a 5m boundary buffer which is considered to be adequate to ensure there is no impact on boundary fences. In respect to the protection of Native Hut Creek the authorities concerned with the protection of waterways including the CCMA, SRW and DELWP have supported the issue of a permit and conditions will be placed on the permit to ensure there is no impact on the watercourse.

Cultural Heritage Implications

A Cultural Heritage Management Plan has been approved for the proposal in accordance with the Aboriginal Heritage Regulations 2007.

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social & Environmental Implications

It is considered that there are no economic, social or environmental implications.

Conclusion

The application satisfies the provisions of the State and Local Planning Policy Frameworks, the Farming Zone, Environmental Significance Overlay – Schedule 2, Floodway Overlay, Land Subject to Inundation Overlay, Clause 52.09 and the decision guidelines of the Planning Scheme (Clause 65). The proposed use has adequate separation distances to neighbouring dwellings and the placement of conditions on the permit including those regarding truck routes and road safety improvements will ensure the proposed use has no impact on the amenity of surrounding residents and safety of road users and does not cause material detriment to any person.

Recommendation

That Council resolve to issue a Notice of Decision to Grant a Permit for the use and development of the land for stone extraction (sand quarry) at 79 Fairman Road, Murgheboluc (Lots 1, 2 & 5 on Title Plan 838192C), subject to the following conditions:

Commencement

- 1. The use and development must not commence until the Work Authority is granted in accordance with the requirements of the Mineral Resources (Sustainable Development) Act 1990.***

Endorsed plans/approvals and layout

- 2. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.***
- 3. There must be no alteration made to the natural condition or topography of the land, including the processing of materials and placement of stockpiles, within 5 metres of the boundary of the land.***
- 4. The use and development must at all times be in accordance with the Work Authority, including the approved Work Plan, issued pursuant to the Mineral Resources (Sustainable Development) Act 1990.***

Truck access and roadworks

- 5. All truck access to and from the quarry must be from a southerly direction via Fairman Road and Spring Creek Road. No truck access is permitted via Masons Road.***
- 6. At least three months before the use commences, a payment of \$1500 must be made to Council in order for road safety improvements to be made to Spring Creek Road, including the installation of truck turning advisory signage at the approach to the Fairman Road intersection and the lopping and removal of vegetation on curves to improve sight distances.***

7. Before the use commences, the following road construction works must be carried out and completed to the satisfaction of the responsible authority:

- **Widening Fairman Road approach to Masons/Spring Creek Road intersection including sealing 15m of Fairman Road so that wheel paths of vehicle traffic exiting and entering from Spring Creek Road will be wholly contained within the sealed pavement.**

The road construction works must be generally in accordance with the Traffic Impact Assessment Report prepared by ESR Transport Planning Pty Ltd dated 6 December 2016.

9. Before any road construction works commence, detailed construction plans, drainage computations and specifications to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. Construction plans shall be to Golden Plains Shire standards and specifications as detailed in the current Infrastructure Design Manual (IDM).

Hours of Operation

10. The use hereby permitted must only operate between the hours of 7:00am – 6:00pm Monday to Friday and 8:00am – 1:00pm Saturdays and must not operate on public holidays.

Dust

11. Nuisance dust must not be discharged beyond the boundaries of the premises.

12. The use and development must at all times comply with the standards of the State Environment Protection Policy (Air Quality Management). Any failure to meet the standards must be brought to the attention of the Environment Protection Authority and actions specified by that Authority to bring the use into compliance must be carried out to the satisfaction of the responsible authority.

13. Dust control measures must be implemented to the satisfaction of the responsible authority to avoid dust nuisance to properties in the surrounding area. If in the opinion of the responsible authority dust resulting from the use and development is causing an unacceptable nuisance to surrounding properties the operator must immediately cease work and implement appropriate dust control measures to the satisfaction of the responsible authority.

Drainage, Catchment Protection and Erosion Control

14. The use and development hereby permitted must not cause any nuisance or loss of amenity in any adjacent or nearby land by reason of the discharge of drainage.

15. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into any drains or watercourses.

