



# AGENDA

## Council Meeting

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**6.00pm Tuesday 25 August 2020**

**VENUE:**  
**Virtual Meeting**

NEXT COUNCIL MEETING  
6.00pm Monday 21 September 2020

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

## Code of Conduct Principles

### WORKING TOGETHER

We Councillors will:

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

### BEHAVING WITH INTEGRITY

We Councillors will:

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

### MAKING COMPETENT DECISIONS

We Councillors will:

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

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**1 OPENING DECLARATION**

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

**2 ACKNOWLEDGEMENT OF COUNTRY**

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

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

That the minutes of the Council Meeting held on Tuesday 28 July 2020 as circulated, be confirmed.

**5 DECLARATION OF CONFLICT OF INTEREST****6 PUBLIC QUESTION TIME**

## **7 BUSINESS REPORTS FOR DECISION**

### **7.1 ASSEMBLY OF COUNCILLORS**

**File Number:** 02-03-004

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

**Authoriser:** Eric Braslis, CEO

**Attachments:** 1. Assembly of Councillors

#### **RECOMMENDATION**

That Council notes the Assembly of Councillors Record from 29 July 2020 to 24 August 2020 as attached.

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#### **EXECUTIVE SUMMARY**

To present Council with written records of Assembly of Councillors in accordance with section 80A of the Local Government Act 1989 from 29 July 2020 to 24 August 2020.

#### **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:

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

#### **CONSULTATION**

A formal consultation process is not required.

#### **CONFLICT OF INTEREST**

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

#### **CONCLUSION**


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



## Assembly of Councillors Record Virtual Meeting

Date of meeting:	Tuesday 18 August 2020
Time:	9.00am
Purpose of meeting:	Councillor Briefing session
Councillors present:	Cr Owen Sharkey, Mayor Cr Helena Kirby Cr Joanne Gilbert Cr Nathan Hansford Cr Les Rowe Cr Des Phelan (left at noon following CEO review) Cr David Evans
Apologies:	Nil
Council staff present:	Eric Braslis, Chief Executive Officer Phil Josipovic, Director Infrastructure & Development Lisa Letic, Director Community Services Philippa O'Sullivan, Director Corporate Services Candice Robinson, Corporate Governance Coordinator Fiona Rae, Manager Finance Sandra Tomic, Town Planner Sarah Fisher, Coordinator Statutory Planning Ben Jordan, Manager Community & Council Planning Dean Veenstra, Coordinator Recreation & Youth Mark De Campo, Senior Youth Development Officer
Other people present:	Andrew Rossiter – Senior Population Forecaster and Consultant, id. Consultants Katie Bayley – Location Strategy Consultant, .id Consultants Suzanne Ryan-Evers – Ross Creek resident Stuart McCallum – Bannockburn resident Lindy Allinson – Steiglitz resident
Conflict of Interest Disclosures (Councillors)	Nil
Conflict of Interest Disclosures (Officers)	Nil
Matters discussed:	<p><b>Presentations</b></p> <ul style="list-style-type: none"> <li>• .id Forecast Updates 2020</li> </ul> <p><b>Reports</b></p> <ul style="list-style-type: none"> <li>• P19-007 47 Middleton Drive, Bannockburn (Two lot subdivision)</li> <li>• P19-347 57 Tarraford Way, Batesford (3 lot subdivision &amp; covenant variation)</li> <li>• P20-024 79 Vaggs Rd, Ross Creek (use and development of a place of Assembly)</li> <li>• Sport and Active Recreation Strategy 2020-2030</li> <li>• Leighdale Equestrian Centre Masterplan</li> <li>• Draft Golden Plains Shire Community Vision 2040</li> <li>• Adoption of the Waste and Resource Recovery Strategy</li> <li>• Trust for Nature Rebate Policy</li> <li>• Financial Hardship Policy Additional Support</li> <li>• 2019-20 Roll Forward Projects</li> <li>• Appointment of Councillor Conduct Officer</li> <li>• Review of Instrument Delegation - Council to Members of Staff</li> <li>• Local Government Act 2020 Implementation - Documents for Adoption</li> <li>• Geelong Regional Library Corporation - Endorsement of Colac Otway Shire Council membership</li> <li>• Local Law No. 2 General Public Amenity - Proposal to display proposed Local Law No.2 - General Public Amenity for public notice.</li> </ul>



	<p><b>Updates</b></p> <ul style="list-style-type: none"> <li>• Mayoral Youth Program 2019-2020</li> <li>• Melbourne Cup Public Holiday Update</li> <li>• Golden Plains Farmers' Market</li> </ul> <p>SMT Only CEO Only Councillor Only</p> <p><b>Confidential Report</b></p> <ul style="list-style-type: none"> <li>• Chief Executive Officer Performance Review</li> </ul>
<p>Completed by:</p>	<p>Eric Braslis, Chief Executive Officer</p> 



**7.2 DELEGATES REPORT - 28 JULY 2020 TO 24 AUGUST 2020****File Number:** 78-07-002**Author:** Sharon Naylor, Executive Assistant - Chief Executive Officer**Authoriser:** Eric Braslis, CEO**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Delegates Report – 28 July 2020 to 24 August 2020.

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**Cr Owen Sharkey**

24 July Media opportunity with Senator Sarah Hendsen  
27 July Virtual meeting with Stuart Grimley MP  
30 July MAV Virtual Mayoral Forum  
31 July G21 Board virtual meeting  
31 July Presentation at St Mary MacKillop Catholic School  
6 August Peri Urban Group Regional Councils virtual meeting  
11 August Virtual meeting with Dan Tehan MP  
14 August G21 Board Strategic Review virtual Workshop  
14 August Virtual meeting with the Governor General and Mrs Hurley  
18 August Councillor Briefing virtual meeting  
21 August Local Government Act 2020 - Implementation Matters Webinar  
24 August Tourism Greater Geelong and the Bellarine virtual meeting

**Cr David Evans**

7 August Rural and Peri Urban Advisory Committee virtual meeting  
11 August G21 Transport Pillar virtual meeting  
14 August G21 Planning & Services Pillar virtual meeting  
18 August Councillor Briefing virtual meeting  
20 August Rural and Peri Urban Subcommittee virtual meeting

**Cr Les Rowe**

18 August Councillor Briefing virtual meeting

**Cr Helena Kirby**

30 July Disability Advisory Group virtual meeting  
18 August Councillor Briefing virtual meeting  
19 August Regional Advisory Group virtual meeting

**Cr Nathan Hansford**

7 August MAV Board virtual meeting  
18 August Councillor Briefing virtual meeting  
21 August MAV Human Services virtual meeting

**Cr Des Phelan**

23 July Timber Towns Victoria virtual general meeting  
13 August Timber Towns Victoria virtual general meeting  
18 August Councillor Briefing virtual meeting

**Cr Joanne Gilbert**

14 August Virtual meeting with the Governor General and Mrs Hurley  
18 August Councillor Briefing virtual meeting

**7.3 P19-007 47 MIDDLETON DRIVE, BANNOCKBURN (TWO LOT SUBDIVISION)****File Number: P19-007****Author: Peter O'Brien, Town Planner****Authoriser: Phil Josipovic, Director Infrastructure and Development****Attachments: 1. Draft conditions****RECOMMENDATION**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for a two lot subdivision at 47 Middleton Drive, Bannockburn subject to the conditions attached to this report.

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**EXECUTIVE SUMMARY**

This report relates to a planning permit application for the development of land for the purposes of a two lot subdivision at 47 Middleton Drive, Bannockburn. The application has been referred to the Council Meeting for determination because there are objections to the application. The report provides a background to the application and a summary of the relevant planning considerations. The Councillors have been provided with a full copy of the application and objections for consideration prior to making a decision.

**BACKGROUND****Site description**

The subject land is situated at 47 Middleton Drive, Bannockburn and is formally known as Lot 43 on Plan of Subdivision 508991A. The site is located in a low density residential area of Bannockburn. The site contains an existing dwelling and shed and has a total area of 9603m<sup>2</sup>. The land is flat and mostly cleared except for planted vegetation. The site has access from Middleton Drive which is a sealed road managed by Council. The land is affected by two restrictive covenants however these covenants do not prohibit subdivision or additional dwellings.

**The proposal**

The application proposes the development of the land for a two lot subdivision. The proposed subdivision is a battle-axe style subdivision. It is proposed to create a lot fronting Middleton Drive containing the existing dwelling and shed ('lot 1') and a vacant lot at the rear accessed via an axe-handle driveway along the western boundary of the land ('lot 2'). Lot 1 has an area of 5601m<sup>2</sup> and lot 2 has an area of 4000m<sup>2</sup>.

**Proposed Plan of Subdivision**



**CONSULTATION**

Notice of the application was given in accordance with Section 52 (1)(a) of the *Planning and Environment Act 1987*. Notice was provided by mail to 5 adjoining owners and occupiers.

As a result of the public notice, 2 objections were received. A copy of the objections have been provided to the Councillors under separate cover. One of the objectors is an adjoining owner and is concerned about drainage, wastewater, traffic, wildlife, privacy and neighbourhood character. The other objector resides elsewhere in the Glen Avon estate and is opposed to the further subdivision of lots in the estate.

A consultation meeting with the objectors and the applicant was held on 10 July 2019 to attempt to resolve the objectors concerns and reach a mediated outcome. Only one of the two objectors (the adjoining owner) attended the meeting. There was no resolution or agreement reached at the meeting.

**Site map****ASSESSMENT**

The application was lodged on 8 January 2019 and a preliminary assessment was undertaken. There are no referral authorities specified in the planning scheme for an application of this type. An application for a two lot subdivision is exempt from referral to utility authorities. The application was internally referred to Council's Works and Environmental Health departments. These parties had no objection to the issue of a permit subject to conditions being placed on the permit.

**Golden Plains Planning Scheme****Planning Policy Framework (PPF)**

## Clause 11.02 Managing Growth

The objective of the policy for the supply of urban land (Clause 11.02-1S) is to ensure a sufficient supply of land is available for residential and other uses. Planning for urban growth should consider:

- Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
- Neighbourhood character and landscape considerations.
- The limits of land capability and natural hazards and environmental quality.
- Service limitations and the costs of providing infrastructure.

### Clause 15.01 Urban Environment

The objective of the policy for subdivision design (Clause 15.01-3S) is to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by, among other things, providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.

### Clause 16.01 Residential Development

The objective of the policy for the location of residential development (Clause 16.01-2S) is to locate new housing in designated locations that offer good access to jobs, services and transport. The policy seeks to increase the proportion of new housing in designated locations within established urban areas, ensure an adequate supply of redevelopment opportunities within the established urban area to reduce the pressure for fringe development and to identify opportunities for increased residential densities to help consolidate urban areas.

## Local Planning Policy Framework (LPPF)

### Clause 02.03 Municipal Planning Strategy – Strategic Directions

The Strategic Directions for Settlement (LPP Clause 02.03-1) encourages the consolidation of townships, including directing residential development to within township boundaries. The Strategic Directions for Residential Development (LPP Clause 02.03-6) applies to Low Density Residential Zones and discourages subdivision of land in the Low Density Residential Zone that does not maintain or complement the established character and does not meet the requirements of the Domestic Wastewater Management Plan (DWMP).

### Clause 11.01-1L Settlement

This policy seeks to direct population growth to urban areas provided with water, sewerage and social infrastructure.

### Clause 11.03-6L Planning for places – Bannockburn

This policy seeks to promote sustainable growth in Bannockburn and ensure the efficient provision of infrastructure. The Bannockburn Urban Design Framework overall principles plan shows the site within an area identified for low density residential development.

### Clause 15.01-6L Built environment - Low Density Residential Development

This policy applies to all land in the Low Density Residential Zone (LDRZ). The policy encourages subdivision that respects the lot configuration and character elements of the surrounding area and seeks to maintain an open and spacious character for low density residential areas through:

- Design that provides for generous areas of open space and landscaping including along accessways.
- Retention of existing vegetation.
- Avoiding creation of lots with battleaxe access.

Council is to consider, as relevant, whether the subdivision requires the provision of infrastructure, including drainage and roads.

## Zone and overlay provisions

### Clause 32.03 Low Density Residential Zone (LDRZ)

The site and surrounding land is in a Low Density Residential Zone (LDRZ). The purpose of the LDRZ is to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater. A permit is required to subdivide land under the provisions of the LDRZ. The LDRZ sets a minimum lot size of 0.4 hectares.

The decision guidelines of the LDRZ require Council to consider, as appropriate:

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

Clause 43.02 Design & Development Overlay Schedule 5 (DDO5)

The land is affected by the Design & Development Overlay Schedule 5 (DDO5) which relates to setbacks for the construction of buildings. The DDO5 does not contain any specific requirements related to subdivision.

### **General provisions**

The decision guidelines contained in Clause 65.01 of the planning scheme require Council to consider the following matters, as appropriate:

- The matters set out in section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- 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.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

In addition, before deciding on an application to subdivide land, the decision guidelines contained in Clause 65.02 must be considered, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.

- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not seweraged and no provision has been made for the land to be seweraged, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

## **DISCUSSION**

### **Planning scheme**

The proposed subdivision is considered to satisfy the relevant provisions of the planning scheme including State and Local planning policies, the Low Density Residential Zone, Design & Development Overlay Schedule 5 and Clause 65 of the Victoria Planning Provisions. The local policy for Low Density Residential Development (Clause 15.01-6L) and Low Density Residential Zone supports subdivision of land down to 0.4 hectares where lots are of sufficient size to contain on site effluent disposal and the open and spacious character of low density residential areas is maintained.

The Land Capability Assessment submitted with the application demonstrates that the proposed lots are capable of on-site effluent disposal and Council's Environmental Health department has advised that the proposal complies with Council's Domestic Wastewater Management Plan. The proposed subdivision design will maintain the character of the area by providing open space and opportunities for landscaping, and retaining existing vegetation where possible. While the local policy seeks to avoid battle axe access, in this case it is considered to be the most appropriate method of providing access to the subdivision and a condition of the permit will require landscaping along the accessway.

### **Objectors' concerns**

Concerns have been raised regarding drainage, wastewater, traffic, wildlife, privacy and neighbourhood character. The proposed subdivision will not result in any drainage or wastewater impacts to surrounding properties. Permit conditions will require drainage works to intercept and direct stormwater runoff to the existing drainage network which will ensure that stormwater runoff does not impact downstream properties. As discussed, the proposed lots are considered capable of treating and retaining all wastewater and the proposed subdivision meets the requirements of Council's Domestic Wastewater Management Plan. In relation to traffic the existing road network is considered to be of an appropriate standard to accommodate additional traffic from the proposed subdivision.

The proposed development will retain much of the existing vegetation and a condition of the permit will require landscaping which will ensure there is no impact on wildlife or the character of the area. The proposed vacant lot also provides adequate setbacks between existing and future development which together with existing and proposed landscaping will ensure that the privacy of residents is protected.

### **CULTURAL HERITAGE IMPLICATIONS**

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

### **CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

**CONCLUSION**

The application satisfies the provisions of the Planning Scheme, including the Local Policy for Low Density Residential Development (Clause 15.01-6L), the provisions of the Low Density Residential Zone, and the decision guidelines of the Planning Scheme (Clause 65). The proposed subdivision will maintain the character of the area and the proposed lots are considered to be capable of on-site effluent disposal. The application is not considered to cause material detriment to any person.



**PLANNING APPLICATION P19-007 FOR A TWO LOT SUBDIVISION AT 47 MIDDLETON DRIVE, BANNOCKBURN****RECOMMENDED CONDITIONS FOR A NOTICE OF DECISION TO GRANT A PERMIT****Endorsed plans**

- 1 The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

**Landscaping**

- 2 Before the certification of the plan of subdivision under the Subdivision Act 1988, a landscape plan prepared by a suitably qualified person and to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show the following:
  - a) Existing vegetation to be retained.
  - b) Appropriate planting of trees and shrubs along the proposed battle-axe access to lot 2 and the eastern boundary of lot 2 (where it adjoins 55 Middleton Drive) where there is not existing vegetation.
  - c) A planting schedule of all proposed trees and/or shrubs, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant, site preparation and establishment (watering) regime;
  - d) All species selected must be indigenous to the local area.
- 3 Before the statement of compliance is issued under the *Subdivision Act* 1988, the landscaping works as shown on the approved plans must be carried out and completed to the satisfaction of the responsible authority.

**Development contribution**

- 4 Before the issue of a statement of compliance under the *Subdivision Act* 1988, a development contribution of \$4500 must be paid to the responsible authority.

**Telecommunications**

- 5 The owner of the land must enter into an agreement with:
  - a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where National Broadband Network will not be provided by optical fibre.
- 6 Before the issue of a statement of compliance for any stage of the subdivision under the *Subdivision Act* 1988, the owner of the land must provide written confirmation from:
  - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time.
  - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the

Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

### General

- 7 The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- 8 All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- 9 The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

### Expiry

- 10 This permit will expire if:
  - a) the plan of subdivision is not certified within two years of the date of this permit; or
  - b) the registration of the subdivision is not completed within five years of the date of certification.The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

**Note:***Before certification the responsible authority will require a plan showing the location of all existing and proposed vehicle crossings. The plan is required to show setback distances of existing and proposed crossovers from the closest property boundary to the satisfaction of the responsible authority. The plan is required to satisfy Regulation 29 of the Subdivision (Procedures) Regulations 2011, allowing the allocation of street numbers.*

### Golden Plains Shire Environmental Health Department conditions

- 11 Before the certification of the plan of subdivision under the *Subdivision Act 1988*, a restriction must be placed on the plan of subdivision that provides for the following:
  - a) Any new dwelling on lot 2 must not exceed 4 habitable bedrooms. Habitable bedrooms include any room that may be closed off with a door, such as a study, library or sunroom that could be used for the purposes of a bedroom.
  - b) This requirement is at the owner's expense and must not be varied except with the written consent of the responsible authority.
- 12 Before the issue of a statement of compliance under the *Subdivision Act 1988*, the existing septic tank system must be altered/decommissioned/replaced and brought into compliance with the latest version of the 'EPA Code of Practice – Onsite Wastewater Management' to the satisfaction of the responsible authority.
- 13 All waste water must be treated and retained within the lot/s in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

**Golden Plains Shire Works Department conditions**

- 14 Before the certification of the plan of subdivision under the *Subdivision Act 1988*, and before any construction works associated with the development or subdivision starts, 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 must be to Golden Plains Shire standards and specifications as detailed in current Infrastructure Design Manual (IDM).
- 15 Before the issue of a statement of compliance under the *Subdivision Act 1988* the permit holder must satisfy the following requirements:
  - a) Separate vehicle crossings to each lot must be provided or existing vehicle crossings upgraded by provision of a crushed rock drive entry, reinforced concrete pipe culvert and mountable end walls conforming to the requirements of Golden Plains Shire Council contained in Infrastructure Design Manual (IDM) standard drawing SD 255 to the satisfaction of the responsible authority.
  - b) Open earth drains must be provided along the northern and eastern boundary of Lot 1 and eastern boundary of Lot 2 or as agreed with Council and discharging to the swale drain at rear of Lot 51 PS508991 at 139 Yverdon Drive in order to provide each lot in the subdivision with a discharge point and where required upgrade existing drainage in rear 139 to 129 Yverdon Drive. Works must be in accordance with the requirements of Golden Plains Shire Council contained in the Infrastructure Design Manual (IDM) to the satisfaction of the responsible authority. Open drains where required must be contained within a minimum 5 metre wide drainage easement which must be set aside on the Plan of Subdivision for this purpose.
  - c) Services to the existing dwelling must be modified so that they are exclusive to and totally within the boundaries of the new lot to which it is appurtenant. In particular all downpipes, stormwater drainage and sanitary drainage must be taken to an approved legal point of discharge to the satisfaction of the responsible authority.

