



Council Meeting Agenda

Linton Customer Service Centre

Tuesday 27 February 2018

6.00pm

Embargoed until 5pm on Friday 23 February 2018

Our 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.*

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. APOLOGIES

2. DECLARATIONS, MINUTES & ASSEMBLIES

2.1 DECLARATIONS OF INTEREST

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

2.2 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary meeting of Council held 23 January 2018, as circulated, be confirmed.

2.3 ASSEMBLIES OF COUNCILLORS

File: 02-03-004

Directorate	Chief Executive Office
Unit	Chief Executive Office
Senior Manager	Eric Braslis, Chief Executive Officer
Responsible Manager	Eric Braslis, Chief Executive Officer
Author	Petra Neilson, Council Support Officer
File References	EDMS file: 02-03-004
Council Plan Link	Delivering Good Governance and Leadership We will govern with integrity, plan for the future, and advocate for our community
Relevant Council Strategies	N/A
Relevant Policies & Legislative Frameworks	N/A
Attachments	1. Assembly of Councillors Record Forms – 30/1/18 and 20/2/18

Declarations of Interest: Councillors & Officers

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

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

Purpose

To present Council with written records of Assembly of Councillors in accordance with section 80A of the Local Government Act 1989 from 24 January to 25 February 2018.

Background

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

Discussion

The record must include:

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

Community Engagement

A formal consultation process is not required.

Financial & Risk Management Implications

It is considered that there are no risk management implications.

Economic, Social & Environmental Implications

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

Communications

It is considered that a communication plan is not required.

Conclusion


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

Recommendation

That Council notes the Assembly of Councillors records, from 24 January 2018 to 25 February 2018 as attached.

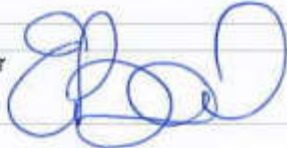


Assembly of Councillors Record

Date of meeting:	Tuesday 30 January 2018
Time:	6.00pm – 7.30pm
Purpose of meeting:	Briefing for Councillors
Councillors present:	Cr Helena Kirby, Mayor (Chairperson) Cr David Evans Cr Joanne Gilbert Cr Nathan Hansford Cr Des Phelan Cr Les Rowe Cr Owen Sharkey
Apologies:	Nil
Council staff present:	Eric Braslis, Chief Executive Officer
Other people present:	Nil
Conflict of Interest Disclosures (<i>Councillors</i>)	Nil
Conflict of Interest Disclosures (<i>Officers</i>)	Nil
Matters discussed:	Council Briefings – Review of schedule Council meetings – review of schedule Citizenship Ceremonies – Review of schedule Council dinner guests Attendance at Ballarat and Wyndham Council meetings GPSCC update In the Loop update Mayor Facebook page update
Completed by:	Eric Braslis, Chief Executive Officer 



Assembly of Councillors Record

Date of meeting:	Tuesday 20 February 2018
Time:	1.00pm – 6.00pm
Purpose of meeting:	Briefing for Councillors
Councillors present:	Cr Helena Kirby, Mayor Cr David Evans Cr Joanne Gilbert Cr Nathan Hansford Cr Les Rowe Cr Owen Sharkey
Apologies:	Cr Des Phelan
Council staff present:	Eric Braslis, Chief Executive Officer Greg Anders, Director Assets & Amenity Jillian Evans, Director Community Services Richard Trigg, Director Corporate Services Mike Barrow, Manager Executive Unit Tim Waller, Development Manager (item 3) Felicity Bolitho, Economic Development Team Leader (item 1, 8, 9) Helena Charles, Senior Economic Development Officer (item 1) Mick Cosgriff, Economic Development Officer (item 8) Olivia Naughtin, Community Development Team Leader (item 2) Elisha Atchison, Resource Recovery & Waste Coordinator (item 11)
Other people present:	Simon Clifton, Project Manager Palge Ricci, Communications & Stakeholder Engagement Manager
Conflict of Interest Disclosures (Councillors)	Cr Kirby noted in Item 1 Presentation: WestWind Energy Update that as the owner she has an interest, but not a conflicting interest.
Conflict of Interest Disclosures (Officers)	Nil
Matters discussed:	<ol style="list-style-type: none"> 1. Presentation: WestWind Energy Update 2. Presentation: Community Planning Program 3. P17-217 for a dwelling and shed at Lot 1 Title Plan 352919L Glenelg Highway, Linton 4. Review of Appointments and Authorisations – Planning and Environment Act 1987 5. Review of Delegation – Council to Council Staff 6. Audit & Risk Committee Report – 13 February 2018 meeting 7. Quarterly Budget Report 8. Visit Golden Plains Website 9. Council Strategic Planning – Council Plan and 25 Year Community Vision 10. Community Centres in the North of the Shire 11. Recycling Industry in Victoria 12. 2017/18 Capital Budget Options 13. Golden Plains Community & Civic Centre (GPCCC) Engagement Results Paper and Final Concept Plan 14. CEO updates
Completed by:	Eric Braslis, Chief Executive Officer 

