

AGENDA

Ordinary Council Meeting

6.00pm Tuesday 28 August 2018

VENUE:
Linton Customer Service Centre
Council Chambers
12 High Street, Bannockburn

NEXT ORDINARY COUNCIL MEETING
6.00pm Tuesday 25 September 2018

Copies of Golden Plains Shire Council's Agendas & Minutes
Can be obtained online at 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**Our Vision**

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

Opening Prayer

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

2 ACKNOWLEDGEMENT OF COUNTRY

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

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

That the minutes of the meeting of council held 24 July 2018, as circulated, be confirmed.

5 DECLARATION OF CONFLICT OF INTEREST

6 BUSINESS REPORTS FOR DECISION

6.1 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 25 July 2018 to 27 August 2018 as attached.

EXECUTIVE SUMMARY

To present Council with written records of Assembly of Councillors in accordance with section 80A of the Local Government Act 1989 from 25 July 2018 to 27 August 2018.

BACKGROUND

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

DISCUSSION

The record must include:

- 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

Date of meeting:	Tuesday 21 August 2018
Time:	1.00pm
Purpose of meeting:	Councillor Briefing session
Councillors present:	Cr Helena Kirby, Mayor Cr Nathan Hansford Cr Les Rowe Cr Owen Sharkey Cr David Evans
Apologies:	Cr Joanne Gilbert Cr Des Phelan
Council staff present:	Eric Braslis, Chief Executive Officer Greg Anders, Director Assets & Amenity Patti Wenn, Acting Director Community Services Richard Trigg, Director Corporate Services David Greaves, Works Manager Dean Veenstra, Recreation Team Leader Felicity Bolitho, Executive Unit Team Leader Helena Charles, Senior Economic Development Officer Mick Cosgriff, Economic Development Officer Sarah Fisher, Statutory Planning Team Leader Tim Waller, Development Manager Louisa White, Community Development Manager Tony Talevski, Team Leader of Roads and Waste Alicia Te Wierik, Senior Strategic Planner Nicole Langtip, Community Planning Facilitator
Other people present:	Jo Sibbison Paul Kirby Tony Lagoa Lynne Gray
Conflict of Interest Disclosures (Councillors)	Cr Sharkey declared an interest regarding Planning Application P18-017 for change of use from a Broiler Farm to Intensive Animal Husbandry (Free range egg production)
Conflict of Interest Disclosures (Officers)	Nil
Matters discussed:	<p>Presentations</p> <ul style="list-style-type: none"> - Presentation: Rokewood & Corindhap Community Plan 2018-2021 - Update on the new Golden Plains Times <p>Reports</p> <ul style="list-style-type: none"> - Planning application P18-017 for change of use from a Broiler Farm to Intensive Animal Husbandry (Free range egg production) - Planning application P18-006 for the development of the land of a four lot subdivision at 26 Stevenson Road, Bannockburn - Arts and Culture Strategy 2018-2022 - Panel of Suppliers for Road Signs (GPS-RFT19/2018) - Awarding of Contract - Review of Policy of 5.3 Recognition of citizens who take part in State Level or Above Competition - Instrument of Delegation from Council to members of Council Staff - Councillor Expenses Report - 12 months ended 30 June 2018



	Updates <ul style="list-style-type: none">- Caravan and RV Dump point opportunities- Maternal and Child Health Service- Bannockburn Children Services Report- 2017-18 Budgeted Projects not completed at Year End- The Heart Play Space Design Update- GPCCC Design Update- Waste Management Strategy Update- Local Government Performance Reporting Framework
Completed by:	Eric Braslis, Chief Executive Officer 

6.2 PLANNING APPLICATION P18-017 FOR CHANGE OF USE FROM A BROILER FARM TO INTENSIVE ANIMAL HUSBANDRY (FREE RANGE EGG PRODUCTION)

File Number:

Author: Sarah Fisher, Statutory Planning Team Leader

Authoriser: Greg Anders, Director Assets and Amenity

Applicant: Cheryl King

Owner: Cheryl King

Proposal: Change of Use from a Broiler Farm to Intensive Animal Husbandry (Free Range Egg Production)

Location: 559 English Road, Lethbridge (Crown Allotment 132 Parish of Wabdallah)

Attachments:

1. Recommended NOD Conditions (under separate cover)
2. Application Information (under separate cover)
3. National Farm Biosecurity Technical Manual for Egg Production (under separate cover)
4. Objection (under separate cover)

RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Permit for the Change of Use from a Broiler Farm to Intensive Animal Husbandry (Free Range Egg Production) at 559 English Road, Lethbridge (Crown Allotment 132 Parish of Wabdallah), with the conditions as shown on Attachment 1.

EXECUTIVE SUMMARY

This report relates to a planning permit application which proposes a Change of Use from a Broiler Farm to Intensive Animal Husbandry (Free Range Egg Production) at 559 English Road, Lethbridge. This report provides a background to the application, a summary of relevant planning considerations and an officer recommendation which supports the issue of a planning permit.

PURPOSE

The application has been referred to the Council Meeting for determination because there is one (1) outstanding objection to planning application P18-017 for the Change of Use from a Broiler Farm to Intensive Animal Husbandry (Free Range Egg Production), at 559 English Road, Lethbridge.

DECLARATIONS OF CONFLICT OF INTEREST

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

COUNCIL PLAN

Managing natural and built environments.

BACKGROUND INFORMATION

The subject site is known as Crown Allotment 132, Parish of Wabdallah, 559 English Road, Lethbridge. The site is zoned Farming and no overlays apply. Adjoining and nearby land is also zoned Farming. The subject site is 32.5 hectares in area and directly accessible from English Road which is a Council road. The site contains an existing dwelling and three (3) large sheds which have been used as a broiler farm. There are some smaller ancillary sheds nearby. The broiler sheds are located in the north-east portion of the irregular shaped parcel of land. There are two modest sized dams in close proximity to the shedding and some planted vegetation in various locations across the site (refer to aerial image below).



Land parcel sizes in the immediate area vary though are consistently used for agricultural purposes including broad-acre grazing and cropping with at least five other animal industries within a 1.5km radius.

This application proposes a change of use from a Broiler Farm to Intensive Animal Husbandry (Free Range Egg Production).

As per Clause 73.03 of the Golden Plains Planning Scheme (Operational Provisions), Broiler Farm and Intensive Animal Husbandry are defined as follows:

Broiler Farm: Land used to keep broiler chickens which are housed permanently in sheds and reared for meat production.

Intensive Animal Husbandry: Land used to keep or breed farm animals, including birds, by importing most food from outside the enclosures. It does not include:

- a) An abattoir or sale yard;
- b) Emergency and supplementary feeding if incidental to the use of land for extensive animal husbandry; or
- c) The penning and housing of animals, including birds, for brooding, weaning, dipping or other husbandry purposes if incidental to the use of land for extensive animal husbandry.