***Note: A works within road reserve permit must be obtained from the Council prior to the carrying out of any vehicle crossing works.***

***Note: Works Department will not consent to the issue of Statement of Compliance until such time as the applicant contact provides satisfactory evidence of compliance with the above conditions.***

**7.4 P19-347 57 TARRAFORD WAY, BATESFORD (3 LOT SUBDIVISION & COVENANT VARIATION)****File Number: P19-347****Author: Peter O'Brien, Town Planner****Authoriser: Phil Josipovic, Director Infrastructure and Development****Attachments: 1. Draft conditions****RECOMMENDATION**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for a staged three lot subdivision and the variation of covenant W587311 by removing part (a)(i) so as to allow more than one single dwelling at 57 Tarraford Way, Batesford subject to the conditions attached to this report.

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**EXECUTIVE SUMMARY**

This report relates to a planning permit application for the development of land for the purposes of a three lot subdivision and variation of covenant at 57 Tarraford Way, Batesford. The application was previously referred to the July Council Meeting for determination because there are objections to the application. However the application was deferred over the question of a previous public open space contribution. There was no condition requiring a public open space contribution on the original estate subdivision P96-139 (62 lot Rural residential subdivision in accordance with endorsed plans). This report provides a background to the application and a summary of the relevant planning considerations. The Councillors have been provided with a full copy of the application and objections for consideration prior to making a decision.

**BACKGROUND****Site description**

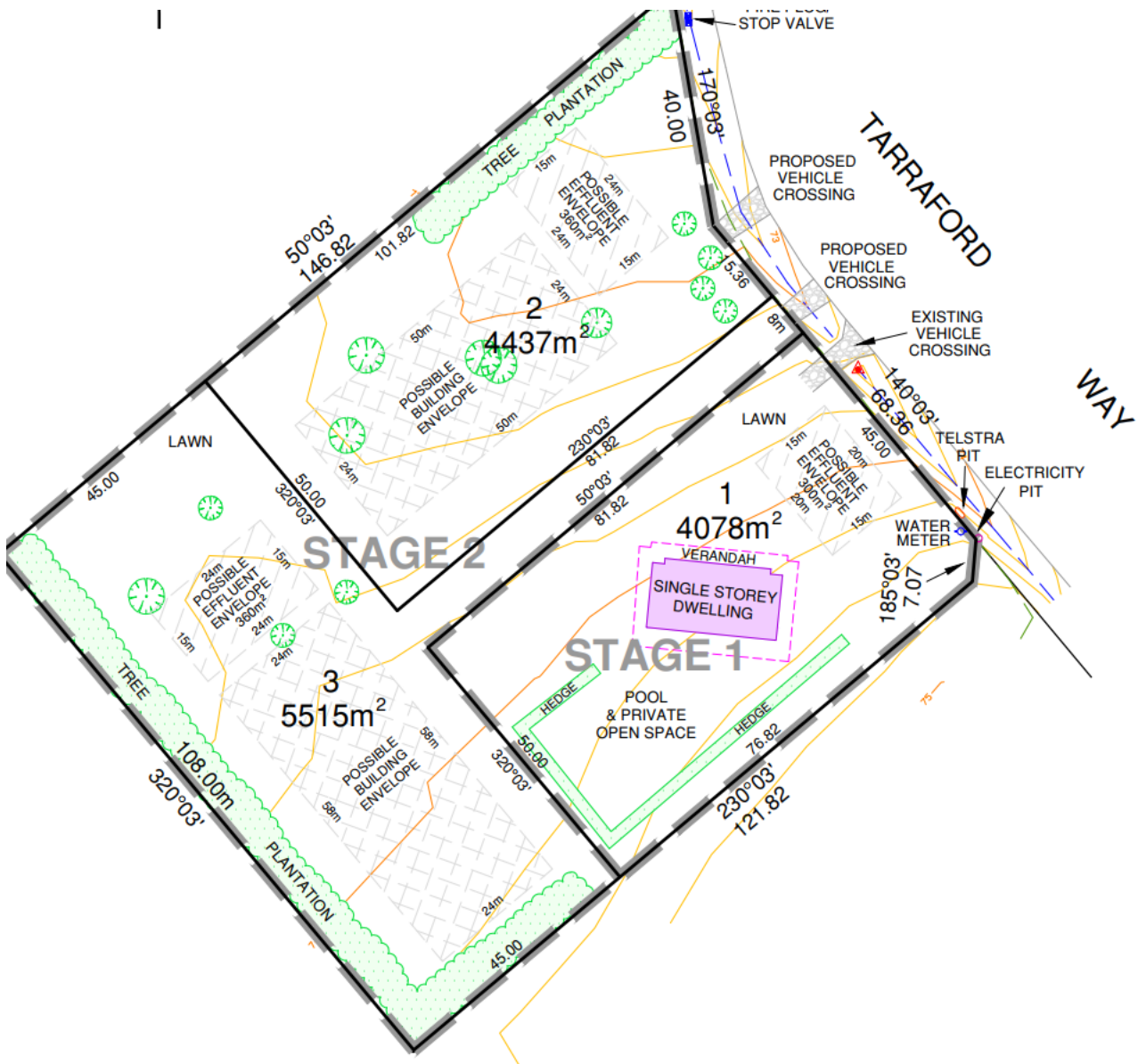
The subject land is situated at 57 Tarraford Way, Batesford and is formally known as Lot 43 on Plan of Subdivision 424406. The site contains an existing dwelling and shed and has a total area of 1.4ha. The land is flat and cleared except for planted trees and gardens. The site has access from Tarraford Way which is a sealed road managed by Council. The site is located in a low density residential area of Batesford. The subject land is part of the Dog Rocks estate that was developed 20 years ago. Covenant number W587311 (10/02/2000) applies to the land and prohibits, among other things, the construction of more than one dwelling on the land.

**The proposal**

The application proposes the development of the land for a staged three lot subdivision. The proposed subdivision will create a lot with an area of 4078m<sup>2</sup> containing the existing dwelling and shed (proposed lot 1 to be created as part of stage 1) and two vacant lots of 4437m<sup>2</sup> and 5515m<sup>2</sup> (proposed lots 2 & 3 respectively to be created as part of stage 2). Lots 1 and 2 have frontage and direct access to Tarraford Way and lot 3 is a battle-axe lot with access via long driveway to Tarraford Way.

The application also proposes to vary covenant W587311 by removing part (a)(i) which prohibits the construction of more than one dwelling on the land. The covenant must be varied to allow the construction of additional dwellings on the vacant lots resulting from the subdivision.

**Proposed plan of subdivision**



**CONSULTATION**

Notice of the application was given in accordance with Section 52 (1)(cb) of the *Planning and Environment Act 1987*. Notice was given by mail to 21 owners and occupiers of land benefitting from the covenant. Notice was also given by placing a sign on the land and by placing an advertisement in the Saturday edition of the *Geelong Advertiser* newspaper.

As a result of the public notice, 3 objections were received. Of the three objections received, two are from covenant beneficiaries. A copy of the objections have been provided to the Councillors under separate cover. The objectors' concerns relate to the effect of the proposal on the character of the area and their lifestyle, increased traffic, lack of infrastructure, drainage, noise and environmental impacts.

A consultation meeting was not held for this application due to current COVID-19 health restrictions.

**Site map**



## ASSESSMENT

The application was lodged on 4 December 2019. The application was referred under Section 55 of the Act to Barwon Water and Powercor in accordance with Clause 66.01 of the planning scheme. The application was also internally referred to Council's Works and Environmental Health departments. These parties had no objection to the issue of a permit subject to conditions being placed on the permit.

### Golden Plains Planning Scheme

#### Planning Policy Framework (PPF)

##### Clause 11.02 Managing Growth

The objective of the policy for the supply of urban land (Clause 11.02-1S) is to ensure a sufficient supply of land is available for residential and other uses. Planning for urban growth should consider:

- Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
- Neighbourhood character and landscape considerations.
- The limits of land capability and natural hazards and environmental quality.
- Service limitations and the costs of providing infrastructure.

### Clause 15.01 Urban Environment

The objective of the policy for subdivision design (Clause 15.01-3S) is to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by, among other things, providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.

### Clause 16.01 Residential Development

The objective of the policy for the location of residential development (Clause 16.01-2S) is to locate new housing in designated locations that offer good access to jobs, services and transport. The policy seeks to increase the proportion of new housing in designated locations within established urban areas, ensure an adequate supply of redevelopment opportunities within the established urban area to reduce the pressure for fringe development and to identify opportunities for increased residential densities to help consolidate urban areas.

## **Local Planning Policy Framework (LPPF)**

### Clause 02.03 Municipal Planning Strategy – Strategic Directions

The Strategic Directions for Settlement (LPP Clause 02.03-1) encourages the consolidation of townships, including directing residential development to within township boundaries. The Strategic Directions for Residential Development (LPP Clause 02.03-6) applies to Low Density Residential Zones and discourages subdivision of land in the Low Density Residential Zone that does not maintain or complement the established character and does not meet the requirements of the Domestic Wastewater Management Plan (DWMP).

### Clause 02.04 Strategic Framework Plans

Town structure plans have been prepared for most settlements and establish a basis for future strategic planning decisions in each town. The Batesford Structure Plan contained in Clause 02.04 was adopted by Council on 22/11/2001 and is an incorporated document in the planning scheme. The structure plan shows the subject land within a residential area of the Batesford township. The structure plan does not make any specific references to the subject land or contain any policies of particular relevance to the application. While the structure plan suggests that planning controls be applied in Dog Rocks to ensure that development reflects existing lot sizes and provides minimum lot sizes of 1 hectare, no such planning controls exist.

### Clause 11.01-1L Settlement

This policy seeks to direct population growth to urban areas provided with water, sewerage and social infrastructure.

### Clause 15.01-6L Low Density Residential Subdivision Policy

This policy applies to subdivisions in the Low Density Residential Zone and encourages subdivision that respects the lot configuration and character elements of the surrounding area. The policy seeks to maintain an open and spacious character through:

- Design that provides for generous areas of open space and landscaping including along accessways.
- Retention of existing vegetation.
- Avoiding creation of lots with battle-axe access.
- The provision of wide driveways with areas available for landscaping.

The policy requires Council to consider (as relevant) whether the subdivision requires the provision of infrastructure, including drainage and roads.

## Zone and overlay provisions

### Clause 32.03 Low Density Residential Zone (LDRZ)

The site and surrounding land is in a Low Density Residential Zone (LDRZ). The purpose of the LDRZ is to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater. A permit is required to subdivide land under the provisions of the LDRZ. The LDRZ sets a minimum lot size of 0.4 hectares. The decision guidelines of the LDRZ require Council to consider, as appropriate:

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

### Clause 43.02 Design & Development Overlay Schedule 5 (DDO5)

The land is affected by the Design & Development Overlay Schedule 5 (DDO5) which relates to setbacks for the construction of buildings. The DDO5 does not contain any specific requirements related to subdivision.

### Clause 43.03 Incorporated Plan Overlay – Schedule 1 (IPO1)

The land is affected by the Incorporated Plan Overlay – Schedule 1 (IPO1) which applies to land in the Dog Rocks estate. The purpose of the IPO1 is to minimise the visual impact of development when viewed from the Dog Rocks outcrop and surrounding rural areas. The IPO1 is not a permit trigger however a permit must generally be in accordance with the plan incorporated by the overlay and include any conditions or requirements specified in the schedule to the overlay. The incorporated plan (Concept Layout Dog Rocks Drawing 001D) is a very basic plan showing topographic features and development staging and does not show the layout of lots or contain any subdivision design guidelines. The schedule to the overlay does not contain any specific conditions or requirements related to subdivision.

## Particular provisions

### Clause 52.02 – Easements, restrictions and reserves

A planning permit is required under Clause 52.02 to create, vary or remove an easement or restriction (covenant). The purpose of this clause is to provide for the removal and variation of restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered. The decision guidelines of Clause 52.02 requires Council to consider the interests of affected people before making a decision on an application.

## General provisions

The decision guidelines contained in Clause 65.01 of the planning scheme require Council to consider the following matters, as appropriate:

- The matters set out in section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- 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.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

In addition, before deciding on an application to subdivide land, the decision guidelines contained in Clause 65.02 must be considered, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sillage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

### **Section 60 of the Planning and Environment Act 1987**

Before making a decision on an application to remove or vary a restrictive covenant Council must consider the requirements of section 60 of the Act. Because this covenant was created after 25 June 1991, the application must satisfy the requirements of section 60(2) of the Act. This provision requires Council to be satisfied that any beneficiary will be unlikely to suffer financial loss, loss of amenity, loss arising from change to the character of the neighbourhood or any other material detriment as a consequence of the removal or variation of the covenant.

## **DISCUSSION**

### **Subdivision**

The proposed subdivision is considered to satisfy the relevant provisions of the planning scheme including the Low Density Residential Zone and local policy for Low Density Residential Development (Clause 22.09) which supports subdivision of land down to 0.4 hectares where lots are of sufficient size to contain on site effluent disposal and the open and spacious character of low density residential areas is maintained.

The Land Capability Assessment submitted with the application demonstrates that the proposed lots are capable of on-site effluent disposal and Council's Environmental Health department has advised that the proposal complies with Council's Domestic Wastewater Management Plan. The proposed subdivision design will maintain the character of the area by providing open space and opportunities for landscaping, retaining existing vegetation, and creating lots of sufficient size to provide setbacks in accordance with the DDO5. It is recommended that a condition be placed on the permit requiring landscaping along the external boundaries of the land and battle-axe driveway to maintain the character of the area and enhance the appearance of the subdivision.

Under the provisions of the Incorporated Plan Overlay an application to subdivide land is exempt from the notice requirements and review rights of the Act. Therefore an objector cannot apply to VCAT to review Council's decision in relation to the proposed subdivision.

A condition of the permit will require a payment in lieu of public open space being the equivalent of 5% of the site value in accordance with Section 18 of the *Subdivision Act* 1988. As a result of the subdivision there will be an increase in population density which will lead to more intensive use of existing open space and the need to improve existing open space. There was no condition requiring a public open space contribution on the original estate subdivision P96-139 (62 lot Rural residential subdivision in accordance with endorsed plans). There has not previously been a request for public open space contribution made against this land.

### **Variation of covenant**

The provisions of the Planning Scheme (Clause 52.02) and Act (Section 60(2)) requires that Council consider the interests of affected people (beneficiaries) before making a decision on an application to remove or vary a covenant. If an objection is received from a beneficiary, Council must not grant a permit unless it is satisfied that the grant of a permit is unlikely to cause material detriment of the kind described in Section 60(2) of the Act.

The decision *Pawlak v Golden Plains SC (2016) VCAT 2049* relates to the variation of a covenant at 40 Fleurs Lane, Batesford. This decision is of local relevance and provides guidance for the assessment of covenant variations. In this decision VCAT directed that a planning permit be granted to vary a covenant that restricted the number of dwellings because VCAT considered that the proposed variation to the covenant satisfied each of the matters contained in section 60(2) of the Act.

An assessment against the matters contained in section 60(2) of the Act has been carried out and it is considered that the proposed covenant variation satisfies each of the matters contained in section 60(2). An assessment against each individual matter is set out as follows:

#### *Financial Loss*

No evidence has been provided by the objectors to support any claim of financial loss and it is considered unlikely that the variation of the restrictive covenant will decrease the value of the lots in the estate.

#### *Loss of Amenity*

The objectors have raised concerns regarding loss of amenity resulting from increased traffic and noise. The minimum lot size requirements in the LDRZ allow the land to be subdivided into three lots which would result in the development of two additional dwellings. It is considered that the traffic impacts generated by a three lot subdivision and two additional dwellings would be insignificant and not affect the capacity and functionality of the surrounding streets.

In relation to noise, the separation distances between the objectors' properties and any additional dwellings resulting from the variation to the covenant are considered to be sufficient to ensure there is no loss of amenity due to noise. The distance between the nearest objectors dwelling and the future dwelling site on proposed lot 3 is equal to the current distance between the objectors dwelling and the existing dwelling. The objector's property is also separated from the subject land by a 20m wide strip of land that is part of the farming property to the west. The separation distances are considered adequate.

#### *Loss arising from change of neighbourhood character*

The proposed covenant variation is not considered to have any detrimental effect on neighbourhood character. The land has an area of approximately 1.4ha and is large enough to accommodate a three lot subdivision and a dwelling on each lot while still maintaining the low density character of the surrounding area. The proposed subdivision of the land and future development of dwellings must satisfy the local policy for Low Density Residential Development and meet the minimum setback requirements set out in Schedule 5 to the Design and Development Overlay, which are designed to maintain and protect the low density character of the area.