3. REPORTS

3.1 CIVIC LEADERSHIP

3.1.1 Review of Appointments and Authorisations – Planning and Environment Act 1987

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: 02-04-001
Council Plan Link	Delivery Good Governance and Leadership We will govern with integrity, plan for the future, and advocate for our community.
Relevant Council Strategies	
Relevant Policies & Legislative Frameworks	Local Government Act 1989
Attachments	1. Appointment and Authorisation – (Planning and Environment Act)

Declarations of Interest:

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

Purpose

To update the Appointment and Authorisation – (Planning and Environment Act).

Background

Section 188(2)(c) *Planning and Environment Act* provides that councils cannot delegate the power to the CEO to authorise officers for the purposes of enforcing the *Planning and Environment Act*. Council must delegate that power directly to the officers concerned.

Discussion

The following changes need to be made to the Appointment and Authorisations – Planning and Environment Act only, under Section 224 *Local Government Act* 1989:

- Matthew Sims has been appointed as the Emergency Management Officer and therefore his title needs to be altered from Investigations Officer
- Michael Cooke has been appointed as the Investigations Officer and therefore needs to be added to the list of Officers

The Appointment and Authorisations – Planning and Environment Act only, needs to be updated with the above changes.

Community Engagement

A formal consultation process is 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

As a result of a number of changes to staff positions, the Appointment and Authorisations under the Planning and Environment Act needs to be updated.

Recommendation

That Council:

- 1. In the exercise of the powers conferred by section 224 of the Local Government Act and the other legislation referred to in the attached instrument of appointment and authorisation, Golden Plains Shire Council resolves that -***
 - A. The members of Council staff referred to in the instrument be appointed and authorised as set out in the instrument.***
 - B. The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.***
 - C. The instrument be sealed.***

Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

In this instrument "officer" means –	Alicia te Wierik	Strategic Planner
	Angela Vary	Strategic Planner
	Matthew Sims	Emergency Management Officer
	Bram Muller	Natural Resources Officer
	Dale Smithyman	Natural Resources Officer
	Greg Anders	Director Assets and Amenity
	Leigh Page	Town Planner
	Mark Bradley	Community Protection Officer
	Martin Roberts	Environment Services Team Leader
	Michael Cooke	Investigations Officer
	Michael Henry	Community Protection Officer
	Peter O'Brien	Town Planner
	Rafaele Sorgiovanni	Community Protection Officer
	Sarah Fisher	Acting Planning Team Leader
	Tim Waller	Development Manager
	Tracey Simmons	Town Planner

By this instrument of appointment and authorisation Golden Plains Shire Council

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officers generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Golden Plains Shire Council on 27 February 2018

**THE COMMON SEAL of GOLDEN
PLAINS SHIRE COUNCIL was hereunto
Affixed on the 27 February 2018 in the presence of**

Mayor

Date: 27 February 2018

3.1.2 Review of Delegation – Council to Council Staff – Section 98 Local Government Act 1989 (as amended)

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: 02-04-001
Council Plan Link	
Relevant Council Strategies	
Relevant Policies & Legislative Frameworks	Local Government Act 1989
Attachments	2. Instrument of Delegation – Council to Council Staff with changes marked

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

To update the Delegation from Council to Council Staff.

Background

Under the *Local Government Act 1989*, a Council must review its delegations regularly to ensure they are current. The delegation from Council to Council Staff relates to various Acts and Regulations (or specific parts of those Acts or Regulations) which contain a specific power of delegation. Following recent updates received from Maddocks Lawyers, this delegation needs to be reviewed and amended.

Discussion

As shown in attachment 2, Maddocks Lawyers have provided the most recent updates for the Authorisations and Delegations which make the necessary revisions of the previous delegations. As there are no cemeteries which Golden Plains Shire Council is responsible for, this section is irrelevant and therefore not delegated. The amendment to the attached delegation is:

1. A power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing has been introduced, pursuant to the *Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Act 2017*. This power will commence on 1 June 2018, if not proclaimed earlier.

Community Engagement

A formal consultation process is 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 environmental, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

To ensure Council's delegations remain current, the recent update from Maddocks Lawyers should be incorporated into the document, as per the attachment.