The change of use proposes the keeping of 47,250 free range birds for egg production- less than half the number that were kept for the Broiler Farm use. The three existing sheds which were

previously used for broiler production purposes will still be used, however the property will also be fenced (1.8m high chicken wire for boundary fences, with 300mm laid on ground for fox proofing) and separated internally into three free range areas of 9, 11.5 and 11 hectares with a shed associated with each of these fenced free range areas.

The farm is to operate within the guidelines for the *National Farm Biosecurity Technical Manual for Egg Production (2015)*.

Signage at the property entry advises visitors of the quarantine nature of the site and there are applicable associated measures in place such as wheel wash, visitors log and hand washing facilities. A vaccination schedule for the birds is kept for each shed as part of these measures.

The chickens proposed to be kept on site will be used for free range egg production as opposed to being broiler (meat) birds kept exclusively in the sheds.

The production cycle for birds is said to be 74 weeks. Litter management and shed clean out and any required maintenance is to occur at the end of the 74 week period. The total removal of all litter material is via covered trucks. Shed floors are swept with an industrial sweeper which collects any litter residue and feathers left after the scraping process. Sanitation of the sheds follows. Dead birds are collected daily and placed in a freezer on site, and then collected by a contractor when the number of birds necessitates. Floor litter is rotary hoed on a regular basis to keep it dry and aerated and hence minimise odour.

Bait stations are to be used around the shedding and records kept and maintained to show high activity times and areas and how frequently baits are replaced.

Drainage, waste water management and access to the property remains unchanged.

Vehicle movements to the site associated with the altered use are proposed to consist of 2 feed trucks per month, 2 truck pickups per week for egg collection and one truck movement per fortnight to drop off supplies such as egg trays and pallets etc. All of these deliveries or pick-ups are to occur between 7am and 5pm, Monday to Friday (see consultation discussion in relation to delivery and pick up time).

Egg collecting is to occur each morning from a belt from which they are then stacked into trays to make up a pallet and stored in a cool room until pick up.

The site is serviced by town water and electricity.

CONSULTATION

Notice of the application was given in accordance with Section 52 (1) (a) and (d) of the Planning and Environment Act 1987. Notice was provided by mail to fourteen (14) adjoining and neighbouring owners and/or occupiers and a sign was placed on site.

As a result of the public notice, three (3) objections were received.

One of the objectors originally wrote that they do not object to the proposal as such, but would like the delivery/pick up times as specified by the applicant to be reflected as a condition on permit. The window for delivery and pick up was specified as '*weekdays between 7am and 5pm*'. However, when this was conveyed to the applicant, they informed Council that the specified time of 7am-5pm was an error on their part; the actual pickup/delivery times is proposed to be *weekdays between 7am and 8pm*.

This was conveyed to the objector who confirmed that they still did not object to the 7am-8pm Monday to Friday time frame, as long as this is formalised via a condition on permit. Therefore, a condition has been recommended for inclusion on the permit to specify delivery and picks can only occur between 7am and 8am, Monday to Friday, and as such this objection no longer remains.

A second objection was made on the grounds of biosecurity concerns. As a result, the applicant provided additional information which was forwarded to this objector for their consideration. Information included confirmation that the farm operates with the guidelines of the *National Farm Biosecurity Technical Manual for Egg Production (2015)*. Measures undertaken to meet these guidelines include, signage on the front gate of the property advising visitors that the property is a quarantine area and that there are appropriate measures in place. Such measures include vehicle

wheel wash, visitors log, hand and boot washing facilities and the maintenance of a vaccination schedule. It was also confirmed that a number of rodent bait stations are placed around the sheds.

Based on this additional information and clarification, this objector also withdrew their objection.

The third and remaining objection remains. A meeting was held with this objecting party, the planning officer and Statutory Planning Team Leader. It was made clear by the objecting party that there would be no resolution to their concerns and as such a formal consultation meeting with this party and the applicant was not convened. Matters raised in their objection are examined in the *Discussion* section of this report.

ASSESSMENT

Golden Plains Planning Scheme

State Planning Policy Framework (SPPF)

Clause 13.07 Amenity

The objective of this clause is:

- To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.

Strategies

- 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 locations
- Using a range of building design, urban design, operational and land use separation measures

Clause 14.01 Agriculture

The objective of this clause is:

- To protect the state's agricultural base by preserving productive farmland

Strategies includes, but are not limited to:

- Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors
- Prevent inappropriately dispersed urban activities in rural areas
- Protect strategically important agricultural and primary production land from incompatible uses

Limit new housing development in rural areas by:

- Directing housing growth into existing settlements
- Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses

Clause 14.01-2S Sustainable agricultural land use

Objective

- To encourage sustainable agricultural land use.

Strategies include, but are not limited to:

- Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices
- Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing
- Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes
- Facilitate the establishment and expansion of cattle feedlots, piggeries, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment

Planning Policy Framework

Clause 17.01-1S Diversified economy

Objective

- To strengthen and diversify the economy

Strategies include but are not limited to:

- Support rural economies to grow and diversity

Clause 17.01-1R2 Diversified economy – Geelong G21

Strategies include but are not limited to:

- Build on the region's competitive strengths, including tourism and agricultural land resources and economic, social and natural assets
- Support industries that utilise skills within the region

Municipal Strategic Statement

Clause 21.05-1 Agriculture

The location of the Shire on the edge of the Western District represents an important critical mass of agricultural productivity particularly in terms of wool production and cropping. Agricultural industries continue to be the major economic sector in the Golden Plains Shire. There has been a growth of intensive agricultural activities within the Shire, particularly in the wine and specialist livestock industries. Other significant farm types are sheep and fat lambs for meat production, egg production, poultry, pastures and specialist livestock industries. Significant infrastructure has been provided for the Food Precinct to service intensive animal industries.

Objectives and strategies include but are not limited to:

- To ensure agricultural land is protected and used as an economically valuable resource.
- Support agricultural diversity
- Support new farming enterprises
- Avoid sensitive uses near agricultural operations where there may be conflict

- To support the development of intensive animal industries

Local Planning Policies (LPP)

Clause 22.03 Intensive Animal Husbandry

This policy applies to application for the use and development of land for intensive animal husbandry that are not covered by a Code of Practice incorporated into the planning scheme.

Objectives include but are not limited to:

- To ensure intensive animal husbandry uses are suitably located
- To ensure the use and development of land for intensive animal husbandry does not impact on the environment
- To protect and maintain residential amenity in Residential Zones with buffer areas and setbacks

Zone and overlay provisions

Clause 32.07 Farming Zone (FZ)

The site and surrounding land is in the Farming Zone (FZ). The purpose of the Farming zone is to:

- Implement relevant policy
- To provide for the use of land for agriculture
- To ensure non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture
- To encourage the retention of employment and population to support rural communities
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision
- To provide for the use and development of land for the specific purposes identifies in a schedule to this zone.