#### *Other material detriment*

The proposed variation is not considered to cause any other material detriment. In relation to the objectors concerns regarding impacts on infrastructure the provision of electricity, water, drainage and telecommunications services must meet the requirements of the relevant authorities. It is normal that the utility authorities will seek to ensure that a new development contributes to the upgrade of existing infrastructure to ensure that existing service levels are maintained and are not reduced as a result of the development. In relation to drainage Council's Works Department require that stormwater run-off from each dwelling is directed to a legal point of discharge and that appropriate works be carried out to ensure that stormwater runoff does not impact downstream properties.

The objectors also raised concerns regarding environmental impacts in particular that the proposal would impact a 'defined bio-zone' established by Council to the west of the subject land. The land in question is private farmland and there are no planning controls applying to the land or other environmental protections that apply to the land. Nevertheless the development of additional dwellings on the land is not considered to have any impact on the surrounding environment.

#### **CULTURAL HERITAGE IMPLICATIONS**

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

#### **CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

#### **CONCLUSION**

The application satisfies the provisions of the State and Local Planning Policy Frameworks, the local policy for Low Density Residential Development (Clause 22.09), Low Density Residential Zone, Design & Development Overlay Schedule 5, Incorporated Plan Overlay Schedule 1, Clause 52.02 and the decision guidelines of the Planning Scheme (Clause 65). The proposed subdivision design will ensure there is no adverse effect on the character of the area and the proposed lots are considered to be capable of on-site effluent disposal. In relation to the proposed variation of the covenant the application is considered to satisfy the matters contained section 60(2) of the Act and the owner of any land benefited by the covenant is unlikely to suffer any material detriment as a consequence of the variation of the covenant.

**PLANNING APPLICATION P19-347 FOR A THREE LOT SUBDIVISION AND VARIATION OF COVENANT AT 57 TARRAFORD WAY, BATESFORD****RECOMMENDED CONDITIONS FOR A NOTICE OF DECISION TO GRANT A PERMIT****Layout not altered**

- 1 The layout of the subdivision and the size and dimensions of the proposed lots must conform generally with the endorsed plan. Each lot must have a minimum area of 0.4ha.

**Covenant**

- 2 A plan of variation of restriction must be submitted to the responsible authority for certification.
- 3 The certified plan must be lodged with the Land Titles Office for registration in accordance with Section 23 of the *Subdivision Act* 1988.

**Subdivision**

- 4 Before the issue of a statement of compliance under the *Subdivision Act* 1988, restrictive covenant number W587311 must be varied to the satisfaction of the responsible authority and evidence of registration of the varied covenant must be provided to the responsible authority. The covenant must be varied by removing part (a)(i) which prohibits the construction of more than one dwelling on the land.
- 5 Before the certification of the plan of subdivision under the *Subdivision Act* 1988, a landscape plan prepared by a suitably qualified person and to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show the following:
  - a) Existing vegetation to be retained;
  - b) Appropriate planting of trees and shrubs along the proposed battle-axe driveway to lot 3 and the external boundaries of the land where there is not existing vegetation;
  - c) a planting schedule of all proposed trees and/or shrubs, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant, site preparation and establishment (watering) regime;
  - d) All species selected must be indigenous to the local area.
- 6 Before the statement of compliance is issued under the *Subdivision Act* 1988, the landscaping works as shown on the approved plans must be carried out and completed to the satisfaction of the responsible authority.
- 7 Before the issue of a statement of compliance under the *Subdivision Act* 1988, the applicant or owner must pay to Council a sum equivalent to 5% of the site value of all the land in the subdivision in lieu of public open space in accordance with Section 18 of the *Subdivision Act* 1988. The applicant or owner must pay on demand to Council, the Council's reasonable costs and expenses to provide valuation for payment in lieu of open space.
- 8 Before the issue of a statement of compliance under the *Subdivision Act* 1988, a Development Contribution of \$3,000 must be paid to the responsible authority.

- 9 The owner of the land must enter into an agreement with:
  - a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where National Broadband Network will not be provided by optical fibre.
- 10 Before the issue of a statement of compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
  - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time.
  - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 11 The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- 12 All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- 13 The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

#### **Expiry**

- 14 This permit will expire if:
  - a) The plan of variation of restriction and plan of subdivision are not certified within two years of the date of this permit; or
  - b) The registration of the variation of restriction and subdivision is not completed within five years of the date of certification.The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

***Note: Prior to certification the responsible authority will require a plan showing the location of all existing and proposed vehicle crossings. The plan is required to show setback distances of existing and proposed crossovers from the closest property boundary to the satisfaction of the responsible authority. The plan is required to satisfy Regulation 29 of the Subdivision (Procedures) Regulations 2011, allowing the allocation of street numbers.***

#### **Golden Plains Shire Environmental Health department conditions**

- 15 Before the issue of a statement of compliance under the *Subdivision Act 1988*, the existing septic tank system must be altered/decommissioned/replaced and brought into

compliance with the latest version of the 'EPA Code of Practice – Onsite Wastewater Management' to the satisfaction of the responsible authority.

- 16 All waste water must be treated and retained within the lot/s in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

#### **Golden Plains Shire Works department conditions**

- 17 Before the certification of the plan of subdivision for the relevant stage under the *Subdivision Act 1988* and before any construction works associated with the development or subdivision start, detailed construction plans and drainage computations to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. Construction plans must be to Golden Plains Shire standards and specifications as detailed in the current Infrastructure Design Manual (IDM).
- 18 Before the issue of a statement of compliance for the relevant stage under the *Subdivision Act 1988* the permit holder must satisfy the following requirements:
  - a) A separate vehicle crossing must be provided to each lot conforming to the requirements of Golden Plains Shire Council contained in the Infrastructure Design Manual (IDM) standard drawing SD 255 to the satisfaction of the responsible authority.
  - b) Construct driveway to Lot 3 with a minimum 5.5m wide crushed rock pavement, 3.5m wide seal and drained in accordance with Golden Plains Shire Council requirements as contained in the Infrastructure Design Manual (IDM) to the satisfaction of the responsible authority. The driveway must extend for the entire length of the accessway to Lot 3 (81.82m).
  - c) Open earth drains must be provided along the northern boundary of the site and intercept drains along the low side of Lot 1 and Lot 3 or as agreed with Council discharging to the existing open drain in Tarraford Way providing each lot in the subdivision with a discharge point and where required upgrade existing drainage in Tarraford Way. Works must be in accordance with the requirements of Golden Plains Shire Council contained in the Infrastructure Design Manual (IDM) to the satisfaction of the responsible authority. Open drains where required must be contained within a minimum 5 metre wide drainage easement which must be set aside on the plan of subdivision for this purpose.
  - d) The existing vehicle access to the dwelling on Lot 1 must be modified so that access is wholly contained within Lot 1 and portion of existing access that is redundant is removed to the satisfaction of responsible authority.
  - e) Services to the existing retained dwelling must be modified so that they are exclusive to and totally within the boundaries of the new lot to which it is appurtenant. In particular, the following existing services must be modified:
    - i) All downpipes, stormwater drainage and sanitary drainage must be taken to an approved legal point of discharge to the satisfaction of the responsible authority.
  - f) Pay to the responsible authority a supervision fee pursuant to section 17(2)(b) of the Act and Clause 5 of the *Subdivision (Permit and Certification Fees) Regulations 2000*. The prescribed maximum fee for supervision of work will be up to 2.5 per cent of the cost of constructing those works, which are subject to supervision.

- g) Pay to the responsible authority a plan checking fee pursuant to section 43(2)(a)(iv) of the Act and Clause 6 of the *Subdivision (Permit and Certification Fees) Regulations 2000*. The prescribed maximum fee for checking engineering plans will be 0.75 percent of the estimated cost of constructing the works proposed on the engineering plan.

***Note: A works within road reserve permit must be obtained from the responsible authority prior to the carrying out of any works within existing road reserves.***

***Note: Works Department will not consent to the issue of Statement of Compliance until such time as the applicant contact provides satisfactory evidence of compliance with the above conditions.***

## **BARWON WATER CONDITIONS**

### **General**

- 19 The plan of subdivision must be referred to Barwon Water in accordance with the Subdivision Act 1988 and any subsequent amendments to the plan provided to Barwon Water.
- 20 The developer is to apply to Barwon Water for details relating to servicing requirements and costing for the provision of a potable water supply and where applicable, recycled water and/ or sewerage services to the proposal. It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water reference number L017131.

### **Potable Water**

- 21 The provision and installation of a potable water supply to the development.
- 22 An additional potable water connection(s) is to be provided to service the proposed development. A dimensioned plan showing location of all new connections relative to the allotment boundaries is to be submitted, where a meter is not being fitted. Note that tapplings and service lines are not to be located under existing or proposed driveways.
- 23 Barwon Water's records indicate that an existing potable water service and meter is located on this property. A dimensioned plan showing the location of existing meters, and the location of the meter relative to the existing boundaries, and its number, is to be submitted. Private potable water service pipes are not permitted to cross allotment boundaries and must be plugged and abandoned at the boundaries of such allotments.
- 24 The payment of a standardised New Customer Contribution is required for any new connection or any upsize to an existing connection. The number of standardised charges applied will be determined on the basis of an equivalent lot calculation and is based on potable domestic water meter size or water service size (where a meter is not being fitted). An equivalent lot is a measure of the additional demand a connection will place on the infrastructure in terms of the water consumption and sewage discharge for an average connection utilising a 20mm tapping and/ or meter. If there is more than one meter within a single meter assembly, the size of the largest meter (excluding the fire service meter) will determine the number of equivalent connections. If there is a combined fire and domestic meter assembly proposed (incorporating a low flow meter), whereby the meter size is largely dictated by the fire service requirements, the developer is required to submit to Barwon Water the proposed peak flow (probable simultaneous

demand) associated with the domestic supply in accord with AS/NZS 3500. Barwon Water will then assess the equivalent number of connections.

#### **POWERCOR CONDITIONS**

- 25 The plan of subdivision submitted for certification under the *Subdivision Act 1988* shall be referred to the Distributor in accordance with Section 8 of that Act.
- 26 The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.  
Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
- 27 The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).  
Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

***Note: It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that the precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributor's web portal, "mySupply" which can be accessed via the following link:  
<https://customer.portal.powercor.com.au/mysupply/CIWQuickCalculator>***



**7.5 P20-024 79 VAGGS RD, ROSS CREEK (USE AND DEVELOPMENT OF A PLACE OF ASSEMBLY)****File Number: P20-024****Author: Sandra Tomic, Town Planner****Authoriser: Phil Josipovic, Director Infrastructure and Development****Attachments:**

- 1. Planning Application (under separate cover)**
- 2. Acoustic Report (under separate cover)**

**RECOMMENDATION**

That Council resolves to refuse to grant a planning permit for the Use and Development of land for a Place of Assembly at 79 Vaggs Road, Ross Creek for the following reasons:-

1. The proposal is not consistent with the purposes of the Rural Living Zone at Clause 35.03.
  2. The proposed use is inconsistent with the decision guidelines at Clause 35.03 of the Rural Living Zone including the capability of the land to accommodate the proposed use or development and whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
  3. The proposed use would have the potential to create adverse amenity impacts on the adjoining and surrounding occupiers.
  4. The proposed use is not considered orderly planning.
- 

**EXECUTIVE SUMMARY**

This report relates to a planning permit application for the Use and development of land for a Place of assembly at 79 Vaggs Road, Ross Creek. The application has been referred to a Council meeting for determination because there are objections to the application and the recommendation is one of refusal. This report provides a background to the application and a summary of the relevant planning considerations. Councillors have been provided with a full copy of the application, objections and submissions of support for consideration prior to making a decision.

**BACKGROUND****Site description**

The subject site is located on the east side of Vaggs Road, Ross Creek. Situated approximately 11.8km from the centre of Ballarat. The site is a rectangular with a length of 293 metres and 273 metres in width, giving a total area of 8ha.

The site currently contains a dwelling and outbuildings, located in the northwest corner of the property, and an area that also contains some scattered trees and shrubs. The remainder of the site is an open paddock containing a couple of small dams and a watercourse that runs through the rear third of the site; the land is devoid of any other features. There is one existing access point in the northwest corner of the site, accessible from Vaggs Road, which is a sealed council road.

The subject site is zoned Rural Living Zone (RLZ) and is covered by the Design and Development Overlay 7 – Rural Living Zone Outbuildings and Sheds (DDO7). The site is not subject to any restrictive covenants or Section 173 agreements.

Adjacent and nearby lots along Vaggs Road vary in size from 4-10 hectares and are similarly developed with dwellings and outbuildings. There are a number of properties within the immediate area which contain horse training tracks and similar hobby farm type set ups.

Site context map



## Site map



## The proposal

The proposal is for the Use and development of the land for a Place of Assembly. A Place of Assembly is defined as per clause 73.03 of the Golden Plains Planning Scheme as:

*Land where people congregate for religious, spiritual or cultural activities, entertainment, or cultural meetings.*

The application proposes the following features:-

### Place of Assembly

The use has been described by the permit applicant as a place where the Hindu community can meet for activities such as Prayers, Pujas, chanting, meditation, reading, dancing, preaching, language, meetings and seminars.

The proposed maximum number of people on site is 100.

The proposed days and hours of operation are:

Monday – Sunday (7 days)

5am – 10pm.

### Buildings and works

The existing buildings on site will be modified to be provided space for the activities as described to take place.

### Existing dwelling

- Internal floor plan change to create two classrooms, a sitting room, multi-purpose room, a reception area/waiting room and three toilets.

- A new ramp will be constructed to allow for access.
- External works will include two new doors on the northwest elevation

#### Existing large shed

- Converted into a prayer room
- A new ramp will be constructed along the western side.
- A new entrance on the west elevation
- External cladding to be replaced with custom orb cladding.
- Floor area of 117m<sup>2</sup>

#### Existing small shed

- Buildings and works to refurbish the shed including new concrete floor, removal of the existing tilt door and replace with a new wall and two bi-fold door, a new access door constructed along the southern elevation and a new window along the eastern elevation
- Floor area of 66m<sup>2</sup>
- Convert into a kitchen

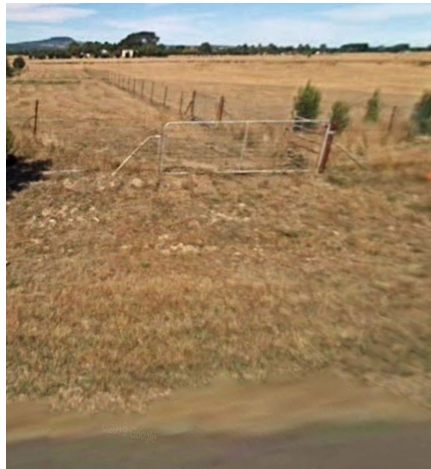
#### Car parking

The construction of new car parking area is proposed to the south of the existing dwelling.

The car parking area is proposed to be accessed via an existing gate south of the existing driveway access. This proposed entry is not a formal access point and is without a crossover or culvert. It is not currently used.



Photo of existing access



Proposed new access to car park.

A total of twenty eight (28) car spaces are proposed to be provided to support the use. This area is proposed to be gravel with an informal overflow area behind it. Two (2) disabled car spaces are shown on the proposed plans close to the front of the existing dwelling.

#### **CONSULTATION**

Notice of the application was given in accordance with Section 52 (1) (a) of the *Planning and Environment Act 1987*. Notice was provided by mail to 21 adjoining owners and occupiers. Notice was also carried out by placing a sign on the site.

As a result of the public notice, 21 objection was received, with 4 letters of support. A copy of the objections and the letters of support have been provided to the Councillors under separate cover.

The objections concerns relate to inconsistencies with the planning provisions, detrimental impact on amenity from noise, lighting, traffic impact on Vaggs Road including safety impact on traffic flow traffic, concerns regarding effluent, bushfire risk to patrons and residents, future growth of the proposed use and that the application is misleading.

The letters of support make reference to the Hindu culture promoting values of humanitarianism, good citizenship, kindness and charity summarised as qualities that will always benefit society. The submissions also state the diversity in the region is welcome and that the activities proposed are activities to strengthen communities, promote values of humanities and nurture young Australians to be good citizens.

No consultation meeting was held due to the current hold on public gatherings as a result of COVID-19. This includes no unnecessary meetings held by Council.

## ASSESSMENT

The application was lodged on 22 January 2020. The application was internally referred to Council's **Engineering Works** and **Environmental Health** departments on 21 February 2020. There are no external referrals specified in Clause 66.02 for this type of application.

On 3 March 2020 the **Environmental Health** department requested further information:-

Explain the types of noise which will be generated onsite (include things such as microphones, types of music, musical instruments, singing and whether the noise will be indoors or outdoors);

Explain the frequency and times of day which the noise explained above is expected to be generated;

Explain any noise control measures which will be applied to minimise the impact on nearby residents; and

If music is to be generated onsite, explain how the noise will comply with the 'EPA State Environment Protection Policy (Control of Music from Public Premises) No. N-2'.

The permit applicant submitted an acoustic report on 15 June 2020. This was referred to the Environmental Health. Upon assessment of this information, Environmental Health responded that there was no objection to the granting of a permit subject to the following conditions:-

1. Prior to commencement of the use of the property as a place of assembly the existing septic tank system must be replaced with a system in accordance with the Land Capability Assessment number IP121219 completed by Ballarat Soil Testing dated 13 December 2019.
2. To limit the impacts of noise the recommendations contained within the Acoustic Report prepared by Waveform Acoustics dated 9 June 2020 must be adhered to at all times.
3. To limit the impacts of noise, the following restrictions apply:
  - No music is to be played outdoors
  - Music on Monday – Fridays is only permitted between the hours of 9am – 2pm and 5pm and 8pm
  - Music on Saturdays is only permitted between the hours of 10am and 2pm and 5pm and 8pm
  - Music on Sundays is only permitted between the hours of 12pm – 2pm and 5pm and 8pm
  - Music must not exceed 65dB(a) and 70(dB(c)
  - The sound system must be connected to a noise limiting device to ensure noise limits are not exceeded

- Any doors and windows in the prayer hall and place of assemble must be kept closed when music is played.
- 4. The use permitted by this permit must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality by reason of the processes carried on; the transportation of materials, goods, or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, dust, waste water, waste products, grit, or oil; the presence of vermin, or otherwise.