Recommendation

That Council:

- 1. In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached Instrument of Delegation to Council staff and schedule, Golden Plains Shire Council (Council) resolve that –**
 - A. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.**
 - B. The instrument comes into force immediately the common seal of Council is affixed to the instrument and remains in force until Council resolves to vary or revoke it.**
 - C. On the coming into force of the instrument, all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.**
 - D. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

3.2 ECONOMIC DEVELOPMENT

3.2.1 Golden Plains Community & Civic Centre (GPCCC) Engagement Results Paper and Final Concept Plan

Directorate	Governance
Unit	Executive Unit
Senior Manager	Mike Barrow, Manager Executive Unit
Responsible Manager	Mike Barrow, Manager Executive Unit
Author	Mike Barrow, Manager Executive Unit
File References	EDMS file: 58-02-001
Council Plan Link	Delivering Good Governance and Leadership We will govern with integrity, plan for the future, and advocate for our community.
Relevant Council Strategies	Nil
Relevant Policies & Legislative Frameworks	Council Plan
Attachments	3. GPCCC final Draft Engagement Results Paper 4. GPCCC final Concept Plan

Declarations of Interest: Councillors & Officers

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

Purpose

To seek Council's endorsement of the Golden Plains Community and Civic Centre (GPCCC) final Engagement Results Paper and final Concept Plan.

Background

The GPCCC is incorporated into the Council Plan and Strategic Resource Plan. A figure of \$500,000 was allocated in the 2017/18 Budget to meet the costs associated with:

- Engaging and consulting with the community in developing detailed concept plans for the redevelopment and extension of the existing Bannockburn Customer Service Centre into the Golden Plains Community and Civic Centre;
- Reviewing and making decisions about the future growth provided for by the facility; and
- Preparing detailed architectural drawings and specifications based on the concept plans.

Council engaged mach2 Consulting to assist with engaging and consulting with the community.

Activities included:

- Information/community feedback flyer
- Listening posts
- Focus group briefings/workshops
- Stakeholder briefing/workshop
- Council staff - briefing/workshop session
- Council workshop on the draft Engagement Results Paper.

Overall the community response was generally positive with people welcoming the opportunity to engage and understand the project. There was some concern expressed regarding the proposed cost and the potential impact on rates. In most but not all cases the provision of detailed information by Council helped allay community fears.

There was some feedback from the northern parts of the Shire that indicates that some residents feel the project is not important for them. While technology links were acknowledged there was concern expressed that face to face customer service continue for this area.

A number of suggestions were made in respect to the future of the Shire Hall in Bannockburn with the major theme being that it be kept for community use.

There was strong community feedback on using the new municipal chambers for broad community activities and this prompted a number of changes including:

- A permanent Community ICT Training Centre that will convert annually to serve as the Municipal Emergency Coordination Centre (MECC).
- The Golden Plains Auditorium, a multi-purpose space that the community can use for events and performances and when required as the Council Chamber for official meetings. The fit out will include:
 - Acoustic sensitive walls, ceiling and floor
 - Operable wall
 - Retractable seating
 - Sound, lighting and rigging
 - Video conferencing
 - Hearing loop
- Fit out of a commercial grade kitchen for events.
- Storage space, and
- A covered area that will allow for indoor/outdoor events and better connect with Victoria Park.

As a result Council was able to make a submission for just under \$1m through the Federal Government Building Better Regions Fund (BBRF). Increased community space would increase community access and use of the centre, and generate positive economic outcomes for our community.

Discussion

The final draft Engagement Results Paper includes the results of engagement with community, and stakeholders including Councillors and staff. The following is a summary community and stakeholder response and recommendations:

Comment	Comment
<p>Community and Customer Service Space</p> <ul style="list-style-type: none">▪ Increased customer service and reception space▪ Increased community access, particularly to the proposed multi-purpose space▪ Increased private meeting rooms and spaces for community meeting with staff▪ Accessible, welcoming comfortable spaces▪ A sense of place for community spaces...local history/memorabilia, local/public art, green spaces▪ Display spaces/online access for information and reference materials	<p>The revised concept plan includes increased community, multi-purpose and private and display spaces.</p> <p>A sense of place can be achieved through interior design, fit out and finish.</p> <p>The option for online access in the customer service area will be considered in the detailed design phase.</p>