General provisions

The decision guidelines as per Clause 65 of the Golden Plains Planning Scheme requires Council to consider the following matters, as appropriate:

The matters set out in Section 60 of the Act

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies
- The purpose of the zone, overlay or other provision
- Any matter required to be considered in the zone, overlay or other provision
- The orderly planning of the area

DISCUSSION

Planning scheme

The proposed application responds well to the relevant polices within the Golden Plains Planning Scheme.

State policy recognises the value and importance of agricultural land as is specified in Clause 14.01. Further, this policy also makes clear that housing development should be directed to appropriate locations, i.e. lifestyle properties should pursue appropriate zones such as LDRZ or RLZ rather than using FZ land.

This proposal is also in line with Clause 14.01-2S Sustainable agricultural land use by encouraging a genuine farm enterprise and diversification. This change of use has come about because of changed circumstances in the broiler industry. The reuse of the existing infrastructure will assist a genuine farming enterprise to embrace opportunities and adjust flexibly to market changes.

Council's own policy, Clause 23.03 of the MSS applies to application for the use and development of land for intensive animal husbandry that are not covered by a Code of Practice incorporated into the planning scheme. This policy is applicable in this instance as there is currently no applicable Code for free range egg production – the *Victorian Code for Broiler Farms (DPI 2009)* does not apply. It is merely a useful guide from a planning perspective as it takes into account many of the same matters that are worthy of consideration from a free range perspective.

In terms of recommended buffer distances set out in the local policy 23.03 specifies that no enclosures, yards or buildings in which animals are raised should be located within 200m of any river, creek, water course or pondage, 500m of a dwelling on any other property, or 30m of a road. The site should have an area of not less than 4 ha and buffer areas should be wholly contained on the property where practical.

The associated infrastructure is not within 200m of any waterway, the site is greater than 4ha and the closest shed meets the 30m from nearest road decision guideline. It would appear that there are 3 dwellings on another property within the 500m buffer. This buffer distance used for the broiler farm is in line with the requirement of local policy 23.03; the 500m requirement is unchanged with this change of use. These property owners were notified and objection from any of these affected properties no longer remain. The distance from the edge of the existing sheds to the adjoining land to the south-west which is owned by the remaining objector, is approximately 460m.

Objector's concerns

Matters raised by the remaining objector are summarised as follows:

Health issues and air quality/pollution

The objector states that approval of this proposal would, among other things affect their health via the presence of noise, odours, animals, feral animals, vermin and more.

Response

A level of odour is accepted as part of some agricultural pursuits including intensive animal industries. By running an operation such as a free range egg farm in accordance with the *National Farm Biosecurity Technical Manual for Egg Production (2015)*, relevant matters such as hygiene, dead animals, and effluent disposal etc, the amount of odour should be kept to a minimum. Certainly weather conditions or wind direction will obviously impact where odour might be carried to but this is beyond anyone's control. It is not anticipated that this change of use and reduced intensification in terms of numbers, will increase odour.

Feral animals are unfortunately, part of the rural landscape, and it is good practice for individual landowners to take measures to control pest species. Measures will be put in place as with any intensive animal to treat vermin such as rats or mice.

Property Value

Response

VCAT has repeatedly made clear in decisions over the years that the impact on property value as a result of planning applications is speculative and is not a valid ground for objection.

Contamination

The applicant stated that *...sharing the same road, contamination will become an issue with vehicles and equipment becoming a high risk for spreading pathogens. Additionally, if we chosen (sic) to situate cattle on our property, our animals will run the risk of contracting diseases and contamination of water supply.*

Response

The farm is to operate within the guidelines for the *National Farm Biosecurity Technical Manual for Egg Production (2015)*. No cattle are known to be on the objectors property.

Wild birds/animals/insects/pests

The applicant contends that *wild birds can be carriers of disease and food safety pathogens, keeping the farm free of wild birds may be difficult.*

Response

Birds, animals, insect and pests are a common part of the agricultural landscape. However, in relation to wild birds, the *National Farm Biosecurity Technical Manual for Egg Production (2015)* states Increased exposure to wild birds is considered a biosecurity risk and most importantly to waterfowl, particularly a certain order of ducks.. It is important for the free-range area not to have environmental and amenity factors that attract congregations of large numbers of wild birds or surface water for ducks.

Control programs that reduce and eliminate the presence of wild waterfowl on free-range areas should be a priority consideration for all free-range operators. It is up to the applicant to meet the requirements of this Technical Manual, which is not an incorporated nor a reference document in the planning scheme – is it an additional requirement that must be met outside of the planning scheme.

Quality of living

The objector contends that *Our family's quality of living is at risk from the proposed free range farm. Ammonia-type obnoxious smells and pollution by poultry dust can cause serious respiratory illness is also a large factor to our quality of living.*

Response

The objector does not live on the adjoining land and there is no dwelling on the land which is in their ownership.

Chemical use on property/birds

Response

There may be chemicals used on the property for hygiene and other matters. The farm is to operate within the guidelines for the *National Farm Biosecurity Technical Manual for Egg Production (2015)*. Any chemical use would be expected to be in line with manufacturer's instructions for the specified use. The use of chemicals on agricultural properties is not unusual. It is reiterated that the new use is at a lesser intensity numbers wise.

OPTION ANALYSIS

Not applicable.

RISK IMPLICATIONS

There are not considered to be any risk management implications.

FINANCIAL IMPLICATIONS

There are not considered to be any financial implications.

CULTURAL HERITAGE IMPLICATIONS

The proposal does not require the preparation of a Cultural Heritage management Plan (CHMP) under the Aboriginal Heritage Regulations 2007.

CONCLUSION

The application satisfies the provisions of the State and Local Planning Policy Frameworks, including the local policy for intensive animal industries. The application is also strongly supported by the provisions of the Farming zone and accords with the decision guidelines of the Planning Scheme (Clause 65).

6.3 PLANNING APPLICATION P18-006 FOR THE DEVELOPMENT OF THE LAND OF A FOUR LOT SUBDIVISION AT 26 STEVENSON ROAD, BANNOCKBURN

File Number:

Author: Leigh Page, Town Planner
Authoriser: Greg Anders, Director Assets and Amenity
Applicant: JH Surveying
Owner: Linda and Roger Goosey
Proposal: The development of the land for a four lot subdivision
Location: 26 Stevenson Road, Bannockburn
Attachments: 1. Recommended Conditions (under separate cover)
2. Copy of Application and Plan (under separate cover)
3. Copy of Objections (under separate cover)

RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for the development of the land for a four lot subdivision at 26 Stevenson Road, Bannockburn, with conditions shown on Attachment 1.

EXECUTIVE SUMMARY

The report relates to a planning application for the development of the land for a four lot subdivision at 26 Stevenson Road, Bannockburn. This report provides a background to the application, a summary of the relevant planning considerations, and an officer recommendation which supports the issue of a planning permit.

PURPOSE

The application has been referred to the Council Meeting for determination because there are outstanding objections to planning application P18-006 for the development of the land for a four lot subdivision at 26 Stevenson Road, Bannockburn.