Council's **Engineering Works** department requested the following further information on 18 June 2020:-

Provide additional information in the form of Traffic Impact Assessment Report (TIAR) that determines the impact on the external road network and identifies appropriate mitigating works. Issues to be addressed in the TIAR include, but need not be limited to, the following:

- Estimated traffic volumes (Regular and peak events).
- Vehicle distribution (site is accessible from both Lacys Rd & Sebastapool – Smythesdale Rd.), Pedestrian and cyclist movements.
- Entry to and egress from the development.
- Assessment of existing road infrastructure servicing the site.
- Recommendations for appropriate mitigating works/upgrades to existing road infrastructure.

While it is acknowledged that this request for further information is outside the statutory timeframe, the request was provided to the permit applicant as it was important information to assist in the assessing of the application.

The permit applicant responded to Council's request, putting forward that the extra traffic generated by the proposed use would not have an impact on the existing road infrastructure of Vaggs Road. It was envisaged that not many vehicles will be used at the time of where there were up to 100 people on site (3 and 4 people per vehicle). The rest of the time there would be limited numbers on site.

### **Golden Plains Planning Scheme**

#### **Planning Policy Framework (PPF)**

##### Clause 13.05-1S - Noise abatement

The objectives of the policy is to assist the controls of noise effect on sensitive land uses by ensuring that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

##### Clause 13.07-1S Land use compatibility

The objectives of this policy are to safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects. Strategies to do this are to ensure the compatibility of a use or development as appropriate to the land use functions and character of the area by directing land uses to appropriate location and using a range of building design, urban design, operational and land use separation measures

#### **Zone and overlay provisions**

##### Clause 35.03 Rural Living Zone (RLZ)

The site and surrounding land is in a Rural Living Zone. The purpose of the RLZ is to provide for a residential use in a rural environment, to provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses, to protect and enhance the natural resources, biodiversity and landscape of heritage values to the area and to encourage use and development

of land based on comprehensive and sustainable land use management practices and infrastructure provision. The decision guidelines of the RLZ require Council to consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework
- Any Regional Catchment Strategy and associated plan applying to the land
- The capability of the land to accommodate the proposed use or development
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses

A permit is required for the use and development of a place of assembly (section 2 use). The decision guidelines of the RLZ require Council to consider a number of matters, most appropriate to this application is:-

- The capability of the land to accommodate the proposed use or development.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

### **Particular Provisions**

#### Clause 52.06 – Car parking

This clause requires that before a new use commences, the number of car parking spaces required under Clause 52.06-5 must be provided to the satisfaction of the responsible authority. The table contained in Clause 52.06-5 of the Golden Plains Planning Scheme states that car parking must be provided at the rate of 0.3 spaces to each patron permitted for a Place of Assembly. The car parking requirements of Table 1 includes disabled car parking spaces. The application proposes a maximum number of patrons to be 100. Required car parking spaces is calculated by  $0.3 \times 100 = 30$  car parking spaces required.

The proposal provides a total of 30 car parking spaces, meeting the requirements of this clause. 28 spaces in the main area as well as 2 disabled spaces near the front of the existing dwelling. In addition, an area of informal overflow car parking is shown.

### **General Provisions**

The decision guidelines contained in Clause 65.01 of the planning scheme require Council to consider the following matters, as appropriate:

- The matters set out in section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- 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 allocated 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.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

## **DISCUSSION**

### **Planning Scheme**

The proposed use and development of the land for a Place of assembly does not satisfy the relevant provisions of the planning scheme.

The subject site is located within the Rural Living Zone and the context of the area is reflective of the purpose and intended outcomes of the zone. The area comprises a mix of rural residential allotments and hobby farms. There is very little in the way of non-residential or agricultural related land use. The area is just over 10km from the nearest urban and commercial settlement, being Ballarat. The only way to this site is by car; there is no public transport.

Whilst the RLZ entertains other (non-residential) uses, such as Place of Assembly, by listing them as permit required uses, the uses must respond well to relevant decision guidelines. In this instance, there is no new built form proposed, aside from some minor alteration to one of the existing sheds. The site is not proposed to be used for agricultural purposes. The existing septic system is required to be upgraded as a condition on permit, should one be issued, but there are no impacts in terms of native vegetation or impact on waterways associated with the site. No signage was proposed with the application.

Therefore, central to the consideration of this proposal is whether the site is suitable for the use and whether the proposal is compatible with adjoining and nearby land uses. The application has not adequately convinced Council officers that the use can sit harmoniously on site but more importantly, within the context of the surrounding rural living area. Central to this is the early starts and late hour of finish that the Hindu faith requires for their activities, being 5am – 10pm, 7 days per week, for up to 100 people at a time.

Though there is no clear statement in the planning scheme about the preferred location of this use, the abovementioned factors have been taken into account. The other matter that has been considered is the potential volume of traffic coming to and from the site, the hours of movement and how this may impact on a rural living setting. There is no suggestion that the road network is unable to cope with the demand, rather, the volume and frequency combined with the need for early starts and finishes into the evening is deemed to have an unacceptable impact on amenity.

Singular cars leaving individual properties at early or late times of the day and night do not have the disruptive effective of the numbers proposed by this application. Even if the vehicles had the suggested 3-4 persons per vehicle for the maximum 100 proposed, this would still equate to 25-33 vehicles movements each way. The application did not provide any detailed breakdown of how the site might see a spread of numbers using the site for the various activities such as prayer, meditation, chanting and readings, and how the various activities might be spread over the course of a week to determine if the impact on amenity was going to be any different, at different times.

This part of Ross Creek, and in particular area of Vaggs Road, is a quiet, rural residential environment which offers a good level of amenity for those who reside there. The proposed hours of operation will introduce an activity, at an intensity, that is likely to be significantly at odds with the existing amenity of the area.

### **Objectors concerns**

The objectors raised a number of concerns to the proposal use and development. The main concerns related to the impact on their amenity from noise, traffic and lighting.

The application was referred to Council's Environmental Health department who requested further information relating to noise. The initial advertised information did not contain an acoustic report. The acoustic assessment that was later provided was re-referred and Environmental Health subsequently recommended conditions, should a permit be issued.

The recommended conditions would limit the times that music could be played and for any doors and windows in the prayer hall and place of assembly to be kept closed when music is played.



Some other amenity concerns raised by objectors may be able to be mitigated by including onerous conditions such as reducing hours to 9am – 6pm, reducing the number of patrons, upgrading the road, including a turning lane, to suggest a few. This restrictive nature of conditions may potentially also create an administrative and resourcing burden for Council in terms of compliance, but also ultimately suggests, that a level of restriction imposed is not only at odds with what the Hindu community have specified they require, but also that the site is not suitable for the level of use proposed.

In assessing the planning policy and concerns raised by objectors, application is not supported by Officers.

### **CULTURAL HERITAGE IMPLICATIONS**

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

### **CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

### **CONCLUSION**

The application does not satisfy the provisions of the Planning Scheme, including Planning Policy Framework, the provisions of the Rural Living Zone (RLZ), and the decision guidelines of the Planning Scheme (Clause 65). The proposed use of the land would result in detrimental and conflicting impacts by way of noise and disturbance to the amenity of the locality and is therefore recommended for refusal.

## **7.6 LOCAL LAW NO. 2 GENERAL PUBLIC AMENITY - PROPOSAL TO DISPLAY PROPOSED LOCAL LAW NO.2 - GENERAL PUBLIC AMENITY FOR PUBLIC NOTICE.**

### **File Number:**

**Author:** Matthew Sims, Coordinator Community Safety

**Authoriser:** Phil Josipovic, Director Infrastructure and Development

**Attachments:**

- 1. Draft Local Law No. 2 - General Public Amenity (under separate cover)**
- 2. Community Impact Statement (under separate cover)**

### **RECOMMENDATION**

That Council:

1. Pursuant to Sections 119 and 223 of the Local Government Act 1989 (Act) resolve to give notice of its intention, pursuant to Part 5 of the Act, to make the Golden Plains Shire Local Law No. 2 General Public Amenity.
2. Place on exhibition the proposed Local Law No. 2 General Public Amenity 2021 for public submissions.

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### **EXECUTIVE SUMMARY**

The purpose of this report is to seek approval from Council to place the Proposed Local Law No. 2 General Public Amenity out on public notice and seek submissions from the Golden Plains Shire community.

### **BACKGROUND**

At the June 2020 Ordinary Council meeting, Council resolved to commence proceedings to review Council's local law relating to the amenity of the community. The Proposed Local Laws has been completed with Councillors' input and Officers' recommendations and this stage will involve the community and residents and seeking their input. All proposed changes will be reviewed by Harwood Andrews Solicitors.

### **POLICY CONTEXT**

Local Law No. 2 – General Public Amenity falls within the context of the Council Plan - Strategic Direction, Managing Natural and Built Environments.

### **DISCUSSION**

On 23 July 2020 Councillors and Council staff participated in a workshop to discuss a number of current and Proposed Local Laws. There were a number of matters raised by Councillors and these concerns were actioned within the Proposed Local Laws. It is envisaged that this proposed local law is less restrictive in a number of areas whilst it weighs up the communities right to use their land and the right for the neighbourhood to enjoy the amenity of the shire.

Over the past three years in operation, the community and residents have contacted Council over a number of issues that have also been highlighted in the Councillor workshop. These include but are not limited to:

- Unsightly Land
- Open Air Burning
- Motorised Recreational Vehicles (Motorbikes)
- Shipping Containers
- Animal Keeping (Limits and Types of Animals)
- Camping on Private Land
- Firewood Collection from Council Roadsides

More detailed commentary on these proposed changes are included in the Community Impact Statement.

### **CONSULTATION**

Pursuant to Sections 119 and 223 of the Local Government Act 1989, Council intends to inform the community of the Proposed Local Laws and requests feedback and submissions from the community and residents. Council will notify the community that submissions are open via Council's website, The Geelong Advertiser, The Ballarat Courier, The Golden Plains Times, Social Media and signage throughout the shire on Councils roadside Community boards.

Council staff will also be available to take calls in relation to any enquiries about the submission process. All submissions made will be presented to Council and discussed at a later Council meeting.

### **CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

### **CONCLUSION**

If Council resolve to permit the Proposed Local Law to be placed on public notice and open to submissions, Council Officers will compile those submissions and make them available to Council. Council will give the community and its residents the opportunity to address Council via an electronic platform to make their submissions at a future date.

## 7.7 DRAFT GOLDEN PLAINS SHIRE COMMUNITY VISION 2040

**File Number:****Author:** Ben Jordan, Manager Corporate and Community Planning**Authoriser:** Lisa Letic, Director Community Services**Attachments:** 1. Draft Community Vision 2040 (under separate cover)**RECOMMENDATION**

That Council:

1. Receive the Draft Golden Plains Shire Community Vision 2040.
2. Thank the Community Vision 2040 Reference Group members for their outstanding contribution to the Vision project and acknowledge the 567 community members and stakeholders that participated in either the open or focused engagement activities.
3. Refer the Draft Golden Plains Shire Community Vision to the new Council for adoption.

**EXECUTIVE SUMMARY**

The Draft Golden Plains Shire Community Vision 2040 has been prepared to reflect the community's hopes, aspirations and priorities for the next twenty years.

Development of the Draft Community Vision 2040 has been undertaken in partnership with the Community Vision 2040 Reference Group and has been informed by extensive engagement with communities across Golden Plains Shire during 2020.

The Community Reference Group has completed training, participated in a number of workshops and regularly collaborated to design and implement community engagement. Analysis of engagement information was undertaken by the Reference Group to build the framework and content for the Draft Vision. This includes the creation of the four key Themes of Community, Liveability, Sustainability and Prosperity which are supported and expanded upon through a number of Community Priorities and aspirational Vision Statements.

Following broad engagement in early 2020, a Concept document was prepared by the Reference Group articulating a Draft Vision and presenting the Themes, Community Priorities and Vision Statements. The Concept was distributed for testing with both community and Council stakeholders to seek any additional feedback.

Further refinement to the wording, content and layout of the Vision Concept was undertaken by the Reference Group to incorporate feedback into the Draft Golden Plains Shire Community Vision 2040. Community Reference Group members – Lindy Allinson (Steiglitz), Stuart McCallum (Bannockburn) and Suzanne Ryan-Evers (Ross Creek) will present the Vision to the Council Briefing.

**BACKGROUND**

The Golden Plains Shire Community Vision 2040 is a plan that captures the hopes and aspirations of the whole community, and ensures we are planning for a bright future for all.

Development of a long-term Community Vision (for the first time) in Golden Plains commenced in July 2019 with endorsement of a project plan. It was recognised as critical that the Vision needed to engage broadly with the community to capture and represent the diverse hopes and dreams of all Golden Plains residents.

A key component of developing the Vision was the formation of a dedicated Community Reference Group via an open Expression of Interest process. The group comprises of 8 residents from different areas across the Shire in addition to Council staff and Councillor Helena Kirby. The group

undertook engagement training and co-design workshops for the Vision project as reported to Council in October 2019.

Broad community engagement for the Vision was designed, promoted and undertaken with the Reference Group during February and March 2020 and was based around the following simple and open questions:

*What I love about Golden Plains is....*

*My hope for Golden Plains in 2040 is....*

*What I would like to see in my community in 2040 is....*

*To make this a reality I am willing to....*

534 community responses (representing over 2.3% of the Shire population) to inform the Vision were gathered from across a range of age groups, demographics and locations in the Shire. This information was presented to Council and the community via an Engagement Summary in April 2020.

## **POLICY CONTEXT**

The *Local Government Act 2020* requires Councils to develop and adopt a Community Vision (for at least the next 10 financial years) describing the community's aspirations for the future of the municipality by 31 October 2021.

Golden Plains Shire Council's commitment to develop a Community Vision is embedded in the Council Plan 2017-2021 through Strategic Priority 4: Delivering Good Governance and Leadership.

## **DISCUSSION**

The Draft Community Vision 2040 (Attachment 1) has been developed with the expertise, input and collaboration of the Community Reference Group and represents the information gathered during community engagement.

The contribution of the Community Reference Group has been critical in ensuring the Draft Community Vision 2040 has been co-designed by the community and Council expresses its gratitude to the following Golden Plains Shire residents that form the group:

- Ashley Ryan
- Cathy Bushell
- Daniel Toulmin
- Linda Wong
- Lindy Allinson
- Matt Allen
- Stuart McCallum
- Suzanne Ryan-Evers
- Councillor Helena Kirby

The Reference Group members all live in and represent different communities across the Shire to ensure input into the Draft Vision provided a geographical spread and insight into local issues.

In May 2020, following the open community engagement, the Community Reference Group further workshopped and analysed the data to represent the community's responses. Information was refined into four Themes with Community Priorities developed under each Theme that would form the framework for the Draft Community Vision 2040.

These are as follows:

<b>COMMUNITY</b>	<b>LIVEABILITY</b>	<b>SUSTAINABILITY</b>	<b>PROSPERITY</b>
<ul style="list-style-type: none"> <li>• Proud</li> <li>• Safe</li> <li>• Inclusive</li> <li>• Connected</li> <li>• Engaged</li> <li>• Resilient</li> <li>• Supported</li> <li>• Contributing.</li> </ul>	<ul style="list-style-type: none"> <li>• Health and Wellbeing</li> <li>• Rural and Urban Living</li> <li>• Country Feel</li> <li>• Active and Passive Recreation</li> <li>• Services, Facilities and Activities</li> <li>• Connected Transport.</li> </ul>	<ul style="list-style-type: none"> <li>• Environmental Stewardship</li> <li>• Value and Preserve – Biodiversity, Nature, Cultural Heritage</li> <li>• Responsible Attitudes and Behaviours</li> <li>• Clean and Green Future.</li> </ul>	<ul style="list-style-type: none"> <li>• Learning, Education, Training</li> <li>• Shopping, Goods and Services</li> <li>• Employment Opportunities and Pathways</li> <li>• Supporting Local Producers and Business</li> <li>• Advocacy and Partnerships.</li> </ul>

The Themes and Community Priorities were presented with a series of aspirational Vision Statements to form a Concept document for the Community Vision and enable community testing in June and July 2020. The Vision Concept was distributed electronically to community groups, networks, Council staff, Councillors and stakeholders with opportunities for feedback and further specialist input offered via completion of an online questionnaire.

33 stakeholders provided further feedback to the Concept document via the online questionnaire with positive results recorded as follows:

- In response to how well the Themes, Community Priorities and Vision Statements represent what people currently value - 75.8% indicated Mostly, 18.2% Generally and 6.1% Partially.
- In response to how well do the Themes, Community Priorities and Vision Statements capture the future aspirations of your community - 59.4% indicated Mostly, 37.5% Generally and 3.1% Partially.
- In rating how achievable people thought the Golden Plains 2040 Community Vision was - 45.5% indicated Mostly Achievable, 42.4% Generally Achievable and 12.1% Partly Achievable.

Common themes and suggestions for improving on the Concept focused on stronger statements around commitment to environmental sustainability and further representation of valuing our indigenous heritage and connection to the traditional owners of the land.

It should also be noted that through the various stages of developing the Vision including feedback on the Concept, responses have at times focused on individual issues, projects or operational items. Whilst this information has been captured and considered, the Community Vision 2040 is a high level, long-term aspirational plan and specific deliverables for Council and other stakeholders would be further considered in the development of Community Plans, the Council Plan, Strategies, and annual operational actions. Where possible, these plans and actions will be developed in alignment with the direction of the final Golden Plains Shire Community Vision 2040.

Following testing of the Concept and consideration of feedback, further refinement of the Community Priorities and Vision Statements was undertaken by the Community Reference Group in July and August 2020 for presentation of the Draft Golden Plains Shire Community Vision 2040.

It is proposed that following presentation of the Draft Golden Plains Community Vision 2040 to Council, the document be made available to the community as a draft to inform their planning. Following the election and induction of a new Council in November 2020, the Draft Vision will be provided to Council for consideration and adoption and to guide the development of the Council Plan 2021-2025.

**CONSULTATION**

Despite the restrictions and challenges imposed by COVID-19, the Draft Community Vision has been informed by extensive community engagement and consultation with people who live, work or visit Golden Plains Shire.