Comment	Comment
<p>Remote or digital access to customer services and Council meetings</p> <ul style="list-style-type: none"> Improved technology and digital access for accessing Council meetings, other Council activities and events including live streaming and hearing loops Interactive on-line liaison with Councillors 	<p>The revised concept plan includes references to improved technology and the specifications of this will be considered in the detailed design phase.</p> <p>Interactive on-line engagement will be considered for future communications service improvements but in itself is not related to the building concept plan.</p>
<p>Minimising the impact on the environment in the longer term</p> <ul style="list-style-type: none"> Eco-friendly, sustainable energy and water supply, particularly solar energy and water tanks Sustainable and environmentally friendly building design Biodiversity, landscaping and planting treatments to enhance the environment 	<p>The revised concept plan includes references to environmentally sustaining features and the specifications will be considered in the detailed design phase.</p>
<p>Enhancing integration of the new facility in the overall precinct or to benefit precinct users</p> <ul style="list-style-type: none"> Connectivity to the facility and with the surrounding precinct ... walking/bike paths, Accessibility to the facility for community events, precinct recreation activities Improved parking and traffic management features...particularly for pedestrian safety 	<p>These principles will be included in the precinct landscape plan.</p> <p>Connectivity is included in the revised concept plan however walking and cycling paths would be designated for future development.</p>
<p>Design features to assist staff to do their job</p> <ul style="list-style-type: none"> Increased internal meeting rooms and spaces for staff Features to support the safety, security, health and wellbeing of staff Improved office design, layout and noise treatments Adequate storage throughout the facility 	<p>Increased meeting rooms and storage space are included in the revised concept plan.</p> <p>These principles are included in the revised concept plan and will be enhanced by reference to significant Staff feedback during the detailed design phase.</p>

The recommendations of the engagement consultant are that:

- Council acknowledges and considers the key messages from the community and stakeholders as summarised above and detailed in the Engagement Results Paper to inform the development of the final scope of works for the project; particularly the consistent support amongst all stakeholder groups for increased community access/use of the facility and design features to support remote or digital access to Council meetings and Councillors.
- Council acknowledges the high level of interest and support across all stakeholder groups responding to the engagement process for design features to minimise the environmental impact of the redevelopment in the longer term. Council to consider maximising as far as possible the investment in environmentally sustainable design elements to reduce the overall lifestyle cost of the facility.

- Council continues a clear and transparent approach to keeping the community informed on the redevelopment project as the planning process continues and the project moves to implementation.
- Council utilises the current final scoping of works and design process to update the total project cost for any additional scoping. The total project cost to be identified as a 'range' rather than specified amount to allow for any variability in a final total cost as the project develops.
- Council acknowledges and develops a response to the concerns of residents in the north of the Shire around ongoing customer service and interface with Council, particularly the future of the Linton and Smythesdale civic facilities.
- Council acknowledges the views of a number of residents on the future of the Bannockburn Shire Hall with the transition of the Council Chamber to the new facility, with the majority of opinion focused on retaining the hall as a community facility.

Community Engagement

The details of the engagement process are outlined above. As the project progresses the engagement process will focus on providing information to the community as the development moves from design to construction and completion.

Financial & Risk Management Implications

There are no financial or risk management implications in this report.

Economic, Social & Environmental Implications

There are no economic, social, or environmental implications in this report.

Communications

The Communications Plan includes providing information through Council's corporate website, Social Media and Gazette.

Conclusion

Council made a decision to support the Golden Plains Community and Civic Centre by including the project in the Council Plan and Strategic Resource Plan and a committing \$500,000 in Council's 2017/18 Budget.

Council has been provided with the financial context through the project business case; strategic planning context through the Victoria Park Precinct Plan; an outline of the community engagement and consultation plan; and the GPCCC Communication Plan to assist Councillors in explaining the development. The engagement and consultation process was designed to:

- Raise awareness among key stakeholders about the GPCCC and what it delivers for residents.
- Increase the quality of the project by ensuring stakeholders' needs, priorities and aspirations for the new building are understood by Council and incorporated into the decision-making process.
- Demonstrate transparency and accountability in Council's decision-making processes.

Overall the community response was generally positive with people welcoming the opportunity to engage and understand the project. The general community sentiment is that the Bannockburn Shire Hall be kept for community use and that the new municipal chambers be available as multipurpose community space as well as for Council meetings. The final draft Engagement Results Paper and final Concept Plan are both provided for Council's endorsement. The final paper that will inform the Architectural Brief for detailed design and construction

It is expected that officers will advertise for architectural services in March, tenders for construction are anticipated to be advertised in October, with construction to begin in February 2019.

Recommendation:

That Council;

- 1. Acknowledges and considers the key messages from the community and stakeholders to inform the development of the final scope of works for the project; particularly for increased community access/use of the facility and design features to support remote or digital access to Council meetings and Councillors.**
- 2. Acknowledges the high level of interest and support across all stakeholder groups for design features to minimise the environmental impact of the redevelopment. Council to consider maximising as far as possible the investment in environmentally sustainable design.**
- 3. Continues a clear and transparent approach to keeping the community informed.**
- 4. Utilises the current final scoping of works and design process to update the total project cost for any additional scoping. The total project cost to be identified as a 'range' rather than specified amount to allow for any variability in a final total cost as the project develops.**
- 5. Acknowledges and develops a response to the concerns of residents in the north of the Shire around ongoing customer service and interface with Council, particularly the future of the Linton and Smythesdale civic facilities.**
- 6. Acknowledges the views of a number of residents on the future of the Bannockburn Shire Hall.**
- 7. Endorse the Golden Plains Community and Civic Centre (GPCCC) final Engagement Results Paper and final concept plan, as attached.**

