

Corangamite Shire

MINUTES

Ordinary Council Meeting

Held 7.00 pm • Tuesday 24 October 2017

*Killara Centre
210-212 Manifold Street, Camperdown*

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**MINUTES OF THE ORDINARY MEETING OF THE CORANGAMITE
SHIRE COUNCIL HELD AT KILLARA CENTRE, 210-212 MANIFOLD
STREET, CAMPERDOWN 7.00 PM ON
24 OCTOBER 2017**

1. PRESENT

Councillors J. Beard (Chairperson), L. Brown, H. Durant, R. Gstrein,
S. Illingworth, B. McArthur, N. Trotter.

Officers Andrew Mason, Chief Executive Officer
Ian Gibb, Director Sustainable Development
Brooke Love, Director Works and Services
David Rae, Director Corporate and Community Services
Lyll Bond, Manager Environment and Emergency
Matthew Dawson, Manager Community Services
Greg Hayes, Manager Planning and Building Services
Adam Taylor, Manager Finance
Lyle Tune, Manager Works

2. APOLOGIES

Nil.

3. DECLARATIONS OF CONFLICT OF INTEREST

Nil.

4. CONFIRMATION OF MINUTES

RECOMMENDATION

**That the Minutes of the Corangamite Shire Ordinary Council meeting held on
Tuesday 26 September 2017 be confirmed.**

COUNCIL RESOLUTION

MOVED: Cr Gstrein

SECONDED: Cr Brown

That the recommendation be adopted.

CARRIED

DISCLAIMER

The advice and information contained herein is given by the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written enquiry should be made to the Council giving the entire reason or reasons for seeking the advice or information and how it is proposed to be used.

5. DEPUTATIONS & PRESENTATIONS

The Mayor, Cr J. Beard, invited members of the public who had requested to address Council to make their presentations.

The following items were submitted:

- Mr Paul Bleazby regarding Agenda Item 9.2- Planning Permit Application PP2017/082 Development of Two Double Storey Dwellings, Two Lot Subdivision, Creation of Carriageway Easement and Construction of a Fence Lot 2 PS126567 2 Cairns Street, Port Campbell.

Mr Bleazby tabled a photograph in support of his deputation.

- Mrs Barb Alford regarding Agenda Item 9.3 – Planning Permit Application PP2017/059 Two Lot Subdivision (Excision of Dwelling) Crown Allotment 26 Section 1 Parish of Corangamite 120 Steeles Road, Leslie Manor.
- Mr Anthony Bright regarding Agenda Item 9.3 – Planning Permit Application PP2017/059 Two Lot Subdivision (Excision of Dwelling) Crown Allotment 26 Section 1 Parish of Corangamite 120 Steeles Road, Leslie Manor.

6. MAYOR'S REPORT

6.1 Mayor's Report

Author: Jo Beard, Mayor

File No: D17/669

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Jo Beard

In providing this advice to Council as the Mayor, I have no interests to disclose in this report.

Issues

I often reflect on how fortunate I am to be a Corangamite Shire Councillor, let alone Mayor of our great Shire. The role of a Councillor is quite varied; on any given day you could be meeting with residents to discuss issues or celebrate milestones, and the next day planning for the future with my fellow Councillors, or representing the Shire in meetings with government ministers and representatives. As a Council we listen to our residents and make decisions we feel will help shape Corangamite's future as a prosperous one.

Following the last Council meeting, when the Shire's priorities for 2017-2018 were discussed, I have been busy advocating for the projects we, as a Council, feel will improve the liveability of our communities and our local economy. Even when visiting Parliament House in Canberra last week as part of my son's school camp, I was handing out priority documents and talking up the importance of funding for Corangamite Shire.

The recent funding announcement by the State Government of \$5 million to help partly improve safety at the Twelve Apostles, as part of the Shipwreck Coast Master Plan, is a welcome one (although an extra zero or two wouldn't have gone astray). There is absolutely no doubt that the safety of locals and visitors to this iconic region is at risk, due to inadequate infrastructure at what rightfully should be a world class destination. At the announcement I attended with Cr Trotter and Cr Illingworth, I spoke at length with Regional Develop Minister Jaala Pulford and the Parks Victoria CEO, Matthew Jackson, about the importance of this funding and the need for addition funding for the other Shipwreck Coast Master Plan projects identified as significant Council priorities.

The development of priorities to advocate to State and Federal Governments, as well as other stakeholders and the private sector, is an approach other councils and organisations practise. On 12 October 2017, I attended the Great South Coast Regional Partnership Group Regional Assembly, where attendees from the community, industry, and government met to discuss and debate the region's top priorities. The projects encompass community health and wellbeing, local economy and the environment, to name a few.

As elected representatives, participating in discussions about our region or the Shire's future, it is important that we are well informed by our residents. To that end, I encourage everyone to remain connected with Council through our social media pages, newsletters, and public notices, and join in the conversation about plans and events that are being developed. The importance of residents' input in Council's decision making cannot be underestimated, after all, we were elected to represent the entirety of our Shire by our own people.

Community participation was recently evident at the Shire's Youth Awards held on Friday 13 October. These awards, which were organised and conducted by our Youth Council, were again a wonderful success. The talent we have right here in Corangamite Shire is truly outstanding, with our award nominees aged between 12 and 25 years recognised for their accomplishments across various categories. The Youth Awards highlight to me that the Shire's future will be bright through the involvement of our young people. Congratulations to my 'fellow Mayor' Ripley Watt and her fantastic Youth Councillors on organising a memorable and special evening. The teamwork of the Youth Council and the achievements of the award nominees are certainly a timely reminder that to ensure great outcomes we need to get involved and work together. In closing, I refer to Henry Ford's famous words, "coming together is a beginning. Keeping together is progress. Working together is success".

Information only.

7. COMMITTEE REPORTS

7.1 Berrybank Hall Committee of Management 2017-2020

Author: Jarrod Woff, Manager Facilities and Recreation

File No: D17/661

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Jarrod Woff

In providing this advice to Council as the Manager Facilities and Recreation, I have no interests to disclose in this report.

Summary

This report recommends Council endorse the nominated members for the Committee of Management for the Berrybank Hall.

Introduction

The Berrybank Hall has an appointed special committee of management delegated under Section 86 of the *Local Government Act 1989*.

The role of the committee is to oversee the management of the facility on behalf of Council and in the best interests of the residents of Corangamite, including to promote use of the facility and support its development as a community asset.

The Instrument of Delegation specifies that the committee shall hold an Annual General Meeting to elect from amongst its members persons to act as Chairperson, Secretary and Treasurer to the committee. Membership of the committees, including any additions, deletions or replacements shall be subject to approval by Council.

Issues

The committee has recently conducted its Annual General Meeting.

The following members have been nominated to the committee for Council endorsement.

Facility	Berrybank Hall
Term	2017-2020
Meeting Date	30 August 2017
Committee	
Philip Hocking	Bruce Hocking
Margaret Hocking	Ailsa Maguire

Paul Maguire	Kevin Matthews
Maree Matthews	Rohan Turner
Mira Turner	
Office Bearers	
President	Rohan Turner
Vice President	Kevin Matthews
Secretary	Mira Turner
Treasurer	Maree Matthews

Table 1: Berrybank Hall Committee

In 2017, Joy Hocking resigned from the committee due to ill health. Joy was a member of the committee from 1980 and held a number of executive positions throughout her time on the committee. Her significant contribution, dedication and service to the hall was acknowledged by the committee, who thanked Joy for the time and effort that she had given to the hall over the past thirty seven years.

Policy and Legislative Context

The Berrybank Hall committee is a Special Committee of Council established pursuant to Section 86 of the *Local Government Act 1989*. Election of committee members is conducted in accordance with the Instrument of Delegation.

Committees of management are supported by the Council Plan 2017-2021 as follows:

Engage with and listen to our communities.

Council will provide and support a range of opportunities that support people to engage in healthy and active lifestyles, the arts, recreation and sport.

Council will deliver value for money by ensuring that services are required and delivered efficiently and sustainably.

Internal / External Consultation

A notice of the Annual General Meeting was advertised two weeks prior to the meeting in the Camperdown Chronicle.

Financial and Resource Implications

Council officers assist with the facilitation of the committee and implementation of the Public Halls Management Policy.

The hall committee is responsible for all day to day operational costs, is required to keep books of accounts and provide records of its financial activity for the year to Council.

Options

Council can accept the recommendation to appoint the nominated members for the forthcoming term, or alternatively reject the recommendation and request an alternate committee membership.

Conclusion

The role of the committee member is completely voluntary. The volunteers should be acknowledged for their continued effort and commitment to managing and operating the facility.

The proposed membership of the Berrybank Hall committee reflects interest from enthusiastic residents of the local community. The committee membership should see a continuation of the effective management and operation of the facility for the benefit of the community and Council.

RECOMMENDATION

That Council endorse the proposed Committee of Management for the Berrybank Hall for a three year period from 2017 to 2020, as follows:

Committee	
Philip Hocking	Bruce Hocking
Margaret Hocking	Ailsa Maguire
Paul Maguire	Kevin Matthews
Maree Matthews	Rohan Turner
Mira Turner	
Office Bearers	
President	Rohan Turner
Vice President	Kevin Matthews
Secretary	Mira Turner
Treasurer	Maree Matthews

COUNCIL RESOLUTION

MOVED: *Cr Brown*
SECONDED: *Cr Gstrein*

That the recommendation be adopted.

CARRIED

7.2 Cobden Aerodrome Committee of Management 2017

Author: Lyle Tune, Manager Works

File No: D17/650

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Lyle Tune

In providing this advice to Council as the Manager Works, I have no interests to disclose in this report.

Summary

This report seeks Council endorsement of the nominated Committee of Management for the Cobden Aerodrome for 2017-2018.

Introduction

The Cobden Aerodrome Committee of Management manages the Cobden Aerodrome on behalf of Council delegated under Section 86 of the *Local Government Act 1989*.

The Committee consists of a broad representation of community members to ensure that the Aerodrome is managed in a manner that will provide most benefit to the community.

Council appoints a Councillor Representative to the Committee with voting rights and a Council officer (currently Manager Works) to act as Executive Officer to the Committee. The Executive Officer does not have voting rights.

Issues

The Annual General Meeting of the Cobden Aerodrome Committee of Management was held on 4 October 2017 in the Cobden Civic Hall at 6.30 pm.

Representation on the Committee is as follows:

- Council Representative – one position (as appointed by Council at the November Council meeting)
- Community Representatives – six positions
- Cobden Hospital Representative – one position
- Cobden Aero Club Representative – one position
- Progressing Cobden Representative – one position
- Industry Representative – one position.

Community representatives hold office for a term of three years with two positions vacating annually on a three year cycle.

Prior to the October 2017 Annual General Meeting the Community Representative positions of Les Mulholland and Des Pekin were vacated due to the expiration of time. Two further community positions became vacant due to the retirement of Garth McLennan (two years remaining) and Lew Matthews (one year remaining).

Three nominations were received for election to the four vacant Community Representative positions. Les Mulholland and Des Pekin were re-elected to their vacated positions and Don Mackinnon elected to the position vacated by Garth McLennan. There remains one vacant position on the Committee which is proposed to be sought during the Committee term and when filled will be reported to Council for approval.

The following members have been nominated to the committee for Council endorsement.

Organisation	Representative	Elected
Community	Les Mulholland	2017-2018
Community	Des Pekin	2017-2018
Community	Don Mackinnon(2y remaining)	2017-2018
Community	Gary Evans	2016-2017
Community	Philip Robertson	2015-2016
Community	Vacant (1y remaining)	2015-2016
Aero Club representative	Bill Woodmason	2015-2016
Cobden Hospital	Alma MacDonald	2015-2016
Progressing Cobden	Eunice Dawe	2015-2016
Industry	Warren Ponting	2015-2016
Councillor	Council appointment	
Council (Non-voting Executive Officer)	Works Manager (Lyle Tune)	Council Appointed

Policy and Legislative Context

The Cobden Aerodrome Committee of Management is a Special Committee of Council and has delegated decision making responsibilities under Section 86 of the *Local Government Act 1989*. Election of committee members is conducted in accordance with the Instrument of Delegation.

Committees of management are supported by the Council Plan 2017-2021 commitments:

Deliver high quality, optimally used, sustainable community facilities.

Internal / External Consultation

A notice of the Annual General Meeting and committee vacancies was advertised in the Warrnambool Standard on 9 and 16 September 2017 and the Cobden Timboon Coast Times on 13, 20 and 27 September 2017.

Financial and Resource Implications

The Committee operates within an annual recurrent budget allocation from Council which is overseen by Council's Works Manager. The 2017-2018 budget allocation is \$15,888. The Committee identifies projects for consideration by Council as a part of the budget development process.

Options

Council may appoint the nominated members for the forthcoming year or reject the recommendation and request an alternate Committee membership.

Conclusion

The Committee membership will enable the continued active management and operation of the Cobden Aerodrome.

RECOMMENDATION

That Council appoints the following nominees to the Cobden Aerodrome Committee of Management 2017-2018 as follows:

Organisation	Representative
Community	Les Mulholland
Community	Des Pekin
Community	Don Mackinnon
Community	Gary Evans
Community	Philip Robertson
Aero Club representative	Bill Woodmason
Cobden Hospital	Duncan Morris
Progressing Cobden	Eunice Dawe
Industry	Warren Ponting
Councillor	Council appointment
Council (Non voting Executive Officer)	Works Manager (Lyle Tune)
Office Bearers	
Chairperson	Des Pekin
Vice Chairperson	Bill Woodmason

COUNCIL RESOLUTION

MOVED: Cr Trotter

SECONDED: Cr Brown

That the recommendation be adopted.

CARRIED

8. INFORMATION BULLETIN

Nil.

9. PLANNING REPORTS

9.1 Combined Planning Scheme Amendment C47 and Planning Application PP2016/076 Adoption of Amendment

Author: Greg Hayes, Manager Planning and Building Services

File No: D17/557

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Greg Hayes

In providing this advice to Council as the Manager Planning and Building Services, I have no interests to disclose in this report.

Summary

The purpose of this report is for Council to consider the adoption of a combined Amendment (C47) and Planning Application (PP2016/076) following exhibition of the proposal. The combined amendment and planning application proposes to rezone part of 31 Glenormiston Road, Noorat from Farming Zone to Township Zone and subdivide the land into five lots. The amendment has been exhibited and four (4) submissions have been received with no submitters objecting to the amendment or permit.

Introduction

Amendment C47 applies to land at 31 Glenormiston Road Noorat. The subject land is currently in two zones, the Township Zone to the south and the Farming Zone to the north. This zoning anomaly applies differing land use provisions between the Farming Zone and Township Zone over the land.

To correct this anomaly and facilitate residential development on this land a concurrent planning scheme amendment and planning permit under Section 96A of the *Planning and Environment Act 1987* propose to rezone part of the land from Farming Zone to Township Zone and subdivide the land into 5 lots.

The site is also located within a Significant Landscape Overlay - Schedule 1 (SLO1) Volcanic Landscape Area. A planning permit is not required under the SLO1 to subdivide land however a planning permit will be required for the development of a dwelling on any lot.

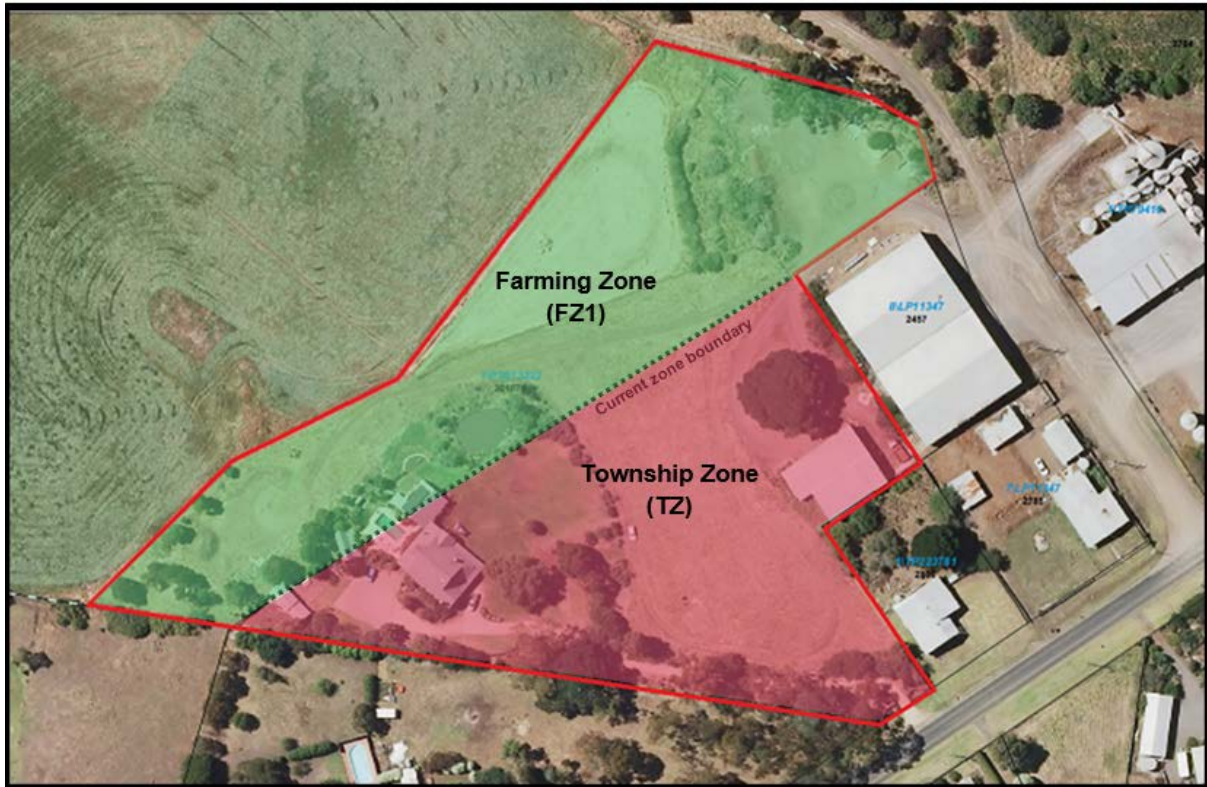


Figure 1: Current Zoning

Issues

At its 24 January Ordinary Meeting Council resolved to request the Minister for Planning to authorise the preparation and exhibition of a combined planning scheme amendment and planning permit application to rezone all the land at 31 Glenormiston Road, Noorat to Township Zone and subdivide the land into eight (8) lots. Following a subsequent land capability analysis the proponent sought that the Amendment proceed on the basis of a proposal for a five lot subdivision.

Authorisation was received from the Minister for Planning on 2 August 2017 to prepare and exhibit a planning scheme amendment and permit application for the subdivision of land. Amendment C47 and a draft planning permit was exhibited between 19 August 2017 and 25 September 2017.

Four (4) submissions were received from referral agencies. No submitters objected to the amendment or planning permit or requested changes to the amendment.

The Planning Scheme Amendment C47 seeks to apply the Township Zone to the entire subject site, removing the zoning anomaly outlined above. This effectively expands the Township Zone in Noorat by approximately 1.12 hectares. The proposed rezoning is shown in Figure 2.