16. A contaminants spill kit is to be made available on-site at all times to the satisfaction of the responsible authority to ensure that the approved use does not impact groundwater as a result of accidental fuel spillage.

17. All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the responsible authority.

Noise

- 18. Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011).**
- 19. No broadcast or loudspeaker system, telephone ringer or other external alarm may operate on the site without the written consent of the responsible authority.**

General

- 20. No environmental weeds as defined by the Department of Environment, Land, Water & Planning may be planted on or allowed to invade the site through the transport and/or replacement of soil as a result of the stone extraction to the satisfaction of the responsible authority.**
- 21. All external lighting must be fitted with suitable baffles or otherwise directed to prevent the emission of light outside the perimeter of the subject land to the satisfaction of the responsible authority.**
- 22. Areas of the subject land occupied by the use and development must be maintained in a clean and tidy manner to the satisfaction of the responsible authority.**
- 23. No advertising signs are permitted to be erected, painted, or displayed on the subject land.**
- 24. Any fuel and chemicals required for the use and development must be stored in a safe and secure location to the satisfaction of the responsible authority.**
- 24. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:**
 - (a) Transport of materials, goods or commodities to or from the land;**
 - (b) Appearance of any building, works or materials;**
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or**
 - (d) Presence of vermin and use of chemicals to eradicate pest animals and plants.**

Expiry

- 25. This permit will expire:**
 - (a) If the use and development has not commenced within two (2) years of the date of this permit;**
 - (b) If the Work Authority for the use issued under the provisions of the Mineral Resources (Sustainable Development) Act 1990 is cancelled in accordance with Section 770 of the Act.**

The responsible authority may extend the period referred to in part (a) if a request is made in writing before the permit expires, or within six months afterwards.

4.4.3 Application to amend Planning Permit P12-111 for a broiler farm at 124 Windermere Road, Murgheboluc

| | |
|--|--|
| Directorate | Assets and Amenity |
| Unit | Development |
| Senior Manager | Greg Anders, Director Assets and Amenity |
| Responsible Manager | Tim Waller, Development Manager |
| Responsible Team Leader | Sarah Fisher, Planning Team Leader |
| Author | Peter O'Brien, Town Planner |
| File References | Planning application P12-111A |
| Relevant Policies & Legislative Frameworks | Golden Plains Planning Scheme |
| Proposal Summary | Amend planning P12-111 by allowing an increase in the capacity of the broiler farm to 400,000 birds and the construction of two additional broiler sheds |
| Land Address | 124 Windermere Road, Murgheboluc (Lots 1 & 2 on Plan of Subdivision 136416) |
| Applicant | Nayro Pty Ltd |
| Zone & Overlay Summary | Farming Zone (FZ) Part Environmental Significance Overlay – Schedule 2 (ESO2) Part Floodway Overlay (FO) |
| Attachments | 9. P12-111 Copy of existing permit and endorsed plans 10. P12-111 Copy of application to amend the permit 11. P12-111 Locality map 12. P12-111 Copy of objections |

Declarations of Interest: Councillors & Officers

Greg Anders: In providing this advice as the senior manager, I have no disclosable interests in this report.

Tim Waller: In providing this advice as the responsible manager, I have no disclosable interests in this report.

Sarah Fisher: In providing this advice as the responsible team leader, I have no disclosable interests in this report.

Peter O'Brien: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

This report relates to an application to amend Planning Permit P12-111 for a broiler farm at 124 Windermere Road, Murgheboluc. The application has been referred to the Planning Committee for determination because there are objections to the application. This report provides a background to the application, a summary of the relevant planning considerations and an officer recommendation.

Background

Planning permit P12-111 was issued by Council on 5 June 2013 at the direction of VCAT. The permit allows the use and development of the land for a broiler farm with a maximum capacity of 300,000 birds and consisting of the construction of six sheds and associated buildings and works. A copy of the permit and endorsed plans are provided in Attachment 9.

The capacity of the existing broiler farm was previously restricted due to the requirement for a minimum separation distance to the neighbouring dwelling at 70 Windermere Road. The neighbouring dwelling has since been purchased by the broiler farm operator and will be consolidated into the broiler farm property. This will remove the requirement for a separation distance to this dwelling and provides for the expansion of the broiler farm.