3.3 ENVIRONMENT & LAND USE PLANNING

3.3.1 Planning application P17-217 for a dwelling and shed at Lot 1 Title Plan 352919L Glenelg Highway, Linton

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 P17-217
Relevant Policies & Legislative Frameworks	Golden Plains Planning Scheme
Proposal Summary	Dwelling and shed
Land Address	Lot 1 on Title Plan 352919L, Glenelg Highway, Linton
Applicant	Julie Lee, NR Links Pty Ltd
Zone & Overlay Summary	<ul style="list-style-type: none">▪ Farming Zone (FZ)▪ Abutting Road Zone, Category 1 (RDZ1)▪ Bushfire Management Overlay (BMO)
Attachments	<ul style="list-style-type: none">5. P17-217 locality map6. P17-217 copy of application and plans

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

For Council to determine on a planning permit application for a dwelling and shed at Lot 1 on Title Plan 352919L Glenelg Highway, Linton. This matter was previously presented to Council at the 23 January 2018 Ordinary meeting, but was deferred.

Proposal

The application proposes the use and development of the land for a dwelling and shed (refer to Attachment 6 – copy of application and plans). The dwelling is proposed to be located towards the rear of the property with a setback distance of approximately 260m from the front (Glenelg Highway) boundary and 31m from the side (western) property boundary. Professionally drawn plans of the dwelling were not submitted with the application. The proposed dwelling is a two bedroom residence with a total floor area of 93.5m². The proposed shed has a floor area of 72m² and the external materials consist of colourbond.

The application describes the proposed dwelling as a manager's residence which will enable the owner to reside on site to manage environmental issues. The environmental issues identified in the land management report submitted with the application are the removal of weeds, including pine wildings, and pest control. The report states that the owner purchased the property with the intention of building a dwelling that provided a lifestyle opportunity and privacy.

Site Description

The subject land is situated on the Glenelg Highway, Linton and is formally described as Lot 1 on Title Plan 352919L (refer to Attachment 5 – locality map). The total area of the site is approximately 8 hectares. The site is vacant and contains remnant bushland. There is an existing clearing where the dwelling is proposed to be sited. The site is undulating with a small watercourse running through the southern part of the lot. Access to the site is from the Glenelg Highway which is a road in a Road Zone, Category 1.

The site is located to the east of the Linton township and adjoins the township boundary. Adjoining land to the west is in a Low Density Residential Zone (LDRZ), land to the north and east is in a Farming Zone (FZ) and is predominately used for timber production and land to the south is in a Public Conservation & Resource Zone (PCRZ) and consists of Crown Land for conservation and public recreation purposes.

History

The application was received by Council on 25 August 2017 and a preliminary assessment of the application was undertaken. The application was referred under Section 55 of the *Planning & Environment Act 1987* to the CFA and VicRoads in accordance with the provisions of the Bushfire Management Overlay and Clause 52.29 of the planning scheme respectively. The CFA and VicRoads had no objection to the issue of a permit subject to conditions being placed on a permit.

Communications

Notice of the application was not required to be given in accordance with Section 52 of the Act because Council officers' considered that the proposal would not cause material detriment to any person due to the development having adequate setbacks to adjoining properties and being screened by existing vegetation.

Golden Plains Planning Scheme

State Planning Policy Framework (SPPF)

Clause 11.07-2 Peri-urban areas

The policy for Peri-urban areas (Clause 11.07-2) seeks to manage growth in peri-urban areas to protect and enhance their identified valued attributes such as landscapes and agricultural activities. This policy includes strategies to strengthen and enhance the character and identities of towns, prevent dispersed settlement and establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets.

Clause 11.08 Central Highlands

The policy for agricultural productivity (Clause 11.08-8) aims to support long-term agricultural productivity by identifying land for primary production and protecting key agricultural assets from incompatible uses. The Central Highlands Regional Growth Plan (Clause 11.08-10) shows the site within a broad acre cropping and grazing area with areas of high value terrestrial habitat.

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 limit new housing development in rural areas by directing housing growth into existing settlements and discouraging development of isolated small lots in the rural zones from use for single dwellings. Factors to be considered for a proposal to develop agricultural land include the impacts of the proposed development on the continuation of primary production on adjacent land, with particular regard to land values.

Clause 16.02-1 Rural residential development

This policy aims to identify land suitable for rural residential development to avoid or significantly reduce adverse economic, social and environmental impacts. This is to be achieved in part by discouraging development of isolated small lots in rural zones from use for rural living or other incompatible uses, minimising or avoiding property servicing costs carried by local and State governments and by encouraging consolidation of existing isolated small lots in rural zones.

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.

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 timber production is an important industry in the shire with production mainly from pine plantations, but there is a growing demand for land for hardwood plantations.