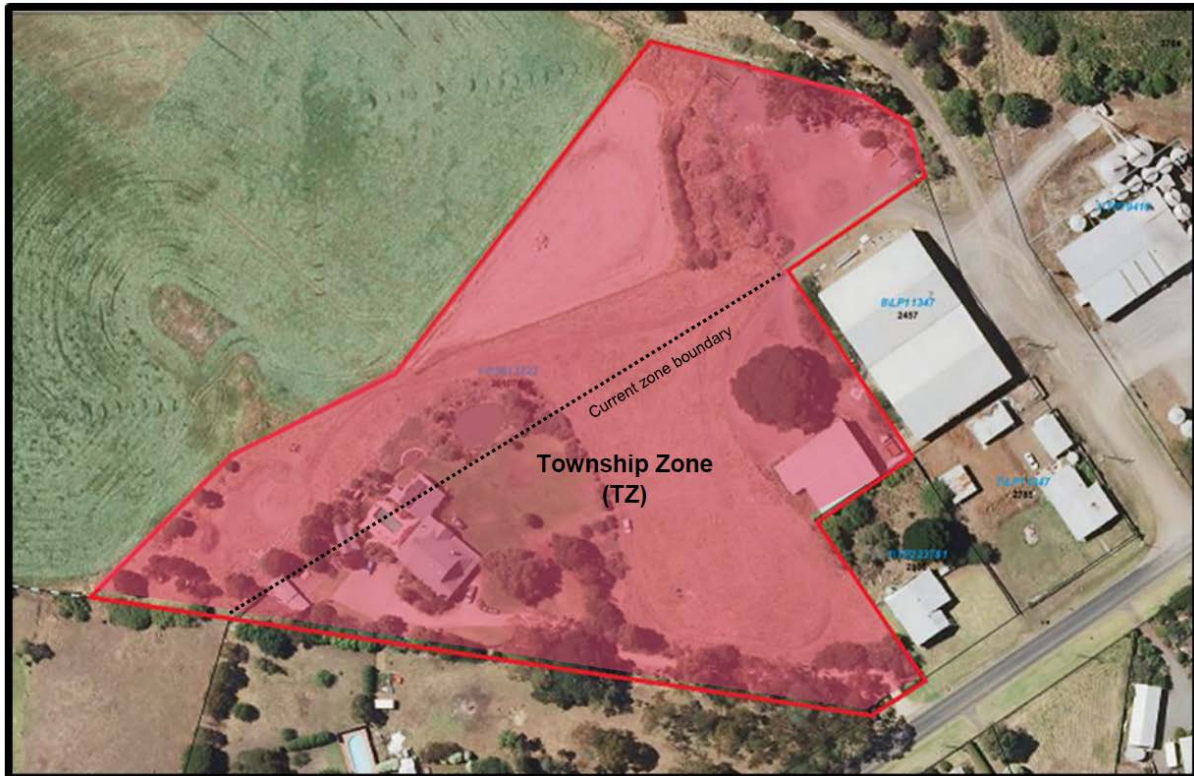
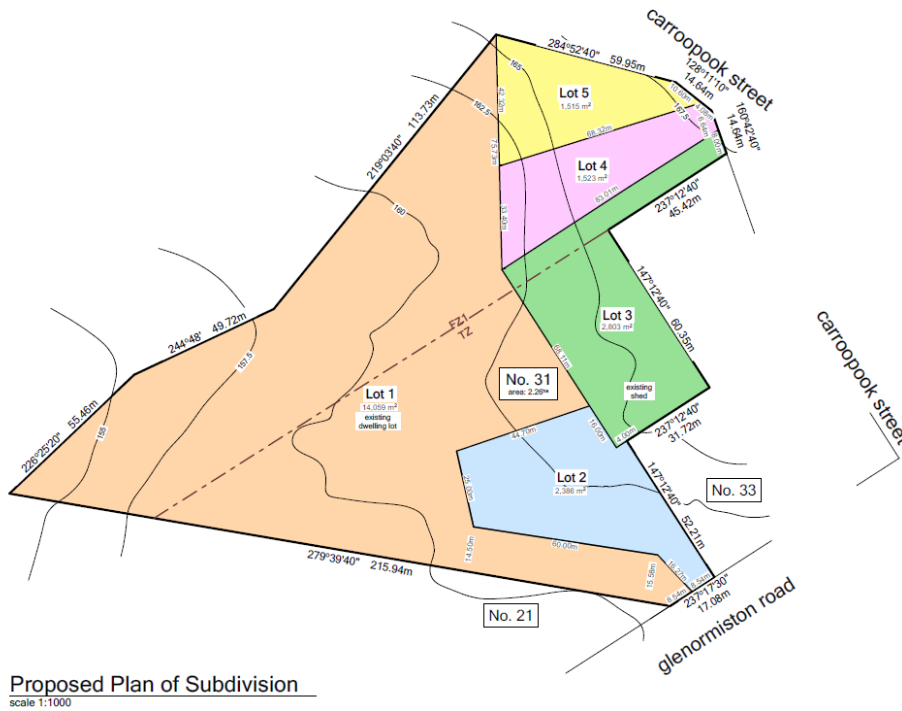


Figure 2: Proposal to expand the current Township Zoning by approximately 1.12ha

A planning permit application is sought concurrent to the planning scheme amendment for a five (5) lot subdivision. The number of lots was reduced from the eight lots initially proposed, following a land capability assessment. The subdivision will have the following lot layout:

- Lot 1 will consist of the existing dwelling and its outbuildings. Lot 1 has a frontage to Glenormiston Road of 8.54 metres and has an area of 1.4 hectares. Access from Glenormiston Road will be retained as will the existing septic system.
- Lot 2 will be a vacant residential lot located in the south eastern part of the site and has a frontage to Glenormiston Road of 8.54 metres and has an area of 2386m². Lot 2 has proposed building envelope of 625m² and an effluent envelope of 350m².
- Lot 3 will consist of the existing landscape supply business and be 2803m². The lot will retain its current access via a battle-axe drive from Carroopook Street and the existing septic system will be retained.
- Lot 4 will be a vacant residential lot located in the north eastern corner of the allotment and be 1523m². A 610m² building envelope and an effluent envelope of 330m² is proposed. A new access will need to be created from Carroopook Street.
- Lot 5 will be a vacant residential lot located in the north eastern corner of the allotment and be 1515m². A 545m² building envelope and an effluent envelope of 330m² is proposed. A new access will need to be created from Carroopook Street alongside the access to lot 4.

The draft planning permit requires that a range of conditions are met prior to the subdivision being finalised. These include requirements for road construction, wastewater, landscaping, stormwater, power and water. The planning permit is at **Attachment 1**.



PROJECT
SUBDIVISION
SITE ADDRESS
31 GLENORMISTON ROAD
NOORAT

PROJECT NO.
PPP 2016-009
DATE
17/07/17
SHEET
2 / 4



Location: 271 Pierrepoint Road Tarrington
Correspondence: PO Box 5003 Tarrington Vic 3301
Mobile: 0429439083 Phone: 03 5572 5558
Fax: 03 5572 5558
Email: alacey@pierrepointplanning.com

Figure 3: Proposed 5 Lot Subdivision, 31 Glenormiston Road, Noorat

Four submissions have been received to the combined amendment and planning permit, all from referral agencies. None of these submitters objected to the permit or requested any change to the amendment. A summary of the submissions and an officer response is provided below and a copy of submissions is provided at **attachment 2**.

The application was also referred to Councils Environmental Health Department and Assets department who have offered no objection subject to recommended conditions for the planning permit in relation to wastewater, drainage and widening of Carroopook Road.

No	Submitter	Summary	Officer Response and Action
1	Glenelg Hopkins Catchment Management Authority (GHCMA)	GHCMA does not object to the amendment or planning permit	No further action required.
2	Wannon Water	Wannon Water does not object to the amendment or planning permit subject to inclusion of conditions on the permit relating to servicing of lots with water.	Conditions have been included in the permit. No further action required.

No	Submitter	Summary	Officer Response and Action
3	VicRoads	VicRoads does not object to the amendment or planning permit as land does not abut an arterial road and the nearest intersection with an arterial road (Mckinnons Bridge Road) has the capacity to safely and efficiently cope with any traffic generated by the proposed subdivision.	No further action required.
4	Environment Protection Authority	<p>EPA does not object to the amendment and planning permit however has made the following comments-</p> <ul style="list-style-type: none"> • Council will need to consider the potential amenity impacts between the residential lots and the existing use of lot 3 as a landscape gardening business • Council needs to adhere to Ministerial Direction regarding potentially contaminated land and determine whether current/previous uses of the land are likely to have resulted in any contamination. • Onsite wastewater must perform effectively and be well managed and comply with standards under the EPA Code of Practice. • Council could consider referring to CSIRO Stormwater best practice guidelines to ensure water quality is maintained in the area. 	<p>No further action required. Response to comments raised below:</p> <ul style="list-style-type: none"> • The interface between the landscaping businesses has been considered. It is considered that the requirement for landscaping and the size and orientation of the lots will allow setbacks to ensure that any potential amenity impacts are mitigated. • Ministerial Direction 1 on potentially contaminated land states that <i>potentially contaminated land is considered to be land used or known to have been used for:</i> <ul style="list-style-type: none"> a) industry; b) mining, or c) the storage of chemicals, gas, wastes or liquid fuel (if not ancillary to another use of the land). <p>This land is not known to have been used for any of these purposes as the sites previous known uses have been residential and agriculture and therefore the amendment complies with this direction.</p>

No	Submitter	Summary	Officer Response and Action
		<ul style="list-style-type: none"> Council could consider refer to EPA publication on subdivisions to ensure temporary environment protection measures are employed during the construction period of the subdivision. 	<ul style="list-style-type: none"> A condition on the permit requires wastewater systems to comply with the EPA Code of Practice. Conditions relating to stormwater are considered adequate to ensure water quality is maintained.

The submissions do not request any changes to the proposed amendment and are supportive of the proposal. Therefore, Council is not required to refer submissions to a Panel for independent analysis. Council can therefore progress the consideration of adopting the amendment and forwarding it for approval to Minister for Planning.

Policy and Legislative Context

Section 96A of the *Planning and Environment Act 1987* allows for a planning permit application to be considered concurrently with a planning scheme amendment.

Internal / External Consultation

The amendment was exhibited between 19 August 2017 and 25 September 2017 in accordance with the *Planning and Environment Act 1987* with notice in the Government Gazette as well as the Warrnambool Standard, Noorat Newsletter and on Council's website. All landowners and occupants within 100 metres of the site were sent a notice and the documents were made available to view at the Council offices.

Financial and Resource Implications

The costs of this Planning Scheme Amendment, development of the land, subdivision and required infrastructure improvements are to be borne by the proponent.

Options

The options available to Council are:

1. Adopt the Planning Scheme Amendment without any change and submit the amendment and planning permit to the Minister for Planning for approval.
 2. Adopt the Planning Scheme Amendment with changes and submit the amendment and planning permit to the Minister for Planning for approval.
 3. Abandon the amendment and refuse to recommended that a permit be granted
- Option 1 is the preferred option. Council can adopt the amendment and request that the Minister for Planning approve the amendment and permit.

Conclusion

The purposes of the combined amendment and planning permit application is to enable a five lot subdivision of land for residential development. No objections has been received that request a change to the amendment and therefore no Planning Panel is required. It is recommended that Council adopt the Amendment and forward it and Planning Permit PP2016/076 to the Minister for Planning for approval.

RECOMMENDATION

That Council:

1. Adopts Amendment C47 to Corangamite Planning Scheme in accordance with Section 29 of the *Planning and Environment Act 1987* without any changes.
2. Submits the Amendment C47 and Planning Permit Application PP2016/076 to the Minister for Planning for approval in accordance with Section 31 and Section 96H of the *Planning and Environment Act 1987*.

COUNCIL RESOLUTION

MOVED: Cr Durant
SECONDED: Cr McArthur

That the recommendation be adopted.

CARRIED

Attachments

1. Planning Permit PP2016/076 - Under Separate Cover
2. Submissions Combined Amendment C47 and Permit Application PP2016/076 - Under Separate Cover

9.2 Planning Permit Application PP2017/082 Development of Two Double Storey Dwellings, Two Lot Subdivision, Creation of Carriageway Easement and Construction of a Fence Lot 2 PS126567 2 Cairns Street, Port Campbell

Author: Greg Hayes, Manager Planning and Building Services

File No: D17/592

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Greg Hayes

In providing this advice to Council as the Manager Planning and Building Services, I have no interests to disclose in this report.

Summary

A planning permit application has been received, proposing to develop the land for two double storey dwellings, a two lot subdivision, creation of a carriageway easement and construction of a fence. Three submissions have been received objecting to the application. The proposal has been assessed against the relevant provisions of the Corangamite Planning Scheme and it is recommended that a Notice of Decision to grant a planning permit is issued subject to conditions.

Introduction

Council has received an application for a Planning Permit to construct and subdivide two double storey dwellings. An assessment of the application is required against the Design and Development Overlay in Port Campbell and the provisions of ResCode. Three objections to the applications have been received and Council must now determine the merits of the application.

Proposal

Development of Dwellings

The application proposes to develop the land for two dwellings. Each double storey dwelling will consist of three (3) bedrooms, bathroom, ensuite, laundry and attached single storey garage at ground level, a communal living space (kitchen, meals, living area) and a north west facing deck at the second storey level. A 1.8 metre timber paling fence along the boundaries of the property is proposed.

The dwellings will each have a total area of 114.07m² and be constructed of weatherboard with pitched colourbond roofs. Fibre sheet cladding will be used on the southern elevation at ground level on each of the dwellings.

The dwellings will be split level with dwelling 1 having heights between 3.2 metres and 5.7 metres above natural ground level (NGL) along the southern elevation and the northern elevation having heights between 4.5 metres and 6.9 metres above NGL. Dwelling 2 will have height between 3.7 metres and 6.2 metres above NGL along the southern elevation and 4.5 metres to 6.8 metres above NGL along the northern elevation.

The rear of the garages will be recessed into NGL between 0.5-1m as the land rises to the south. Setbacks of dwelling 1 will be a minimum of 3.8 metres from the Old Great Ocean Road, 7 metres from Cairns Street, 8.4 metres from the eastern boundary, and 5.95 from the northern western boundary. Setbacks of dwelling 2 will be a minimum of 2.75 metres from the Old Great Ocean Road, 3 metres from the eastern boundary, 16.61 metres from the northern western boundary and 3.79 metres from the western boundary. The eaves of the upper floors encroach slightly into these setbacks. Access to both dwellings will be via a carriageway easement from Cairns Street.

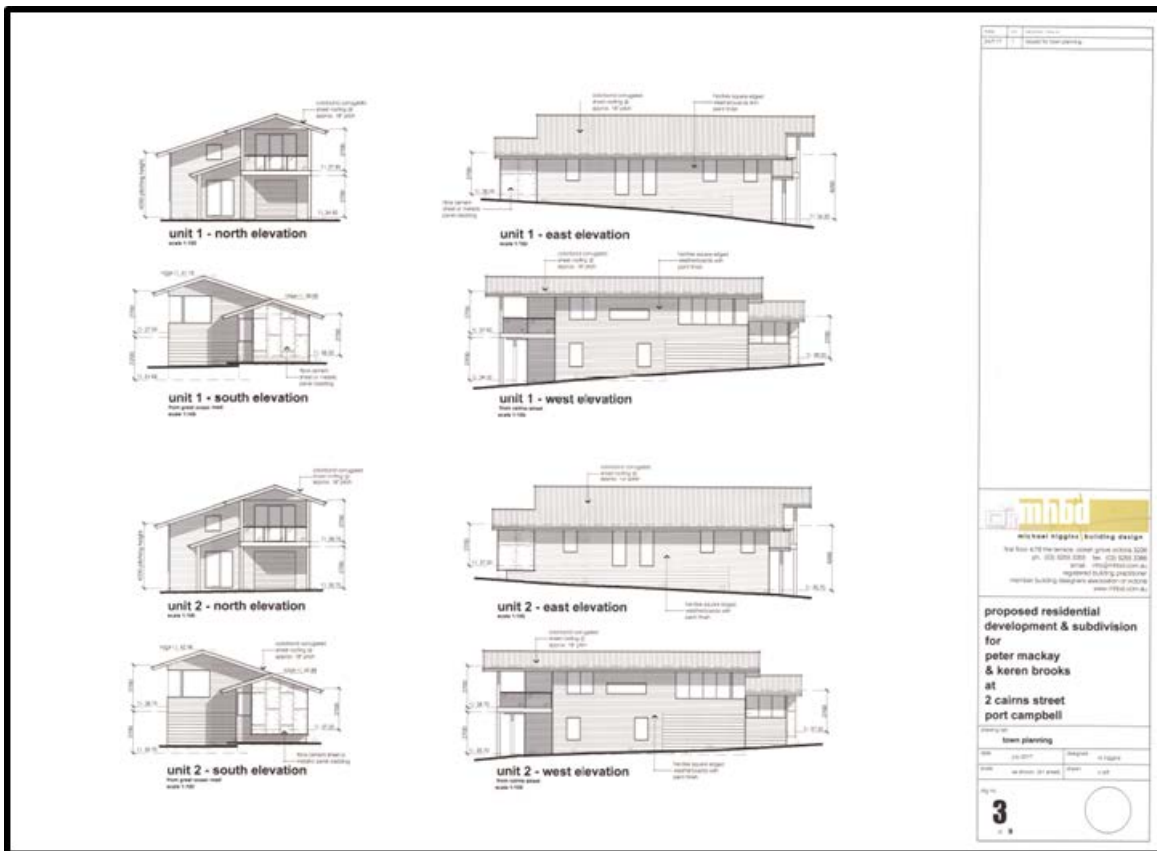


Figure 1: Elevations Dwellings

Subdivision and creation of carriageway easement

A subdivision of the land into two lots and the creation of a carriageway easement over lot 1 to allow access to lot 2 is also proposed as part of the application. Lot 1 will be 717m² and will contain dwelling 1. Lot 1 will be accessed via a new crossover from Cairns Street. Lot 2 will be 613m² and will contain dwelling 2. Lot 2 will be accessed from Cairns Street via a 4 metre wide carriageway easement over lot 1.

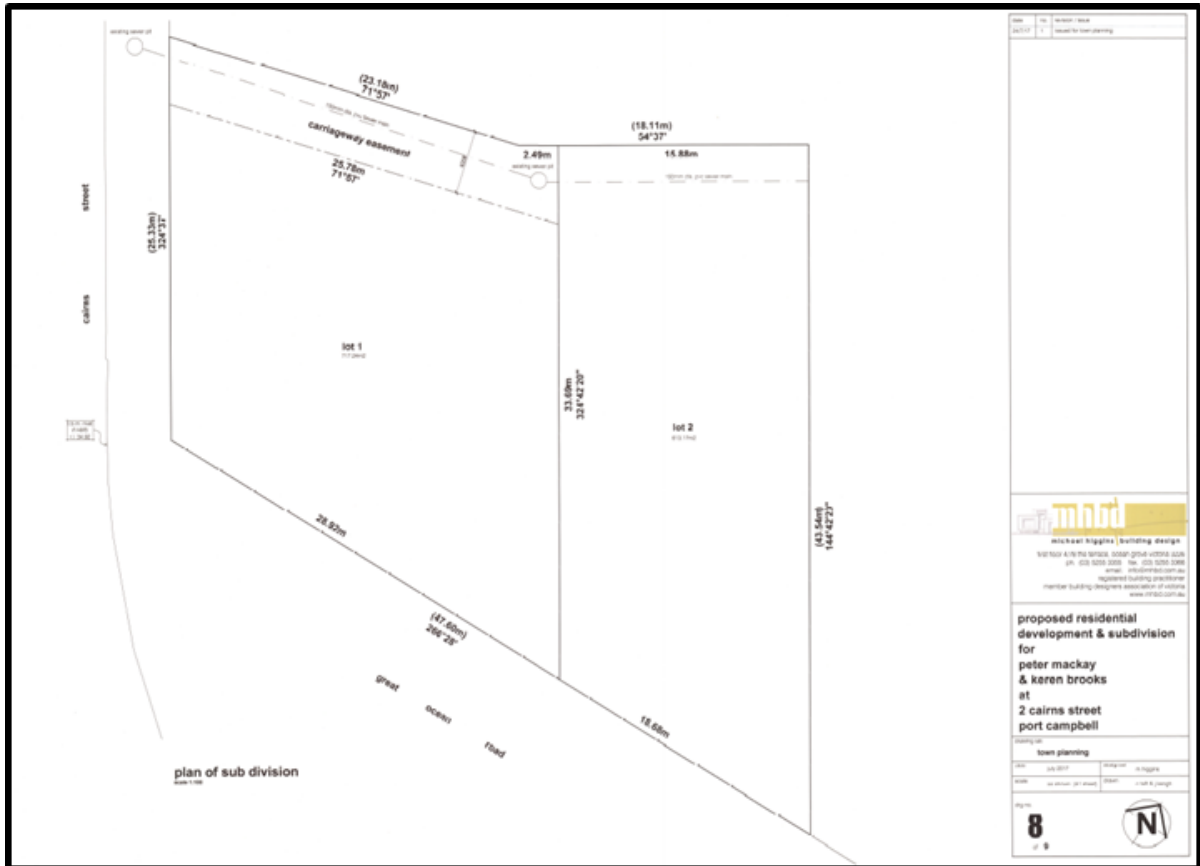


Figure 2: Subdivision Layout

Subject Land

The site is located on the corner of Cairns Street and Old Great Ocean Road Port Campbell and has views towards to the north west to Two Mile Bay and to the ocean to the south. The site is irregular in shape and has a total area of 1330m.41m². The site has a fall to the north west. The site has a dual frontage with a 47.6 metre frontage to the Old Great Ocean Road and a 25.33 metre frontage to Cairns Street. The land has a fall to the north-west of 3.37 meters and is currently vacant with scattered vegetation being a mix of low lying coastal heath and exotic species. The Old Great Ocean Road reserve that adjoins the property also consists of low lying coastal heath. There is an existing vehicle crossover along Cairns Street. The site is partially fenced with a 1.5 metre timber paling fence along the north western boundary.



Figure 3: Subject site and surrounds *Note: Aerial 2012 Dwellings at 5 Old Great Ocean Road and 8 Pitcher Street not shown.

Surrounding Area

The surrounding area to the north, north-west and east is a mix of single and double storey dwellings varying in height from 4 metres to 7 metres with the majority of dwellings having pitched roofs and being constructed of weatherboard. Figure 4 shows the sites context. The lot size is also mixed with lots varying in size from 300m² to 2000m². The area surrounding the site has ocean views to the south and to the west towards Two Mile Bay. Land to the west and south is coastal reserve which consists of low lying coastal heath and forms part of Port Campbell National Park.