Proposal

The application proposes to amend planning permit P12-111 as follows:

- Amend the permit preamble ('what the permit allows') to allow an increase in the capacity of the broiler farm to 400,000 birds and the construction of eight sheds (two additional sheds)
- Amend the plans endorsed under the permit to provide for two additional sheds. The new sheds are the same size and design as the existing sheds. Each new shed will be 164m long and 17.37 wide. The sheds are combi-tunnel ventilated with fans located at the southern end and cooling pads at the northern end. The external materials of the sheds consist of coloured metal wall cladding and custom orb roofing. Each shed will contain a total of 50,000 birds.

A copy of the application to amend the permit including amended plans is provided in Attachment 10.

Site Description

The subject land is situated at 124 Windermere Road, Murgheboluc and is formally known as Lots 1 and 2 on Plan of Subdivision 136416 (refer to Attachment 11 – locality map). The land is not affected by any restrictive covenants. The site is located in a rural area approximately 3 kilometres east of the Inverleigh township. The site has a total area of 84.28 hectares and contains an existing broiler farm and two dwellings (on separate lots). Vehicle access to the site is from Windermere Road which is a gravel road that joins the Hamilton Highway. The Barwon River forms the western boundary of the subject land however the site of the proposed broiler farm is almost 500m from the river. Surrounding land is predominately used for agricultural purposes with the nearest neighbouring dwelling located 828m to the east of the proposed broiler sheds.

History

The application to amend the permit was received by Council on 13 July 2016 and a preliminary assessment of the application was undertaken. There are no referral authorities specified in the planning scheme for an application of this type. However Council sought the advice of the Corangamite Catchment Management Authority (CCMA), EPA and VicRoads in regard to the application. The application was also internally referred to Council's Works Unit in regard to access and drainage. These parties had no objection to the amendment of the permit.

Communications

Notice of the application was given in accordance with Section 52 (1)(a), (b) and (d) of the Planning & Environment Act 1987. Notice was provided by mail to adjoining and neighbouring owners and occupiers within a 2km radius of the site and to those persons who had objected to the original permit application or had been a party to the VCAT review. Notice was also carried out by placing a sign on the site and by publishing notices in the Geelong Advertiser newspaper.

Summary of Objections

As a result of the public notice two objections were received. A copy of the objections is provided in Attachment 12. The grounds of objection are summarised as follows:

1. Impact of separation distance on adjoining properties. Concerns have been raised that the separation distance of the proposed broiler farm which encroaches into adjoining properties will unreasonably restrict the use of adjoining land.
2. Increased traffic. The objectors are concerned that the increase of traffic on Windermere Road will damage the road and cause dust problems.
3. Storm water. It is claimed that the existing storm water detention dam at the broiler farm does not have capacity for the proposed expansion.

Concerns were also raised that the broiler farm expansion will cause extra air pollution, breaches planning regulations and biosecurity requirements, and is not financially viable.

The objectors and the applicant were invited to a consultation meeting held on 29 March 2017. There was no resolution or agreement reached as a result of the meeting.

Golden Plains Planning Scheme

State Planning Policy Framework

Clause 11.05 Regional development

The policy for Melbourne's hinterland areas (Clause 11.05-2) seeks to manage growth in the area within 100km of Melbourne. The objective of the policy for Rural Productivity (Clause 11.05-3) is to manage land use change and development in rural areas to promote agriculture and rural production.

Clause 11.07 Geelong (G21) regional growth

The Geelong (G21) regional growth identifies the site within a productive agricultural area. The policy for agricultural productivity (Clause 11.07-5) seeks to support new opportunities in farming.

Clause 13.04-2 Air quality

The state planning policy for air quality (Clause 13.04-2) aims to assist the protection and improvement of air quality by ensuring that there is suitable separation between land uses that reduce amenity and sensitive land uses. Planning must consider the Recommended separation distances for industrial residual air emissions (March 2013) in assessing the separation between land uses that reduce amenity and sensitive land uses. These guidelines refer to the separation distances specified in the Victorian Code for Broiler Farms (Department of Primary Industries, 2009).