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, forestry and mining 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 Linton Structure Plan (Figure 21.02G) shows the subject land located outside the township boundary. The Structure Plan encourages infill residential development within the existing township.

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 and efficient township development. Historic subdivisions have left a legacy of fragmented landholdings in the north-west of the shire. 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 Agriculture policy (Clause 21.05-2) emphasises the economic importance of agricultural industries to the Shire, including timber production 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.

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 created conflicts between agricultural and non-agricultural uses and 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.

Bushfire Management Overlay (BMO)

The land is affected by the Bushfire Management Overlay. The BMO seeks to ensure that the development of land prioritises the protection of human life and to ensure that development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level. A permit is required for a dwelling and an application must be referred to the CFA under the provisions of the BMO.

Particular provisions

Clause 52.29 Land adjacent to a Road Zone, Category 1

A permit is required under this clause to create or alter access to a road in a Road Zone, Category 1. An application to create or alter access must be referred to VicRoads under Section 55 of the Act. The application was referred to VicRoads and VicRoads had no objection to the issue of a permit subject to conditions being placed on the permit.

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 proposed dwelling is not considered to satisfy the relevant policies and decision guidelines contained within the Golden Plains Planning Scheme. An assessment against the relevant provisions of the planning scheme is provided as follows:

State and local planning policies

The State and Local Planning Policy Frameworks and Rural Land Use Strategy recognise the importance of agricultural industries to State and local economies and aim to avoid the loss of productive agricultural land. The policies referred to in this report seek to direct residential development to existing townships and discourage the development of isolated small lots in rural areas for single dwellings. Residential development should be contained within existing townships to avoid conflict between agricultural and non-agricultural uses and maximise use of existing infrastructure.

The subject land is located outside the Linton township boundary and additional development outside the township boundary will further increase servicing costs to Council including physical services such as road maintenance and garbage collection. In recent years Council has refused 5 applications for dwellings on small lots in the Farming Zone in the Linton district. The approval of this application would set an undesirable precedent which may lead to the development of other small lots in the area and result in the loss of valuable farmland.

Farming Zone

The planning scheme seeks to maintain viable farm sizes and sets a minimum lot size of 100 hectares in the Farming Zone. The subject land has an area of only 8 hectares and the proposed dwelling is not related to any agricultural use.

The decision guidelines of the Farming Zone relevant to this application are addressed as follows:

Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses. 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 nearby land. The surrounding area contains a number of timber plantations which have existing use rights. The use of the land for a dwelling has the potential to result in conflicts with nearby agricultural uses including timber harvesting operations.

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. The site is one of many similar small lots located in the farming area surrounding the Linton township. Many of the small vacant lots are contained in larger farming parcels however the lots could be individually sold and developed. The approval of a dwelling on such a small lot would set an undesirable precedent which would lead to pressure for residential development of similar small lots in the area, the inflation of land values preventing farmers purchasing land for agriculture and resulting in the loss of productive agricultural land.

VCAT reviews

VCAT has consistently refused applications for dwellings on small lots in the Farming Zone where the dwelling is not directly related to an agricultural use (see *Parry v Moorabool SC* [2015] VCAT 1570). Where dwelling approvals have been granted by VCAT there have been clear reasons established regarding the need for a dwelling based on the agricultural use and the context of the site. One such example within our Shire was *Parkin v Golden Plains SC* [2016] VCAT 1391 where Senior Member Hewet cited the following reasons as the basis for his decision to allow a dwelling on a small lot in the Farming Zone:

1. That the dwelling was necessary for the establishment of the proposed agricultural use.
2. That the property was located in an area that had assumed a rural residential character. The site was one of many small lots in the area and that the majority of these lots contained a dwelling.

The application before Council fails on both of these counts. Firstly, the proposed dwelling is not related to an agricultural use. The application states that the owner purchased the property with the intention of living on the property for lifestyle purposes. It is claimed that the dwelling will enable the owner to reside on site to manage environmental issues including weeds and pest animals. It is considered that weed and pest control measures on such a small lot (8ha) do not adequately justify the need for the owner to permanently reside on site. Secondly, the rural area surrounding Linton contains very few dwellings and mainly consists of farmland, timber plantations and bushland reserves. Residential uses are generally confined within the township boundary and areas zoned for rural living purposes.

Impact of approval

Council has maintained a clear and consistent approach to its assessment of applications for dwellings within the Farming Zone by refusing those that are not reasonably required for an agricultural use. Officers are of the opinion that a dwelling is not reasonably required for the proposed use of the land and the approval of this application would set an undesirable precedent which would lead to a proliferation of dwellings in the area. This would result in the following impacts:

- The loss of productive agricultural land through the inflation of land values thereby preventing farmers from purchasing land for agricultural use.
- Introducing impediments to the establishment of agricultural industries which require substantial buffers and creating land use conflicts between existing farm operations and dwellings that are not related to agriculture.
- Increasing the demand for services and infrastructure away from existing townships which will increase costs to Council.