DECLARATIONS OF CONFLICT OF INTEREST

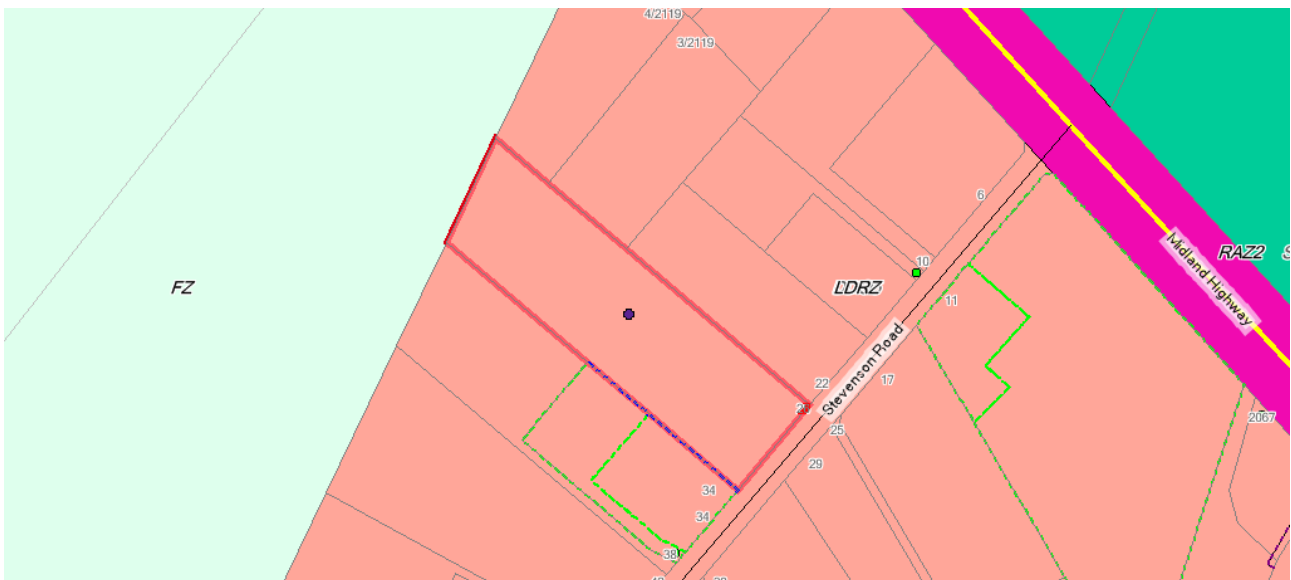
In accordance with Section 80B of the Local Government Act 1989, the Officers preparing this report declare no conflict of interest in regard to this matter.

COUNCIL PLAN

Managing natural and built environments.

BACKGROUND INFORMATION

The subject site is known as Lot 1 on Plan of Subdivision 203241M, 26 Stevenson Road, Bannockburn. The site is zoned Low Density Residential Zone with a Design and Development Overlay Schedule 5 (low density setbacks) applying to the land. Adjoining and nearby land to the north, south, and east are also zoned Low Density Residential Zone, with the land to the west being Farming Zone. The subject site is 2.1 hectares in area with a dwelling and associated shedding towards the south east corner of the site, accessible from Stevenson Road (refer to map on follow page). The site contains screen tree plantings around the dwelling area, with the remainder of the land be clear of vegetation and structures.



Zoning map of subject site



Aerial image of subject site

Land parcels in the immediate area vary in size and configuration, with lots from 4000 square metres up to 2 hectares, and varying in shape from square, rectangular, and battle-axe.

As per the Golden Plains Planning Scheme, the minimum lot size in the Low Density Residential Zone is 4000 square metres.

The application proposes the development of the land for a four lot subdivision (attachment 2).

The original submitted subdivision layout proposes four rectangular lots with two lots fronting Stevenson Road and two lots at the rear with a common property access driveway through the centre of the land.

It was requested that this layout be amended to a design that responds to the character objectives of the Low Density Residential Subdivision Policy (Clause 22.09 of the planning scheme). It was also

advised that the design should provide for the retention of the existing vegetation and allow for the required setbacks under the Design and Development Overlay Schedule 5. It was suggested that the common property driveway be located to the southern boundary of the lot.

An amended layout plan was subsequently received, and this is the plan that has been considered for a decision.

The amended proposal to subdivide the land is described as follows:

- Lot 1 is proposed to be square in shape, contains the existing dwelling, shed, access driveway to Stevenson Road, and has an area of approximately 0.48 hectares. The new lot will retain its access and crossover onto Stevenson Road.
- Lot 2 is proposed to be square in shape, contains established screen tree plantings, and has an area of approximately 0.48 hectares. The lot will be accessed by a common property driveway along the southern boundary of the site from Stevenson Road.
- Lot 3 is proposed to be square in shape with an area of approximately 0.5 hectares. The lot will be accessed by a common property driveway along the southern boundary of the site from Stevenson Road.
- Lot 4 is proposed to be battle-axe in shape with an area of approximately 0.51 hectares. The lot will be accessed by a common property driveway along the southern boundary of the site from Stevenson Road.

The proposed common property driveway will be 8 – 10 metres wide along the southern boundary of the site, and fronts onto Stevenson Road. The common property will extend for 151 metres and allow access to Lots 2, 3 and 4. A new crossover onto Stevenson Road will be required to be constructed for the common property (refer to attachment 2).

CONSULTATION

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

As a result of the public notice three objections were received. A copy of the objections are provided in Attachment 3. The main grounds of objection are summarised as follows:

- Amenity impacts;
- Stormwater issues;
- Impacts on privacy;
- Impact on the rural/residential character of the area.
- Increased traffic

A consultation meeting with the objectors and the applicant was held on 20 June 2018, however there was no resolution reached.

ASSESSMENT

The application was received by Council on 10 January 2018 and a preliminary assessment of the application was undertaken. As mentioned previously in this report, an amended layout plan was requested on 13 February 2018, that responded to the policies, zoning, and overlays contained within the Golden Plains Planning Scheme. The amended layout plan was submitted to Council on 16 March 2018 and consisted of a layout plan that was more in keeping with the policies of the planning scheme.

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 Engineer and Environmental Health Officer. These departments had no objections to the issue of a permit subject to conditions being placed on a permit.

Planning Scheme

State Planning Policy Framework (SPPF)

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 achieve 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 16.01-2S Location of Residential Development

This policy aims 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 21.02 Settlement

The local policy for subdivision for dwellings outside townships (Clause 21.03-4) applies to the development of land in low density residential areas. The policy seeks to control the density and overall lot sizes of land according to environmental conditions and established character and to avoid indiscriminate subdivision of land. To satisfy this policy new subdivision must recognise and maintain the surrounding lot configurations and lot size, provide appropriate infrastructure, including drainage and roads, and provide for on-site effluent disposal including on-going maintenance of septic systems.