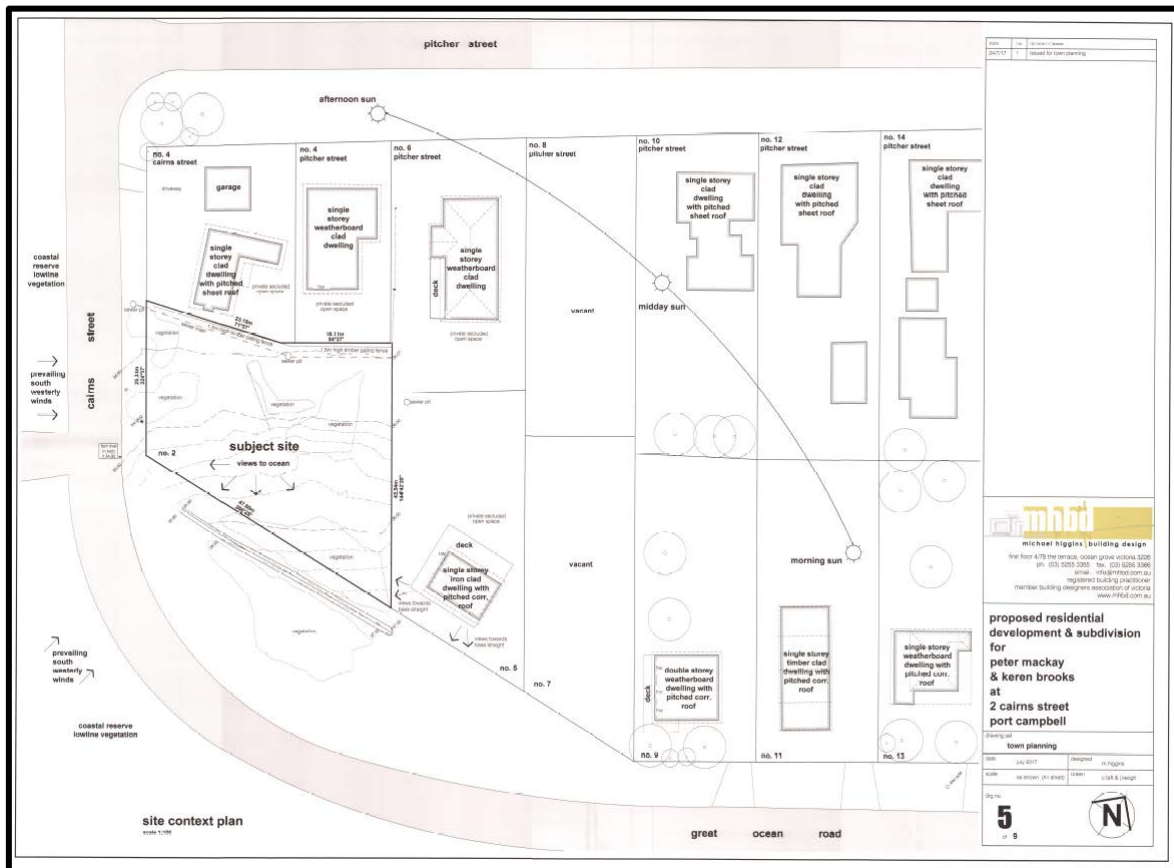


Figure 4: Site Context Plan

Policy and Legislative Context

State Planning Policy

Clause 11 Settlement

- Encourage urban renewal and redevelopment opportunities within existing settlements to reduce the demand for urban sprawl.
- Limiting urban sprawl and directing growth into existing settlements, promoting and capitalising on opportunities for urban renewal and infill redevelopment.

Clause 12 Environment and Landscape Values

- Ensure development is sensitively sited and designed and respects the character of coastal settlements

Clause 15 Built Environment and Heritage

- Subdivision design should provide 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.
- Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.

Clause 16 Housing

- Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land

Local Planning Policy Framework

Clause 21.04 Port Campbell strategies include:

- Ensure that new development maintains the low scale coastal village character of the town and is compatible with the landscape setting of the town.
- Encourage new development to incorporate setbacks and landscaping to maintain the green separation of buildings in both the commercial and residential areas.
- Contain the town area to its existing and identified footprint.
- Support small scale infill development on existing large lots.
- Provide for limited new development at higher densities in appropriate locations including in and around the commercial centre.
- Improve presentation of residential and commercial areas.
- To provide a range of dwelling and accommodation types in the town to cater for the needs of all residents and visitors and meet growth demands.
- To encourage a variety of lot sizes.

Zoning

The land is located within the General Residential Zone. The purpose of the zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Pursuant to Clause 32.01-3 a planning permit is required to subdivide land and construct two dwellings on a lot. A planning application must demonstrate how it meets the requirements of Clause 55 (two or more dwellings on a lot) and Clause 56 (residential subdivision) of Rescode. The Rescode assessments are at Attachment 1.

Overlays

The Design and Development Overlay- Schedule 3 (DDO3) which applies to the Port Campbell residential area covers the property. Pursuant to Clause 43.02-2 a planning permit is required to construct a double storey dwelling, subdivide land and construct a solid fence over 1 metre in height. The design objectives of the DDO3 are:

- To protect the existing low scale coastal character and identity of Port Campbell.
- To ensure that new development in Port Campbell is site specific and site responsive.
- To ensure that new development reinforces the diversity of building styles and landscape forms that define the character of Port Campbell.
- To ensure that new development is designed to achieve viewsharing.

The DDO3 includes a set of design guidelines which identify a range of relevant considerations including landscape type, indigenous vegetation, erosion, solar and wind control, presentation to visually prominent locations, height, scale and viewlines from neighbours and public places.

The design guidelines are the preferred method of achieving the design objectives. Other methods of achieving the objectives may be demonstrated to the satisfaction of the Responsible Authority.

The DDO3's decision guidelines provide a context for considering the design guidelines.

They include:

- How the proposal responds to the design objectives of this Clause.
- Whether an adequate Site Analysis has been undertaken.
- Whether the development is clearly influenced by findings of the comprehensive Site Analysis.
- How the new development forms a successful synthesis of the constraints and opportunities identified by the Site Analysis.
- How the proposal forms an integrated environmental design approach to the actual site with a complementary relationship between built form and landscape.
- Whether the development is of a scale and density appropriate for the site topography and landscape.
- How efficient the proposal is in its use of space minimising the building footprint and bulk.
- How the development meets the principles of ecologically sustainable development.

A plan is attached to the DDO3 which specifies building envelopes relative to vegetation and built form. The site is located within the “coastal cliffs” where built form is to be at its lowest.

A planning permit is not required under the zone or overlay to use the land for a dwelling or for the removal of vegetation.

Particular Provisions

Clause 52.06 Car Parking requires two car parking spaces to be provided to each dwelling. This requirement has been met.

Clause 55 Two or More Dwellings on a Lot and Clause 56 Residential Subdivision

The development and subdivision:

- Must meet all of the objectives of the clauses that apply to the application.
- Should meet all of the standards of the clauses that apply to the application.

The application has demonstrated that it has met the objectives of Rescode. An assessment of Clause 55 and 56 is provided at attachment 1

Internal / External Consultation

Referrals

The application was referred to Councils Assets Department and to Wannon Water. Both have consented subject to conditions relating to the provision of sewerage and water supply works to serve the development, drainage and vehicle crossing requirements.

Advertising

Notice of the application was provided in accordance with the *Planning and Environment Act 1987*, with all adjoining landowners and occupiers receiving notification, a notice being placed onsite and notice being placed on Council’s website.

Objections

Three submissions objecting to the application were received. They can be found at **attachment 3**. The issues raised in the objections and an officer response are provided below.

Objection	Officer response
<p>The buildings should be setback 4 metres from all boundaries like the adjoining properties were required to.</p>	<p>The development has a front setback of 7 metres from Cairns Street and a minimum setback of 2.68 metres from all other boundaries. This complies with Rescode requirements which in this case requires a front setback from Cairns Street of 7 metres consistent with the property to the north east and setbacks from all other boundaries of 2 metres.</p> <p>However to enable view sharing (discussed under DDO3) it is recommended that unit 2 be set back a minimum of four (4) metres to share the principal view of Two Mile surf break. The increased setback will ensure that all dwellings along the alignment of Old Great Ocean road will be able to view this vista.</p> <p>NOTE: The adjoining property to the east has a frontage to the Old Great Ocean Road and did not require planning permission. In that case setbacks were assessed under the building regulations by a private building surveyor not the planning regulations.</p>
<p>The development will monopolise ocean views and views of other properties along the Great Ocean Road will be impacted.</p>	<p>Under the proposed plans partial views are maintained to the primary vista (2 mile break) however with the recommended increase setback to unit 2 the views are assured of being maintained to this significant or primary view.</p>
<p>The development does not align with the DDO3 that applies to the site due to the setbacks, height, sharing of views, removal of vegetation and building form.</p>	<p>With the increased setback of unit 2 the proposal now fully complies with the requirements of the DDO3. View sharing was the principal issue for 2 of the 3 objections and this has been dealt with under amended plans conditions.</p>
<p>There will be overshadowing and overlooking into neighbour's private open space and windows.</p>	<p>The proposal meets the standard of the Overlooking Clause B6 in ResCode. There is no overshadowing into any private open space or habitable room windows of adjoining properties. The construction of a 1.8 metre boundary fence prevents any overlooking from the upper deck of unit 1 into the private open space of the adjoining dwelling to the north west per the standard B6. However it is considered reasonable to require screening from the rear balcony to Unit 1 to reduce the potential overlooking even further. There is no overlooking into any other properties.</p>

Objection	Officer response
The subdivision and development is out of character with coastal landscape and will produce high density townhouse development.	The subdivision layout and size is consistent with surrounding subdivision in the area. The development is not high density and due to the topography of the area the ridge line of the other dwellings along Old Great Ocean Road are either higher or at the same height as the proposed dwellings (shown in Figure 5).
The development may create parking issues if the dwellings are rented out for holiday accommodation.	The development has provided two car parking spaces for each of the dwellings which meets the car parking requirement under the planning scheme.
The planning regulations should prevent high density development in this location and should be applied consistently.	The development is not high density development as high density constitutes four or more storeys. Planning regulations have been applied consistently and it should be noted that the DDO3 does not specify a height limit on dwellings, nor does it prohibit two storey dwellings in this location. Rather it requires applications to respond to the design objectives of the DDO3.
The development in this location should be single storey in line with the low-lying heath land it sits within.	Whilst the objectives of the DDO3 seek to maintain the “low scale” character of Port Campbell this does not mean that development can only be single storey in height. The DDO3 requires an assessment of whether the height is appropriate relative to the surrounding vegetation type and landform. This is discussed further in the assessment section of the report.
If unit 2 was sold off the new owner may want access from the Great Ocean Road.	Access from the Great Ocean Road is not proposed as part of this application and therefore this is not considered to be a relevant planning consideration for this application.
The proposed development could be redesigned and located more to the north west of the site and then comply with view sharing and respect the modest scale that is the character of Port Campbell.	The design and siting of just two double storey dwellings on a site 1340sqm in area is considered of reasonable scale/density and built form.

Consultation

Following notice of the application, an onsite consultation meeting was held with the applicant, submitters, Councillors and planning officers on 3 October 2017.

Assessment

Compliance with the Design Objectives of the DDO3

A key issue in this application is whether the double storey height of the proposed dwellings is acceptable given the design objective in the DD03 to protect the existing low scale coastal character of Port Campbell. The issue is whether a two storey building can be considered low scale. Firstly, it is important to note that the DDO3 does not say that low

scale means single storey development only. This interpretation of the DDO3 has been considered in several VCAT decisions for two storey dwellings located within the DDO3 in Port Campbell.

In *Yarrumduc Investments Pty Ltd v Corangamite SC [2012] VCAT 13* the member stated that the requirement to protect the existing low scale coastal character:

“must be read in the context that the objectives of DDO3 seek to maintain the “low scale” character of Port Campbell. However, it is overly simplistic to say that this means limiting development to single storey height. If this were the intent, then it would have been simple enough for the DDO3 provisions to have been drafted to say this. They do not.”

Rather, the DD03 states that new development must be site specific and site responsive. This requires an assessment of whether the height is appropriate relative to the surrounding vegetation type and landform.

Whilst the properties immediately surrounding the subject land are all single storey buildings, there are double storey dwellings located nearby including 9 and 15 Old Great Ocean Road, 1/6 and 2/6 Cairns Street, 3, 5 and 6 Morris Street and 18 Pitcher Street. These dwellings are all located in the low and lowest areas for built form as designated under the DDO3.

It is also relevant to take into account the effect of the topography of the area. Whilst land along the Old Great Ocean Road is flatter than other land further north down Cairns Street there is a fall towards the north west. Given this slope, dwellings on neighbouring properties have been designed to present elevated floor levels. For example, the dwelling to the east at 5 Old Great Ocean Road has elevated northern and western façades, with the ground level elevated by about 2 metres adjacent to the common boundary with the subject land.

The fall in topography results in the neighbouring buildings presenting higher than typically associated with single storey dwellings adjacent to the common boundary to the site. This is shown in Figure 5 which shows that whilst some of the properties along Old Great Ocean Road are single storey and some are double storey they all present as having similar ridgeline heights due to the fall to the north west. It is therefore considered that the height of the proposed dwellings is not at odds with the height of development found in the area and responsive to the landform.

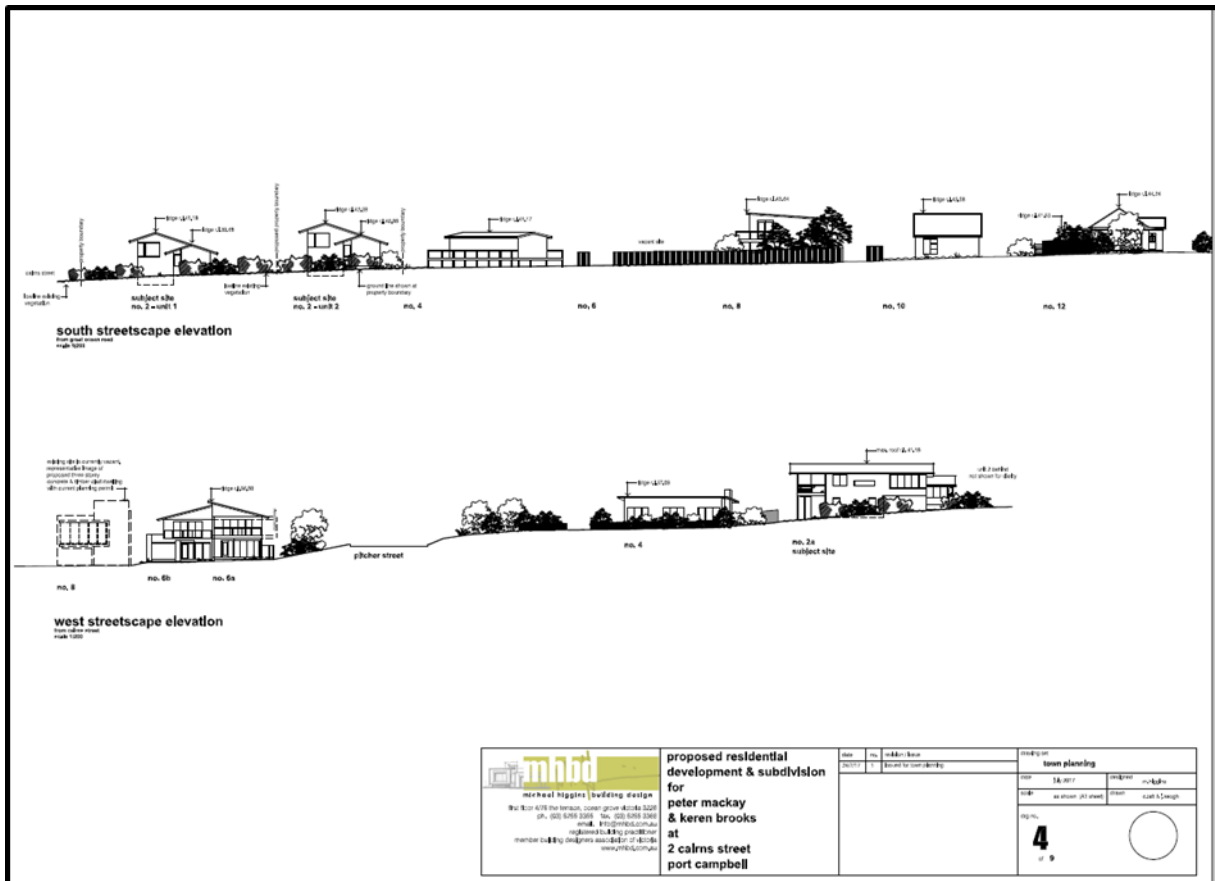


Figure 5: Streetscape Elevations

The provisions of DDO3 also require consideration to be given to how the proposal responds to the landscape. The site is located in an area where there are a mix of older single storey housing stock and newer more contemporary single and double storey dwellings. The new dwellings in this area have minimal landscaping, whilst the older dwellings have more mature landscaping, albeit relatively minimal. Vegetation within the road reserve is isolated to coastal heath outside the subject site.

The design of the buildings is considered appropriate to the area and responds to the character of surrounding properties having a more traditional pitched roof but having a split level design which minimises bulk and incorporates materials that are sympathetic to a coastal setting such as colourbond roofing, weatherboard and cement wall cladding.

In *Yarrumduc Investments Pty Ltd v Corangamite SC [2012] VCAT 13* the member stated that:

“There is no doubt that when two dwellings are developed on one site, the intensity of development is greater than what has occurred on single dwellings sites, particularly the older properties. However, in deciding whether a new proposal provides for “modest dwellings of minimal bulk” it is not as simple as looking at the older housing stock and using it as the benchmark. Consideration must also be given to other aspects of DDO3 which include designing new development “to increase the yield, diversity, and affordability of housing options to meet the future growth of Port Campbell”. New housing cannot simply be limited to small dwellings if the diversity sought under DDO3 is to be met.

That is not to say that anything goes. The compatibility of new development with the neighbourhood character needs to take into account factors such as the nature of new dwellings that are being constructed in the area, the response to the topography, compatibility of the height with neighbours,

the appropriateness of the architectural expression and the provision of landscaping, the appropriateness of setbacks."

It is considered that the proposal responds well to these factors as it provides for setbacks which can incorporate landscaping, works with the topography of the site by providing the majority of bulk and height towards the lower parts of the block, provides a similar ridgeline height with adjoining properties along Old Great Ocean Road and retains road reserve vegetation where possible.

Views

The VCAT case *Healy v Surf Coast [2005] VCAT 990* offers the following principles with regard to views:

- (a) There is no legal right to a view;*
- (b) Views form part of the existing amenity of a dwelling and their loss is a relevant consideration to take into account*
- (c) The availability of views must be considered in the light of what constitutes a reasonable sharing of these views;*
- (d) In addressing the concept of "reasonableness", it is relevant to consider*
 - i. The importance of the view to be lost within the overall panorama available; and*
 - ii. Whether those objecting have taken all appropriate steps to optimise development of their own properties.*
- e) added emphasis will be placed on principles b) and c) above if the issue of views is specifically addressed in the planning scheme.*

Any development on the subject site whether it be single or double storey will likely impact on views.

Matters such as the prevailing topography and vegetation frequently influenced the manner in which views can be shared. It is considered that given the flat area at the top of Port Campbell the loss of a view can be reasonably expected. However whilst a "reasonable sharing" of views does not mean that an equal sharing of views will result, it is considered reasonable to seek to retain a view to the Two Mile bay for all dwellings.

To achieve this outcome, it is recommended that the setback of Unit 2 be increased to a minimum of four (4) metres from Old Ocean Road (currently 2.75m). A condition requiring such amended plans is included in the officer recommendation.

There are views of a panoramic nature across other properties. Views are available towards Two Mile Bay and views are primarily available from all dwellings that front Old Great Ocean Road. The development will result in the loss of some view, however from various locations on the deck there will still be views of Two Mile Bay and the ocean, providing the additional setback of unit 2 as recommended is achieved.

Compliance with Rescode and General Residential Zone (GRZ1)

An assessment of the development and subdivision under Clause 55 and 56 indicates that the proposal has responded appropriately to the objectives. The design provides for two detached dwellings with setbacks and space around them to provide for landscaping and private open space, prevent any overlooking or overshadowing into neighbouring properties and the overall height is well below the maximum height limit of 11 metres specified in the GRZ1.

The site coverage is low at 17.5 per cent and well below the 60 per cent allowed under Rescode, the permeable area is 39% well above the 20 per cent required; appropriate car parking is provided, there is compliance with setback requirements and the lot sizes are generous and consistent with the surrounding subdivision pattern.

Compliance with State and Local Planning Policy

The development of the land with two dwellings and two lot subdivision complies with the planning scheme's policies on housing and urban consolidation. The objective at clause 11.05-5 is to plan for sustainable coastal development. Planning policy supports a network of diverse coastal settlements which provide for a broad range of housing types with residential development directed to defined boundaries of existing settlements. The subject land is within a coastal town and within the defined urban area. It is the location where a variety of housing types, including dual occupancy type development, is encouraged. Further, increasing the supply and variety of housing within an established urban area is supported by the policies at Clause 16.