Broad community engagement for the Vision was undertaken in February and March 2020 including surveying (promoted online and via print media), workshops and attendance at community events that resulted in 534 responses. Further specialised consultation was undertaken in June/July 2020 with distribution of a Vision Concept document to a wide variety of community and Council stakeholders. This resulted in a further 33 focused responses.

Furthermore, design and conducting of all engagement activities, analysis of information and development of the Draft Community Vision 2040 has been undertaken in partnership with a Community Reference Group comprising of representatives from across the Shire.

**CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

**CONCLUSION**

The Draft Golden Plains Shire Community Vision 2040 reflects the community's aspirations and priorities for the next twenty years. The Draft Vision sets the direction and will provide a framework for future Council and community planning and decision making.

It is recommended that Council receive the Draft Vision which will be made available to the public, thank the Community Reference Group members for their contribution and acknowledge the participation of the 567 community members that provided input.

Following the election period and induction of a new Council in November 2020, the Golden Plains Shire Community Vision 2040 will be provided to Council for consideration and adoption.

## 7.8 SPORT AND ACTIVE RECREATION STRATEGY 2020-2030

**File Number:****Author:** Dean Veenstra, Coordinator Recreation and Youth**Authoriser:** Lisa Letic, Director Community Services**Attachments:**

1. **Public Submissions Summary - Sport and Actions Recreation Strategy 2020-2030 (under separate cover)**
2. **Golden Plains Shire Council Sport and Active Recreation Strategy 2020-2030 Final (under separate cover)**

### RECOMMENDATION

That Council:

1. Note the submissions received during the public exhibition period.
  2. Adopt the Golden Plains Shire Council Sport and Active Recreation Strategy 2020-2030.
- 

### EXECUTIVE SUMMARY

Council has partnered with Sport and Recreation Victoria (SRV) to fund the development of a new Sport and Active Recreation Strategy to inform strategic planning, development and delivery of sport and active recreation infrastructure, programming and services for the period 2020–2030.

The Sport and Active Recreation Strategy 2020-2030 aligns with regional and state level strategies and has been developed following extensive community consultation. Council endorsed the Strategy to be publicly exhibited for a period of 4 weeks, and received a total of six community submissions. These submissions and Councillor comments from the June 2020 Briefing have been reviewed and considered in presentation of the final Strategy.

### BACKGROUND

Council's existing Recreation Strategy 2015-2019 has expired and a funding application was made through the 2019/20 SRV 'Community Sport Infrastructure Fund – Planning' to develop the new Strategy. Council engaged CommunityVibe, a Sport and Recreation industry consultant, to lead community engagement and prepare the strategy documents.

The Sport and Active Recreation Strategy 2020-2030 (Attachment 2) has been developed following extensive community engagement in February 2020 (286 community survey responses, 33 club responses, 6 listening posts with 178 participants), plus 6 community submissions received during public exhibition period and feedback from Councillors at the June 2020 Council Briefing.

The aim of this strategy is to:

- Inform Council's policy and planning frameworks
- Develop the delivery of sport and active recreation infrastructure, programming and services for the period 2020 to 2030
- Improve liveability, and health and wellbeing outcomes for all residents
- Reflect the needs of the community.

The Strategy's goal is improving the liveability and physical activity levels of residents taking into consideration the demographics of individuals across the Shire.

The Strategy's vision is: "Active, Connected and Liveable Communities through Sport and Active Recreation"

To help achieve this vision, the Strategy has been broken into three pillars:

1. Active and Healthy – focuses on participation, programming, diversity and activation.
2. Liveability – focuses on places and spaces and quality environment.



3. Connectedness – focuses on community cohesion through sport and active recreation, volunteers, gender equity and inclusion.

## **POLICY CONTEXT**

The Sport and Active Recreation Strategy 2020-2030 aligns with the following strategic directions in the 2017-2021 Council Plan:

### Promoting Healthy and Connected Communities

- Providing and supporting programs, activities and spaces to promote and encourage health and wellbeing for people of all ages and abilities;
- Supporting local sporting and community groups to provide participation and engagement opportunities.

### Managing the natural and built environment

- Work with the community to plan and provide natural and built environments that create safe, accessible, inclusive and inviting public spaces, social infrastructure, open space and destinations for all.

## **DISCUSSION**

The Sport and Active Recreation Strategy 2020-2030 has considered and aligns with the planning principles and strategic actions identified in regional, state, national and international plans/strategies and provides 14 recommendations with a supporting action plan to help implement and achieve these recommendations.

Sport and active recreation is an integral part of our communities in Golden Plains Shire. It is essential to our health, our physical and mental wellbeing, our sense of belonging and connection to each other. Sport and active recreation contributes significantly to the liveability of our communities and is underpinned by a network of local facilities, opportunities to participate and a strong volunteer culture.

Maintaining and building on existing participation and programming opportunities and our existing network of community sport and active recreation infrastructure requires a strategic, coordinated and responsible development approach. Council, State and Federal Government, sporting associations and local community clubs all play a key role. Through this Strategy, we provide a framework to work in partnership with these organisations, increase participation and programming opportunities, create quality spaces and places to be active and ensure that every resident has the opportunity to be active and involved.

A vision has been developed for the Strategy to ensure that our focus remains on three core areas: Active and Healthy, Liveability and Connectedness, which are underpinned by planning and policy. Ten (10) planning principles have been developed to support the vision and these principles will form the framework for the entire strategy over the next 10 years.

It must be noted that the COVID-19 pandemic has had devastating effects on communities globally, leading to significant restrictions on all sectors of society, including sport. COVID-19 has impacted people in varying ways with many experiencing deterioration in their mental health and financial wellbeing. Resumption of sport can significantly contribute to the re-establishment of normality in Australian society, from the COVID-19 environment.

### **Council feedback**

At the Council Briefing in June 2020, Councillors raised a number of items which were considered or are addressed in the final Strategy as follows:

- Concern that fenced off-leash dog areas considered Bannockburn only - Action 17 was amended to investigate development of fenced off-leash dog areas in the Shire more broadly.
- In relation to a potential future aquatic facility, comment was made that any feasibility study would need to capture existing facilities in and outside the Shire, including the Rokewood

Lagoon - Action 49 outlines that feasibility studies would be required to 'ensure that there is demand, that any facility is likely to be well utilised and viable and to ensure that whole of life costs are identified.'

- The importance of children participating in sport was highlighted and that costs can be prohibitive - Actions 10 and 11 in the Strategy aim to address this issue by 'seeking opportunities to reduce the cost of children's sport by partnering with sponsors to develop junior programs, equipment donation schemes or other innovative programs/grants' and by 'advocating to reduce the affiliation and insurance costs of children's sport where possible.'
- Community and outdoor gyms were raised as popular and cost-effective public exercise option - Actions 18 and 21 in the Strategy are to 'explore gym experiences for locals by encouraging sports clubs and school to provide community access to gyms' and 'considering provision of outdoor gym equipment stations in areas of high demand.'
- Greater utilisation of existing Council facilities was highlighted rather than investing in more or new infrastructure - the Strategy recognises that 'Council must facilitate greater use of existing infrastructure before developing new facilities' (Action 54), and 'that facilities must be well utilised by a broad spectrum of our community' (Action 51).
- Facility standards and the level of development/investment was also raised as a concern - Action 46 recommends 'developing a set of facility hierarchy levels that clearly articulate the type of facility that is provided within each classification and align service levels to each hierarchy.' It should be noted that where Council seek external funding from Sport and Recreation Victoria, a condition of funding is that the facility must meet the minimum standards for that particular sport (e.g. an AFL Victoria local level facility). If Council are to construct a facility below this standard, it would not be eligible for any State funding.

### **Public Exhibition and Submissions**

On 23 June 2020, Council endorsed the Draft Sport and Active Recreation Strategy 2020-2030 and recommended the Strategy be placed on public exhibition for a period of 4 weeks from 24 June to 22 July 2020.

The Draft Strategy was advertised through local print media and via social media with the Strategy being made available on Council's Have Your Say page and via hard copy on request at Council's customer service centres. Residents were able to make submissions online (at [www.goldenplains.vic.gov.au/consultations](http://www.goldenplains.vic.gov.au/consultations)), via email or mail.

A total of six submissions were received during the public exhibition period and a summary of each submission and how it is addressed by the Strategy is provided (Attachment 1). Submissions were mostly supportive of the Strategy and where capital projects were suggested, they have been noted for consideration against all other projects. One amendment to the Strategy was requested with pentaque being added on page 20 as a community activity.

Decisions around where to invest resources will be strongly guided by demonstrated community needs, our strategic principles, a clear evidence base and an awareness of current issues and trends impacting physical activity at a local, regional, state, national and international level.

Action 47 of the Strategy also outlines 'developing a capital works assessment tool, with the strategic planning principles embedded, to provide a rating to determine each potential project's level of priority against every other project.' Council's investment will be contingent on the resources available including those that we are able to acquire and leverage.

The recommendations and associated actions of the ten year Sport and Active Recreation Strategy are of a high-level strategic nature. Feedback provided through the public submission process has been considered and is consistent with the strategic intent of the Sport and Active Recreation Strategy and therefore, has not resulted in major changes to the Strategy.

### **Key Stages/Dates**

The following key stages and dates have been planned and followed for the development of the Sport and Active Recreation Strategy:

- 28 January 2020 - Commencement of community engagement.

- 1 to 23 February 2020 - Six conversation posts held across the Shire.
- 29 February 2020 – Community survey closed.
- 25 March 2020 - Community Reference Committee review of the Issues and Opportunities Paper (Email consultation occurred in lieu of meeting needing to be cancelled).
- 21 April 2020 - Findings and Issues Paper to be presented to Council.
- 18-22 May 2020 - Community Reference Committee review via email of the Draft Strategy.
- 23 June 2020 - Draft Strategy presented to Council for Public Exhibition.
- 24 June – 22 July 2020 – Public Exhibition period of four weeks.
- 22 July – 5 August – Submissions and feedback considered for Strategy amendments.
- 25 August 2020 - Final Strategy presented to Council for adoption - **CURRENT STAGE**.
- SRV Grant Funding Acquittal.

### **CONSULTATION**

The Draft Sport and Active Recreation Strategy 2020-2030 was publicly exhibited for a period of four weeks from 24 June – 22 July 2020.

6 submissions from community were received regarding the Strategy via Council's Have Your Say submission form, email and on social media.

### **CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

### **CONCLUSION**

The Sport and Active Recreation Strategy 2020-2030 (Attachment 2) will inform Council's strategic planning, development and delivery of sport and active recreation infrastructure and services for the next 10 years.

Councillor feedback and community submissions have been provided and considered resulting in only minor additions to the Strategy. The submissions and feedback align with the strategic intent of the Strategy without specific operational solutions being identified at this stage.

It is recommended that the public submissions be noted and the final Sport and Active Recreation Strategy 2020-2030 be adopted and published on Council's website.

## 7.9 LEIGHDALE EQUESTRIAN CENTRE MASTERPLAN

**File Number:****Author:** Brodie Marston, Recreation Development Officer**Authoriser:** Lisa Letic, Director Community Services**Attachments:** 1. Leighdale Equestrian Centre Masterplan (2020-2030) (under separate cover)

### RECOMMENDATION

That Council:

1. Note the contribution and feedback of key stakeholders and the 163 community responses in the development of this site Masterplan.
2. Adopt the Leighdale Equestrian Centre Masterplan (2020-2030).

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### EXECUTIVE SUMMARY

Council has engaged 'CommunityVibe' to consult with relevant stakeholders and identify future provisions for the Leighdale Equestrian Centre through the development of a facility Masterplan. Extensive community engagement was undertaken with over 163 community survey responses being submitted demonstrating a strong interest in Equestrian and the Leighdale facility in Golden Plains Shire.

The Masterplan will inform strategic planning, development and delivery of infrastructure and programming opportunities at the Leighdale Equestrian Centre for the period 2020-2030. It provides clear and prioritised recommendations, backed by evidence of community need, benefit and sustainability and will assist in seeking external grant funding opportunities to deliver the necessary future upgrades and increase participation.

### BACKGROUND

In order for Council to plan the development and enhancement of active recreation facilities and programs across the Shire, site-specific recreation masterplans are required. Master planning assists with the prioritisation of projects, decisions about investment and supports advocacy and opportunity to seek external funding. Masterplans provide a strong evidence base as they require extensive consultation and site specific planning.

Council's Sport and Active Recreation Strategy 2020-2030 identifies the need for site masterplans which align with the strategic planning principles of the strategy and have been developed in partnership with key stakeholders, and tested with community.

Equestrian activities and facilities are identified in the Sport and Active Recreation Strategy as providing a 'point of difference' for Golden Plains Shire which has potential for further regional and state level opportunities. Equestrian provides a unique opportunity for people of all ages and abilities to come together and participate. The sport is particularly popular in rural communities and features a variety disciplines that cater for different interests.

The previous Recreation Strategy (2015-2019) recommended Council 'Upgrade the Leighdale Equestrian Centre', and the Leighdale Equestrian Centre Incorporated requested support from Council to prioritise future developments and help guide management of the Centre.

Leighdale Equestrian Centre (the Centre), located at 1248 Shelford-Bannockburn Road Teesdale, provides high quality equestrian opportunities to the local community and attracts users from across the region and State. The Centre is one of two equestrian centres supported by Council in the Shire, the other being the Woody Yaloak Equestrian Centre, Smythesdale, a regional level facility in the north of the Shire. Leighdale Equestrian Centre is a Council owned facility with management responsibilities delegated to the 'Leighdale Equestrian Centre Committee

Incorporated' who have driven equestrian participation and the development of the Centre since 2017.

The Centre is home to four local clubs, being the Leighdale Pony Club, Bannockburn Teesdale Riding Club, Geelong & District Carriage Riding Club and Inverleigh Riding Club, which collectively have approximately 140 members. The Centre is also utilised on a regular basis by over 90 registered casual riders.

Opportunities to increase equestrian activities at the Centre exist given its close proximity to Geelong and Melbourne and ability to cater for multiple disciplines including show jumping, dressage, cross country and carriage driving.

In order to assist the Leighdale Equestrian Centre Committee Inc. to determine and prioritise any future site improvements and set clear strategies to support equestrian participation at the Centre, Council committed funds in the 2019/20 Council Budget to develop a site Masterplan to:

- Assess the demand for sporting and recreation facilities relating to the site.
- Review the condition and provision of the sport and recreation facilities at the Centre.
- Identify capital and strategic development opportunities at the Centre for future developments including costings and funding responsibilities.
- Produce a concept plan detailing the recommended location of potential developments.

In line with Council's procurement processes, quotes were requested and following a thorough evaluation process, 'Community Vibe' were appointed to undertake the Masterplan process.

## **POLICY CONTEXT**

### Promoting Healthy & Connected Communities

- Providing and supporting programs, activities and spaces to promote and encourage health and wellbeing for people of all ages and abilities;
- Supporting local sporting and community groups to provide participation and engagement opportunities.

### Managing the natural and built environment

- Work with the community to plan and provide natural and built environments that create safe, accessible, inclusive and inviting public spaces, social infrastructure, open space and destinations for all.

## **DISCUSSION**

The Leighdale Equestrian Centre has been recognised as having both the space and base facilities to respond to the continued interest and growth of equestrian activities in our region and across the State. Specifically, the Leighdale Equestrian Centre plays an important role in supporting equestrian activities and participants in the middle and south of Golden Plains Shire as evidenced by the volume of survey responses (163) received and percentage of respondents whom live either within walking distance or half an hour of the Centre (80.36%).

Based on feedback from stakeholders, equestrian activity participation trends and continued projected population growth, it is likely there will be increasing interest and demand for equestrian facilities within the Golden Plains Shire. Further improvement/development of the Leighdale Equestrian Centre facilities would enable greater accessibility and utilisation to service increasing demand, address safety concerns and provide an enhanced experience for participants and spectators.

Within equestrian, there is a trend towards provision of infrastructure that better supports competitors and horses, particularly in relation to quality of surfaces and facilities that provide for the safety, welfare and comfort of horses and competitors. Improved shade, shelter and lighting to enable extended flexibility in usage times and usability in varying weather conditions have been identified as opportunities for Leighdale Equestrian Centre. Further opportunities for expanding

accessibility, utilisation and participation are suitable facilities to support multi-day equestrian events and camping.

The Leighdale Equestrian Centre also provides opportunity to cater for alternate community activities and events (Attachment 1) as detailed on page 22 of the Masterplan which could include using Leighdale Equestrian Centre as an emergency services staging ground, as currently occurs at Woody Yaloak Equestrian Centre in Smythesdale. Further investigation and planning regarding community use will need to occur in consultation with user groups to ensure any risks are mitigated, particularly those associated with community members who have limited experience around horses.

The Masterplan makes recommendations to improve long term planning and facility management for the tenant clubs and Committee of Management including the development of business plans to assist with marketing of the Centre, financial planning and investigating options to further attract and retain volunteers. An accessibility audit and landscaping plan of the Leighdale Equestrian Centre site are also recommended as key actions going forward.

A full list of recommendations for the Leighdale Equestrian Centre is provided in the Masterplan (Attachment 1) on pages 28 to 43. These recommendations take into account stakeholder and community consultation, industry trends and best practice and have been broken into the following key areas for improvement:

- General
- Arena,
- Storage,
- Pavilion,
- Horse and float area,
- Site access and parking,
- Site drainage
- Course design
- Signage
- Fencing and lighting.

Some of the high priority recommendations identified, which focus on participation, safety, supporting volunteers and increased usability, include:

- Installation of lighting on arenas
- Upgrades to sand arena surfaces
- Continue development of the cross-country course and marathon obstacle course
- Separation of horse and spectator areas
- Improved vehicle access including separate car and horse transport entrances and car parking
- Improving access to the facility and activating the Centre during off-peak times.
- Improve signage outside and within the site
- Improve and expand facilities supporting the care of horses including construction of roofing over horse yards
- Construct additional storage facilities
- Construct an all-weather roof over BBQ area
- Address site drainage issues
- Improve and construct fencing on the site boundaries and arenas
- Interest in attracting other popular equestrian disciplines to use the facility, such as quarter horse and Australian stock horse events
- Planning for continued regional population growth and demand for lifestyle properties outside of Melbourne and Geelong.