Clause 22.09 Low Density Residential Subdivision Policy

This policy seeks to ensure the elements of land capability and character are addressed when considering subdivision applications. The objectives of the policy are to ensure that new lots are of sufficient size for on-site effluent disposal and to maintain an open and spacious character in low density residential areas. Character will be maintained by encouraging:

- Design that provides for open space and landscaping.
- Retention of existing vegetation.
- Avoiding creation of lots with battle-axe access in greenfield development.
- The provision of wide driveways with sufficient areas available for landscaping.
- Lot sizes with sufficient area to accommodate setbacks required by the Design and Development Overlay Schedule 5.

It is policy that support for subdivision in the LDRZ will be considered only where a land capability assessment demonstrates that the proposed lots can contain on site effluent disposal and there will be no impact on the surrounding area, and where subdivision respects and positively contributes to the lot configuration and character elements of the surrounding area.

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.

Clause 43.02 Design & Development Overlay Schedule 5 (DDO5 – low density setbacks)

The land is affected by the Design & Development Overlay Schedule 5 (DDO5) which relates to setbacks for the construction of buildings. The setbacks specified in the DDO5 are 10m from the road boundary, 5m from other boundaries, and 15m from a dwelling not in the same ownership. The DDO5 does not contain any specific requirements relating to subdivision.

Clause 52.01 Public Open Space Contribution

A public open space contribution must be made in accordance with this clause. A condition should be applied to any permit greater than two lots issued to ensure that the contribution is made.

Clause 56.07 (Integrated Water Management)

The proposal meets all of the relevant objectives and standards as listed within Clause 56.07-1 to 56.07-4, relating to integrated water management.

General provisions

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

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

DISCUSSION

Planning scheme

The 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.

As outlined previously, the State Planning Policy Framework, Clause 16.01-2 - location of residential development, aims to provide for infill development within established residential areas. Given the zoning of the land allows for further subdivision, the proposal will be in keeping with the aim to provide for infill within existing residential areas.

The proposed subdivision design will maintain the character of the area as the proposed lots are of sufficient size to provide setbacks in accordance with the DDO5 and which are consistent with surrounding properties, effectively retain existing vegetation and provides sufficient space for additional landscaping, and provides wide street frontages.

Objector's concerns

In response to the matters of amenity impacts, impacts on privacy, and the character of the area raised in the objections.

The local policy for Low Density Residential Development (Clause 22.09) requires that the subdivision provides lots with sufficient area to accommodate setbacks in accordance with the DDO5. The DDO5 specifies a 5m setback to neighbouring property boundary and 15 metres from a dwelling not in the same ownership. The proposed subdivision provides sufficient area to accommodate the setbacks specified in the DDO5. In particular it is noted that the amended subdivision, is much more responsive to this policy than the original plan. The amended layout avoids long narrow blocks which would have trouble meeting the DDO5 setbacks for dwellings and/or associated shedding and provides better opportunity for appropriate solar orientation. The proposed layout also retains existing on-site vegetation.

It is acknowledged that Stevenson Road is currently characterised by large open rural lots, however the proposed increase in lot density is supported by the State and Local Planning Policies, and the Low Density Residential Zone. The land capability assessment submitted with the application also supports the treatment of effluent waste within the proposed lots.

The application satisfies the local policy for Low Density Residential Development (Clause 22.09) which seeks to maintain the character and appearance of low density residential areas and ensure that new subdivision has the capacity for on-site effluent disposal and adequate infrastructure.

In regards to concerns related to stormwater impacts created by the proposed new lots. It is considered that, as previously discussed, the application has been referred to Council's Works Engineer for their comments relating to the stormwater requirements.

Council's Works Engineer has assessed the application and provided conditions relating to stormwater from the site. The conditions require that the stormwater discharge point for lots 2, 3, & 4 will be to the common property driveway. The stormwater, from the common property, will be directed to Stevenson Road where a separate condition will require upgrading of the existing drainage in Stevenson Road. It is considered that the development will not create any stormwater issues as a result of a dwelling being constructed on each of these new lots.

In respect of the traffic impacts from the proposed development, it is considered that the traffic impacts generated by three additional dwellings would be insignificant and will not affect the capacity and functionality of the surrounding streets. The land would also be large enough to accommodate the increased car parking demands for the additional dwellings.

Therefore it is considered that the proposed subdivision will be in keeping with the zoning of the land and the Local and State Planning Policies.

OPTION ANALYSIS

N/A

RISK IMPLICATIONS

It is considered that there are no risk management implications.

FINANCIAL IMPLICATIONS

It is considered that there are no financial implications

CULTURAL HERITAGE IMPLICATIONS

The proposal does not require the preparation of a Cultural Heritage Management Plan under the Aboriginal Heritage Regulations 2007. This site is outside of areas identified as culturally significant.

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, and the decision guidelines of the Planning Scheme (Clause 65). The proposed subdivision design and requirements relating to boundary setbacks will ensure there is no adverse effect on the character and amenity of the area. For these reasons the issue of a permit is not considered to cause material detriment to any person.

6.4 ARTS AND CULTURE STRATEGY 2018-2022

File Number:**Author:** Louisa White, Community Development Manager**Authoriser:** Jill Evans, Director Community Services**Attachments:** 1. Draft Arts and Culture Strategy 2018-2022 (under separate cover)**RECOMMENDATION**

That Council approve the release of the draft *Arts and Culture Strategy 2018-2022* for public exhibition over a period of four weeks.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council approval to engage the community and seek feedback on the draft *Arts and Culture Strategy 2018-2022*, including the strategic goals and 2018-19 action plan.

BACKGROUND

While Council's first Arts and Culture Strategy (2013-2017) was a milestone for arts and cultural development in Golden Plains Shire, the Strategy has been a barrier rather than an enabler for several reasons. These include lack of integration with the Council Plan; heavy reliance on lists of actions; action plans retrofitted to reflect 'new' strategic directions, impacting outcome evaluation; and no allowance for new opportunities during the life of the plan.

The draft *Arts and Culture Strategy 2018-2022* seeks to address the above through the use of a nationally recognised best-practice model for arts and culture planning by local government. Endorsed by the Cultural Development Network, National Local Government Cultural Forum and the Australian Local Government Association, the approach is not to pre-plan a full schedule of arts and culture activities for the next four years, but to set a strategic framework in which detailed arts and cultural activity planning can occur on an ongoing basis in response to opportunities, emerging trends, local interest, evidence and resources.

DISCUSSION

The draft *Arts and Culture Strategy 2018-2022* sets three key goals, which are directly aligned to the Strategic Directions in the Council Plan:

- Arts and culture promotes healthy, vibrant and connected communities.
- Arts and culture stimulates prosperous local economies.
- Arts and culture revitalises local spaces.

Under the Strategy, the selection of future arts and culture activities will be based on the following six planning principles:

1. Based on values.
2. Directed towards goals.
3. Focused on outcomes.
4. Informed by evidence.
5. Underpinned by a theory of change.
6. Respondent to evaluation.