It is also relevant that the local strategies for Port Campbell, as set out at Clause 21.04 of the MSS, support development. Small scale infill development on large lots as well as limited new development at increased densities in appropriate locations is envisaged in the MSS. Development within the existing urban area is supported by the MSS which seeks to facilitate "a compact urban form", preventing development from "establishing outside the urban zones of the town" and containing the town area to its "existing and identified footprint". The redevelopment of a vacant parcel of land, with suitable attributes, located within the General Residential Zone and within the town's existing footprint accords with the direction given by the MSS. It works towards consolidating the existing township in the preferred area for development.

Options

Council has the following options:

1. Issue a Notice of Decision to Grant a Planning Permit, subject to conditions as set out in the Officer's recommendation.
2. Issue a Notice of Decision to Grant a Planning Permit with changes to recommended conditions.
3. Issue a Notice of Refusal to Grant a Planning Permit.

Option 1 is the preferred option. The recommended conditions include a requirement for amended plan to increase the setback of dwelling 2 to the minimum of four (4) metres from Old Great Ocean Road, so as to achieve a reasonable sharing of views to Two Mile Bay. This addresses a key concern of objectors.

Conclusion

The subject land has the attributes that make it suited to being redeveloped for two dwellings. Such development is supported by state policy, local policies for Port Campbell and the purpose of the zone. The proposed development is designed to respond appropriately to the provisions of DDO3. The provisions of Clause 55 and Clause 56 are met, either as shown on the plans or through permit conditions.

RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Planning Permit to develop the land for Two Double Storey Dwellings, Two Lot Subdivision, Creation of Carriageway Easement and Construction of a Fence on land described as Lot 2 PS126567 2 Cairns Street Port Campbell, subject to the following conditions:

DEVELOPMENT

Amended Plans Required

1. Before the development commences amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies provided. Such plans must be generally in accordance with the plan submitted but modified to show:
 - (a) A reduction in the height of the fence along Old Great Ocean Road to a maximum height of 1.5 metres;
 - (b) An increase in the setback of unit 2 so that it is a minimum of four (4) metres from the Old Ocean Road frontage;
 - (c) Screening to the north western façade of the upper storey balcony to unit 1 so as to prevent downward looking into the private open space of the dwelling at 4 Cairns Street.
2. Prior to the development commencing a Bushfire Management Plan must be submitted that shows:
 - (a) Compliance with the requirements of the Country Fire Authority and the requirements of Clause 52.47.

When approved, the plans will be endorsed and will then form part of the permit.

Muted Tones

3. All external materials to be used in the construction of the dwelling must be of muted tones and be non-reflective and must not result in any adverse visual impact on the amenity of the surrounding area.

Construction of Driveways and Car Parking Areas

4. Before the use starts or any building is occupied, areas set aside for car parking, access lanes and driveways shown on the endorsed plans must be constructed and formed to such levels and properly drained so that they can be used in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.

Visual screening to be maintained

5. Prior to completion/occupation of the development, all visual screening measures shown on the endorsed plans must be installed in order to prevent overlooking and must be maintained to the satisfaction of the responsible authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the responsible authority.

Use of Car Parking Spaces

6. Car spaces must not be used for any other purpose other than the parking of vehicles, to the satisfaction of the Responsible Authority.

Bushfire Management Overlay Buildings and Works

7. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Completion of Landscaping

8. Before the use of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority

Landscape Maintenance

9. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

SUBDIVISION

Layout not Altered – Subdivision

10. The layout and site dimensions of the proposed subdivision as shown on the endorsed plan(s) shall not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plans.

Drainage Plan

11. Before any development commences and prior to certification of the subdivision a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided.

The plan must include:

- (a) how stormwater runoff from lot 2 will be directed to a legal point of discharge.**
- (b) location of any drainage easements and underground piped drainage**

Underground Drainage

- 12. Prior to certification of the subdivision the underground piped drainage system must be installed in accordance with the approved Drainage Plan to the satisfaction of Responsible Authority.**
- 13. Prior to statement of compliance the existing redundant vehicle crossing on Cairns Street must be removed and reinstated with kerb and channel to the satisfaction of the Responsible Authority.**

Easements

- 14. 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.**

Certification

- 15. 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.**

Utilities

- 16. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.**

Telecommunications

- 17. 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 the National Broadband Network will not be provided by optical fibre.**
- 18. 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; and
- (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.

Wannon Water

- 19. The provision, at the developers cost, of the required water supply works necessary to serve the proposed development and each of the lots created by the Plan of Subdivision.
- 20. The provision, at the developers cost, of the required sewerage works necessary to serve the proposed development and each of the lots created by the Plan of Subdivision.
- 21. The developer is to enter into an agreement with Wannon Water for payment of the new customer contributions and subdivision fees applicable to the proposed development.
- 22. Easements and/or other notations are to be shown on the endorsed plan to the satisfaction of Wannon Water for the provision of both existing and proposed water and/or sewerage services.
- 23. The plan of Subdivision submitted for certification must be referred to Wannon Water in accordance with Section 8 of the Subdivision Act.
- 24. The developer obtaining the necessary consents and approvals for:
 - (a) Alteration to or connection of on-site plumbing.
 - (b) Changes to the natural surface levels that result in a portion of the building or allotment not being able to be provided with gravity sewerage services.
 - (c) The placement of fill or cutting (benching) over existing sewers or sewerage easements on the property.

Expiry of Permit

- 25. This permit will expire if one of the following circumstances applies:
 - (a) The development hereby approved has not commenced within two (2) years of the date of this permit.
 - (b) The development hereby approved is not completed within four (4) years of the date of this permit.
 - (c) The plan of subdivision has not been certified within two (2) years of the date of this permit.
 - (d) A Statement of Compliance is not issued within five (5) 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

- (a) within six (6) months after the permit expires where the development has not yet started; or
- (b) within twelve (12) months after the permit expires where the development allowed by the permit has lawfully commenced before the permit expiry.

NOTES

Assets Approval Required

Prior to the construction of any new vehicle crossings, the applicant must apply for and obtain appropriate assets approval from the Responsible Authority.

Building Approval Required

This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

COUNCIL RESOLUTION

MOVED: Cr Gstrein
SECONDED: Cr Illingworth

That the recommendation be adopted.

CARRIED

Attachments

1. Rescode Assessments PP2017/082 - Under Separate Cover
2. Planning Permit Application PP2017/082 - Under Separate Cover
3. Copy of Submissions PP2017/082 - Under Separate Cover

9.3 Planning Permit Application PP2017/059 Two Lot Subdivision (Excision of Dwelling) Crown Allotment 26 Section 1 Parish of Corangamite 120 Steeles Road, Leslie Manor

Author: Greg Hayes, Manager Planning and Building Services

File No: D17/606

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Greg Hayes

In providing this advice to Council as the Manager Planning and Building Services, I have no interests to disclose in this report.

Summary

This report considers planning permit application PP2017/059 for a two lot subdivision to excise an existing dwelling at 120 Steeles Road, Leslie Manor. Two submissions have been received objecting to the proposal. The proposal has been assessed against the relevant provisions of the Corangamite Planning Scheme and it is recommended that a Notice of Decision to grant a planning permit is issued subject to conditions.

Introduction

A planning permit application has been made for a two lot subdivision to excise a dwelling. Council is required to assess and decide on the application following a notice period under which two objections have been received. An assessment of the proposal under provisions of the Farming Zone is required and in consideration of the local planning policy on house lot excisions.

Proposal

It is proposed to subdivide and excise a dwelling and outbuildings, comprising 3 hectares (Lot 1) from the remainder of the 286.6 hectares (Lot 2). Existing access to each lot from Steeles Road is to be retained. The Permit Application is provided in **Attachment 1**.

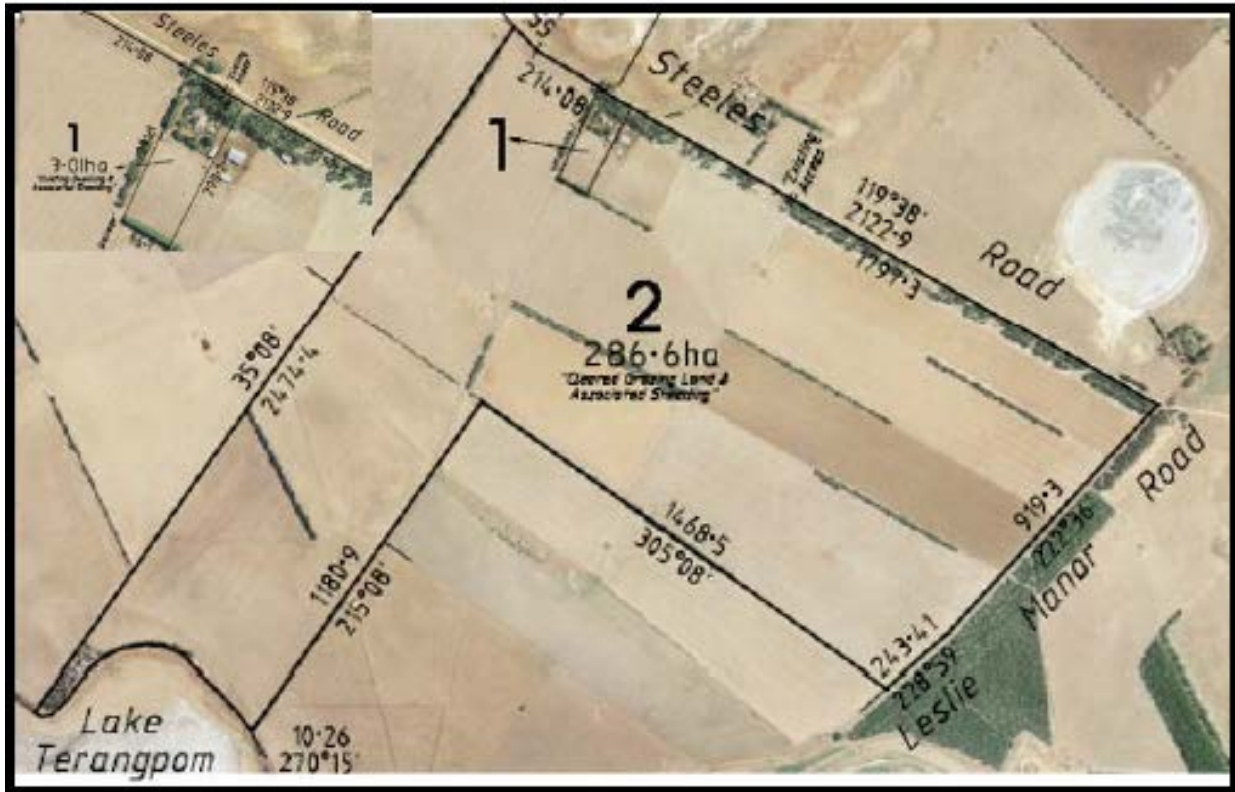


Figure 1: Plan of Proposed Subdivision

Subject Land and Surrounds

The land is located on the southern side of Steeles Road at the intersection with Leslie Manor Road approximately 25km north east of the township of Camperdown. Steeles Road is an unsealed road. The land is irregular in shape and gently undulating and has a total size of 289.6 hectares. The land has many structures placed together including an existing dwelling, a non-habitable structure, several outbuildings associated with the dwelling as well as a large machinery shed and staging area located approximately 60 metres east of the dwelling. The remainder of the land is cleared cropping land with the exception of vegetation along the Steeles Road frontage and around the dwelling.

The surrounding area is predominantly agricultural land holdings. The closest dwelling is located 450 metres to the north east and is associated with a farming property. There are several lakes in the vicinity of the property with Lake Terangpom located directly to the south, Lake Coradgill to the north and Lake Corangamite to the west.



Figure 2: Subject Land and Surrounds

Policy and Legislative Context

Clause 11.05-3 Rural Productivity (State Planning Policy)

Seeks to manage land use change and development in rural areas to promote agriculture and rural production. Relevant strategies include discouraging rural living or other incompatible uses and encouraging consolidation of existing isolated small lots in rural zones.

Clause 11.09-5 Agricultural productivity (State Planning Policy)

Seeks to manage and utilise strategic assets and support agricultural productivity. Such strategies include: protecting strategically important agricultural and primary production land across the region from encroachment from urban expansion, rural residential and other potentially incompatible uses; facilitating changes in agricultural activities over time, encouraging diversification and value adding, and providing appropriately timely infrastructure to realise these opportunities.

Clause 14.01-1 Protection of Agricultural Land (State Planning Policy)

The objective is 'to protect productive farmland which is of strategic significance in the local or regional context'. Strategies identified by this provision include protecting the State's agricultural base from unplanned loss. Proposals to develop agricultural land must consider the desirability and impacts of removing the land from primary production, given its agricultural productivity.

Clause 21.02 Key Influences (Municipal Strategic Statement)

Some of the identified key issues in the future development of the municipality which are relevant to this proposal include issues around *Settlement and Infrastructure*, and *Agriculture*. In particular:

- The need to prevent any unnecessary encroachment of urban development into agricultural lands by planning for growth and maintaining population in existing townships as a first priority.
- Protecting agricultural land from incompatible developments, creating opportunities to diversify and facilitating the manufacture of agricultural produce from the Shire and the surrounding region.

Clause 22.01-2 House Lot Excision (Local Planning Policy)

The policy basis sets out that house lot excisions can be detrimental to the efficient operation of farming if the lot provided does not relate to the farming activity. The objectives of this policy are to ensure that the excisions of dwellings are consistent with the purposes of the zone and that land will not be incompatible with the utilisation of the land for sustainable resource use and which does not prejudice surrounding rural production activities.

Clause 22.03-1 Agriculture (Local Planning Policy)

This policy aims to protect the ongoing viability of agricultural land use, to require the assessment of land capability and sustainability when considering proposals, to retain agricultural land in productive parcels and to strongly discourage the fragmentation of land. The objectives of this policy include protection of the natural and physical resources of agriculture, to prevent land use conflicts between agricultural uses and sensitive uses and to support the diversification of agriculture.

Zoning

The subject site is located within the Farming Zone. A planning permit is required to subdivide land. A permit may be granted to create smaller lots if the subdivision is to create a lot for an existing dwelling.

The purpose of the Farming Zone is to promote and encourage agricultural productivity, whilst ensuring that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture. Sustainable land based management practices and infrastructure provision which protects and enhances the natural environment is strongly encouraged.

Council must consider general, agricultural, environmental, and siting and design issues when assessing an application for a subdivision. The Farming Zone Decision Guidelines at Clause 35.07-6 include whether the subdivision will result in the loss or fragmentation of productive agricultural land, the consideration of conflicting adjacent uses, the proliferation of dwellings, the capability of the land to accommodate a dwelling, the relationship to rural land use, rural diversification and natural resource management.

No overlays apply to the subject site.

Internal / External Consultation

Referrals

The application was referred internally to councils Environmental Health and Assets departments. Both offered no objection to the application with the Environmental Health department requiring conditions relating to wastewater.

Advertising

Notice of the application was provided in accordance with the *Planning and Environment Act 198*, with all adjoining landowners and occupiers receiving notification and notice being placed on Council's website.

Objections

Two submissions objecting to the application were received. The full objections can be found in **Attachment 2** (Under separate cover). The issues raised in the objections and an officer response are provided below:

Objection	Officer response
The creation of a small lot with a dwelling will impact on surrounding properties right to farm and cause land use conflict which goes against the purpose of the Farming Zone.	The proposal is compliant with local policy that seeks to preserve agricultural pursuits. The potential to cause land use conflicts is dramatically reduced given the location of the buildings and dwellings, setbacks and the inclusion of the adjacent large shed to remove it from the use of lot 2.
The excised dwelling will be adversely affected by surrounding agricultural activities such as spraying, use of heavy vehicles, harvesting hours and odour of crops such as canola.	The occupant of the dwelling will have a reasonable understanding of these amenity impacts.
The excision has the potential to lead to a proliferation of dwellings in this area as another dwelling could be located on the larger lot "as of right" resulting in 3 dwellings within 500 metres of one another.	No evidence of this occurring has been given and an additional dwelling is unlikely to lead to a proliferation of dwellings that would change the character of the area as a farming area.
The excision of the dwelling is driven by economics. The excision of the dwelling is attempting to circumvent the planning scheme to subsidise the purchase price of the farm.	This is not a relevant planning consideration.
Approving this subdivision will create a precedent for more excisions to be approved in the Farming zone and then distort the farm property market and the function of the Farming Zone.	No evidence of this occurring has been given. Each application is assessed on its individual merits.
Planning schemes have a clause allowing the excision and sale of dwellings 'surplus to the needs of the farmer'. VCAT have stated the intention of such clauses to facilitate disposal of surplus dwelling/s where an adjoining property to the current operation is purchased. The owner of 120 Steeles Road is an absentee owner therefore 'a surplus to needs clause' does not apply here.	There is not a 'surplus to needs' clause or decision guideline for excision of dwellings in the Corangamite planning scheme.
The information in the application is incorrect and misleading.	No evidence of this occurring has been given.
The application states the dwelling is an impost on the farm, however this is purely a financial impost as the dwelling played an integral role in the operation of the farm prior to its change of ownership.	This is not a relevant planning consideration.
Proposed Lot 1 is larger than the suggested maximum of 2.0 ha for a dwelling lot under local planning policy. The benefit of a larger lot must be questioned as it removed viable agricultural land and future owners will either be left with a nuisance area or may attempt some form of small acre intensive farming.	The primary goal under the Farming Zone is the protection of and sustained use of viable agricultural land. Some flexibility is built into all policy that seeks to guide and not mandate minimums. In any case, the requirement to amend the lot layout will result in a smaller lot to that proposed.

Objection	Officer response
The proximity of the large machinery shed to the boundary of Lot 1 is likely to cause land use conflict and create access issues if a suitable turning circle is not provided.	This has been dealt with in the amended plans condition on the permit that requires the shed to be included in lot 1.
A vegetation buffer will not be effective against spray drift, which has occurred on adjoining properties.	No vegetation buffer is required.
The capacity of infrastructure such as the existing wastewater system and provision of water on Lot 1 may be inadequate and would may need to be upgraded.	Permit conditions will ensure these matters are addressed.
Arguments in the application that larger land holdings must be sought to remain viable is incorrect as smaller holdings can equal that of poorly managed land holdings.	This is not a relevant planning consideration.
If the subdivision is approved, potential future owners wishing to operate and manage the property to its full potential will need to live on their land and will be forced into a lengthy and costly process to build.	This is not a relevant planning consideration.
Future increased maintenance requirements of Steeles and Leslie Manor Roads as to the impact from harvesting, planting and spraying equipment all driven to the property.	It is considered that this subdivision will not result in an unreasonable level of additional traffic along these roads.
By approving this permit application Corangamite Shire will be effectively involving itself in the owner's personal financial situation rather than supporting best use of land in the farming zone into the future.	The responsible authority is required to assess the application against the planning scheme which has occurred. The financial situation of the owner is not a relevant planning consideration.
Allows a creation of unnecessary allotments in the Farming Zone and erodes the true purpose of Councils planning controls.	No evidence of this occurring has been given.

Consultation

Following notice of the application, an onsite consultation meeting was held with the applicant, submitters, Councillors and planning officers on 3 October 2017.

Assessment

The decision guidelines of the Farming Zone and compliance with the Local Planning Policy on house lot excisions at clause 22.01-2 are the primary planning scheme tools to assess this application. A response to the relevant decision guidelines of the FZ1 and Clause 22.01-2 are addressed below.