Given the nature and cost associated with a number of these improvement recommendations, it's likely the Leighdale Equestrian Centre Incorporated, user clubs and Council will need to plan for and explore external funding opportunities to deliver these projects. Current funding opportunities available which align with the facility improvement recommendations include the Victorian State Government's Local Sports Infrastructure Fund (2:1 funding ratio). Other opportunities for grant funding are listed in the Masterplan on page 91 and will be further scoped and explored during the life of the Masterplan. It is proposed that any future capital upgrades be assessed using a capital assessment tool and prioritised against all other Council priorities.

Community Vibe sought cost estimates for infrastructure improvements through third party contractors, and in line with Council officer feedback, have noted that a 20% contingency needs to be attributed to each recommended upgrade and a further 5% per annum to cater for anticipated cost increases.

## **CONSULTATION**

The development of the Leighdale Equestrian Centre Masterplan (2020-2030) has included significant consultation with the Golden Plains Shire community and input from key internal and external stakeholders. The following engagement methods were used during this process:

- Establishment of a Project Working Group with representatives from Council, Leighdale Equestrian Centre Incorporated, Inverleigh Riding Club, Inverleigh Pony Club, Geelong and District Carriage Driving Club and Bannockburn Teesdale Riding Club.
- An online survey – with 163 unique survey responses collected.
- Phone interviews with:
  - Surrounding LGA's
  - Equestrian Governing Bodies
  - VicRoads
  - Teesdale Community Planning Group.

Consultations were promoted via the Golden Plains Shire Website (Have Your Say), in the Golden Plains Times newspaper, via emails to all user groups and the Teesdale Community Planning Group and on the Leighdale Equestrian Centre social media platforms.

## **CONFLICT OF INTEREST**

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

## **CONCLUSION**

Following detailed discussions with key stakeholders, analysis and consideration of the 163 survey responses and a detailed review of the existing facilities, a Masterplan has been developed for the Leighdale Equestrian Centre. It is recommended Council endorse the Masterplan which provides strategic direction for the development and management of the Leighdale Equestrian Centre for the next 10 years from 2020 to 2030.

This Masterplan will assist the Leighdale Equestrian Centre Incorporated and Council to prioritise capital project upgrades, explore new opportunities to activate the Centre and increase participation in equestrian activities. Council support will be sought where opportunities are identified that require Council and/or external funding to support infrastructure developments.

## 7.10 ADOPTION OF THE WASTE AND RESOURCE RECOVERY STRATEGY

**File Number:**

**Author:** Marina Desa, Resource Recovery and Waste Officer

**Authoriser:** Phil Josipovic, Director Infrastructure and Development

**Attachments:**

1. Public exhibition comments (under separate cover)
2. Barwon South West WRRG Submission (under separate cover)
3. Waste and Resource Recovery Strategy 2020-2030 (under separate cover)

### RECOMMENDATION

That Council:

1. Note the submissions received during the public exhibition period.
  2. Adopt the Golden Plains Shire Council Waste and Resource Recovery Strategy 2020-2030.
- 

### EXECUTIVE SUMMARY

The final version of Golden Plains Shire Council's Waste and Resource Recovery Strategy has been prepared following Councillor and community engagement.

Council endorsed the Strategy to be publicly exhibited for a period of 4 weeks, and received a total of 18 community submissions. These submissions have been reviewed and included in the final Strategy.

### BACKGROUND

The Strategy covers the following service areas:

- Garbage, recycling and organic waste collections;
- Transfer station;
- Education;
- Litter and illegal dumping;
- Council waste;
- Closed landfills and rehabilitation;
- Community waste services, (community facilities and events, public bins and street sweeping, emergency events); and
- National and State advocacy.

At the heart of the Strategy is a commitment to reduce the amount of waste being sent to landfill. This will be achieved through reducing the amount of waste being generated, diverting more materials away from landfill and continuing to improve residents' understanding of Council's bin system.

The Strategy has a range of achievable interim targets and goals to be met over the next five years, as well as aspirational goals to work towards by 2030. The actions that are presented in the Strategy have been tailored through the results of the community engagement, analysis of waste data, Victorian Government reforms, and the state of current waste processing infrastructure. The various inputs into the development of the Strategy are summarised below:





In February 2020, the Victorian Government released household recycling reforms titled “Recycling Victoria – A New Economy”. Key components of the policy include introducing a Container Deposit Scheme by 2023 and a consistent state-wide kerbside waste collection system, with all Victorian councils to implement:

- A glass bin or access to glass recycling services by 2027; and
- A food and garden waste organics bin or access to service by 2030.

The implementation of this reform is within the Waste and Resource Recovery Strategy's 2020 to 2030 timeframe and has been considered in its development.

## POLICY CONTEXT

Council has committed in its Council Plan 2017-2021 to implementing waste management and minimisation practices that are innovative, effective, and reflect best practice. The new Waste and Resource Recovery Strategy will provide the pathway for Council to meet these objectives.

In addition, given the recent release of the household recycling reforms and implementation within the Strategy time frame (2020-2030), the Waste and Resource Recovery Strategy is aligned with these State Government reforms.

## DISCUSSION

In developing the Strategy, Council undertook two rounds of significant community engagement. A Waste Management Survey was conducted in November 2018 to gain an understanding of how the community currently manages their waste and satisfaction with the current kerbside collection services, including which areas need improvement. Thank you to the 1,209 people who took completed the survey.

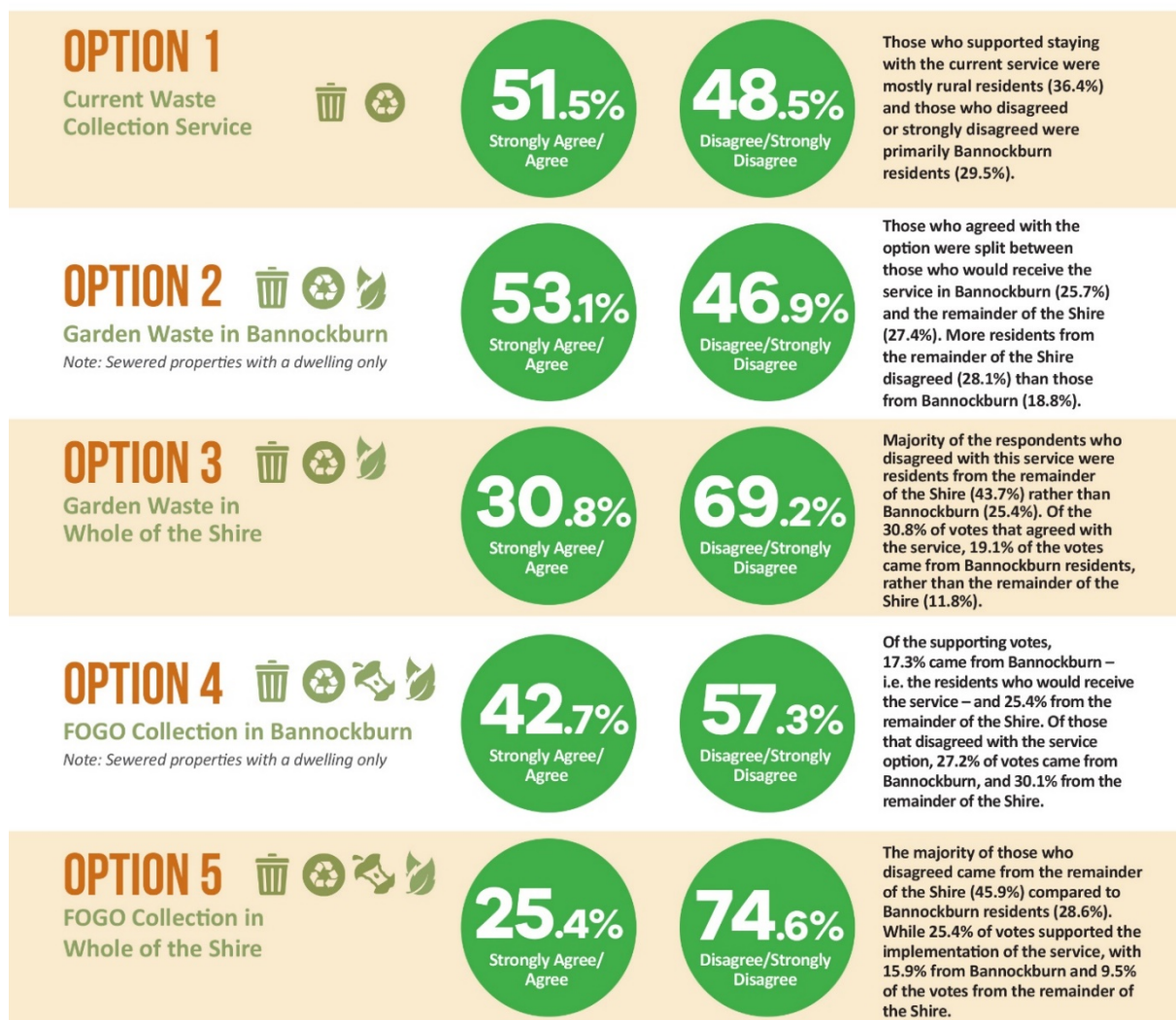
Some of the findings included:

- 73% supported reducing the volume of waste going to landfill;
- 68.3% reported a positive level of satisfaction with the garbage service;
- 91.1% reported satisfaction with the kerbside recycling service;
- A majority indicated that no cost increase was preferred to help reduce waste to landfill.

Council undertook further community engagement process during September and October 2019 through the establishment of a community panel and a survey to gain feedback from residents on the five service options. The first option was to keep the current garbage and recycling service; the four remaining options detailed new garden and Food Organics and Garden Organics (FOGO)

services, and listed information on the service, including the estimated cost to ratepayers and the potential diversion from landfill achieved with the service. Respondents were asked to mark each option with: Strongly Agree; Agree; Disagree; or Strongly Disagree. Thank you to 723 Golden Plains residents who completed the Future Waste Services survey.

Here's what the 723 respondents told Council:



Although none of the options commanded overwhelming support, the first two options received more than 50% support. Since this survey, the Victorian Government has announced its four bins policy, which will make it mandatory to introduce a food and garden organics bin or access to service by 2030.

### Public Exhibition and Submissions

On 23 June 2020, Council endorsed the Draft Waste and Resource Recovery Strategy 2020-2030 and recommended the Strategy be placed on public exhibition for a period of 4 weeks from 1 July to 29 July 2020.

The Draft Strategy was advertised through local print media and via social media with the Strategy being made available on Council's Have Your Say page and via hard copy on request at Council's customer service centres. Residents were able to make submissions online (at [www.goldenplains.vic.gov.au/consultations](http://www.goldenplains.vic.gov.au/consultations)), via email or mail.

A total of 18 submissions were received during the public exhibition period (Attachment 1 & 2). A report on those submissions is provided in Appendix A of the Final Waste and Resource Recovery strategy (Attachment 3).

**CONSULTATION**

The Draft Waste and Resource Recovery Strategy 2020-2030 was publicly exhibited for a period of four weeks from 1 July – 29 July 2020.

18 submissions from community were received regarding the Strategy via Council's Have Your Say submission form and email.

**CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

**CONCLUSION**

The Waste and Resource Recovery Strategy 2020-2030 will guide the way waste is managed in the Shire over the next 10 years.

It is recommended that the public submissions be noted and the final Waste and Resource Recovery Strategy 2020-2030 be adopted and published on Council's website.

The next step is the implementation of the Recycling Victoria policy. Officers have started the process by completing the Registration of Intent to develop a Transition Plan on 28 July 2020. The draft Transition Plan will have to be submitted to DELWP by 30<sup>th</sup> September 2020.

## 7.11 FINANCIAL HARDSHIP POLICY ADDITIONAL SUPPORT

**File Number:****Author:** Fiona Rae, Manager Finance**Authoriser:** Philippa O'Sullivan, Director Corporate Services**Attachments:** 1. Updated COVID-19 Hardship Policy (under separate cover)**RECOMMENDATION**

That Council:

1. Note the changes made to the COVID-19 Financial Hardship Policy to provide additional financial support to customers in response to the continuation of the COVID-19 pandemic.
  2. Adopt the COVID-19 Financial Hardship Policy as at August 2020.
- 

**EXECUTIVE SUMMARY**

The purpose of this report is to provide Council with details of the additional support proposed for customers experiencing financial hardship. In response to the continued impacts of COVID-19, Council endorsed setting aside \$100k in the 2020-21 budget to provide additional financial assistance to customers directly impacted by COVID-19 pandemic. Changes to be made to the COVID-19 Financial Hardship Policy are provided for Council consideration and approval.

**BACKGROUND**

The Novel coronavirus (COVID-19) is a current health issue affecting many countries across the world, including Australia. The World Health Organisation has declared the current outbreak of the coronavirus a pandemic which is impacting every aspect of everyday lives and businesses.

A package of financial relief options for local residents and businesses was developed to assist those in the community most in need of assistance, with the following incorporated into the 2020/21 budget:

- Ratepayer customer relief - Waiving interest on rates, developing a COVID-19 financial hardship policy, and promoting customer payment plans.
- Business relief – extending permits for food registration for the time ceased trading, allow restaurants and cafes to sell takeaway food and waive permit fees, discount waste charge on additional bins, and pay businesses within 14 days.

Council has provided assistance to customers experiencing financial hardship in accordance with a financial hardship policy which required compulsory consultation with a financial counsellor. In response to the impacts of COVID-19 Council developed a COVID-19 specific financial hardship policy which included specific criteria whereby the customer needed to provide evidence of a member of the household losing their job or businesses evidence of being assessed eligible for the Commonwealth Job Keeper payment.

It was acknowledged as part of the adoption of the 2020/21 budget, that some Golden Plain Shire customers will continue to experience financial hardship of a result of COVID-19 for an extended period and as a result, Council committed to setting aside an additional \$100k in the budget to financially assist those customers that need it the most.

As the impacts of COVID-19 are increasing in Victoria with restrictions increased and extended, additional support is required to support customers experiencing continued financial hardship.

**POLICY CONTEXT***Local Government Act 1989**Local Government Amendment (Fair Go Rates) Act 2015*

*Valuation of Land Act 1960***DISCUSSION**

It is acknowledged that there will be some customers that are experiencing extended periods of financial hardship with the COVID-19 pandemic far from over. Increased and extended restrictions are placing more customers under financial pressure.

Customer support currently being offered by other councils includes:

<b>Council</b>	<b>Customer Support</b>	<b>Specific Details</b>
Banyule Council	Offering both waivers and deferral of rates and charges. Customers can apply to have their rates deferred interest free to 30/6/2021	<ul style="list-style-type: none"> <li>• If receiving Jobseeker can apply to waive \$500 off rates on principal place of residence</li> <li>• Businesses receiving Jobkeeper can apply to waive \$500 off rates at the property they operate from</li> <li>• Ratepayers who can show they have 30% or more reduced income can apply to waive \$100 off any properties they own</li> </ul>
City of Greater Geelong	Offering waiver of rates and interest waiver until 31 October 2020	<ul style="list-style-type: none"> <li>• Consider waiving or reducing rates for certain ratepayers where exceptional circumstances are experienced, and where severe impact can be demonstrated</li> <li>• Consideration of waiver only if all financial information has been disclosed with supporting documentation requested (penalties for providing false and misleading information)</li> <li>• Exceptional circumstances determined at the sole discretion of the CEO</li> <li>• Waivers limited to \$1,000</li> </ul>
Kingston Council	Interest waiver until 30 June 2021 and rebate or rate deferral	<ul style="list-style-type: none"> <li>• Interest waiver until 30 June 2021</li> <li>• Rebate of \$112.20 can be applied for Jobseeker/Jobkeeper ratepayers</li> <li>• Rate payment deferred until 30 June 2021 by application</li> <li>• No debt recovery action until after 30 June 2021 including any that had legal action commence prior to March 2020</li> </ul>

The 2020-21 budget included the following COVID-19 relief measures for customers:

- Introduction of special COVID-19 Financial Hardship Policy for local businesses and Golden Plains Shire Council ratepayers
- Suspension of all current debt recovery action for unpaid 2019-20 rates through to 30 September 2020
- Waive interest on overdue 2019-20 rates and penalties for late payment for animal registration fees up to 30 September 2020

- New payment plans for animal registration fees
- Allocation of \$100k towards the COVID-19 Financial Hardship Policy to further assist ratepayers financially affected by COVID-19

### Recommended Option

Additional support for customers can be provided by updating the COVID-19 hardship policy to provide additional relief measures and extend the timeframe of support. The following options are recommended to be included in the updated COVID-19 hardship policy:

- Extending waiving interest on overdue rates from 30 September 2020 to 30 June 2021
- Support customer applications for:
  - Deferring payment of rates to 30 June 2021
  - Waiving a maximum of \$500 off rates at principal place of residence to customers receiving Jobseeker as a result of the COVID-19 pandemic.
  - Waiving a maximum of \$500 off rates on businesses receiving Jobkeeper payments as a result of the COVID-19 pandemic
  - Waiving \$100 off rates on properties for customers who can demonstrate 30% or more reduction in income
- Continued suspension of debt recovery action from 30 September 2020 to 30 June 2021

It is recommended that the additional support options are only provided to customers that meet the eligibility criteria in relation to COVID-19 Jobkeeper payments, and will exclude customers with long term arrears.

### Financial Implications

Council currently has 91 customers on payment plans and 2 customers on COVID-19 hardship plans. 16 applications have also been issued for COVID-19 hardship however have not been returned. The current COVID-19 hardship application includes a waiver of interest and option to pay off Council bills (e.g. rates and animal registration bills) by utilising a payment plan.

Although difficult to estimate the total cost it is anticipated that more customers will require additional financial assistance due to the impacts of the continued restrictions imposed and consequential loss of jobs due to the COVID-19 pandemic. The table below summarises the potential costs of providing additional support to customers.