Consistent with emerging industry best-practice, the draft Strategy uses the 'schema of measurable cultural outcomes' developed by the Cultural Development Network and endorsed by the National Local Government Cultural Forum and the Australian Local Government Association. The schema facilitates outcome-focussed planning and the measurement of arts participation and cultural engagement against desired outcomes. These outcomes are:

- **Stimulation** - Sparking of the imagination, creativity or curiosity, resulting in increased desire to participate more and/or create new cultural works.
- **Enrichment**- Experiences that come through the senses and are special and outside the everyday; feelings of being moved that are evoked by experiences such as beauty, joy, awe or wonder.
- **Insight** - Intellectual stimulation, deeper understanding, critical reflection and creative thinking generated.
- **Appreciation** - Appreciation of different forms of cultural expression: the diverse ways that people express themselves depending on their life experience and interests, and how the interactions between those expressions are valued.
- **Belonging** - Illumination of the present through a sense of continuity with the past, and a pathway to the future, through connections to present and past. History, heritage, cultural identity appreciated.

It is important to note that evidence for the draft Arts and Culture Strategy has been gathered from a number of sources including the *Golden Plains Shire Council Plan (2017-2021)*, which includes the Municipal Public Health and Wellbeing Plan; the Community Engagement Strategy (2016-2020); professional practice knowledge; government policy; as well as survey findings, external research, case studies and academic papers. This is designed to ensure that the Arts and Culture Strategy reflects and responds to the broader Council and community vision and directions.

A specific community engagement process has not yet been undertaken as emerging best-practice in arts and culture planning is to use community feedback provided via other engagement processes, such as development of the Council Plan, as initial inputs.

One of the inputs into the draft Strategy is the recent independently prepared 2018 Arts Trail Evaluation report. The Golden Plains Shire's Arts Trail is a shire-wide event that commenced in 2008. It is a free event that aims to provide local artists with an opportunity to showcase the arts in the Shire and to promote and sell their work. Support is provided by the Arts and Culture Officer who coordinates the event over an extensive 9-month period.

The evaluation found that whilst the Arts Trail has been successful in building a solid base on which future arts and cultural development can occur, its cost and resource-intensiveness means that many other potential opportunities cannot be pursued. The Arts Trail evaluation report recommends that the future of the Arts Trail be considered within the broader planning context of the Arts and Culture Strategy. Accordingly, this issue has been addressed within the draft Strategy (pages 9-10). It recommends that the Arts Trail be retired in its current form, and that resources and effort be concentrated on new activities and programs that are based on evidence; support the Strategy's goals; and appeal to a broader demographic across the community.

The draft provides a framework for selecting a range of activities over the life of the plan. Examples of the type of activities that will be undertaken can be found on page 14.

COMMUNICATION

Should Council endorse the draft *Arts and Culture Strategy 2018-2022* for public exhibition, the draft strategy will be released for public consultation for the duration of four weeks.

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 draft *Arts and Culture Strategy 2018-2022* is grounded in research drawn from a local and external evidence base, including previous community engagement processes. It aligns with Council's vision and strategic directions set out in the Council Plan. While it provides a list of actions earmarked for year 1 (2018-19), it more importantly sets out a strategic framework in which responsive and detailed arts and culture activity planning can occur during the four year life of the Strategy.

6.5 PANEL OF SUPPLIERS FOR ROAD SIGNS (GPS-RFT19/2018) - AWARDING OF CONTRACT

File Number:

Author: Tony Talevski, Team Leader of Roads & Waste Services

Authoriser: Greg Anders, Director Assets and Amenity

Attachments: Nil

RECOMMENDATION

That Council award contract GPS-RFT19/2018 Panel of Suppliers for the supply and delivery of Road Signs to the following suppliers and for the schedules of rates submitted with their respective tenders:

- Roadside Services & Solutions Pty Ltd
- Artcraft Pty Ltd
- De Neefe Pty Ltd

EXECUTIVE SUMMARY

This report informs Council of the recent procurement process for the establishment of a panel of providers for the supply and delivery of road signs. The report also includes an officer's recommendation for appointments to the panel of providers.

BACKGROUND

Council has budgeted for \$255,070 to be expended during 2018/19 on linemarking, guideposts and road signage. Tenders were invited for the supply and delivery of road signs to Golden Plains Shire Council on 19th May 2018, closing 13th June 2018. Three [3] tenders were received, all of which were assessed as being fully compliant and conforming.

Council's annual requirements for the supply of signage will typically encompass the following types of signs and accessories:

- Warning Signs
- Regulatory Signs
- Parking Signs
- Guide Signs
- Hazard and Safety Signs
- Accessories
- Temporary Warning Signs
- Multi Message Signs
- Traffic Cones
- Lights and Arrow Boards
- Barriers/Safety Fencing & Tapes
- Delineators & Accessories
- IDE Posts & Drivers
- T-Top & Other Types of Bollards
- Stop/Slow Bats

Signs **not** within the scope of this tender are:

- Event signage
- Project signage – for example, State and Federal funding signage
- Locality entrance signage

This is a schedule of rates tender, and accordingly, suppliers accepted onto the panel will be paid the appropriate rate for the type of sign or accessories provided. Council will not restrict itself to purchasing from only one supplier. Acceptance to the panel of preferred suppliers is no guarantee of work and Council maintains the ability to seek quotations outside the preferred panel process if it deems appropriate and/or necessary. The Contract period is for an initial 3 years with 2 by 1 year options to extend.

EVALUATION PROCESS

The Tender Evaluation Panel (TEP) conducted a thorough evaluation of all conforming tenders. The evaluation panel determined a consensus for each weighted criteria to allow an evaluation score for each tender. The TEP was formed with the following personnel:

Name	Position	Role
Tony Talevski	Team Leader of Roads & Waste Services	Scoring
Melissa Blyton	Works Planning Engineer	Scoring
Sharon MacDonald	Technical Support Officer	Scoring
Jen Murray	Procurement & Contracts Officer	Non Scoring & Panel Chair

All members of the TEP have completed conflict of interest and confidentiality deeds prior to being provided with any of the Tender submissions. The TEP note that there were no Conflicts declared for this evaluation. Each conforming submission was reviewed and evaluation using the agreed evaluation criteria as follows:

Mandatory Criteria	
Occupational Health & Safety	Pass/Fail
Insurance	Pass/Fail
Risk Management Policy	Pass/Fail
Quality Policy & Management System	Pass/Fail
Weighted Criteria	Weighting
Capability	30%
Capacity	30%
Price	40%
Total	100%

Councillors have previously been provided with a copy of the Tender Evaluation Report.

Evaluation Outcome

Below are the weighted assessment results of the quantitative/qualitative and pricing criteria.

The following 3 tenderers received are recommended for inclusion onto the panel.

Specialty Equipment	Weighted Assessment Score (%)	Rank
De Neefe Pty Ltd	85	1
Roadside Services & Solutions Pty Ltd	78.1	2
Artcraft Pty Ltd	77.5	3

FINANCIAL & RISK MANAGEMENT IMPLICATIONS

All costs incurred by Council in the supply of signage will be managed within the capital and operating budgets where signage may be 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 Tender Evaluation Panel conducted a thorough evaluation of compliant tenders using the tender evaluation criteria.