Farming Zone	
Decision Guideline	Officer Response
The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	The SPPF encourages the protection of agricultural land from urban encroachment and discourages incompatible uses. The local planning policy on House Lot Excisions at Clause 22.0-1-2 aims to ensure that excision of dwellings occurs in a manner which does not prejudice surrounding rural production activities.
The capability of the land to accommodate the proposed use or development, including the disposal of effluent.	The land is of a size that can adequately treat and retain all wastewater. A condition of the permit will require that the septic system is situated wholly within the property boundary and complies with the setback distances as prescribed within the EPA Code of Practice.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	The land size can accommodate the subdivision. Requiring an amendment to the plan of subdivision to include the machinery shed within Lot 1, the application of buffers, and the requirement of a S173 agreement to reduce further subdivision for dwellings will reduce the risk of potential land use conflicts.
How the use and development makes use of existing infrastructure and services.	Both allotments have existing access to power and water and there is access to Steeles Road and or Leslie Manor Road.
Whether the use or development will support and enhance agricultural production.	It is considered that whilst the subdivision will be creating a smaller lifestyle allotment the majority of the farm will continue to be utilised for farming.
Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.	The dwelling and associated outbuildings and sheds will be removed from directly supporting agricultural production on the balanced lot 2. The subdivision will not impact on soil quality.
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.	The proposed lot layout is considered to create potential land use conflicts as the machinery shed where the majority of truck movements and farming activity occurs is located adjacent to the dwelling lot (Lot 1). It is therefore proposed that the lot layout is altered to include this machinery shed within Lot 1 thus removing the potential for this to create a future amenity issue and impact on the continued operation of the farm.
The capacity of the site to sustain the agricultural use.	The balance lot (Lot 2) is of a size that can adequately sustain the board acre cropping operation. Lot 1 (the excised lot) can also maintain a support role in agricultural production.
The agricultural qualities of the land, such	The land is considered to be high quality

Farming Zone	
Decision Guideline	Officer Response
as soil quality, access to water and access to rural infrastructure.	farming land which has good access to water, power and transport routes.
Any integrated land management plan prepared for the site.	No integrated land management plan has been prepared for the site.
The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.	The existing drainage line across the property from Lake Coradgill will not be altered as a result of the subdivision and will be retained within the farming lot. The subdivision is not considered to have an impact on any other natural physical features in the area.
The impact of the use or development on the flora and fauna on the site and its surrounds.	It is considered that the proposed excision of the dwelling will not have an impact on any flora and fauna on the site and surrounding the site.
The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.	The existing vegetation surrounding the dwelling will be retained.
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	As stated above the septic system will be required to comply with EPA setback requirements from waterways and boundaries. This will be a condition of the planning permit.
Clause 22.01-2 House Lot Excision	
Policy	Officer Response
Lots created under the provisions of Clause 35.03-4, 35.06-3 and 35.07-3 should have a maximum size of 2 hectares, except as otherwise required by a provision of this planning scheme.	Does not comply. Amendment required. Under the recommendation the excised lot is proposed to be approximately 2.5 hectares in size. This meets the intent of the policy which is to reduce any loss of viable agricultural land whilst the excised lot can still be used in a support role to agriculture.
Dwellings excised under the provisions of Clause 35.03-4, 35.06-3 and 35.07-3 will be in a habitable condition and comply with the Building Code of Australia to this extent.	Complies. The dwelling to be excised is in a habitable condition. There is a second house to be excised on the lot that is not habitable and therefore has lost its use rights as a dwelling. If this building was to be used for a dwelling in the future a further planning permit would be required.

Farming Zone	
Decision Guideline	Officer Response
<p>The excision of dwellings will take place in a manner which will ensure the dwelling does not have the potential to restrict agricultural production on adjacent land. It should be ensured that adequate distance is maintained within the existing lot around the dwelling to reasonable limit likely impacts (if any) of adjacent agricultural activity. The permit may require the planting of vegetation within the excised lot to reduce any potential impacts.</p>	<p>Complies. The reconfigured lot will minimise future land use conflicts as all infrastructure located within proximity to the dwelling will be included within lot 1 and a S173 agreement preventing further excisions will minimise potential future land use conflict between the two lots and surrounding farming operations.</p>
<p>Subdivision that is likely to lead to such a concentration of lots as to change the general use and character of the rural area will be discouraged unless it can be shown that the clustering of lots will not limit the productive use and development of the larger lots in the subdivision or that surrounding.</p>	<p>Complies. There is one dwelling located on a small “lifestyle lot” within 2km of the site. It is considered that two lots within a 2km radius is not a concentration of lots that will change the general use and character of this area as one used for farming.</p>
<p>Subdivision within urban water supply catchment areas will be strongly discouraged in order to protect water quantity and quality.</p>	<p>N/A The site is not located within an urban water supply catchment area.</p>
<p>Waste water discharges to the environment should be reduced to the maximum extent that is reasonable and practicable, and in accordance with the following hierarchy of waste management:-</p> <ul style="list-style-type: none"> • waste avoidance; • recycling/reclamation; • waste re-use; • waste treatment to reduce potentially degrading impacts; and • waste disposal. 	<p>Complies. Wastewater will continue to be treated by the existing wastewater system.</p>

The changes recommended to the application as a result of this assessment are:

- The proposed lot 1 excision must be reshaped to include the large machinery shed and setbacks to the reshaped lot boundary made large enough to reasonably reduce any potential amenity impact from agricultural activity.

See Figure 3 below for an example of the reshaped allotment that will include all potential amenity impactors on the excised dwelling.



Figure 3: Example of the reshaped allotment

Options

Council has the following options:

1. Issue a Notice of Decision to Grant a Planning Permit subject to the recommended conditions.
2. Issue a Notice of Decision to Grant a permit with changes to recommended conditions.
3. Issue a Notice of Refusal to Grant a Planning Permit.

Conclusion

The application proposes to excise the dwelling from the balance of farm land creating a 3 hectare allotment and a 286.6 hectare allotment. The majority of the farmland will be retained for this purpose and a Section 173 agreement preventing further excisions will ensure that the number of small lots on this land is not increased.

RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for a Two Lot Subdivision (Excision of Dwelling) on land described as Crown Allotment 26 Section 1 Parish of Corangamite 120 Steeles Road Leslie Manor subject to the following conditions:

Amended Plans Required

1. **Before the subdivision is certified an amended plan of subdivision 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 of subdivision must be surveyed and modified to show:**
 - (a) **The inclusion of the machinery shed within Lot 1 and exclusion of the grazing land at the rear of the dwelling. A minimum distance of 50 metres from the house to the north western boundary and minimum 70 metres**

from the house to the south western boundary comprising a total minimum area of 2.5 hectares for lot 1;

- (b) A drainage easement a minimum of five (5) metres wide in favour of Council along the western side of lot 1 to cater for the existing drainage channel for the length of the drainage channel in lot 2

to the satisfaction of the Responsible Authority.

Section 173 House Lot Excision

2. Prior to the issue of a Statement of Compliance for the subdivision under the Subdivision Act 1988, the owner of the land must enter into an agreement with the Responsible Authority, pursuant to Section 173 of the Planning and Environment Act 1987 and must make application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the Act. The agreement must provide that:

- (a) The owner of Lot 1 and 2 must ensure that the land may not be further subdivided so as to create a smaller lot for an existing dwelling.

All preparation and costs associated with the preparation, execution and registration of the agreement must be borne by the applicant / owner.

Environmental Health

3. Prior to a Statement of Compliance being issued for the subdivision the sewerage/septic system of the current dwelling must be approved. If the reticulated sewer is available, connection must be made. If the property is reliant on onsite wastewater management the existing system must be found to be compliant with the current EPA Code of Practice 891.4.

In determining compliance the applicant will be required to provide to following documentation from a licensed plumber:

- (a) A site plan showing the location, sizing and layout of existing onsite wastewater management system (including septic tank capacity and effluent disposal field size)
- (b) A written report stating:
- (i) The existing system is an EPA-approved onsite wastewater management system
 - (ii) The system (including effluent disposal area) is situated wholly within the property boundary and complies with the setback distances as prescribed in the EPA Code of Practice 891.4
 - (iii) The existing system receives and adequately treats all water generated by the existing building (eg. both black and grey water)
 - (iv) The existing septic tank and effluent disposal area is structurally sound and functioning effectively

Should the existing system be found to be non-complaint, not functioning effectively or not of adequate size for the existing dwelling, the system will require alteration or replacement. A Permit to Install / Alter must first be obtained before any works on the system can be undertaken or a new system is installed.

All works on the septic system must be to the satisfaction of the Responsible Authority.

Easements

4. 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.

Certification

5. 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.

Utilities

6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

Expiry of Permit - Subdivision

7. This permit will expire if one of the following circumstances applies:
 - (a) The plan of subdivision has not been certified within two (2) years of the date of this permit.
 - (b) A Statement of Compliance is not issued within five (5) 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 (6) months afterwards.

Notes: Assets Approval Required

Prior to the construction of any new vehicle crossings, the applicant must apply for and obtain appropriate assets approval from the Responsible Authority.

An amended Officer Recommendation was presented to the meeting.

AMENDED RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for a Two Lot Subdivision (Excision of Dwelling) on land described as Crown Allotment 26 Section 1 Parish of Corangamite 120 Steeles Road Leslie Manor subject to the following conditions:

Amended Plans Required

1. Before the subdivision is certified an amended plan of subdivision 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 of subdivision must be surveyed and modified to show:

- (a) The inclusion of the machinery shed within Lot 1 and exclusion of the grazing land at the rear of the dwelling. A minimum distance of 50 metres from the house to the north western boundary and minimum 70 metres from the house to the south western boundary comprising a total minimum area of 2.5 hectares for lot 1;
- (b) A drainage easement a minimum of five (5) metres wide in favour of Council along the western side of lot 1 to cater for the existing and historical drainage channel for the length of the drainage channel in lot 2, so as to create a drainage link between Lake Coradgill and Lake Terangpom.

to the satisfaction of the Responsible Authority.

Section 173 House Lot Excision

- 2. Prior to the issue of a Statement of Compliance for the subdivision under the Subdivision Act 1988, the owner of the land must enter into an agreement with the Responsible Authority, pursuant to Section 173 of the Planning and Environment Act 1987 and must make application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the Act. The agreement must provide that:
 - (a) The owner of Lot 1 and 2 must ensure that the land may not be further subdivided so as to create a smaller lot for an existing dwelling.

All preparation and costs associated with the preparation, execution and registration of the agreement must be borne by the applicant / owner.

Environmental Health

- 3. Prior to a Statement of Compliance being issued for the subdivision the sewerage/septic system of the current dwelling must be approved. If the reticulated sewer is available, connection must be made. If the property is reliant on onsite wastewater management the existing system must be found to be compliant with the current EPA Code of Practice 891.4.

In determining compliance the applicant will be required to provide to following documentation from a licensed plumber:

- (a) A site plan showing the location, sizing and layout of existing onsite wastewater management system (including septic tank capacity and effluent disposal field size)
- (b) A written report stating:
 - (i) The existing system is an EPA-approved onsite wastewater management system
 - (ii) The system (including effluent disposal area) is situated wholly within the property boundary and complies with the setback distances as prescribed in the EPA Code of Practice 891.4
 - (iii) The existing system receives and adequately treats all water generated by the existing building (eg. both black and grey water)
 - (iv) The existing septic tank and effluent disposal area is structurally sound and functioning effectively

Should the existing system be found to be non-complaint, not functioning effectively or not of adequate size for the existing dwelling, the system will require alteration or replacement. A Permit to Install / Alter must first be

obtained before any works on the system can be undertaken or a new system is installed.

All works on the septic system must be to the satisfaction of the Responsible Authority.

Easements

4. 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.

Certification

5. 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.

Utilities

6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

Expiry of Permit - Subdivision

7. This permit will expire if one of the following circumstances applies:
 - (a) The plan of subdivision has not been certified within two (2) years of the date of this permit.
 - (b) A Statement of Compliance is not issued within five (5) 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 (6) months afterwards.

Notes: Assets Approval Required

Prior to the construction of any new vehicle crossings, the applicant must apply for and obtain appropriate assets approval from the Responsible Authority.

COUNCIL MOTION

MOVED: *Cr Brown*
SECONDED: *Cr Gstrein*

That Council, pursuant to Section 65 of the Planning and Environment Act 1987, resolve to issue a Notice of Refusal to Grant a Planning Permit for the subdivision on land at 120 Steeles Road, Leslie Manor, on the grounds that:

1. The application is contrary to Clause 11.11-5 of the State Planning Policy Framework as the proposal does not protect strategically important agricultural and primary production land across the region from encroachment from urban expansion, rural residential and other potentially incompatible uses.
2. The application is contrary to Clause 14.01-1 of the State Planning Policy Framework as the proposal would result in the permanent removal of agricultural land for primary production purposes.
3. The application is contrary to Clause 22.03-1 of the Corangamite Planning Scheme as the proposal:
 - (a) Creates a use which has the potential to alienate agricultural resources, is sensitive to offsite amenity impacts and prejudices agricultural resources and agricultural production.
 - (b) Will fragment productive agricultural land.
4. The application is contrary to the purpose and decision guidelines of the Farming Zone at Clause 35.07 of the Corangamite Planning Scheme as:
 - (a) The subdivision will not support and enhance agricultural production.
 - (b) The subdivision has the potential to limit the operation and expansion of adjoining and nearby agricultural uses.
 - (c) The proposal will unacceptably fragment existing viable and production agricultural land.
 - (d) The dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
 - (e) The excision of the dwelling will have an adverse impact on the continued agricultural use of neighbouring land and its potential expansion of agricultural pursuits.

LOST

COUNCIL RESOLUTION

MOVED: *Cr Illingworth*
SECONDED: *Cr McArthur*

That the amended Officer's Recommendation be adopted.

CARRIED

Cr R. Gstrein called for a Division.

For

Cr J. Beard
Cr S. Illingworth
Cr B. McArthur
Cr N. Trotter

Against

Cr L. Brown
Cr H. Durant
Cr R. Gstrein

The amended Officer's Recommendation was adopted. The Council Resolution remained.

Attachments

1. Permit Application PP2017/059 - Under Separate Cover
2. Copy of Submissions PP2017/059 - Under Separate Cover

10. OFFICERS' REPORTS

10.1 Annual Report 2016-2017

Author: Penny MacDonald, Executive Services and Governance Coordinator

File No: D17/541

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Penny MacDonald

In providing this advice to Council as the Executive Services and Governance Coordinator, I have no interests to disclose in this report.

Summary

This report provides information regarding the 2016-2017 Annual Report, which is attached under separate cover for Council consideration and discussion.

Introduction

Council is required to prepare and circulate an annual report for each financial year based on requirements in the *Local Government Act 1989* (the Act) and *Local Government (Planning and Reporting) Regulations 2014*.

A copy of the Annual Report was sent to the Minister for Local Government by 30 September 2017, as required by the Act, and copies are available to the public at the Civic Centre and via Council's website at www.corangamite.vic.gov.au.

Issues

The Annual Report details Council's activities throughout the previous financial year and includes:

- the Report of Operations, demonstrating how Council performed against the Council Plan 2013-2017, Annual Plan and Budget for 2016-2017
- audited performance statement and audited financial statements
- Council's measures for the Local Government Performance Reporting Framework indicators.

The Annual Report also contains an overview of the highlights, challenges and future challenges for Corangamite Shire, some of which are provided below.

Highlights during 2016-2017

- Adoption of 2017-2021 Council Plan
- Completion of \$10 million in capital works
- Contract for \$5.2 million Castle Carey Road Bridge Project awarded
- Timboon Town Centre Improvements Project completed

- Stage 3 of Terang Streetscape completed
- Successful testing of the Skipton Flood Project, with no flooding of the Skipton township in September 2016 during high rainfall
- Cobden Public Art Project completed
- Twenty-six businesses funded through the Retail Façade Improvement Program to improve their shopfronts
- \$100,000 awarded to community groups via the annual Community Grants and Facility Grants Programs, with \$30,000 awarded as part of the Environmental Grants Program
- Organic material recovered through kerbside waste service increased by 25%
- Annual roadside weed control program treated 21% more kilometres than in 2015-2016
- Community Satisfaction Survey results for Disadvantaged Support Services and Family Support Services increased
- Staff Satisfaction Survey rated overall satisfaction at its highest and among the highest in the state.

Challenges during 2016-2017

- Lack of funding from State Government for VicRoads arterial road network
- Large rain event in September 2016 causing damage to local sealed and unsealed roads
- Dairy crisis affecting farming families and local businesses
- Downward trend in Community Satisfaction Survey results, although still above State and Large Rural Shire averages
- 2016 Census results indicate a stabilising population, but still declining.

Future Challenges

- Construction of the Castle Carey Road Bridge
- Planning and construction of Port Campbell Town Centre Project
- Big construction season at the Naroghid Landfill
- Advocating for funding for Shipwreck Coast Master Plan projects
- Financial sustainability.

It is acknowledged that Council's achievements and ability to meet its challenges are due to the contribution of Councillors, staff, committee members, volunteers and community partners.

Policy and Legislative Context

Sections 131, 132 and 133 of the *Local Government Act 1989* require Council to prepare an annual report, containing the relevant statutory reporting data, and submit the report to the Minister for Local Government within three months of the end of the financial year, in addition to making the report available to the public. The *Local Government (Planning and Reporting) Regulations 2014* details the reporting requirements.

Section 134 of the Act requires Council to consider the Annual Report in a meeting open to the public after the report has been submitted to the Minister and made available to the public.

Preparation and discussion of the Annual Report 2016-2017 at a public meeting is also consistent with the Council Plan 2017-2021 which states:

We are committed to ensuring the ethical behaviour of Councillors and staff, maintaining good governance and remaining financially sustainable.

Council will demonstrate high levels of ethical behaviour and governance standards.

Internal / External Consultation

As required by the Act, a public notice was placed in local newspapers to advise that the Annual Report for 2016-2017 has been prepared and will be considered by Council at the October Council meeting.

The Annual Report was prepared in consultation with managers, senior officers, other staff and Councillors.

In relation to the performance and financial statements, Council provided in-principle approval to the statements for the year ending June 2017 and endorsed Councillors McArthur and Trotter to certify the statements in their final form. Council's Audit Committee considered the draft statements at its 14 September meeting and recommended in-principle approval of the statements by Council.

Financial and Resource Implications

Preparation, design and publication of the 2016-2017 Annual Report, including CDs containing the Performance Statement and Annual Financial Statements, is achieved through existing budget allocations.

Options

Council is required to consider the Annual Report at a meeting of Council open to the public.

Conclusion

The Annual Report 2016-2017 provides an overview of the highlights, challenges and future challenges for Corangamite Shire, as well as reporting on Council's performance results measured against the Council Plan, Annual Action Plan, Budget and prescribed performance indicators.

Councillors, staff, committee members, volunteers and community partners are commended for their contribution towards Council's achievements during 2016-2017.

RECOMMENDATION

That Council considers the 2016-2017 Annual Report.

COUNCIL RESOLUTION

MOVED: *Cr Durant*
SECONDED: *Cr Illingworth*

That the recommendation be adopted.

CARRIED

Attachments

1. Annual Report 2016-2017 - Under Separate Cover

10.2 Municipal Public Health and Wellbeing Plan 2017-2021

Author: Matthew Dawson, Manager Community Services

File No: D17/662

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Matthew Dawson

In providing this advice to Council as the Manager Community Services, I have no interests to disclose in this report.

Summary

Section 26 of the *Public Health and Wellbeing Act 2008* requires Council, in consultation with the Department of Health and Human Services, to prepare a Municipal Public Health and Wellbeing Plan within the period of 12 months after each general election of the Council. This report seeks Council adoption of the Municipal Public Health and Wellbeing Plan 2017-2021.

Introduction

The Municipal Public Health and Wellbeing Plan is a key strategic plan and supports Council's role to protect, improve and promote public health and wellbeing in Corangamite Shire.

Under the *Public Health and Wellbeing Act 2008*, the Municipal Public Health and Wellbeing Plan must:

1. Include an examination of data about health status and health determinants in the municipal district
2. Identify goals and strategies based on available evidence for creating a local community in which people can achieve maximum health and wellbeing
3. Provide for the involvement of people in the local community in the development, implementation and evaluation of the public health and wellbeing plan
4. Specify how the Council will work in partnership with the Department and other agencies undertaking public health initiatives, projects and programs to accomplish the goals and strategies identified in the public health and wellbeing plan
5. Be consistent with:
 - a) the Council Plan prepared under section 125 of the *Local Government Act 1989*, and
 - b) the municipal strategic statement prepared under section 12A of the *Planning and Environment Act 1987*.

Issues

The Municipal Public Health and Wellbeing Plan 2017-2021 is the culmination of an extensive strategic planning process which has been conducted since the election of Council in October 2016. The Municipal Public Health and Wellbeing Plan 2017-2021 includes:

1. A snapshot of Corangamite Shire
2. Description of how the Municipal Public Health and Wellbeing Plan aligns with Victorian policy and other Council plans
3. An overview of relevant data
4. Issues identified in public and stakeholder consultations
5. Six priorities
 - a. Social and emotional wellbeing
 - b. Reducing harmful impacts of alcohol and other drug use
 - c. Improve physical health
 - d. Reducing family violence
 - e. Achieving optimal education outcomes for children and young people
 - f. Quality of health facilities
6. An evaluation framework

Annual action plans that describe the proposed actions, the agencies responsible for performing them and required outcomes will be developed for each year of the Municipal Public Health and Wellbeing Plan 2017-2021.

Policy and Legislative Context

Section 26 of the *Public Health and Wellbeing Act 2008* requires Council, in consultation with the Department of Health and Human Services, to prepare a Municipal Public Health and Wellbeing Plan within the period of 12 months after each general election of the Council.

The Municipal Public Health and Wellbeing Plan 2017-2021 aligns with the Council Plan 2017-2021 and other relevant existing plans, strategies and policies. The Municipal Public Health and Wellbeing Plan 2017-2021 has regard to the Victorian Public Health and Wellbeing Plan 2015–2019 as required under the *Public Health and Wellbeing Act 2008*.