Clause 14.01 Agriculture

The state planning policy for agriculture includes a particular policy for sustainable agricultural land use (Clause 14.01-2). This policy supports effective agricultural production and facilitates the establishment and expansion of poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment. Planning must consider as relevant the Victorian Code for Broiler Farms (Department of Primary Industries, 2009) in considering proposals for use and development of broiler farms.

Local Planning Policy Framework

Clause 21 Municipal Strategic Statement

The Municipal Strategic Statement (MSS) recognises maintaining and encouraging viable agricultural industries as a key issue affecting the Shire's land use planning and development (Clause 21.01-7). Agriculture is the major land use in the Shire and whilst the Shire does not have a substantial amount of high quality agricultural land there has been a growth of intensive agriculture including specialist livestock industries. The Vision and Strategic Framework (Clause 21.03) states that the Shire, in partnership with the community, and through its decisions and actions, will work for the sustainable development of the Shire based on, among other things, facilitating productive agricultural activities. The Shire's corporate plan contains goals to encourage economic development and recognise a prosperous agricultural industry supporting sustainable practices.

The local policy for agriculture (Clause 21.05-2) emphasises the economic importance of agricultural industries to the Shire and recognises that an important land use management issue is the potential for conflict between sensitive uses and agricultural practices. The agriculture policy seeks to ensure that the use and development of rural land is both compatible and complementary to agricultural activities and to encourage agricultural diversity and promote opportunities for new farming enterprises.

The Golden Plains Rural Land Use Strategy is a reference document to the planning scheme. The strategy is designed to guide future land use and development across the Shire's rural areas. The strategy recognises that there has been significant growth in intensive animal industries in the Shire. The strategy found that the industry has been attracted to the region by extensive areas of large farms in the central and south east areas where settlement is dispersed and substantial buffers to rural dwellings exist. The objectives of the strategy include, among other things, to provide for value adding rural industries, including intensive animal industries, where they can be sited so as to avoid conflicts and impacts on towns and settlements, residential uses, other agricultural uses and identified environmental values.

Clause 22.03 Intensive animal husbandry

This policy provides siting and design guidelines for intensive animal husbandry but does not apply to broiler farms as the Victorian Code for Broiler Farms takes precedence. The policy recognises that intensive animal husbandry uses are an important local industry in the Golden Plains Shire.

Zone provisions

The site and surrounding land is in a Farming Zone (FZ). The primary purpose of the Farming Zone is to provide for the use of land for agriculture. Intensive animal husbandry is a "Section 2 (Permit required) Use" in the Farming Zone. Before deciding on an application, Council must consider the decision guidelines contained in the Farming Zone, which include the following matters:

- Whether the site is suitable for the development and whether the proposal is compatible with adjoining and nearby land uses.
- Whether the development will support and enhance agricultural production.

Overlay provisions

The subject land is partly affected by an Environmental Significance Overlay Schedule 2 (Watercourse protection) and Floodway Overlay however the proposed buildings and works are not located within these overlays. Therefore a permit is not required under these overlays and the provisions of these overlays do not apply.

Particular provisions

Clause 52.31 Broiler farm

This clause applies to permit applications to use and develop land to establish a broiler farm. The purpose of this clause is to facilitate the establishment of broiler farms in a manner that is consistent with orderly and proper planning and the protection of the environment. It is a requirement of this clause that a permit application must comply with the Victorian Code for Broiler Farms 2009.

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.

Victorian Code for Broiler Farms 2009

The Victorian Code for Broiler Farms 2009 (the Code) has been developed to provide clear environmental standards for the establishment of new broiler farms and expansion of existing broiler farms and assurance for the surrounding landholders who may be impacted by broiler farming activities. The Code provides a basis for the planning, design, assessment, approval, construction, operation and management of broiler farms. The Code is an incorporated document of the planning scheme and compliance with the Code is mandatory for the establishment of all new broiler farms and expansions. The Code classifies broiler farms into different farm classes and specifies a minimum separation distance between the broiler sheds and existing or potential sensitive uses on neighbouring properties (i.e. neighbouring dwellings). The separation distance is calculated by using the formula contained in the Code.