All three [3] tenders were assessed against the evaluation criteria and all 3 demonstrated the capability of providing best value to Council and all three [3] tenders are recommended to be accepted onto the panel for the supply of Road Signs.

6.6 REVIEW OF POLICY OF 5.3 RECOGNITION OF CITIZENS WHO TAKE PART IN STATE LEVEL OR ABOVE COMPETITION.**File Number:****Author:** Rebecca Hickey, Health & Wellbeing Team Leader**Authoriser:** Jill Evans, Director Community Services**Attachments:** 1. Policy 5.3 - Recognition of Citizens who take part in State Level or above competition**RECOMMENDATION**

That Council:

1. Adopts *Policy 5.3 – Recognition of Citizens who take part in State Level or Above Competition* unchanged for a further five year period with no changes.
2. Informs the Golden Plains community of Council's decision and encourages community members to inform Council of citizens who achieve State team selection or above and/or who win at State level or above.

EXECUTIVE SUMMARY

Policy 5.3 outlines Council's position in recognising any citizen who achieves State team selection or above and/or any citizen who wins at State level or above.

POLICY CONTENT

Policy 5.3 covers:

- Recipient award (letter of recognition and monetary)
- Eligibility criteria.

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

Policy 5.3 has been reviewed and no changes have been deemed necessary.

5.3 **Recognition of Citizens who take part in State Level or Above Competition**

Policy Title: Recognition of Citizens who take part in State Level or Above Competition
Date Adopted: 25/9/97
Date Revised: 27/5/99; 27/11/03; 22/1/04; 25/6/09; 26/8/14
Minute Book Reference: Council Minutes
 25/09/97 Item 4.6.7 page 86 (refer Recreation Steering Committee Minutes 17/09/97 Item 4.5 page 22)
 27/05/99 Item 4.6.5 page 43 (refer Recreation Steering Committee Minutes 13/05/99 pages 4 & 5)
 22/01/04 Item 4.10.1 (b) page 33 (refer Audit & Finance Committee Minutes 08/01/04 pages 7 & 8)
 25/06/09 Item 4.10.1 (d) page 48 (refer Audit & Finance Committee Minutes 11/06/09 pages 11-13)
 26/8/14 Item 4.10.5(d) pages 41-42
Next Revision Due: August 2018

PURPOSE

To recognise any citizens who achieve State team selection or above (ie National), and/ or any citizen who wins at State level or above.

POLICY

Recipients will receive:

1. A framed letter of congratulations under seal;
2. A Golden Plains Shire grant to the value of \$250 for an individual or \$500 for a team of two or more.

ELIGIBILITY CRITERIA

- Recipients must be involved in amateur competition;
- Recipients are eligible to receive assistance under this policy only once; and
- Recipients must be a resident or representing the Golden Plains Shire.

6.7 INSTRUMENT OF DELEGATION FROM COUNCIL TO MEMBERS OF COUNCIL STAFF**File Number:****Author:** Richard Trigg, Director Corporate Services**Authoriser:** Richard Trigg, Director Corporate Services**Attachments:** 1. Delegation Council to Council Staff (under separate cover)**RECOMMENDATION**

That Council in the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached Instrument of Delegation to Council staff and schedule, Golden Plains Shire Council (Council) RESOLVE THAT -

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument and remains in force until Council resolves to vary or revoke it.
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

Maddocks Lawyers provide a legal updating service for delegations from Council to Council Staff which require updating from time to time. This update includes the impact of recent changes to the *Heritage Act* and the *Planning and Environment Act*.

BACKGROUND

Under the *Local Government Act 1989*, a Council must review its delegations regularly to ensure they are current.

The delegation from Council to Council Staff relates to various Acts and Regulations (or specific parts of those Acts or Regulations) which contain a specific power of delegation.

Following recent updates received from Maddocks Lawyers, this delegation needs to be reviewed and amended.

POLICY CONTENT

Local Government Act 1989

DISCUSSION

As shown in attachment 1, Maddocks Lawyers have provided the most recent updates for the Delegations which make the necessary revisions of the previous delegations.

The section relating to cemeteries has not been delegated as there are no cemeteries which Golden Plains Shire Council is responsible for.

The amendments to the attached delegation are:

1. The *Heritage Act 1995* has been replaced by the *Heritage Act 2017*

2. There have been extensive changes to the *Planning and Environment Act 1987*. The changes include:
 - a. removal of various sections
 - b. insertion of sections which are provisions conferring power and functions and imposing duties on Council acting in one or more of the following capacities:
 - i. collecting authority
 - ii. development authority
 - iii. municipal council
 - iv. planning authority and
 - c. amendments to other sections
3. Further changes to the *Planning and Environment Act 1987* have been made and apply where Council is a 'responsible public entity'.

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

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

6.8 COUNCILLOR EXPENSES REPORT - 12 MONTHS ENDED 30 JUNE 2018**File Number:** 31-01-001**Author:** Richard Trigg, Director Corporate Services**Authoriser:** Richard Trigg, Director Corporate Services**Attachments:** 1. Expenses Report - 4th Quarter 2018
2. Expenses Report - Full Year 2018**RECOMMENDATION**

That Council note the contents of the Councillor Expenses Report for the quarter ended 30 June 2018 and the financial year ended 30 June 2018.

EXECUTIVE SUMMARY

The report provides a record of expenditure made on behalf of Councillors in the performance of their duties over the 2017/18 financial year.

BACKGROUND

Legislation and policy provides that Councillors must be provided with certain resources and training and may be reimbursed for eligible out of pocket expenditure on application.

POLICY CONTENT

Sections 75 and 76 of the Local Government Act 1989 (as amended).

Council Policy 4.14 – *Councillor Reimbursement*.

Victorian Government's policy statement on *Local Government Mayoral and Councillor Allowances and Resources*

DISCUSSION

Summarised in the attached document are the figures for allowances and expenses for the Mayor and Councillors for the period 1 April to 30 June 2018 and for the year ended on that date.

The actual expenditure is compared to the annual budget as follows:-

Category	Annual Budget \$	Actual \$	Percentage spent
Conferences & Training Expenses	17,000	11,370	66.9%
Travel Expenses	5,000	3,764	75.3%
Car Expenses	9,000	3,965	44.0%
IT & Communications	9,500	3,335	35.1%
Childcare Expenses	-	-	-

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 report indicates that Councillors have received reimbursements and had services provided in accordance with relevant policy.