Cultural Heritage Implications

It is considered that there are no cultural heritage implications.

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, environmental and social implications.

Conclusion

The application is not considered to satisfy the provisions of the planning scheme including State and Local Planning Policies relating to Agriculture, the Rural Land Use Strategy and the decision guidelines of the Farming Zone. The use of the land for a dwelling has the potential to lead to a proliferation of dwellings in the area, affect the operation of nearby agricultural uses and result in the loss of productive agricultural land. It is therefore recommended that the application be refused.

Recommendation

- 1. That Council resolves to issue a Notice of Decision to Refuse to Grant a Permit for the use and development of a dwelling at Lot 1 Title Plan 352919L Glenelg Highway, Linton for the following reasons:**
 - A. The proposal is inconsistent with the State Planning Policy Framework (Clauses 11.07-2, 11.08, 14.01-1 & 16.02-1) which aims to protect productive agricultural land and minimise or avoid property servicing costs carried by local and State governments by directing housing to existing settlements and discouraging the development of small lots in rural areas for dwellings.**
 - B. The proposal is contrary to the Local Planning Policy Framework in particular Clauses 21.01, 21.02, 21.03, 21.05-2 and the Rural Land Use Strategy which seek to protect agricultural land, by discouraging use and development that is inconsistent with agricultural activities and by containing residential development within existing town boundaries.**
 - C. The proposal does not satisfy the provisions of the Farming Zone, because the dwelling is not reasonably required for the proposed use of the land and the proposal has the potential to lead to a proliferation of dwellings in the area, affect the operation of nearby agricultural uses and result in the loss of productive agricultural land.**



3.4 FINANCIAL MANAGEMENT

3.4.1 Audit & Risk Committee Report – 13 February 2018 meeting

Directorate	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: 40-01-010
Council Plan Link	Delivering good governance and leadership We will govern with integrity, plan for the future, and advocate for our community
Relevant Council Strategies	Nil
Relevant Policies & Legislative Frameworks	Local Government Act 1989
Attachments	Nil

Declarations of Interest: Councillors & Officers

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

Purpose

To provide Council with a summary of business considered at the 13 February 2018 meeting of the Audit & Risk Committee.

Background

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

Discussion

Attendees at the Committee meeting were as follows:

Councillors:

Cr Helena Kirby
Cr Nathan Hansford

Independent Members:

Peter Bollen, Chair
Jo Adamski
Andrew Pearce

Officers:

Eric Braslis, Chief Executive Officer
Greg Anders, Director Assets & Amenity
Jillian Evans, Director Community Services
Richard Trigg, Director Corporate Services
Jason Clissold, Finance Manager
Paul McVeigh, Risk Management Officer
Petra Neilson, Council Support Officer

Guests:

John Gavens, Crowe Horwath
Chris Kol, McLaren Hunt Financial Group

Apologies:

Claire Tehan, People & Culture Manager
Mike Barrow, Executive Unity Manager

Declaration of Conflict of Interest: Nil

The Committee considered the following matters at the meeting:

- Quarterly risk management report
- Biannual risk profile monitoring report
- Half yearly local government indicators
- 2017-18 external audit strategy
- Internal audit project – privacy and compliance
- Actions report arising from internal audits
- Finance report as at 31 December 2017
- Waste management update

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications as a consequence of this report.

Conclusion

The next meeting of the Committee is scheduled for Tuesday 5 June 2018.

Recommendation

That Council receive the Audit & Risk Committee report from the meeting of 13 February 2018.

3.4.2 Budget Report – 6 Months Ended 31 December 2017

Directorate	Corporate Services
Unit	Finance
Senior Manager	Richard Trigg, Director Corporate Services
Responsible Manager	Jason Clissold, Finance Manager
Author	Jason Clissold, Finance Manager
File References	EDMS file: 40-01-010
Council Plan Link	Delivering good governance and leadership We will govern with integrity, plan for the future, and advocate for our community
Relevant Council Strategies	<ul style="list-style-type: none">▪ Strategic Resource Plan▪ Annual Budget
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	7. Budget Report – 6 Months Ended 31 December 2017

Declarations of Interest: Councillors & Officers

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

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

Purpose

To present the Budget Report – 6 Months Ended 31 December 2017 to Council for adoption.

Background

The report was tabled at the 13 February Audit and Risk committee for review and discussion. The Committee recommended *‘That the Audit and Risk Committee recommend to Council that the Budget Report for 6 Months ending 31 December 2017 be adopted.’*

Section 138 of the Local Government Act 1989 requires a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date be presented to Council at least every 3 months.