Internal / External Consultation

Key stakeholders (including local health services and community organisations) have been engaged in the development of the plan. This helps to ensure a transparent line-of-sight, where local actions are aligned with the Municipal Public Health and Wellbeing Plan (which gives regard to the Victorian Public Health and Wellbeing Plan), providing transparent view from local action through to state policy.

The following key stakeholders have been engaged in the development of the plan:

- Corangamite Health Collaborative
- Camperdown & Lismore Community Health
- Department of Health and Human Services
- Beyond the Bell
- Southwest Primary Care Partnership
- Colac Otway-Corangamite Child First Alliance
- Terang and Mortlake Health Service
- Deakin University Global Health Project
- Lifeline
- Victoria Police
- Headspace
- Cobden & District Health Service

- Women’s Health and Wellbeing Barwon South West
- South West Sport
- Camperdown College
- Mercy Regional College
- Beaufort & Skipton Health Service
- South West TAFE
- Brophy Family and Youth Services
- Wannon Water
- School Nursing Service
- Timboon Health Service
- Emma House
- Department of Justice and Regulation

A brief online community consultation survey was conducted between 18 July 2017 and 8 August 2017. A total of 100 community members completed the online survey. The draft plan was available for public consultation in September and early October 2017.

Financial and Resource Implications

Council allocated \$25,000 in the 2016-2017 budget to the development of the new Municipal Public Health and Wellbeing Plan 2017-2021.

Resources to deliver the plan will be identified in annual action plans developed by Council and other agencies. Resources to implement Council’s annual action plans will be identified through Council’s normal budget development process.

Options

Council may adopt the Municipal Public Health and Wellbeing Plan 2017-2021 as prepared or with amendment.

Conclusion

The Municipal Public Health and Wellbeing Plan 2017-2021 will guide Council’s strategic decision making, advocacy, partnership development and resource allocation to support Council’s function to protect, improve and promote public health and wellbeing within the municipal district.

RECOMMENDATION

That Council adopts the Municipal Public Health and Wellbeing Plan 2017-2021

COUNCIL MOTION

MOVED: *Cr Illingworth*

SECONDED: *Cr McArthur*

That the recommendation be adopted subject to those wishing to use the plan not to do so without prior written consent of Council.

LOST

Cr S. Illingworth requested his support of the Motion be minuted.

COUNCIL RESOLUTION

MOVED: Cr Durant

SECONDED: Cr Gstrein

That the recommendation be adopted.

CARRIED

Attachments

1. Municipal Public Health and Wellbeing Plan 2017-2021 - Under Separate Cover

10.3 Draft Domestic Animal Management Plan 2017-2021

Author: Lyall Bond, Manager Environment and Emergency

File No: D17/658

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Lyall Bond

In providing this advice to Council as the Manager Environment and Emergency, I have no interests to disclose in this report.

Summary

The purpose of this report is for Council to consider the release of the Draft Domestic Animal Management Plan 2017-2021 for public comment. The Draft Plan has been developed from consultation with stakeholders, Local Laws Officers and feedback from social media.

Introduction

Council is required to develop and approve a Domestic Animal Management Plan (DAMP), as per the statutory requirements of the *Domestic Animals Act 1994* – Section 68A. The completed plan must be provided to the Secretary of the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) in accordance with the legislation.

The structure of the plan must be compliant with the 2016 template provided by the Bureau of Animal Welfare (DEDJTR). Domestic Animal Management Plans are effective for a four year period and must be reviewed annually. Although there are many types of animals that have been domesticated, Domestic Animal Management Plans are only applicable to dogs and cats or businesses which trade in these animals.

The attached Draft Corangamite Shire Domestic Animal Management Plan 2017-2021 is a comprehensive document that refers to and addresses areas such as: existing domestic animal controls and services, domestic animal management statistics and current priorities for domestic animal management within the municipality.

Issues

The aim of the Corangamite Shire DAMP is to provide Council with clear direction as to how it will encourage more residents within Corangamite Shire to be responsible pet owners and encourage pet owners to abide by the Laws that have been put in place for the benefit of the wider community.

The Plan identifies eight key areas for action relating to:

- Officer training;
- Registration and identification of domestic animals;

- Nuisance animals;
- Dog attacks;
- Dangerous, menacing and restricted breed dogs;
- Overpopulation and euthanasia rates;
- Domestic animal businesses; and
- The annual review and reporting of the plan.

Each of the eight key areas for action contain information on the identified strategies for improvement, current situation, future objectives and service activities to be undertaken to achieve Council's priority goals over the next four years.

During the development of the Draft Plan consideration was given to the key issues in the previous plan, why these key issues still exist and how they can be better addressed in the 2017 -2021 plan.

The Corangamite Shire's responsible pet ownership program for the life of this plan will focus on:

- education;
- registration of domestic animals;
- dogs being under suitable control;
- controlling nuisance animals including feral animals;
- promotion of microchipping and benefits of desexing; and
- encouraging owners to clean up after dogs.

Many of the actions contained within the Draft Domestic Animal Management Plan continue to provide the services already delivered by Council. In addition to this there are some new initiatives which require further investigation as part of the plans implementation. These initiatives include the investigation of suitable areas and community support for dog parks and supporting communities who want to install and manage dog waste collection bags. Both of these initiatives have been raised by the community during the plans development and will assist in providing a more domestic animal friendly environment within the community.

The Draft Plan is circulated under separate cover for Council's consideration. If endorsed by Council, it will be released for a four week public comment period. All feedback received through this consultation process will then be considered in development of the Final Draft Corangamite Shire Domestic Animal Management Plan 2017-2021.

Policy and Legislative Context

The process for development of the Draft Domestic Animal Management Plan aligns with the following commitments from the Council Plan 2017-2021:

We are committed to working towards ensuring the safety, health and wellbeing of our communities.

Engage with and listen to our communities.

Council will provide and support a range of opportunities that support people to engage in healthy and active lifestyles, the arts, recreation and sport.

Improve the health and wellbeing of our community.

Improve the appearance of our towns and public spaces.

The development of the Corangamite Shire Domestic Animal Management Plan 2017-2021 meets Council's responsibilities as per the statutory requirements of the *Domestic Animals Act 1994* – Section 68A.

Internal / External Consultation

The Draft Plan has been developed from feedback received from the community and local laws staff over the past four years on a variety of issues. To ensure alignment to our communities' needs and the current issues within the Shire, there has been constant communication, consultation and interviews with stakeholders including Veterinary Clinics, RSPCA Warrnambool, Victorian Rangers Web Site, South West Authorised Officers Group and the Department of Economic Development, Jobs, Transport and Resources (Bureau of Animal Welfare).

Throughout the development of the Domestic Animal Management Plan Council has provided information to the community via Facebook to test the communities' opinion on key issues. These issues were, cat trespass, picking up after dogs and returning animals to owners.

If endorsed by Council, the Draft Plan will be exhibited for public comment. Submissions will be invited through advertisements in local newspapers, with the public comment period running over four weeks.

Hard copies of the Draft Plan will be placed at the Council Offices and public libraries. Copies of the plan will also be provided to veterinary clinics operating within the shire, requesting that they be displayed for public viewing. If community members want to view the plan, an electronic copy will be available on the Council website.

Council Officers will be available to meet with members of the community upon request to discuss any issues they may have.

All feedback received through the public consultation process will be considered in the development of the Final Plan which will then be presented to Council for consideration.

Financial and Resource Implications

There are no financial issues associated with releasing the Draft Domestic Animal Management Plan for public comment. This plan has been developed based on current resources as the base level of service.

The Plan identifies a number of new initiatives for investigation including dog parks, free ride home for the first time dogs are found at large and supporting community groups to provide dog bags, which will be considered through Councils normal budgetary process.

Options

Council may decide to endorse the Draft Plan as presented for release for public comment. Alternatively, Council may decide to amend the Draft Plan prior to it being released for public comment.

Conclusion

The Corangamite Shire Draft Domestic Animal Management Plan 2017-2021 has been developed to meet Council's statutory obligations under the provision of Section 68A – *Domestic Animals Act 1994*.

Once endorsed by Council, the Draft Plan will be exhibited for public comment, with all feedback received to be considered in development of the Final Domestic Animal Management Plan 2017-2021.

RECOMMENDATION

That Council endorses the Draft Domestic Animal Management Plan 2017-2021 for the purpose of undertaking public consultation from 25 October to 22 November 2017.

COUNCIL RESOLUTION

MOVED: Cr Trotter

SECONDED: Cr Brown

That the recommendation be adopted.

CARRIED

Attachments

1. Draft Domestic Animal Plan 2017-2021 - Under Separate Cover

10.4 Cobden Airstrip Hangar Transfer of Lease Hooker to Williams

Author: Jane Hinds, Property Officer

File No: D17/638

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Jane Hinds

In providing this advice to Council as the Property Officer, I have no interests to disclose in this report.

Summary

This report is for Council to consider a transfer of lease agreement for an aircraft hangar from Mr Michael Hooker to Mr Simon Williams for the personal storage of general aviation aircraft located at the Cobden Airstrip. The lease is for the land that the hangar is situated on, as the hangar is privately owned.

Introduction

The recreational aircraft hangar is jointly owned by Michael Hooker, Lewis Matthews and Philip Robertson and is located on Council land situated at the Cobden Airstrip. There is a current lease agreement between Michael Hooker, Lewis Matthews, Philip Robertson and Council for the personal storage of recreational aircraft in the aircraft hangar.

The current lease agreement expired on 31 July 2017. In June 2017, Council advised all three joint owners of the hangar that the third term of the hangar lease was due to expire on 31 July 2017 and to advise Council of their intentions or otherwise to renew the lease agreement for a final term of five years.

Council was approached by Michael Hooker on 2 July 2017 indicating his intention to sell his share of the hangar and to transfer the remaining term of the lease agreement to the prospective purchaser, Simon Williams. The remaining term of the lease agreement expires 31 July 2022. The date of assignment was 30 June 2017.

Following the advice from Michael Hooker, Council has advertised a public notice of its intention to transfer the lease to seek public submissions. The public submission period closed Monday 9 October 2017 with no submissions received.

Issues

The Cobden Airstrip is managed on behalf of Council by the Cobden Airstrip Committee of Management. Lease agreements for recreational aircraft hangars are established between Council as landowner and any respective lessee.

The Cobden Airstrip Committee of Management has been notified that Michael Hooker sold his share of the hangar.

The current lease with Michael Hooker, Lewis Matthews and Philip Robertson expired 31 July 2017. All hangar lease agreements have been aligned to renew at the same time. A transfer of the remaining term of the lease agreement from Michael Hooker to Simon Williams will enable the lease term to coincide with other similar lease arrangements.

Policy and Legislative Context

An agreement to transfer the lease arrangements for the hangar at the Cobden Airstrip is in keeping with the commitments in the 2017-2021 Council Plan:

We are committed to improving the liveability of Corangamite Shire through the management of our facilities, town planning and environmental sustainability.

Council will demonstrate high levels of ethical behaviour and governance standards.

In accordance with Section 190 of the *Local Government Act 1989*, Council has advertised a public notice of its intention to transfer the lease. The public notice also called for submissions in accordance with Section 223 of the *Local Government Act 1989*. The right to make a public submission closed Monday 9 October 2017. No submissions were received.

The land is zoned farming and is subject to obtaining all necessary permits and approvals for any construction or improvements to the site or hangar.

Internal / External Consultation

The Cobden Airstrip Committee of Management has indicated its agreement with the proposed transfer of lease.

Financial and Resource Implications

The transfer of lease will incur some costs including advertising and legal fees. Council will seek reimbursement from Michael Hooker for all costs incurred during the process.

Options

Council may choose to grant a transfer of lease or choose not to grant a transfer of lease from Michael Hooker to Simon Williams.

Conclusion

Michael Hooker, Lewis Matthews and Philip Robertson jointly own a hangar located on Council land at the Cobden Airstrip for the personal storage of general aviation aircraft. A lease agreement is in place with Council with a final term set to expire 31 July 2022. Michael Hooker has indicated he has sold his share of the hangar. Simon Williams has purchased a share of the hangar. A transfer of the remaining term of the lease agreement in addition the final term of the lease agreement from Michael Hooker to Simon Williams will enable the lease term to coincide with other like lease agreements.

RECOMMENDATION

That Council:

1. Approves the transfer of lease for the personal storage of general aviation aircraft located at the Cobden Airstrip from Michael Hooker to Simon Williams for the period 30 June 2017 to 31 July 2017 being the recently expired term.
2. Approves the transfer of lease for the personal storage of general aviation aircraft located at the Cobden Airstrip from Michael Hooker to Simon Williams for the final term of the five year from 1 August 2017 to 31 July 2022.
3. Affixes the Common Seal of Council to the Lease Agreement.

COUNCIL RESOLUTION

MOVED: Cr Trotter
SECONDED: Cr Illingworth

That the recommendation be adopted.

CARRIED

10.5 Finance Report - September 2017

Author: Adam Taylor, Manager Finance

File No: D17/640

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Adam Taylor

In providing this advice to Council as the Manager Finance, I have no interests to disclose in this report.

Summary

To note Council's current financial position as at 30 September 2017 and to approve changes to the 2017-2018 Adopted Budget for carry forward budget items that have not been completed in 2016-2017.

Introduction

Council adopted the 2017-2018 Budget at a special Council meeting in June 2017. Since then a number of 2016-2017 projects have been identified as incomplete, requiring remaining budgets to be carried forward to the 2017-2018 financial year. This report is seeking approval of listed carry forward budget items. An updated 2017-2018 budget forecast position is also provided including commentary on Council's financial performance as at 30 September 2016.

Issues

Budget Variations

Council's target "cash position" is \$5 million or greater on an annual basis. The "cash position" as at 30 June 2017 was \$15.86 million, which was primarily due to incomplete capital works and non-recurrent projects and a favourable result to the adjusted forecast. The higher than forecast "cash position" as at 30 June 2017 will fund the carry forward budget adjustment included in this report. A summary of the forecast 30 June 2018 "cash position" after the inclusion of the carry forward adjustments is as follows:

"Cash position" as at 30 June 2017	\$15.86 million
2017-2018 adopted Surplus/(Deficit)	(\$0.23) million
2016-2017 Carry forward adjustments	<u>(\$5.14) million</u>
Forecast "cash position" as at 30 June 2018	<u>\$10.49 million</u>

After adjusting for carry forward budget items of \$5.14 million, the forecast "cash position" of \$10.49 million is within the target range of \$5 million or greater. A summary of the total carry forward adjustments are as follows.

Department carry forwards	\$3,705,172
Capital Project carry forwards	\$1,636,256
Recurrent Operating Projects carry forwards	\$511,577
Non Recurrent Operating Projects carry forwards	\$580,594
Extraordinary Events carry forwards	(\$1,297,701)
Total Carry Forwards	\$5,135,898

Council's 2017-2018 adopted budget is a "cash" deficit of \$234,477. As a result of the carry forwards, Council's operating "cash" result is forecast to be a deficit of \$5,370,375. No further amendments to the budget are proposed. A detailed listing of the operating and capital income carry forwards is contained in the attached report.

2017-2018 adopted Surplus/(Deficit)	(\$234,477)
2016-2017 carry forwards (net)	(\$5,135,898)
2017-2018 Forecast "cash" Surplus/(Deficit)	(\$5,370,375)

Financial Performance

Council's financial performance for 2017-2018 is on target with a year to date favourable cash variance of \$592,991 compared to budget. Main contributors to the better than forecast result as at 30 September are:

- Recurrent operations are \$1,142,308 favourable to budget as a result of timing and forecasting differences.
- Project expenditure is \$198,046 unfavourable to budget due to expenses relating to carry forward projects.
- Capital expenditure is \$137,751 unfavourable to budget mainly due to unpaid insurance claims and grant income not yet received for streetscapes.
- Flood related expenditure is \$398,412 for the quarter with the expenses to be recovered through flood grants.
- Rate Income is \$179,795 ahead of budget due to supplementary rates.
- The remaining variations are associated with timing differences for loans and reserve transfers.

Policy and Legislative Context

The report meets Council's requirements for reporting under the *Local Government Act 1989* and is in accordance with its Council Plan 2017-2021 commitment that:

Council will make budgetary decisions that ensures Council remains in a strong financial position now and into the future.

Council will deliver value for money by ensuring that services are required and delivered efficiently and sustainably.

Internal / External Consultation

The report has been prepared in consultation with relevant department managers and has been reviewed by the Senior Officer Group. As there are no changes to rates or charges and no proposed new borrowings, the forecast budget is not required to be publicly advertised.

Financial and Resource Implications

The report indicates that Council's forecast financial position at 30 June 2018 will differ from the adopted Budget predominantly due to the carried forward 2016-2017 budget items.

The purpose of the carry forward review is to identify specific commitments from the 2016-2017 financial year, and make a budget allowance for the completion of committed capital and non-recurrent projects up to remaining 2016-2017 unspent budgets. The review also identifies where grant funds have been received late in the 2016-2017 financial year which require unbudgeted specific expenditure in 2017-2018 to fulfil the grant requirements. Additionally, the review identified where expenditure or income for a 2017-2018 budget item occurred, or was received in 2016-2017. In this situation a reduction of the 2017-2018 budget allocation is proposed.

Options

Council can choose to:

1. Accept the adjustments to the 2017-2018 forecast budget which include 2016-2017 carry forwards.
2. Not accept the adjustments to the 2017-2018 forecast budget.

It is important to note that if Council chooses not to accept the adjustments, the listed 2016-2017 carried forward committed capital and non-recurrent projects will not be able to be completed unless 2017-2018 budgeted commitments are rationalised.

Conclusion

Council's financial performance for 2016-2017 remains on target. The year to date cash variance of \$592,991 is favourable compared to budget, this is primarily due to timing issues. After the proposed carry forward adjustments of \$5.14 million, Council's "cash position" will remain within the target range of \$5 million or greater due to the favourable 2015-2016 "cash" result when compared to the 2015-2016 adjusted forecast.

RECOMMENDATION

That Council approves the forecast budget for 2017-2018, which includes 2016-2017 carry forward budget items as presented.

COUNCIL RESOLUTION

MOVED: *Cr McArthur*
SECONDED: *Cr Illingworth*

That the recommendation be adopted.

CARRIED

Attachments

1. Finance Report - September 2017



**Financial Performance Report
30 September 2017**

Finance Report

Table of Contents

1. Performance Summary
2. Cash Budget
3. Recurrent Operations
4. Projects
5. Capital Projects
6. Project Delivery
7. Investments
8. Procurement
9. Outstanding Debtors
10. Income Statement for the period ended 30 September 2017
11. Balance sheet as at 30 September 2017
12. Cashflow Statement as at 30 September 2017

Synopsis

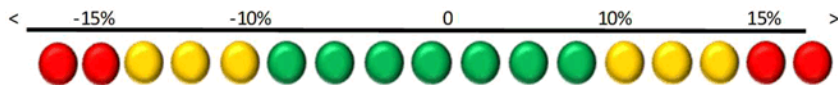
The purpose of this report is to provide Council an update and commentary on the financial performance of Council's operations on a quarterly basis.

Definitions

- Adopted Budget: represents the Budget adopted by Council in June.
- Reviewed Budget: the Adopted Budget adjusted for approved budget amendments through either a Carry-forward or Mid-Year Budget review.
- Forecast Budget: most recent estimated financial position including impact of proposed budget amendments.
- Positive amounts: represents income, contribution to Council or favourable variation.
- Negative amounts: represents expenditure, cost to Council or unfavourable variation.