SCHEDULE OF COUNCILLOR EXPENSES - Quarter end 30 June 2018								
	Cr Helena Kirby	Cr Des Phelan	Cr Nathan Hansford	Cr David Evans	Cr Owen Sharkey	Cr Joanne Gilbert	Cr Les Rowe	TOTAL
April 2018	2,048	98	290	32	29	17	14	2,529
May 2018	746	97	309	56	17	14	14	1,252
June 2018	1,645	1,102	1,357	43	20	256	13	4,435
TOTAL Expenses	4,439	1,297	1,956	131	66	287	40	8,216

	Cr Helena Kirby	Cr Des Phelan	Cr Nathan Hansford	Cr David Evans	Cr Owen Sharkey	Cr Joanne Gilbert	Cr Les Rowe	TOTAL
1. Conferences & Training Expenses	2,489	1,006	770					4,265
2. Travel Expenses	691		1,143			240		2,074
3. Council Car Expenses	1,083							1,083
4. IT & Communication Expenses	176	290	43	131	66	48	41	794
5. Childcare Expenses								-
TOTAL Expenses	4,439	1,296	1,956	131	66	288	41	8,216

1. Conferences & Training Expenses

This category covers registration fees & all other costs (eg accommodation, meals) associated with attendance by Councillors at local conferences, training, functions and seminars. These are normally held by Local Government related organisations, professional bodies and institutions, education institutions and private sector providers on areas and events which impact the roles of Councillors and the Shire in general. This category also includes memberships and subscriptions to bodies and organisations whose activities are relevant to the role of Councillors.

2. Travel Expenses

This category covers costs associated with assisting Councillors in meeting the transport costs incurred in attending meetings, functions and other commitments within and outside the municipality. This comprises use of a taxi, reimbursement for use of private vehicle while conducting Council business, car parking fees, the provision of car parking permits etc as described in the Councillor Expenses Policy. This category also comprises costs associated with accommodation and incidentals when travelling on Council business.

3. Council Car Expenses

This category covers car expenses for the use of Council vehicles by the Mayor whenever travelling to conduct Council business.

4. IT & Communication Expenses

This category covers iPad data plan costs and mobile telephone use associated with ensuring that Councillors are accessible and are able to communicate with constituents, stakeholders, other Councillors, Council Officers and family members while conducting Council business.

5. Childcare Expenses

The Council will reimburse the cost of necessary carer expenses incurred by Councillors in the course of carrying out their duties, at functions of which partners are invited. This covers childcare and other forms of care needed to support immediate family members.

SCHEDULE OF COUNCILLOR EXPENSES - 2017/2018

	Cr Helena Kirby	Cr Des Phelan	Cr Nathan Hansford	Cr David Evans	Cr Owen Sharkey	Cr Joanne Gilbert	Cr Les Rowe	TOTAL
July 2017	51	1,151	18	51	19	19	14	1,323
August 2017	78	1,273	1,223	93	17	43	14	2,742
September 2017	51	1,065	16	60	168	16	14	1,389
October 2017	53	986	1,252	14	17	15	14	2,351
November 2017	204	1,059	436	14	22	22	14	1,770
December 2017	14	193	724	14	14	14	14	985
January 2018	210	153	16	37	25	18	13	472
February 2018	343	104	14	329	316	315	314	1,735
March 2018	951	124	77	80	75	101	43	1,451
April 2018	2,048	98	290	32	29	17	14	2,529
May 2018	746	97	309	56	17	14	14	1,252
June 2018	1,645	1,102	1,357	43	20	256	13	4,435
TOTAL Expenses	6,393	7,405	5,732	822	740	850	492	22,434

	Cr Helena Kirby	Cr Des Phelan	Cr Nathan Hansford	Cr David Evans	Cr Owen Sharkey	Cr Joanne Gilbert	Cr Les Rowe	TOTAL
1. Conferences & Training Expenses	3,180	3,801	2,904	387	358	411	330	11,370
2. Travel Expenses	707	177	2,641	-	-	240	-	3,764
3. Car Mileage Expenses	1,829	2,135	-	-	-	-	-	3,965
4. IT & Communication Expenses	675	1,292	188	436	382	198	164	3,335
5. Childcare Expenses	-	-	-	-	-	-	-	-
TOTAL Expenses	6,391	7,405	5,733	823	740	849	494	22,434

1. Conferences & Training Expenses

This category covers registration fees & all other costs (eg accommodation, meals) associated with attendance by Councillors at local conferences, training, functions and seminars. These are normally held by Local Government related organisations, professional bodies and institutions, education institutions and private sector providers on areas and events which impact the roles of Councillors and the Shire in general. This category also includes memberships and subscriptions to bodies and organisations whose activities are relevant to the role of Councillors.

2. Travel Expenses

This category covers costs associated with assisting Councillors in meeting the transport costs incurred in attending meetings, functions and other commitments within and outside the municipality. This comprises use of a taxi, reimbursement for use of private vehicle while conducting Council business, car parking fees, the provision of car parking permits etc as described in the Councillor Expenses Policy. This category also comprises costs associated with accommodation and incidentals when travelling on Council business.

3. Council Car Expenses

This category covers car expenses for the use of Council vehicles by the Mayor whenever travelling to conduct Council business.

4. IT & Communication Expenses

This category covers iPad data plan costs and mobile telephone use associated with ensuring that Councillors are accessible and are able to communicate with constituents, stakeholders, other Councillors, Council Officers and family members while conducting Council business.

5. Childcare Expenses

The Council will reimburse the cost of necessary carer expenses incurred by Councillors in the course of carrying out their duties, at functions of which partners are invited. This covers childcare and other forms of care needed to support immediate family members.

6.9 DELEGATES REPORT - 25 JULY 2018 TO 27 AUGUST 2018

File Number: 78-07-002
Author: Sharon Naylor, Executive Assistant - Chief Executive Officer
Authoriser: Eric Braslis, CEO
Attachments: Nil

Cr Helena Kirby

27 – 29 July Councillor Development Weekend
30 July Community Grants Presentation Ceremony
31 July Launch of Ballarat Now and Into the Future
1 August Meeting with Dan Tehan MP
2 - 3 August Victoria Rural Women's Forum
8 August Business Networking Lunch
9 August CHCV Mayor's & CEO's Meeting
15 August Rokewood Recreation Reserve OAM Tri Annual AGM
16 August MAV Rural and Regional Forum
16 August VLGA Ballarat State Election Forum with The Hon. Jaala Pulford
17 August G21 Stakeholder Forum
18 August Ross Creek Avenue of Honour Re-dedication Ceremony
20 August Voice FM interview
22 August G21 Arts, Heritage & Culture Pillar Meeting
22 August Bannockburn Chamber of Commerce Social Night
27 August Golden Plains Rural Women's Network General Meeting

Cr Owen Sharkey

27 – 29 July Councillor Development Weekend
1 August Conversation Post at Bannockburn Shopping Centre
2 August Tourism Board Meeting
8 August Business Networking Lunch
9 August G21 Economic Development Pillar Meeting
16 August VLGA Ballarat State Election Forum with The Hon. Jaala Pulford
22 August Bannockburn Chamber of Commerce Social Night

Cr Nathan Hansford

16 August MAV Rural and Regional Forum

7 NOTICES OF MOTION

Nil

8 PETITIONS

9 CONFIDENTIAL ITEMS

Nil