Council has completed six months of the 2017-18 financial year. The attached budget report has been prepared on an operating basis and includes the following:

- Income Statement;
- Balance Sheet;
- Statement of Cash Flows;
- Statement of Capital Works; and
- Key Result Areas.

Each of the above statements show the original budget together with the current forecast and the actual results for the six month period July 2017 to December 2017.

Discussion

The Audit and Risk Committee have reviewed the results to 31 December 2017, as detailed in the report. The overall surplus remains consistent with the original budget and maintains Council's sustainable financial position, as depicted in its Strategic Resource Plan.

The current forecast projects a surplus of \$6.1m for the year ending 30 June 2018 compared to the original surplus of \$3m. This positive movement of \$3m is primarily due to:

- \$3.6m in capital grants and contributions forecast to be received in 2017-18, that were not received in 2016-17 due to the timing of capital projects
- \$708k of expenditure rolled forward from 2015-16, to complete funded projects/programs.

It must be noted that this forecast result assumes that all projects and services are fully expended by 30 June 2018, which is often not the case. Further detail is provided in the attached budget report.

The 'Adjusted Underlying Result', which removes any non-recurrent grants used to fund capital expenditure, non-monetary asset contributions and other contributions to fund capital expenditure from the result, is forecast to be a deficit of \$722k, compared to a budget deficit of \$85k. This formula is prescribed within the Local Government (Planning and Reporting) Regulations 2014.

This decrease in the 'Adjusted Underlying Result' does not represent a permanent impact on Council's financial position as the variance is primarily due to the timing of 2016-17 projects/programs. I.e. projects that were budgeted for in 2016-17 are now forecast to be delivered in 2017-18.

Total expenditure in the Statement of Capital Works is now forecast to be \$14.7m compared to the original budget of \$9.2m. This increase of \$5.5m is primarily due to projects rolled forward from 2016-17, most of which are funded by grants.

Community Engagement

A formal consultation process was not required.

Financial & Risk Management Implications

The financial implications are explained within this agenda and the attached budget report.

It is considered that there are no risk management implications.

Economic, Social & Environmental Implications

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

Communications

It is considered that a communication plan is not required.

Conclusion

Financial controls and regular monitoring by officers should ensure that the current forecast remains consistent with the original budget adopted by Council, after allowing for roll forwards and budget reallocations.

The financial results detailed in the attached budget report remain consistent with the objectives adopted in Council's Strategic Resource Plan and meet the principles of sound financial management as required under Section 136 of the Local Government Act.

Recommendation

That Council adopts the Budget Report for the 6 Months Ended 31 December 2017.

4. NOTICES OF MOTION

File: 02-03-004 &

5. PETITIONS

6. OTHER BUSINESS

6.1 MAYOR'S REPORT

Cr Helena Kirby, Mayor
File: 02-03-003

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

Date	Details
25/1/18	Meeting with Libby Coker ALP
26/1/18	Australia Day, Rokewood
4/2/18	14 th Anniversary Service Australian Ex-Prisoners of War
7/2/18	Local Government Bill Exposure Draft – consultation session
8/2/18	Disability Access and Inclusion meeting
9/2/18	Central Highlands Central Victoria Forum
12/2/18	Meeting with Federation University
13/2/18	Audit & Risk Committee meeting
13/2/18	Meeting with Geoff Howard
13/2/18	Meeting with Joshua Morris
13/2/18	Garibaldi sculpture grant review meeting
14/2/18	Meeting with Simon Ramsay MP
15/2/18	Meeting with Richard Riordan
16/2/18	Presentation to Senior Citizen of the Year
17/2/18	Rural South Central Regional meeting
20/2/18	Meeting with Sarah Henderson
21/2/18	Ballarat City Council meeting
23/2/18	G21 Board meeting at Bannockburn
26/2/18	Rural Financial Counselling Service Victoria

6.2 MUNICIPAL ASSOCIATION OF VICTORIA (MAV) REPORT

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

6.3 COUNCILLOR REPORTS

6.4 IN CAMERA MEETING - NIL

7 ATTACHMENTS

Attachment 1	Item 4.1.1	Appointment and Authorisation – (Planning and Environment Act)
Attachment 2	Item 4.1.2	Instrument of Delegation – Council to Council Staff with changes marked
Attachment 3	Item 4.2.1	GPCCC Final Draft Engagement Results Paper
Attachment 4	Item 4.2.1	GPCCC Final Concept Plan
Attachment 5	Item 4.2.2	P17-217 locality map
Attachment 6	Item 4.2.2	P17-217 copy of application and plans
Attachment 7	Item 4.2.3	Budget Report – 6 Months Ended 31 December 2017

Attachments are available upon request.

8 CLOSE OF MEETING

Close of Meeting

It is recorded that the meeting closed at ____ pm.