<b>Assistance</b>	<b>Financial Impact</b>	<b>Cost</b>
Extending waiving interest on overdue rates to 30 June 21	Reduction in interest income	Dependent on number of applications, potential up to estimated \$40,000.
Deferring payment of rates to 30 June 2021	Delayed cash inflow during the year	Difficult to quantify without number of customer applications
Waiving \$500 off rates on principal place of residence to customers on Jobseeker	Reduction in rate income	Dependent on number of applications from ratepayers: \$10,000 for 20 customers, \$25,000 for 50 customers
Waiving \$500 off rates on businesses on Jobkeeper	Reduction in rate income	Dependent on number of applications from ratepayers: \$5,000 for 10 customers, \$10,000 for 20 customers
Waiving \$100 off rates on properties for customers who	Reduction in rate income	Difficult to quantify as dependent on number of

<b>Assistance</b>	<b>Financial Impact</b>	<b>Cost</b>
can demonstrate 30% or more reduction in income		applications; \$1,000 for 10 customers
Continued suspension of debt recovery action to 30 June 21	Possible increase in debtors however promotion of payment plans and additional financial hardship support should ease the strain	Difficult to quantify

### Proposed Criteria For Application

To receive this financial assistance the customer must apply for financial hardship and must provide evidence to support their application in the form of a letter from an employer or Centrelink confirmation of Jobseeker or Jobkeeper eligibility that specifically relates to the COVID-19 pandemic. One waiver of a maximum of \$500 will apply to each property and relates to the name on the rates notice, regardless of how many members of the household are impacted by COVID-19.

### Additional Support

Council are planning on recruiting a Financial Hardship Officer via the Working for Victoria grant program who will proactively contact ratepayers with outstanding rates to discuss payment options and assist if they are experiencing financial hardship due to COVID-19.

### **CONSULTATION**

A formal consultation process was not required.

### **CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

### **CONCLUSION**

Additional support for customers experiencing financial hardship due to the ongoing impacts from the COVID-19 pandemic can be provided by including additional support in the form of extending waiving interest on overdue rates, deferring payment of rates, offering waivers for eligible customers and extending the timeframe of support.

**7.12 2019-20 ROLL FORWARD PROJECTS****File Number:****Author:** Fiona Rae, Manager Finance**Authoriser:** Philippa O'Sullivan, Director Corporate Services**Attachments:** Nil**RECOMMENDATION**

That Council note the programs and projects to be rolled forward from 2019/20 to 2020/21.

**EXECUTIVE SUMMARY**

The purpose of this report is to provide a summary of the projects that require to be rolled forward to the 2020/21 year due to a number of reasons. These reasons include projects that span multiple years, timing of receiving external funding, timing of receiving approval requirements or in particular for this year, delays in delivery due to COVID-19.

**BACKGROUND**

Each year Council has numerous projects or programs that have been provided for in the annual budget that are unable to be delivered by 30 June for a range of reasons. The flow on effect of this is two-fold, one being the projects that were identified in the 2019/20 budget have not yet been delivered and also a financial flow-on effect being an increase in cash, a reduction in planned borrowings and increase in retained earnings at year end as the cash has not be expensed on delivering the projects.

An additional challenge in the 2019/20 year has been the impacts from the COVID-19 pandemic, with many delays and restrictions experienced resulting in a number of projects/programs not completed.

**POLICY CONTENT**

*Local Government Act 1989*

*Local Government (Planning and Reporting) Regulations 2014*

*Audit Act 1994*

**DISCUSSION**

As at 30 June 2020 there was a total of \$6.5m capital projects and \$627k of operational projects that are required to be rolled forward to 2020/21.

These projects have increased Council's cash by \$7.1m and increased the retained earnings balance at 30 June 2020 by \$7.1m. This \$7.1m in funds is rolled forward into 2020/21 to deliver these projects in 2020/21.

**Roll Forward Snapshot**

Type	Category	Amount \$'000
Capital	Relates to projects funded through external funding	1,031
	Relates to unfinished projects or projects spanning multiple years	5,444
	<b>Total Capital</b>	<b>6,475</b>
Operating	Revenue – grant for capital project	(500)
	Relates to operating projects funded through external funding	590
	Required to complete unfinished projects/programs	347



	Expenditure impacted by COVID-19 delays	224
	<b>Total Operating</b>	<b>661</b>

The following table provides a summary of the \$6.5m of capital works projects that will need to be 'rolled forward' into 2020-21. Budget roll forwards consist of actual and committed funds.

Project / Program	\$'000	Status as at 30 June 2020
<b>External Funding Received</b> (These projects must be completed to satisfy funding parties)		
Bannockburn Bowls Upgrade	587	Roll forward project, to be completed in 20-21.
Lethbridge Lighting Install	185	Design completed, will be completed in 20-21.
Turtle Bend Upgrade	259	Project commenced, walk bridge upgrade to commence in 20-21.
<b>Council Funded</b> (These projects relate to delivering community and council priorities)		
Computer Hardware and Software	222	Contract awarded in July, implementation in 20-21.
Asset Management Software	84	Contract awarded in July, implementation in 20-21.
Barwon Park Road Widening	31	Impacted by supplier material delays during bridge construction, will complete in July.
Bakers Lane Stage 4 Development	1,500	Initial works commenced. Project works to commence in 20-21.
Plant Purchases	212	Invoices received, will be delivered in 20-21.
Tennis Lighting Power Upgrade - Teesdale	15	Electrical works will be completed in 20-21.
Environment Initiatives	50	Revised engineering advice re placement of solar panels, will complete in 20-21.
Golden Plains Civic Centre	3,185	Project on track, will complete in 20-21.
Disability Action Plan (toilet DDA)	60	Roll forward. Potential for works at Heart playground or Bannockburn Cultural Centre.
Bannockburn Streetscape Upgrade	70	Awarding of Irrigation waiting on new panel contract in 20-21.
Linton Depot Refurbishment	15	Pound refurbishment will be completed in 20-21.
<b>TOTAL</b>	<b>6,475</b>	

Budget roll forwards consist of actual and committed funds and predominantly grant monies received and not fully acquitted. The following table provides a summary of the \$627k operating projects and program that will need to be 'rolled forward' into 2020-21.

Project / Program	\$'000	Status as at 30 June 2020
<b>External Funding Received</b> (These projects must be completed to satisfy external funding parties)		
Emergency management	200	Grant bushfire recovery funding confirmed and received in second half of year, to be spent in 20-21.
Three trails project	50	Grant funding confirmed in second half of year, project to commence in 20-21.
Tobacco education/enforcement	13	Remaining tobacco reform grant funds.
MCH employee costs	6	Remaining MCH workforce training grant funds.
Parenting support	9	On hold due to COVID-19, will be expensed in 20-21.

Kindergarten Infrastructure and Services Plans	71	New grant funds received in June 2020 for delivery in 20-21.
Children services small services	15	Remaining provisional teacher and school readiness grant funds to be expended late 2020.
HACC property maintenance	3	On hold due to COVID-19, funding to be negotiated.
HACC respite – home & community	5	On hold due to COVID-19, funding to be negotiated.
HACC disability action plan	4	Plan to be completed by end 2020.
HACC access & inclusion activities and projects	28	On hold due to COVID-19, funding to be negotiated.
HACC planned activity group	18	On hold due to COVID-19, funding to be negotiated.
Kindergarten expenditure	2	Transition statements to be delivered late 2020.
CHSP home maintenance	16	On hold due to COVID-19, funding to be negotiated.
Health promotion employee costs	25	Staff vacancy resulting in unspent funds.
GPS health promotion program	17	Externally funded, will be completed in 20-21.
MAV grant	1	Externally funded, will be completed in 20-21.
VicHealth walk to school project	2	Externally funded, will be completed in 20-21.
HEAL grants	4	Externally funded, will be completed in 20-21.
Barwon Health contract	3	Externally funded, will be completed in 20-21.
Ballarat & district nursing healthcare contract	4	Externally funded, will be completed in 20-21.
Change the game funding	3	Scholarship course postponed until September.
Freeza program	12	Grant based on calendar year, will be completed in 2020.
Engage program	3	Grant based on calendar year, will be completed in 2020.
Community activation and social isolation initiative	34	Grant funds received, will be expended in 20-21.
Bannockburn Rec Precinct Shade Sail	27	Project will be completed in Q1 20-21.
Recreation strategy	15	Project commenced, to be completed in 20-21.
<b>Council Funded</b> (These projects relate to delivering community and council priorities)		
Inverleigh Sporting Complex Upgrade Grant - income	(500)	Grant funds approved but not yet received.
Website development	5	Project delayed, will complete in 20-21.
OH&S management software	8	Project delayed, will complete in 20-21.
Bannockburn growth plan	114	Ongoing project spanning multiple years.
Social infrastructure and services planning	37	Community Services Infrastructure Plan timelines extended with project spanning multiple years.
Play space facilities strategy	8	Playspace Strategy implementation to commence in 20-21.
Rokewood Rec Reserve septic	132	Project delayed, will complete in 20-21.
Building inspections and conditions report	43	Level 1 inspections completed, level 2 inspections on select multi-use buildings to complete in 20-21.
<b>COVID-19 Impacted</b> (These projects relate to delivering community and council priorities)		
Openings, events and festivals	5	On hold due to COVID-19, will complete in 20-21.

Health monitoring & vaccinations	5	On hold due to COVID-19, will complete in 20-21.
Environmental strategy implementation	10	On hold due to COVID-19, will complete in 20-21.
Cultural & heritage projects	20	On hold due to COVID-19, will complete in 20-21.
Impounding expenses	1	Project delayed, will complete in 20-21.
Immunisation	11	Project delayed, will complete in 20-21.
Community planning	17	On hold due to COVID-19, will complete in 2020.
This Girl Can local area marketing	9	VicHealth funded, extended to December due to COVID-19
Environmental management	20	On hold due to COVID-19, will complete in 20-21.
Cypress Tree Strategy – Inverleigh & Meredith	45	Community consultation on hold due to COVID19, will complete in 20-21.
Linemarking maintenance	17	On hold due to COVID-19, will complete in 20-21.
Early intervention services	3	On hold due to COVID-19, will complete in 20-21.
Child safe requirements	16	On hold due to COVID-19, will complete in 20-21.
Consolidation of EBA	10	On hold due to COVID-19, will complete in 20-21.
Leadership development plan	11	On hold due to COVID-19, will complete in 20-21.
Software – non-capital	24	On hold due to COVID-19, will complete in 20-21.
<b>TOTAL</b>	<b>661</b>	

## CONSULTATION

A formal consultation process was not required.

## CONFLICT OF INTEREST

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

## CONCLUSION

The amounts within this report have been utilised to finalise the 2019/20 annual accounts and will be included in the 2020/21 forecast to enable Management to accurately monitor Council's financial performance.

**7.13 REVIEW OF INSTRUMENT DELEGATION - COUNCIL TO MEMBERS OF STAFF****File Number:****Author:** Candice Robinson, Coordinator Governance & Risk**Authoriser:** Philippa O'Sullivan, Director Corporate Services**Attachments:** 1. Instrument of Delegation - Council to Members of Council Staff (under separate cover)**RECOMMENDATION**

That Council, in the exercise of the powers conferred by the legislation referred to in the attached Instrument of Delegation, Golden Plains Shire Council resolves that:

1. There be delegation 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.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. 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.

**EXECUTIVE SUMMARY**

The legislation referred to in the attached Instruments of Delegation – Council to Members of Staff enables Council to delegate functions, duties and powers, other than specific exemptions, to Council staff.

A review of the instruments of delegation from Council to members of Council staff has been undertaken. The review included:

- legislative changes required under the new Local Government Act 2020;
- changes required under the instrument template issued by Maddocks Lawyers (July 2020);
- an internal review to ensure alignment with overall organisational requirements, structure and position responsibilities;
- a detailed review of the delegations under the under the Planning and Environment Act 1987 with the goal to introduce efficiencies into the Statutory Planning Department; and
- minor cosmetic changes.

The changes are summarised in detail within the report.

The updated instrument of delegation is presented for Council's adoption (Attachment 1).

**BACKGROUND**

Council can act in only one of two ways:

1. A decision by resolution of Council, and
2. Instrument of delegation to others to act on Council's behalf.

Delegation by Council of powers is formalised via written instruments of delegation. Delegation of powers is considered essential to enable day-to-day decisions to be made.

There are several reasons why delegations should be reviewed regularly, including:

- identifying decision-makers to ensure accountability and responsibility for decisions;
- ensuring Council set conditions, limitations and guidelines for decision-makers, including reporting requirements;
- Council decisions are often subject to legal scrutiny in courts and tribunals. This calls for precision about what decision was made, who made it and when it was made.

Delegations must be performed and executed in accordance with any guidelines or policies of Council and position roles and responsibilities. Members of Council staff whom have delegation are provide with the necessary training and supporting materials to assist them in understanding their roles as a delegated officer.

Council last reviewed and adopted Instrument of Delegation to Members of Council Staff at the 24 March 2020 Council meeting.

## **POLICY CONTEXT**

The Local Government Act 2020; and

The legislation referred to in the attached Instruments of Delegation.

## **DISCUSSION**

Council subscribes to the Maddocks Lawyers Delegations and Authorisations Service. This service not only assists Council in managing its delegations and authorisations, but also assists members of staff to understand the scope of their powers and avoid any risk of acting outside their delegated authority. This service includes provision of instruments of delegation templates based on the best practice model along with regular updates taking into account any legislative changes to the various acts and regulations included in the delegations.

A review of delegations from Council to members of Council staff has recently been undertaken.

### ***Summary of Changes – Instrument of Delegation from Council to members of Council staff:***

- Legislative changes required under the new Local Government Act 2020;
- Changes required under the instrument template issued by Maddocks Lawyers (July 2020);
- An internal review to ensure alignment with overall organisational requirements, structure and position responsibilities;
- A detailed review of the delegations under the under the Planning and Environment Act 1987 with the goal to introduce efficiencies into the Statutory Planning Department; and
- Minor cosmetic changes.

### ***Details of Review – Delegations under Planning and Environment Act 1987:***

The effective functioning of Council's statutory planning department relies heavily on the delegation of decision making responsibilities to professional planning staff. Delegation offers a number of significant advantages to Council and the community, including:

- The Council has more time to address higher order strategic matters and initiatives
- Council officers take more responsibility for giving advice and decision making and are able to provide consistent and informed advice to applicants and objectors; and
- The processing/decision time for an application can in most cases be significantly reduced, thus enabling Council to improve its level of customer service and because the average time for making decisions on permits will decrease.

On the basis of the above information, it is suggested that Council should consider the decision making frameworks/procedures for dealing with planning permit applications that have been in place for some time at many Victorian municipalities. Since January 2018, ten applications for two lot subdivisions have been resolved by Council, all of which have confirmed the Officer recommendation, whether it be a refusal or Notice of Decision to Grant a Planning Permit. Based on this analysis and given the timeframes involved in forwarding applications to Council for a decision, it is suggested that applications for two lot subdivisions which attract less than 5 objections, be determined by Officers under Delegation.

One specific change under the Planning and Environment Act 1987 is recommend;

- Provision s61(1), addition of new condition and limitation:

*'Delegation to officers does not apply to:*

*-Making decisions on applications that have received objections, other than applications for two lot subdivisions that have received less than five objections.'*

The proposal, if implemented will also:

- Reduce the number of planning permit applications being decided by the Council; and
- Allow the planning staff to devote more time to assessments rather than report writing, agenda preparation and attendance at formal Council meetings.

## **CONSULTATION**

Council will make available for public inspection a register of delegations, including the dates on which the last reviews took place.

Changes to the delegations will be communicated internally.

## **CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

## **CONCLUSION**

After a thorough review of Council's Instrument of Delegation to Members of Council Staff, it is now appropriate for Council to adopt the amended Instrument of Delegation. By carrying out a review of the instruments of delegation Council will ensure compliance with legislation and provide a clear framework to ensure the members of Council staff are aware of and acting within their designated levels of authority. It is further recommended that Council support the initiative to extend the officers powers of delegation under the Planning and Environment Act 1987 to improve efficiencies.

## 7.14 LOCAL GOVERNMENT ACT 2020 IMPLEMENTATION - DOCUMENTS FOR ADOPTION

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

1. Governance Rules (under separate cover)
2. Public Participation in Council Meetings Policy (under separate cover)
3. Election Period Policy (under separate cover)
4. Public Transparency Policy (under separate cover)
5. Summary of Submissions & Officer Response (under separate cover)

### RECOMMENDATION

That Council:

1. Adopt the Governance Rules (Attachment 1), including the Public Participation in Council Meetings Policy (Attachment 2) and Election Period Policy (Attachment 3).
2. Adopt the Public Transparency Policy (Attachment 4).
3. Note the Governance Rules and abovementioned policies will come into effect on Wednesday, 26 August 2020.

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### EXECUTIVE SUMMARY

In order to achieve compliance with Stage 2 implementation of the phased introduction of the new Local Government Act 2020, the following documents need to be adopted.

- Governance Rules (including Public Participation in Council Meetings Policy and Election Period Policy); and
- Public Transparency Policy.

The establishment of the Golden Plains Shire Council Governance Rules will bring a repeal of the following document:

- Local Law No.1 of 2019 – Council Meeting Procedures & Common Seal

In July 2020 the Governance Rules and abovementioned policies were publically exhibited in accordance with requirements of the Local Government Act 2020, for a period of two weeks, from Wednesday, 29th July 2020 to Wednesday, 12 August 2020.

Submissions from the public were invited via email, hardcopy mail or through Council's Have Your Say webpage.

Three public submissions were received. The issues raised in the submissions were considered in detail and minor changes to the documents proposed. A summary of submissions, officer response and changes is provided at Attachment 5.

The Governance Rules and abovementioned policies are now presented to Council for final adoption.

### BACKGROUND

The new Local Government Act 2020 (the Act) was passed by the Victorian Parliament in mid-March, receiving royal assent on 24 March 2020. The new Act is being rolled out in four implementation stages, which are to be proclaimed between 6 April 2020 and July 2021.

With the first stage of reforms commencing on 6 April 2020, the second stage came into force on 1 May 2020. Within the second stage there are several items that need to be completed within a grace period of four months from the 1 May 2020, e.g. by 1 September 2020.

## **POLICY CONTEXT**

*Local Government Act 2020*

## **DISCUSSION**

To implement the requirement of the second implementation stage of the Local Government Act 2020, the following documents were placed on public exhibition for a period of two weeks, from Wednesday, 29th July 2020 to Wednesday, 12 August 2020, in accordance with the 28 July 2020 Council Resolution.