Where a permit applicant proposes to increase the farm capacity of an existing broiler farm (farm expansion), the facilities and operations of both the existing farm and the proposed expansion must comply with the Code. The Code specifies six best practice elements for broiler farm siting, design and operation:

- Element 1 – Location, siting and size
- Element 2 – Farm design, layout and construction
- Element 3 – Traffic, site access, on farm roads and parking
- Element 4 – Landscaping
- Element 5 – Waste management
- Element 6 – Farm operation and management (environmental management plan)

Each element contains objectives, standards and approved measures. All broiler farm applications are required to meet the objectives and standards of each element. Where the development proposal adopts all the approved measures for a standard, the application is deemed to comply with the standard.

Biosecurity Guidelines for Poultry Producers

The Biosecurity Guidelines for Poultry Producers (Department of Environment and Primary Industries, 2008) provides guidelines for effective biosecurity procedures to limit the spread of infectious diseases and pests, both within a poultry farm and from one poultry farm to others. The guidelines recommend the application of biosecurity buffer distances between poultry farms but do not include buffer distance requirements to domestic poultry/bird keeping. The guidelines recommend a 1000m buffer distance for new poultry farms.

Discussion

Planning scheme

The application is considered to satisfy the provisions of the State Planning Policy Framework, the Local Planning Policy Framework, Farming Zone, Clause 52.31 (Broiler farm) and Clause 65 of the Victoria Planning Provisions. The proposal is consistent with state and local agriculture policies and the Rural Land Use Strategy which seek to facilitate the establishment of intensive animal industries in suitable locations.

Compliance with the Broiler Code

The application is considered to comply with the Victorian Code for Broiler Farms. The proposed expansion meets the criteria for a Class B broiler farm. A broiler farm is classified as a Class B farm where the capacity of the farm is less than or equal to 400,000 birds and where the development meets the minimum separation distance requirement but this distance is not fully contained within the broiler farm boundary. Using the formula contained in the Code the minimum separation distance for the farm is 686 metres. The application meets the minimum separation

distance requirements as the nearest sensitive use is the neighbouring dwelling to the east which is 828 metres from the proposed broiler sheds.

It is noted that if a permit is issued for the farm expansion a condition will need to be placed on the permit requiring the consolidation of the lot containing the dwelling at 70 Windermere Road with the broiler farm. This is to ensure that the dwelling cannot be sold separately which would result in the broiler farm failing to meet the separation distances required by the Code.

The application is considered to comply with the farm design and operation elements of the Code. The elements set out in the Code are addressed as follows:

Element 1 – Location, siting and size.

This element contains standards that address the protection of amenity, waterways, and the visual quality of the landscape, biosecurity and the future use and development of neighbouring land. The Code specifies setback requirements from existing residential and rural living zones and future residential and rural living areas, boundary setbacks, setbacks for temporary litter stockpiles and litter spreading areas, setbacks from waterways, and setbacks from other existing poultry farms. The application complies with each of these setback requirements.

Standard E1 S5 seeks to ensure that broiler farms will not adversely impact the use and development of neighbouring land and the ability to establish a dwelling on a neighbouring property. To comply with this standard the minimum separation distance must not cover more than 50% of an adjoining property and where adjoining properties are currently vacant the property must be capable of providing a suitable building envelope. As shown on the plans submitted with the application the separation distance coverage on adjoining properties is 38% or less. This is well within the 50% threshold and adjoining vacant lots are capable of providing a suitable building envelope beyond the separation distance.

Element 2 – Farm design, layout and construction.

This element focuses on farm design, layout and construction and aims to protect the visual landscape, maximise farm efficiency, avoid environmental impacts, and manage noise. Particular measures address shed design and orientation, feeding and watering systems, hardstand areas and broiler shed floors, farm equipment and stormwater. The proposed broiler farm complies with each of these measures including E2 M2.1 which requires that broiler sheds be orientated with tunnel ventilation fans located at the furthestmost point away from sensitive uses. Standard E2 S5 requires that stormwater from the farm is collected and managed in order that it does not contaminate nearby waterways or groundwater. The existing dam will collect and retain stormwater and has the capacity to retain run-off from a one-in-ten-year storm event as required by Code (approved measure E2 M5.6).