Variance indicator thresholds

The following tolerances are used on all reports represented by traffic light indicator

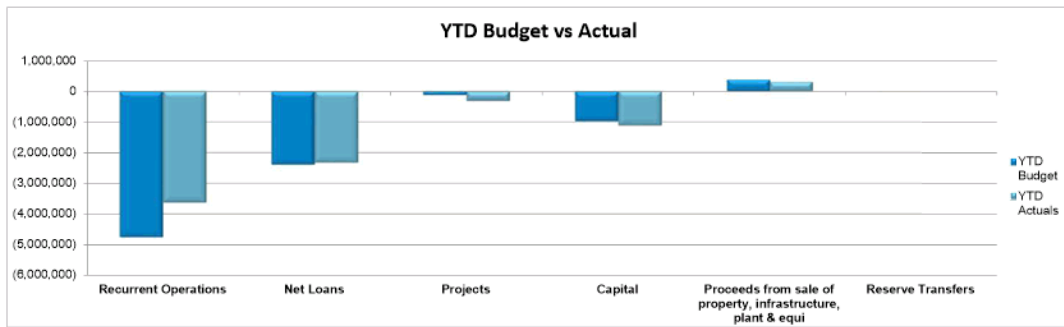


1. Performance Summary

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Recurrent Operations	(9,513,466)	(9,513,466)	(13,730,215)	(4,773,818)	(3,631,511)	1,142,308	24%
Rate Income	20,578,468	20,578,468	20,578,468	20,559,332	20,739,127	179,795	1%
Net Loans	(2,400,000)	(2,400,000)	(2,400,000)	(2,400,000)	(2,327,938)	72,062	(3%)
Projects	(1,083,381)	(1,083,381)	(1,663,975)	(119,484)	(317,530)	(198,046)	(166%)
Capital	(9,436,150)	(9,436,150)	(11,072,406)	(980,538)	(1,118,288)	(137,751)	(14%)
Proceeds from sale of property, infrastructure, plant & equi	664,880	664,880	664,880	395,159	313,052	(82,107)	(21%)
External Loan Funds	66,672	66,672	66,672	0	12,642	12,642	0%
Reserve Transfers	888,500	888,500	888,500	(2,500)	0	2,500	(100%)
Extraordinary Events	0	0	1,297,701	0	(398,412)	(398,412)	0%
Surplus/(Deficit)	(234,477)	(234,477)	(5,370,375)	12,678,151	13,271,142	592,991	5%
Surplus/(Deficit) B/forward	15,865,000	15,865,000	15,865,000				
Surplus/(Deficit) at end of year	15,630,523	15,630,523	10,494,625				

Note: Figures in brackets indicate cost to Council

Unfavourable variances shown in brackets

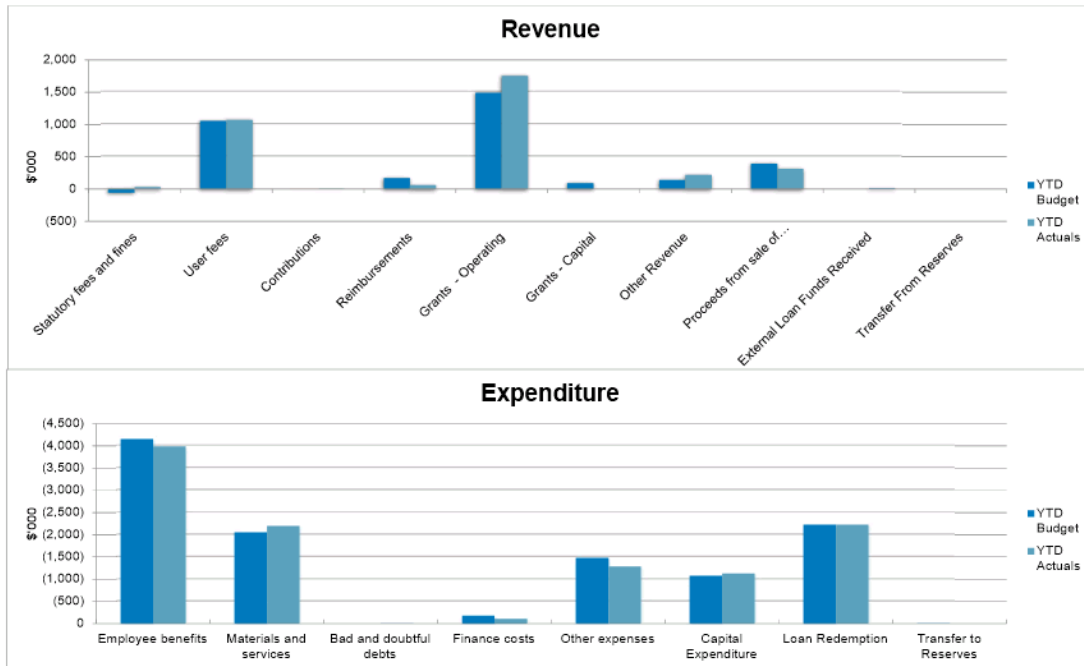


Key Performance Indicators	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals	Trend
Underlying Result (VAGO) (Total operating result/Total revenue)	11.5%	11.5%	5.3%	69.6%	↑
Working capital ratio (current assets/Current liabilities)	195.0%	195.0%	133.0%	485.3%	↔
Indebtedness (non-current liabilities/Own source revenue)	0.0%	0.0%	0.0%	-9.3%	↔
Debt commitment ratio (interest and loan repayments as a % of rate revenue)	11.7%	11.7%	11.7%	0.5%	↓

2. Cash Budget

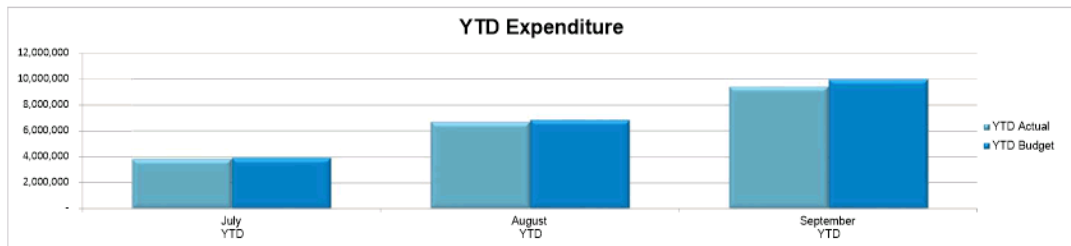
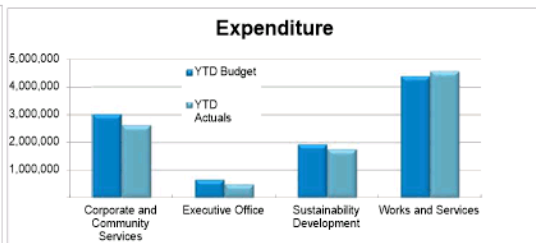
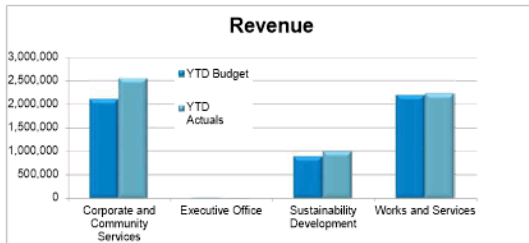
	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav) \$	%
REVENUE							
Rates and charges	20,578,468	20,578,468	20,578,468	20,559,332	20,739,127	179,795	1%
Statutory fees and fines	237,677	237,677	237,677	(56,995)	32,525	89,520	(157%)
User fees	5,328,456	5,328,456	5,328,456	1,053,436	1,071,503	18,066	2%
Contributions	260,101	260,101	406,601	2,500	(3,124)	(5,624)	(225%)
Reimbursements	750,127	750,127	750,127	165,168	58,602	(106,566)	(65%)
Grants - Operating	10,284,695	10,284,695	10,964,544	1,493,470	1,752,263	258,794	17%
Grants - Capital	5,824,000	5,824,000	6,622,000	90,000	0	(90,000)	(100%)
Other Revenue	476,863	476,863	476,863	139,382	215,082	75,700	54%
Proceeds from sale of property, infrastructure, plant & equi	664,880	664,880	664,880	395,159	313,052	(82,107)	(21%)
External Loan Funds Received	66,672	66,672	66,672	0	12,642	12,642	0%
Transfer From Reserves	1,030,000	1,030,000	1,030,000	0	0	0	0%
Total Revenue	45,501,940	45,501,940	47,126,289	23,841,452	24,191,672	350,220	53%
EXPENDITURE							
Employee benefits	(14,996,078)	(14,996,078)	(14,996,078)	(4,154,156)	(3,988,907)	165,249	4%
Materials and services	(10,527,554)	(10,527,554)	(14,353,552)	(2,052,398)	(2,195,832)	(143,435)	(7%)
Bad and doubtful debts	(2,000)	(2,000)	(2,000)	0	(265)	(265)	(0%)
Finance costs	(175,889)	(175,889)	(175,889)	(175,889)	(103,827)	72,062	41%
Other expenses	(2,636,584)	(2,636,584)	(2,921,077)	(1,481,210)	(1,281,674)	199,536	13%
Capital Expenditure	(15,032,700)	(15,032,700)	(17,682,456)	(1,073,038)	(1,125,914)	(52,877)	(5%)
Loan Redemption	(2,224,111)	(2,224,111)	(2,224,111)	(2,224,111)	(2,224,111)	0	(0%)
Transfer to Reserves	(141,500)	(141,500)	(141,500)	(2,500)	0	2,500	100%
Total Expenditure	(45,736,416)	(45,736,416)	(52,496,663)	(11,163,301)	(10,920,529)	242,771	(24%)
Surplus/(Deficit)	(234,477)	(234,477)	(5,370,375)	12,678,151	13,271,142	592,991	5%

Note: Statutory Fees & Fines are negative due to the timing of EPA Levy Payments



3. Recurrent Operations

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Recurrent Operations							
Revenue							
Corporate and Community Services	12,966,723	12,966,723	9,291,520	2,113,776	2,558,988	445,212	(21%) ●
Executive Office	58,450	58,450	58,450	8,267	6,897	(1,370)	17% ●
Sustainability Development	5,260,779	5,260,779	5,260,779	891,385	1,002,273	110,889	(12%) ●
Works and Services	7,453,194	7,453,194	7,453,194	2,201,887	2,230,397	28,510	(1%) ●
Revenue Total	25,739,147	25,739,147	22,063,944	5,215,315	5,798,556	583,241	(11%) ●
Expenses							
Corporate and Community Services	9,070,615	9,070,615	9,203,101	3,019,467	2,621,177	398,290	13% ●
Executive Office	2,191,355	2,191,355	2,380,415	651,816	482,819	168,997	28% ●
Sustainability Development	9,009,228	9,009,228	9,229,228	1,924,782	1,750,178	174,603	9% ●
Works and Services	14,981,414	14,981,414	14,981,414	4,393,068	4,575,892	(182,824)	(4%) ●
Expenses Total	35,252,612	35,252,612	35,794,158	9,989,133	9,430,067	559,067	6% ●
Recurrent Operations Total	(9,513,466)	(9,513,466)	(13,730,215)	(4,773,818)	(3,631,511)	1,142,308	24% ●



Comments:

Recurrent income is \$583,241 over budget.

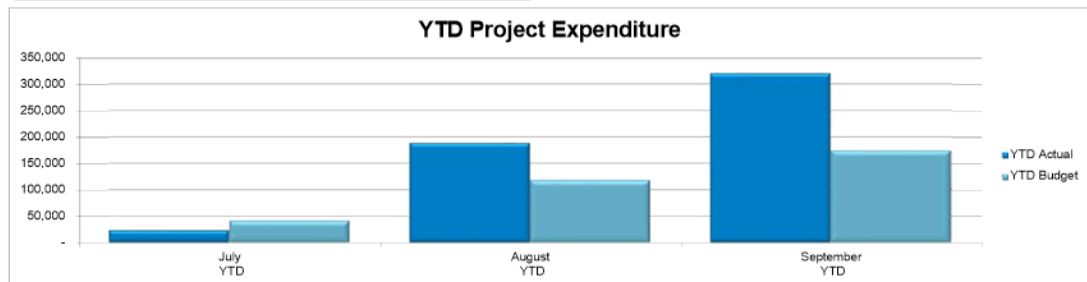
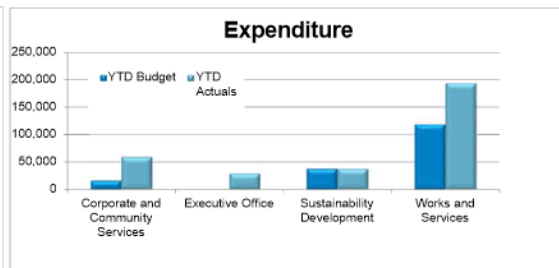
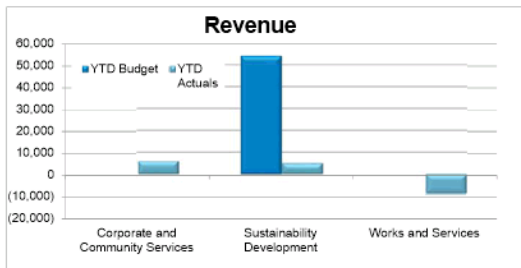
Corporate and Community Services is \$445,212 over budgeted revenue due to early payment of grants funding and phasing of budgeted income
Sustainability Development is \$110,889 over budget due to higher volume of landfill and planning fees in comparison with year to date budget

Recurrent expenditure is \$559,067 under budget.

Corporate and Community Services is \$398,290 under budget with software licencing and insurance costs not in line with budgeted expenditure
Executive Services is \$168,997 under budget with advertising costs not paid in line with budgeted expenditure
Sustainable Development is \$174,603 under budget with landfill and saleyards costs not in line with budgeted expenditure
Works and Services are \$182,824 over budgeted expenditure due to road works being completed ahead of budget.

4. Projects

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Projects							
Revenue							
Corporate and Community Services	0	0	0	0	6,000	6,000	0% ●
Sustainability Development	70,190	70,190	324,982	54,190	5,000	(49,190)	(91%) ●
Works and Services	427,500	427,500	358,500	0	(8,950)	(8,950)	0% ●
Revenue Total	497,690	497,690	683,482	54,190	2,050	(52,140)	(96%) ●
Expenses							
Corporate and Community Services	70,381	70,381	422,089	16,401	59,435	(43,034)	262% ●
Executive Office	57,500	57,500	112,683	0	28,753	(28,753)	0% ●
Sustainability Development	480,190	480,190	615,784	38,200	37,320	880	(2%) ●
Works and Services	973,000	973,000	1,196,901	119,073	194,072	(74,999)	63% ●
Expenses Total	1,581,071	1,581,071	2,347,457	173,674	319,580	(145,906)	84% ●
Projects Total	(1,083,381)	(1,083,381)	(1,663,975)	(119,484)	(317,530)	(198,046)	166% ●



Comments:

Income was under budget by \$52,140

Sustainability Development \$49,190 under budget due to grant for roadside weeds not yet received.

Works and Services has a negative income due to fees raised in prior year which have been reversed. The funding for the project will be received from an alternate source.

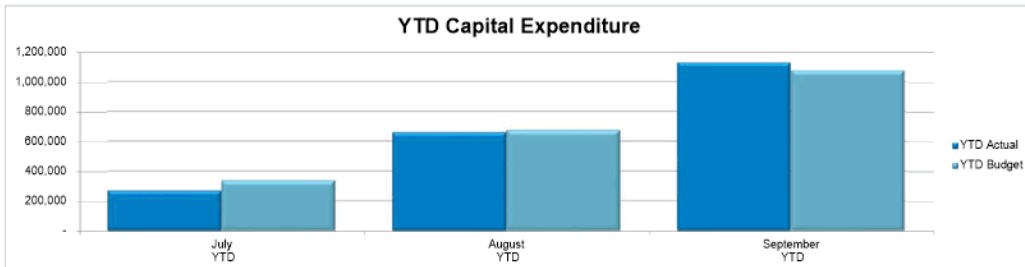
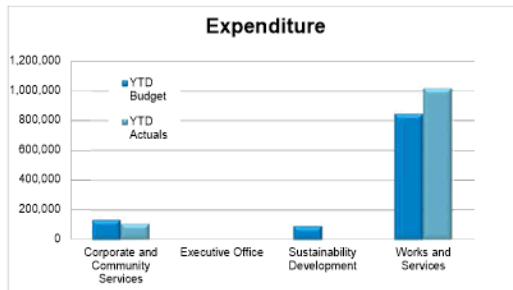
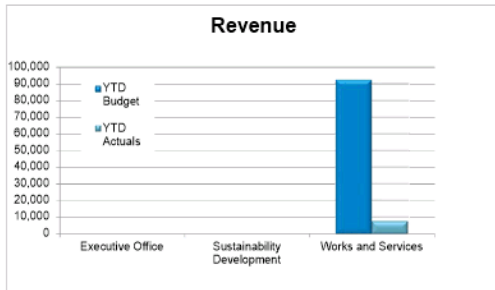
Expenditure over budget by \$145,906

Corporate and community services \$43,034 over budget due to spending on carry forward projects not in line with budget.

Works and services over budget due to spending on urban street tree (\$58k) audit being completed ahead of budget.

5. Capital

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance fav/(unfav)	
						\$	%
Capital							
Revenue							
Executive Office	0	0	26,000	0	0	(0)	0%
Sustainability Development	40,000	40,000	40,000	0	0	(0)	0%
Works and Services	5,586,550	5,586,550	6,574,050	92,500	7,626	(84,874)	(92%)
Revenue Total	5,626,550	5,626,550	6,640,050	92,500	7,626	(84,874)	(92%)
Expenses							
Corporate and Community Services	418,000	418,000	569,569	134,238	105,921	28,316	21%
Executive Office	10,000	10,000	65,250	0	0	0	0%
Sustainability Development	175,000	175,000	267,190	92,190	0	92,190	100%
Works and Services	14,429,700	14,429,700	16,780,447	846,610	1,019,993	(173,383)	(20%)
Expenses Total	15,032,700	15,032,700	17,682,456	1,073,038	1,125,914	(52,877)	(5%)
Capital Total	9,406,150	9,406,150	11,042,406	980,538	1,118,288	(137,751)	(14%)



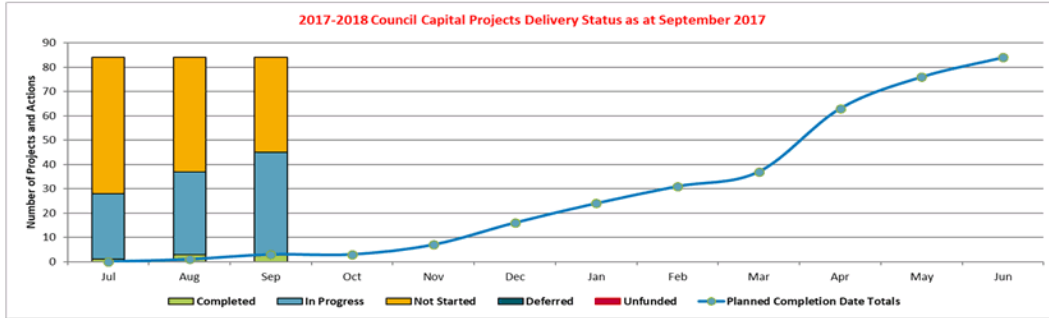
Comments:

Capital Project Revenue is \$84,874 under budget.
 Works and services under budget due to revenue relating to streetscape construction not received in line with budget

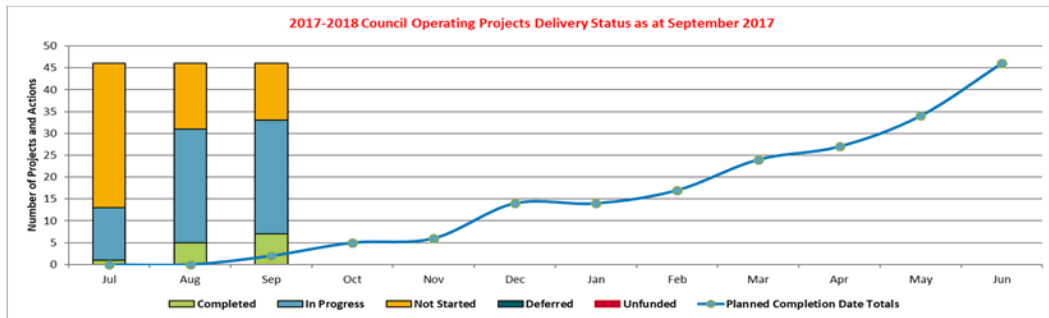
Recurrent expenditure is \$52,877 under budget.
 Sustainability Development under budget due to retaining wall at landfill not completed in line with budget
 Works and Services ahead of budget due to fleet expenditure in advance of budget and expenditure on squash court wall repairs which will be reimbursed through insurance

6. Project Delivery

The graphs and tables below provide an overview of the status of Council's capital and operating projects for the reporting period. As reflected in the financial reports, project delivery has fallen behind schedule at the end of March.