- Governance Rules (including Public Participation in Council Meetings Policy and Election Period Policy); and
- Public Transparency Policy.

The documents must now be adopted by 1 September 2020.

## **Governance Rules**

The Governance Rules are attached to this report. Under the new Act, the Governance Rules must include:

- (a) the conduct of Council meetings;
- (b) the conduct of meetings of delegated committees;
- (c) the form and availability of meeting records;
- (d) the election of the Mayor and the Deputy Mayor;
- (da) the appointment of an Acting Mayor;
- (e) an election period policy in accordance with section 69;
- (f) the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee under section 130;
- (g) the procedure for the disclosure of a conflict of interest by a Councillor under section 131;
- (h) the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of section 126(1);
- (i) any other matters prescribed by the regulations.

The Governance Rules include a revised version of the meeting procedures sections drawn from Golden Plains Shire Council Local Law No. 1 of 2019. This ensures that meeting procedures and practices currently in place remain except where adjustment required to comply with the new legislation. The meeting procedures have also undergone minor wording amendments for clarity.

In early June, Local Government Victoria (LGV) provided councils with a template Governance Rules. These rules were reviewed and utilised to assist in making the necessary amendments to Governance Rules, however, as Council's meeting governance has developed into a comprehensive and well defined set of procedures over many years, retention of these procedures was maintained in preference to adopting in full the less complete LGV Governance Rules template.

Following officers review the Governance Rules were forwarded to an external lawyer for further review and suggested changes incorporated.

Following the public exhibition period minor changes are recommended and summarised in Attachment 5.



These Governance Rules are designed to be clear, instructive and provide transparency to the decision making processes of Council. They are submitted to Council for approval to commence the public exhibition process.

The final Governance Rules are provided at Attachment 1.

### **Public Participation in Council Meetings Policy**

The Governance Rules include the Public Participation in Council Meetings Policy as per Local Law No. 1 of 2019 (to be repealed).

The Public Participation in Council Meetings Policy was last reviewed and adopted by Council 23 April 2019. This policy has been amended slightly and new components incorporated to meet requirements imposed by the 2020 Act.

Following officers review the Policy was forwarded to an external lawyer for further review and suggested changes incorporated.

Following the public exhibition period minor changes are recommended and summarised in Attachment 5.

The final Public Participation in Council Meetings Policy is provided at Attachment 2.

### **Election Period Policy**

The Governance Rules include the Election Period Policy as now required under section 60 of the new Act.

The Election Period Policy was last reviewed and adopted by Council 27 August 2019. This policy has been amended slightly and new components incorporated to meet requirements imposed by the 2020 Act.

Following officers review the Policy was forwarded to an external lawyer for further review and suggested changes incorporated.

Following the public exhibition period minor changes are recommended and summarised in Attachment 5.

The final Election Period Policy is provided at Attachment 3.

### **Public Transparency Policy**

A new Public Transparency Policy must be adopted by Council to comply with the requirements of the Act by 1 September 2020, giving effect to the Public Transparency Principles at section 58.

The Principles state that:

- Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;
- Council information must be publicly available unless—
  - the information is confidential by virtue of this Act or any other Act; or
  - public availability of the information would be contrary to the public interest;
- Council information must be understandable and accessible to members of the municipal community;
- public awareness of the availability of Council information must be facilitated.

The Policy is a new policy that outlines Council's commitment to transparency and lists the types of documents/information available from Council via the website and on request. It provides guidance for the public on how to make requests and how to seek redress if not satisfied with Council's response. Being a new policy, it is noted that the policy may require an early review following implementation and evaluation.

Some Council information may not be publicly available for example where:

- it is confidential by virtue of the Local Government Act 2020 or any other Act; or

- public availability of the information would be contrary to the public interest.

The policy supports the overarching Governance Principles at section 9(1)(2) and the supporting Transparency Principles as described above. It has been developed using guidance materials from LGV, including Public Transparency Principles Guidelines and Public Transparency Policy Template.

Following officers review the Policy was forwarded to an external lawyer for further review and suggested changes incorporated.

Following the public exhibition period minor changes are recommended and summarised in Attachment 5.

The final Public Transparency Policy is provided at Attachment 3.

### **Summary of Submissions**

In accordance with requirements under the Local Government Act 2020, the documents were placed on public exhibition for a period of two weeks, from Wednesday, 29th July 2020 to Wednesday, 12 August 2020.

A public notice inviting submissions was placed on Council's website and social media pages.

Submissions were invited via email, hardcopy mail or through Council's Have Your Say webpage.

Three public submissions were received. The issues raised in the submissions were considered in detail.

A summary of submissions, officer response and proposed changes is provided at Attachment 5.

A full copy of the submissions received were provided to Councillors at the Councillor Briefing on 18 August 2020. The submissions are not attached to the Council Meeting report to ensure compliance with the *Privacy and Data Protection Act 2014*.

A Meeting of Council was not required to hear submitters as no submitters indicated that they wished to present their submission in person to Council.

### **CONSULTATION**

Senior staff and Councillors have been consulted in the review of the documents.

Community engagement has also been conducted, allowing the community to review and make a submissions on the documents prior to their final presentation to Council for adoption.

Following adoption of the final documents, a copy will be made available on Council's website and for public inspection at Council's offices.

### **CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

### **CONCLUSION**

The Governance Rules (including Public Participation in Council Meetings Policy and Election Period Policy) and the Public Transparency Policy were publically exhibited for a period of two weeks from Wednesday, 29th July 2020 to Wednesday, 12 August 2020 and are now period being presented to Council for final consideration and adoption in order to meet Stage 2 implementation requirements of the new *Local Government Act 2020*.

## 7.15 GEELONG REGIONAL LIBRARY CORPORATION - ENDORSEMENT OF COLAC OTWAY SHIRE COUNCIL MEMBERSHIP

**File Number:****Author:** Sophie Brown, Community Services Admin Support Officer**Authoriser:** Lisa Letic, Director Community Services**Attachments:** 1. GRLC Supplementary Agreement (under separate cover)**RECOMMENDATION**

That Council:

1. Endorse Colac Otway Shire joining Geelong Regional Library Corporation.
2. Authorise the Chief Executive Officer to execute the agreement by affixing the common seal in accordance with Local Law No. 1 of 2019 Council Meeting Procedures & Common Seal.

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**EXECUTIVE SUMMARY**

This report seeks Council's endorsement for Colac Otway Shire to join the Geelong Regional Library Corporation (GRLC) in the delivery of shared library services in partnership with existing member Councils City of Greater Geelong, Borough of Queenscliffe, Golden Plains Shire and Surf Coast Shire.

Colac Otway Shire along with Warrnambool City, Corangamite Shire and Moyne Shire Councils is currently a member of the Corangamite Regional Library Corporation (CRLC), which was established in 1996. Colac Otway Shire has, for some years now, been exploring its options for future library service provision. This exploration has included the possibility of becoming a member of the Geelong Regional Library Corporation (GRLC), with positive discussions between Colac Otway Shire and GRLC taking place since 2017.

Upon receiving a formal request, the GRLC Board at its 24 June meeting, resolved to endorse accepting Colac Otway Shire as a GRLC member in principle and subject to all member Councils endorsing the membership as required under the library agreement. If endorsed this would see Colac Library, Apollo Bay Library and mobile library services integrated into the GRLC.

In order for Colac Otway Shire to become a member of the GRLC, endorsement is required by all existing member Councils. A Supplemental Agreement has been prepared by Maddocks Lawyers (Attachment 1). There are no changes to the current Agreement for existing members Councils and Colac Otway Shire is obligated to abide by all the current agreement conditions. The common Seal of each Member Council must then be affixed to the final document. The Supplemental Agreement is then to be sent to the Minister for Local Government.

**BACKGROUND**

The GRLC and Colac Otway Shire Council have been in discussion since August 2017, including an exchange of letters in February 2018 between the CEO of GRLC, Patti Manolis, and Tony McGann, Acting CEO of Colac Otway Shire Council.

In June 2018 Cr Stephen Hart and Ian Seuren, General Manager of Development and Community Services, attended a GRLC Board Meeting where a constructive and positive discussion took place and where the GRLC Board welcomed the possibility of Colac Otway Shire Council joining GRLC.

At its meeting of 24 June 2020 the Colac Otway Shire Council resolved that Council:

1. Notes the findings of the Colac Otway Shire Library Service Review including the results from the community consultation;

2. Resolves to withdraw its membership of the Corangamite Regional Library Corporation by 30 June 2021;
3. Instructs the Chief Executive to write to the Corangamite Regional Library Corporation prior to 30 June 2020 stating Council's intention to withdraw its membership of the corporation;
4. Instructs the Chief Executive to write to the Geelong Regional Library Corporation requesting that they accept Colac Otway Shire Council as a member from 1 July 2021;
5. Reviews the levels of service to be provided by the Geelong Regional Library Corporation, including the Outreach Service, to reduce the potential cost of the service to be provided by the Geelong Regional Library Corporation;
6. Requests a further briefing on the transition costs and operational costs of becoming a partner with the Geelong Regional Library Corporation following further investigation that would see them withdraw from Corangamite Regional Library Corporation and seek to join Geelong Regional Library Corporation.

Throughout the discussion, the GRLC Board has indicated that it would be open to the prospect of Colac Otway Shire Council joining the Geelong Regional Library Corporation.

At its meeting held 24 June 2020 the GRLC Board unanimously resolved:

- a) That the GRLC Board endorses Colac Otway Shire Council in principle joining Geelong Regional Library Corporation as a Member Council and;
- b) That the CEO commences drafting the Supplementary Agreement and accompanying detailed report and budget for consideration by the GRLC Board and all Member Councils; and
- c) That approval of all members Councils is required.

### **Current Colac Otway Library Service**

The Colac Otway Shire has a population of 21,500 and has library services delivered from two branches and a mobile vehicle as follows:

1. Colac Library is a large (1,078m<sup>2</sup>) modern library located at the Colac Secondary College. It is open 48.5 hours per week and operates under a joint use agreement with the College in a building owned by the Department of Education. An equivalent sized GRLC library branch is Waurin Ponds Library (open 58 hours per week). In the GRLC 2018/19 Annual Report, Colac Library is shown to have 9,714 members, annual visits of 86,567, 120,494 loans, 6,192 attendances to programs, a collection size of 33,000 items and 8 public pcs utilized for 9,898 sessions. Wi-Fi is also provided.
2. Apollo Bay Library is relatively small at 180m<sup>2</sup> which operates from a leased site owned by Great Ocean Road Health (an amalgamation of Otway Health and Lorne Community Hospital). An equivalent sized library at GRLC is Barwon Heads or Chilwell. It is open 18 hours per week, has 1,340 members, annual visits of 11,533, 10,274 loans, 340 attendances to programs, a collection size of 5,422 items and 1 public pc utilized for 572 sessions. Wi-Fi is also provided.
3. Mobile Library Services are delivered across the Corangamite region to 12 townships. Eight of these are in COS – Beeac, Beech Forest, Birregurra, Coragulac, Cressy, Forrest, Gellibrand, and Lavers Hill on a fortnightly basis from a large library outreach van that holds 1,200 collection items.

### **POLICY CONTEXT**

#### *Council Plan 2017 - 2021*

Council's membership of the Geelong Regional Library Corporation contributes to the achievement of Council Plan objectives 1. Promoting healthy and connect communities and 2. Enhancing local economies.

In order for the Agreement to be executed all Member Councils must endorse the Supplemental Agreement.

The common Seal of each Member Council must then be affixed to the final document. The Supplemental Agreement is then to be sent to the Minister for Local Government with a covering

letter indicating the changes that have been made to GRLC Membership. The Agreement will be examined by the Local Government Victoria legal team. It also requires approval by the Minister for Local Government and once approved will be gazetted.

## **DISCUSSION**

In considering the impact of Colac Otway Shire Council joining the GRLC the following analysis has been prepared:

### ***Staffing***

According to the latest CRLC annual report, an equivalent of 6 effective full time staff currently deliver direct services to Colac Otway Shire Council residents. In addition, there are 10.6 EFT at regional headquarters and it is estimated that roughly 25% of regional effort would be directed at Colac Otway Shire Council services. It is expected that 10 EFT or less would transition over to the GRLC.

### ***Service Quality and Standards***

Overall, the services delivered by CRLC are of good quality and the customer satisfaction rating achieved last year was 95%. The collection is quite up to date with 67% of items purchased in the past five years. However, 20 of the key performance indicators reported on in the Annual Survey of Public Libraries, performance falls below GRLC performance. Colac Otway Shire Council is seeking to improve their industry standing through improved service delivery to their residents and for this reason has indicated it is willing to increase its contributions per capita to library services to meet GRLC standards and requirements.

### ***Strategic and Geographic Alignment***

The Colac Otway Shire Council review and subsequent decisions demonstrate great understanding of the importance of public libraries in communities and the positive impacts they deliver for community wellbeing. Colac Otway Shire Council is clearly committed to improving library services as evidenced by their investment in an extensive review and community consultation. Colac Otway Shire Council's vision for their library services aligns strongly with that of the member Councils of GRLC.

The inclusion of Colac Otway Shire Council in the Geelong region has precedents. Colac Otway Shire Council is a member of the G21 Regional Alliance and is active on two G21 pillars with representatives from the GRLC – the Arts Heritage & Culture Pillar and the Education & Training Pillar. Through its membership of CRLC, Colac Otway Shire Council is also member of Public Libraries Victoria, alongside GRLC.

### ***Financial and Service Matters***

The admission of Colac Otway Shire Council provides several advantages including a contribution to regional costs of approximately \$300k. There are economies of scale that can be achieved through an additional member Council across the Corporation headquarters that will benefit existing members Councils. The State Government grant currently received by CRLC (\$190K) would also come over to the GRLC. There is capacity in the GRLC mobile library service to deliver to the Colac Otway Shire Council eight township stops. Not only would a more appropriate utilisation of a major asset be achieved, it would reduce the financial burden of the mobile service for Golden Plains, Surf Coast and City of Greater Geelong Councils. An additional 41,000 collection items would be added to the shared regional collection providing a greater range for our library members and visitors.

### ***Financial Implications***

There are no additional financial implications to Golden Plains Shire Council, other existing member Councils or GRLC. The apportionment of costs is clearly detailed in the Library Agreement. An additional member Council will provide economies of scale through financial contribution for regional costs. The direct costs of services as well as maintenance for building assets in the Colac Otway Shire are the responsibility of its Council as per the Library Agreement.

Colac Otway Shire Council will cover all costs associated with integration into GRLC. Colac Otway Shire Council contributes a higher per capita contribution than other CRLC member Councils at \$33.66, which this year totaled \$727K. By way of comparison, GRLC currently has an average member Council contribution of \$38.95 per capita. Colac Otway Shire Council has indicated they are prepared to increase their contribution to library services to join GRLC for the improvement it will provide in the range and quality of services to their residents. In addition to the Colac Otway Shire Council contribution, is their portion of the State Government grant to CRLC (\$190k) that would come across to the GRLC.

An independent report produced by SGS Economics titled *Libraries Work! The socio-economic value of public libraries to all Victorians* found that “every dollar invested in public libraries generates \$4.30 of benefits to the community”. In addition the report stated that “additional funding for public libraries has close to zero risk of diminishing returns.”

### **Social Equity Considerations**

Public Libraries contribute significantly to community in a variety of ways including:

- Creating informed communities;
- Supporting and strengthening democracy through the equitable and free provision of access to local and global information sources;
- Providing free and universal access to information technology infrastructure, computer literacy and technology resources;
- Providing opportunities for lifelong learning and culture through resources to support self-directed learning and programmed information, reading, cultural and digital literacy activities;
- Building community by providing welcoming, neutral, community space that is open to all members of the community from all walks of life and by connecting individuals, groups and government.

### **Risk Assessment**

There are very few risks, if any, to Golden Plains Shire Council, current member Councils and the GRLC through the admission of Colac Otway Shire Council as a member. Regional Library Corporation Agreements are very detailed and provide a clear framework and direction for strategic, budgetary and operational matters and in relation to changes in Corporation membership.

The size of the Colac Otway Shire Council operation compared to GRLC is small, with approximately 10 EFT staff or less transferring over to GRLC should their request to join be accepted. Though it is currently a large stakeholder in its current arrangements with the Corangamite Regional Library Corporation with two representatives on the board, at the GRLC there would be a single board member designated in line with GRLC current practice.

There will be no negative impact or dilution of effort in existing services delivered by GRLC on behalf of its member Councils.

### **Environmental Implications**

There are no specific environmental implications for Council in the adoption of this report. A key identified benefit of libraries is the environmental saving offered by multiple usages and sharing of materials. Multiple accessing of library print materials such as books and newspapers, non-print materials such as eCollections, CDs and DVDs and digital collections are more resource friendly.

## **CONSULTATION**

In February 2019, Colac Otway Shire Council resolved to commence a detailed investigation and review of its library services and exploration of the option of withdrawing from the CRLC and joining the GRLC. The main drivers of the review were to ensure the sustainability of the library service, address the uncertainty created by the impending withdrawal of Warrnambool City Council from CRLC and seek ways to improve library services to its residents.

Appropriate community engagement has been undertaken by the Colac Otway Shire to inform their direction and decision making with majority community support for joining the GRLC. The GRLC Board have discussed the possibility of Colac Otway Shire Council joining since 2017 and specifically on twelve occasions at Board Meetings before resolving at its 24 June, 2020 meeting to accept Colac Otway Shire as a GRLC member in principle and subject to all member Councils endorsing the membership as required under the library agreement.

### **CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

### **CONCLUSION**

Council's membership of the Geelong Regional Library Corporation has a number of advantages, which will be further enhanced with the addition of Colac Otway Shire. These include strengthened strategic planning, collaboration and delivery of shared library services across the Geelong whole region, economies of scale through sharing of regional costs, additional state government grant contribution to administrative costs and increased community access to quality collections and services.

**8 NOTICES OF MOTION**

Nil

**9 PETITIONS**

Nil



**10 CONFIDENTIAL REPORTS FOR DECISION****RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66 of the Local Government Act 2020:

**10.1 Chief Executive Officer Performance Review**

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

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