Element 3 – Traffic, site access, on farm roads and parking.

This element is principally concerned with vehicle movements to and from the site. Particular measures address the location and design of farm access points, internal roads and car parking. The application complies with each of these measures. Windermere Road and the intersection of Windermere Road and the Hamilton Highway were upgraded under the original broiler farm permit. Council's Works Engineer and VicRoads have advised that the existing road network is suitable for the proposed expansion.

Element 4 - Landscaping

The approved measures contained in this element seek to provide landscaping that provides substantial visual screening from roads and nearby sensitive uses. Landscaping was established under the original broiler farm permit and this landscaping is adequate for the proposed expansion and meets the requirements of the Code.

Element 5 – Waste management

This element aims to manage waste from broiler farm operations to minimise adverse amenity impacts and prevent pollution of surrounding land and waterways. The element contains particular measures relating to temporary stockpiling or composting of litter on farm, spreading of litter on farm, disposal and composting of dead birds and management of chemical waste. The application complies with the measures contained in this element.

Element 6 – Farm operation and management (Environmental Management Plan)

This element requires that an environmental management plan (EMP) is developed that includes strategies and measures to avoid or minimise environmental risks, and also contingency actions to manage environmental problems that may arise. Planning applications must include an EMP that is site specific and based on the approved generic EMP developed by the Department of Primary Industries. The application is considered to comply with this element as an amended EMP has been submitted for the broiler farm which addresses the relevant parts of the generic EMP.

Issues raised by objectors

The concerns raised by objectors to the application are addressed as follows:

1. Impact of separation distance on adjoining properties. The Code aims to ensure that broiler farms do not unreasonably impact on adjoining properties or remove the ability for a dwelling to be established on adjoining vacant lots. The application complies with the various measures of the Code designed to ensure that the proposed broiler farm does not impinge on the rights of adjoining property owners. In regard to concerns held by the neighbouring owner that the proposed broiler farm will inhibit the construction of a dwelling on their property no application or firm proposal has been received by Council to date. There is also considered to be a suitable area on this property for the siting and construction of a dwelling beyond the area affected by the separation distance.
2. Increased traffic. Windermere Road was upgraded under the original broiler farm permit and Council's Works Engineer has advised that the road is suitable for the increase in traffic resulting from the farm expansion.
3. Storm water. An engineering report for the design of the on-site stormwater detention system and dam was prepared by a suitably qualified person under the original broiler farm permit. This report was prepared on the assumption that the broiler farm may expand at some time in the future. The report clearly states that the existing stormwater system and dam has sufficient capacity for both the existing broiler farm and the proposed expansion.

In regard to concerns that the broiler farm expansion will result in extra air pollution the application fully complies with the requirements of the Code which seek to ensure that amenity is not adversely affected by dust and air emissions. As discussed, the application satisfies all planning scheme requirements including the Broiler Code. Furthermore there is no requirement under the Biosecurity Guidelines for a biosecurity buffer between the broiler farm and domestic poultry keeping on neighbouring properties. As far as the financial viability of the proposal is concerned this is not a relevant planning consideration.

Cultural Heritage Implications

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

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social & Environmental Implications

It is considered that there are no economic, social or environmental implications.

Conclusion

The application satisfies the provisions of the State and Local Planning Policy Frameworks, the Farming Zone, Clause 52.31 (Broiler farm), Victorian Code for Broiler Farms and the decision guidelines of the Planning Scheme (Clause 65). Compliance with the Broiler Code and existing conditions of the permit will ensure there is no detrimental impact on the amenity of neighbouring properties. It is therefore considered that the amendment of the permit will not cause material detriment to any person.

Recommendation

That Council resolves to issue a notice of decision to amend planning permit P12-111 for a broiler farm at 124 Windermere Road, Murgheboluc. The following amendments are made to the permit:

- ***Amend the permit preamble ('what the permit allows') to allow an increase in the capacity of the broiler farm to 400,000 birds and the construction of eight sheds (two additional sheds)***
- ***Amend the plans endorsed under the permit to provide for two additional sheds.***
- ***The following conditions to be added to the permit:***

Before construction of the two additional sheds commences, Lots 1 and 2 on Plan of Subdivision 136416 must be consolidated and evidence of registration of the consolidated lots must be provided to the responsible authority.

4.5. KEY RESULT AREA – FINANCIAL MANAGEMENT

No report.

4.6. KEY RESULT AREA – HUMAN SUPPORT SERVICES

No report.

4.7. KEY RESULT AREA – RECREATION & COMMUNITY DEVELOPMENT

No report.

4.8. KEY RESULT AREA – ROADS & STREETS INFRASTRUCTURE

No report.

4.9. KEY RESULT AREA – WASTE MANAGEMENT

No report.

5. NOTICES OF MOTION

File: 02-03-004 &

6. PETITIONS

7. OTHER BUSINESS

7.1. MAYOR'S REPORT

Cr Des Phelan, Mayor
File: 02-03-003

The Mayor reported on a range of meetings and activities that he was engaged in over the past month.

| Date | Details |
|-------------|--|
| 29/3/17 | Simon Ramsay MP |
| 30/3/17 | Linton Primary School Sports Day Awards presentation |
| 10/4/17 | G21 Environment Pillar |
| 21/4/17 | Peri Urban Group of Rural Councils |
| 21/4/17 | Central Highlands Mayors and CEOs meeting |
| 25/4/17 | Anzac Day Meredith |

7.2. MUNICIPAL ASSOCIATION OF VICTORIA (MAV) REPORT

Cr Nathan Hansford, MAV Delegate
File: 03-05-001

7.3. COUNCILLOR REPORTS

7.4. IN CAMERA MEETING

8. ATTACHMENTS

| | | |
|---------------|------------|--|
| Attachment 1A | Item 4.2.1 | KRA – Citizen & Customer Service |
| Attachment 1B | Item 4.2.1 | KRA – Civic Leadership |
| Attachment 1C | Item 4.2.1 | KRA – Economic Development |
| Attachment 1D | Item 4.2.1 | KRA – Environment & Land Use Planning |
| Attachment 1E | Item 4.2.1 | KRA – Financial Management |
| Attachment 1F | Item 4.2.1 | KRA – Human Support Services |
| Attachment 1G | Item 4.2.1 | KRA – Recreation & Community Development |
| Attachment 1H | Item 4.2.1 | KRA – Roads & Streets Infrastructure |
| Attachment 1I | Item 4.2.1 | KRA – Waste Management |
| Attachment 2 | Item 4.4.1 | P16-318 Copy of application and plans |
| Attachment 3 | Item 4.4.1 | P16-318 Locality map |
| Attachment 4 | Item 4.4.1 | P16-318 CCMA referral response |
| Attachment 5 | Item 4.4.1 | P16-318 Copy of objections |
| Attachment 6 | Item 4.4.2 | P16-174 Copy of application and plans |
| Attachment 7 | Item 4.4.2 | P16-174 Locality map |
| Attachment 8 | Item 4.4.2 | P16-174 Copy of objections/submissions |
| Attachment 9 | Item 4.4.3 | P12-111 Copy of existing permit and endorsed plans |
| Attachment 10 | Item 4.4.3 | P12-111 Copy of application to amend the permit |
| Attachment 11 | Item 4.4.3 | P12-111 Locality map |
| Attachment 12 | Item 4.4.3 | P12-111 Copy of objections |

Attachments are available upon request.

9. CLOSE OF MEETING

Assemblies of Councillors

Council is advised that Assemblies of Councillors meetings will be held on Tuesday 9 May 2017 at the Bannockburn Shire Hall. The meetings are not open to the public.

Next Ordinary Meeting

The next Ordinary meeting of Council will be held on Tuesday 23 May 2017 at the Bannockburn Shire Hall. The meeting is open to the public.

Close of Meeting

It is recorded that the meeting closed at _____ pm.

10. CERTIFICATION

In accordance with Section 93(5) of the Local Government Act 1989, I hereby certify that the minutes of this Council meeting have been confirmed as a true and correct record.

Confirmed, Mayor, Cr Des Phelan

Date

Distribution

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