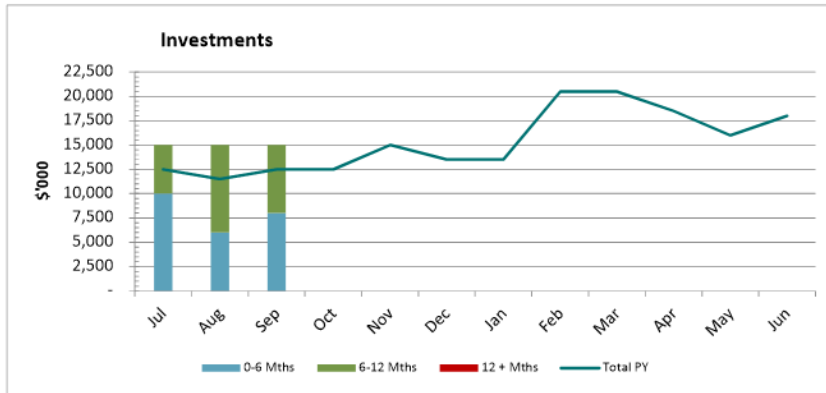


Directorate	Council	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Project	Capital Projects												
Not Started		56	47	39	0	0	0	0	0	0	0	0	0
In Progress		27	34	42	0	0	0	0	0	0	0	0	0
Completed		1	3	3	0	0	0	0	0	0	0	0	0
Deferred		0	0	0	0	0	0	0	0	0	0	0	0
Unfunded		0	0	0	0	0	0	0	0	0	0	0	0
Total		84	84	84	0	0	0	0	0	0	0	0	0
Planned Completion Date		0	1	3	3	7	16	24	31	37	63	76	84
Actual YTD		\$269,567	\$499,097	\$1,129,924									
Budget YTD		\$0	\$932,199	\$899,829	\$1,494,617	\$2,390,289	\$9,479,441	\$4,724,066	\$6,799,666	\$8,997,827	\$11,180,907	\$19,024,289	\$19,092,700



Directorate	Council	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Project	Operating Proj												
Not Started		33	15	13	0	0	0	0	0	0	0	0	0
In Progress		12	26	26	0	0	0	0	0	0	0	0	0
Completed		1	5	7	0	0	0	0	0	0	0	0	0
Deferred		0	0	0	0	0	0	0	0	0	0	0	0
Unfunded		0	0	0	0	0	0	0	0	0	0	0	0
Total		46	46	46	0	0	0	0	0	0	0	0	0
Planned Completion Date		0	0	2	5	6	14	14	17	24	27	34	46
Actual YTD		\$22,947	\$167,799	\$518,920									
Budget YTD		\$0	\$110,199	\$164,981	\$174,894	\$217,894	\$274,894	\$307,799	\$394,794	\$924,427	\$490,190	\$719,921	\$1,881,071

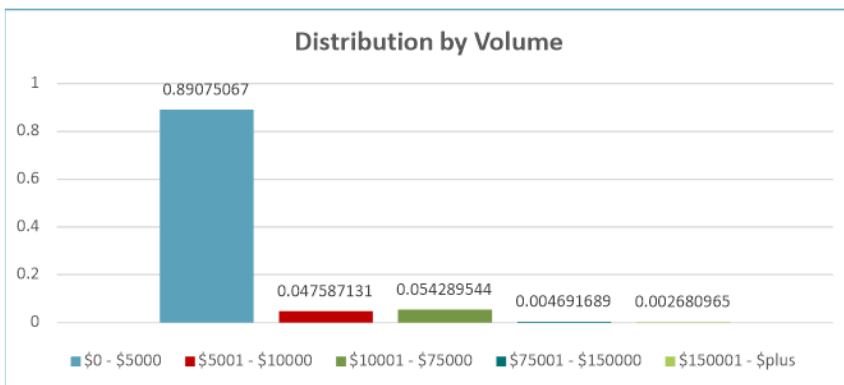
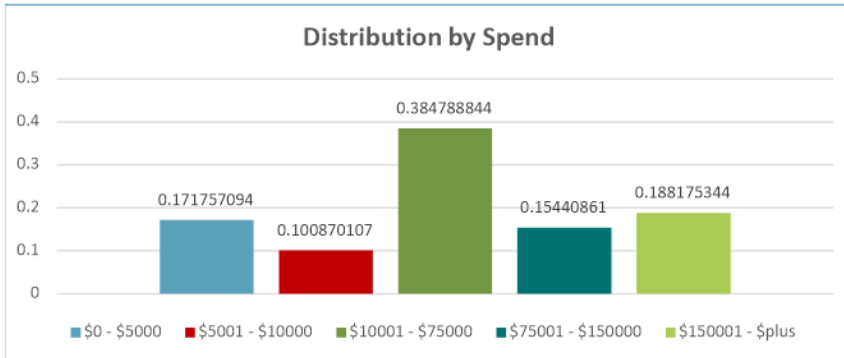
7. Investments



The above graph shows the 2016-2017 total investments as a comparative line and categorises current year investments by term. Term deposits are slightly higher than the level of investments at this time last year due to grants commission funding received in advance in June 2017.

8. Purchasing and Procurement

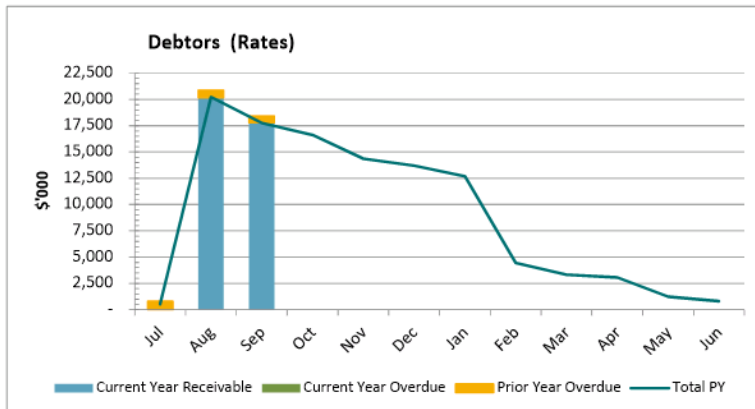
The graph below details Council's procurement activity for the reporting period by spend and volume. The top graph details the cumulative expenditure by value whilst the bottom graphs details the cumulative transactions by volume. For example 89.1% of transactions for the period were for a value of \$5,000 or less with a cumulative value representing 17.2% of total procurement.



9. Outstanding Debtors

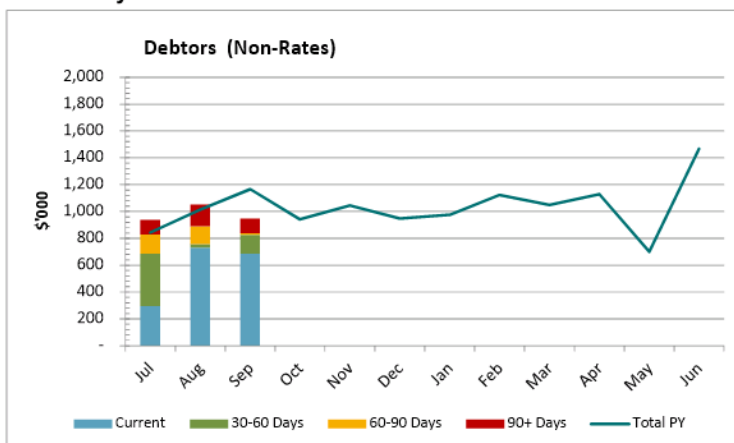
Rate Debtors

The below graph shows the total outstanding debt from the 2016-2017 financial year as a comparative line with the stacked bar graph showing the current year outstanding rates, categorised as current, current year overdue and prior year overdue. In this period there are no current year overdue rates.



Rates are raised in August and the first instalment is due on 30 September, the second instalment 30 November, the third instalment 15 February and the final instalment 15 May. Rates debt relating to prior years is slowly reducing as payment arrangements are followed and collection through external collection agencies pursued. The overdue debt has profiled similarly to the previous financial year.

Sundry Debtors



Sundry Debtors are showing a lower total amount owing than the same period last year.

MINUTES - ORDINARY MEETING OF COUNCIL 24 OCTOBER 2017

10. Carry Forward Projects

Type	Expenditure	Income	Total	Details
Department Costs				
Grants Commission		1,983,341	1,983,341	First instalment on 2017-2018 grant payment paid in 2016-2017
Local Roads Grants - Grants Comm		1,691,862	1,691,862	First instalment on 2017-2018 grant payment paid in 2016-2017
Pre School - Cobden	5,136		5,136	Early Start Kindergarten (ESK) for 2017 academic year paid in 2016-2017 but not budgeted
Pre School - Terang	5,676		5,676	Early Start Kindergarten (ESK) for 2017 academic year paid in 2016-2017 but not budgeted
Pre School - Timboon	15,373		15,373	Per capita top up for 2017 academic year paid in 2016-2017 but not budgeted
Pre School - Western Plains	3,784		3,784	Early Start Kindergarten (ESK) for 2017 academic year paid in 2016-2017 but not budgeted
Total Department Carry Forward	29,969	3,675,203	3,705,172	
Extraordinary Events				
September 2016 Flood Recovery	2,802,559	(4,100,260)	(1,297,701)	Ongoing income and expenditure relating to September 2016 Flood Works
Total Extraordinary Events Carry Forward	2,802,559	(4,100,260)	(1,297,701)	
Non Recurrent Operating Projects				
Advocacy materials	10,000		10,000	Advocacy material budgeted in prior year but will be completed in current financial year.
Age-friendly communities project	95,758		95,758	Grant Received in 2016-2017 to fund this project over multiple years
CCMA Landcare Grant 2015/2016	9,594		9,594	CCMA Grant which is the responsibility of the committee to expend over the life of the grant.
Child Safe Standards	9,589		9,589	Budget allocation to support organisational training following introduction of new legislative requirements.
Cobden Dairy park business plan	2,000		2,000	Community Planning Project allocated in prior year but to be completed in current financial year
Cobden story project	10,000		10,000	Community Planning Project allocated in prior year but to be completed in current financial year
Design of Corangamite artisan product, visual merchandising	3,500		3,500	Food Artisan Group are rebranding, this has delayed the project which will be completed in the current financial year.
Develop 2017-2021 Health & Wellbeing plan	14,547		14,547	Committed budget allocation in 2016-2017 to support development of the Public Health and Wellbeing Plan.
Develop marketing materials for emerging tourism markets	2,500		2,500	Translation of Port Campbell West Prospects to foreign language - work completed
Dump Point Timboon	5,000		5,000	Carry forward as works to be delivered by Council in 2017-2018. MCOU signed
Early Years Award Project	6,767		6,767	Multi-year funded project to be completed by December 2017.
Implementation Recreation and Open Space Strategy	5,000		5,000	Strategy is now completed. Carry forward funding will be used for the implementation of the strategy.
Intensive Animal Husbandry - Investigation and scheme	30,000		30,000	Brief and service provider to be finalised/appointed in the current year to complete this project
Kindergarten Central Enrolment Project	3,205		3,205	Project has commenced and will be completed in 2017-2018.
Leachate Removal - Flood Event 2016	4,238	(254,792)	(254,792)	Grant for Leachate Removal as part of the September 2016 Flood works
Leadership Group Training in Social Justice Policy	28,865		28,865	Policy was endorsed in May 2017. Training to be completed in 2017-2018
Let's Read early childhood literacy program	5,237		5,237	Multi-year funded project to be completed by June 2018
Mobile Child Care Reform	30,000		30,000	Discussions with the EPA have changed the direction of this project prior to commencement and have now been finalised.
Naropahd Gas Capture Investigation		(3,000)	(3,000)	Project is now completed. The balance of the funding will be paid upon acquittal.
Pomborrell Irrigation system	9,000		9,000	Community Planning Project allocated in prior year but to be completed in current financial year
Port Campbell town entry signage	10,000		10,000	Funding to be used on developing usage statistics for public amenities to inform future planning
Property Advice - Holding costs / Values & Analysis of sale	40,000		40,000	Budget allocation with the planning panel to convene in October 2017.
PS Amendment to Implement Planning Scheme Review	23,050		23,050	Future Planning Work around transition to Aged and Disability Funding.
Regional HACCC Strategy	20,000		20,000	Project is to commence in current financial year with GORRT on visitor servicing signage
Regional Visitor Servicing Review	17,383		17,383	Funding allocated to the successful applications which have not yet completed works.
Retail Area Facade Improvement Program	19,052		19,052	Project commenced late in 2016-2017 and will be completed in 2017-2018
Review of Signs in Council Parks, streets & facilities	55,000		55,000	Project to be delivered in 2017-2018
Roads Advocacy - Economic Impact Modelling	48,825		48,825	Funding to support introduction of continuous improvement and service reviews will be completed in current financial year.
Service Reviews	75,000		75,000	Grant Funds received for project in June-2017. Project to be completed in 2017-2018
Shared Service Delivery (FAST Program)	16,000		16,000	Project completed in first quarter of 2017-2018
TechnOne Contract Management	50,000		50,000	Project funding was committed in prior year. Project is awaiting Harness Racing Victoria advice before finalising.
Terang Harness Racing (16/17 Financial Commitment)	1,800		1,800	Project complete late 2016-2017. Final invoices to be received in 2017-2018
Terang Lake Signage project		72,000	72,000	Grant income received in 2016-2017. Project to be completed in 2017-2018
Terang Recreation Reserve - oval lighting	5,000		5,000	Provisional materials budgeted in prior year but will be completed in current financial year.
Update Council Promotional Material	79,849		79,849	Project completed in first quarter of 2017-2018
Urban Street Tree Audit	20,647		20,647	Multi-year funded project due to be acquitted November 2017
Vic Health Bright Futures Project	766,386	(188,792)	580,594	
Total Non Recurrent Projects Carry Forward				

Type	Expenditure	Income	Total	Details
<i>Capital Projects</i>				
Parking Morris St Port Campbell LGIF	2,684		2,684	Project completed in first quarter of 2017-2018
(SCS) Adams St, Cobden, Parrot St to Clarke St, east side		(20,000)	(20,000)	Contribution from property owners for special charge scheme based on actual costs
(SCS) Swanson St Tealing Lyons to Galloway St South Side Ter		(20,000)	(20,000)	Contribution from property owners for special charge scheme based on actual costs
(SCS) Tarant St, Adams St to Victoria St, Cobden north side		(7,000)	(7,000)	Contribution from property owners for special charge scheme based on actual costs
(SCS) Timboon-Curdievale Road, Timboon	120,000	(60,000)	60,000	Project continuing 2017-2018. Alternative design being developed to minimise cost of pathway.
(SCS) Teegea St, Morris St to Cairns St Port Campbell	48,000	(13,500)	32,500	Specification to be incorporated into Port Campbell Streetscape. This is funding for works if enabled through design.
Bicycle Strategy Implementation	14,525	(7,000)	7,525	1AC grant for upgrade of bicycle strategy and expenditure allocation to be used for reinstating existing bike lanes
Bones Access Road Bridge (B084)	22,589		22,589	Allocation to cover preconstruction activities eg CHMP, Geotech
Camperdown Civic Centre heritage works (re-pointing)	17,500		17,500	To be added to 2017-2018 heritage works and complete as larger project. This will enable savings for council
Camperdown Clocktower Earthing works	6,663		6,663	Works to be completed in 2017-2018. grant to be confirmed (September)
Camperdown Clocktower Face Renewal	109,830		109,830	Works to be completed in 2017-2018. grant to be confirmed (September)
Camperdown Museum repairs to ceiling	10,000		10,000	To be added to 2017-2018 project and completed as larger project. This will enable savings for council
Camperdown Streetscape - Stage 2a	10,000		10,000	To be added to 2017-2018 project and completed as larger project. This will enable savings for council
Camperdown Theatre - Lighting and Sound Upgrade	45,250	(26,000)	19,250	Funding application submitted for this project. If successful the project will be completed in 2017-2018
Castle Carey Bridge (B025) Realignment	1,088,141	(1,000,000)	88,141	Multi-year project continuing 2017-2018.
Corporate Information System	14,000		14,000	Multi-year project continuing 2017-2018.
Mobile/ Solution	16,000		16,000	System has been implemented. Carry Forward funding to be used to pay for devices to support implementation
Narogah Landfill Retaining Wall Restoration	92,190		92,190	Installation is required over summer and therefore the project delivery was delayed
Port Campbell - Design	396,016		396,016	Design development continues in 2017-2018
Port Campbell - Emergency Works	90,350		90,350	Allocation to be made available for Port Campbell Urban Design
Public Art - Town 5	10,000		10,000	Project delayed to align with Port Campbell Streetscape
Public Toilet Renewal	5,311		5,311	Funding to support completion of toilet works Cobden - Victoria Street Toilet Block.
Public Toilet Upgrades - Various	1,158		1,158	Funding to support completion of toilet works Cobden - Victoria Street Toilet Block.
Technology/One Assetic Integration - Technology One	2,520		2,520	Multi year project continuing 2017-2018
Technology/One Assetic Integration - Technology One	85,000		85,000	Multi year project continuing 2017-2018 with eService models currently being implemented
Terang Children's Centre - Construction	34,049		34,049	Signage has not been completed (\$14k) and additional outdoor drainage required (\$20k).
Terang Streetscape Stage 3 - Construction	50,000		50,000	Remaining payment to be made to Contractor for works completed mid-year.
Thorntons Road, Treasury Bridge Deck Replacement	150,000		150,000	Works to be completed in 2017-2018.
Timboon - Construction	10,000	(90,000)	(80,000)	Remaining funding (\$40k State Govt, \$50k Origin Energy) and allocation allowance for remaining plantings
Timboon Curdievale Road (9.5km to 12.0km) Widens & Rehab		230,000	230,000	Prepaid Grant Income received in late 2016-2017. Project to be completed in 2017-2018
Waste Treatment Review, Design and Implementation	200,000		200,000	Project carrying forward. decision to be made in 2017-2018
Total Capital Projects Carry Forward	2,649,756	(1,013,500)	1,636,256	

Type	Expenditure	Income	Total	Details
Recurrent Operating Projects				
HACC Minor Capital Grant	38,174		38,174	\$17.5k for 2017-18 received June 2017, plus unspent funds from 2016-2017 grant.
Organisational Training	15,000		15,000	Training to be completed in 2017-2018 in fraud awareness and conflict of interest
Other Software Licensing	6,000		6,000	Multi year project continuing 2017-2018.
Telephone Maintenance	13,000		13,000	Project completed in 2016-2017. Invoices received in current financial year.
TRIM licence agreement	11,000		11,000	Multi year project continuing 2017-2018.
Camperdown Community Planning	34,177		34,177	Community Planning Funds
Corden Community Planning	25,664		25,664	Community Planning Funds
Darlington Community Planning	2,725		2,725	Community Planning Funds
Derrinallum Community Planning	21,679		21,679	Community Planning Funds
Lanefill Cell 11 & 12 Capping	220,000		220,000	Contractors were not able to install geomembrane due to weather and filling of additional air space in the cell.
Lismore Community Planning	13,062		13,062	Community Planning Funds
MPHYP implementation	2,000		2,000	Performance report on 2013-2017 plan partially complete - to be completed in 2017-2018
Nooral Community Planning	10,132		10,132	Community Planning Funds
Port Campbell Community Planning	14,263		14,263	Community Planning Funds
Princetown Community Planning	9,278		9,278	Community Planning Funds
Simpson Community Planning	11,923		11,923	Community Planning Funds
Skipton Community Planning	14,564		14,564	Community Planning Funds
Smiles 4 Miles - Health Program	15,654		15,654	Externally funded project with ongoing deliverables
Terang Community Planning	16,638		16,638	Community Planning Funds
Timboon Community Planning	14,955		14,955	Community Planning Funds
Workplace Compliance	1,689		1,689	Finalisation of project in 2017-2018
Total Recurrent Projects Carry Forward	511,577	0	511,577	
Total Carry Forward	6,760,247	(1,524,349)	5,135,898	

11. Income Statement for the period ended 30 September 2017

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Budget	YTD Actuals	YTD Variance favourable/ (unfavourable)
REVENUE						
Rates and charges	20,578,468	20,578,468	20,578,468	20,559,332	20,739,127	179,795
Statutory fees and fines	237,677	237,677	237,677	(56,995)	32,525	89,520
User fees	5,328,456	5,328,456	5,328,456	1,053,436	1,071,503	18,066
Contributions	260,101	260,101	406,601	2,500	(3,124)	(5,624)
Reimbursements	750,127	750,127	750,127	165,168	58,602	(106,566)
Grants - Operating	10,284,695	10,284,695	10,964,544	1,493,470	1,752,263	258,794
Grants - Capital	5,824,000	5,824,000	6,622,000	90,000	0	(90,000)
Other Revenue	476,863	476,863	476,863	139,382	215,082	75,700
Total Revenue	43,740,388	43,740,388	45,364,737	23,446,293	23,865,978	419,685
EXPENDITURE						
Employee benefits	14,996,078	14,996,078	14,996,078	4,154,156	3,988,907	165,249
Materials and services	10,527,554	10,527,554	14,353,552	2,052,398	2,195,832	(143,435)
Bad and doubtful debts	2,000	2,000	2,000	0	265	(265)
Depreciation	10,132,000	10,132,000	10,132,000	0	0	-
Finance costs	175,889	175,889	175,889	175,889	103,827	72,062
Other expenses	2,636,584	2,636,584	2,921,077	1,481,210	1,281,674	199,536
Total Expenditure	38,470,105	38,470,105	42,580,596	7,863,652	7,570,504	293,148
(Surplus)/Deficit from Operations	5,270,282	5,270,282	2,784,140	15,582,641	16,295,474	712,833
Proceeds from sale of property, infrastructure, plant & equip	664,880	664,880	664,880	395,159	313,052	82,107
Written down value property, infrastructure, plant and equip	664,880	664,880	664,880	0	0	0
Net (gain)/loss on disposal of property, infrastructure, plant and equipment	0	0	0	395,159	313,052	82,107
(Surplus) / deficit for period	5,270,282	5,270,282	2,784,140	15,977,800	16,608,526	630,726

12. Balance Sheet for the period ended 30 September 2017

	Prior Year Balance	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals
CURRENT ASSETS					
Cash and cash equivalents	21,968,869	12,807,104	12,807,104	7,671,206	17,703,119
Financial Assets	66,568	96,949	96,949	96,949	34,900
Rate Receivables	825,087	1,386,056	1,386,056	1,386,056	18,441,376
Other Trade Receivables	1,839,194	462,019	462,019	462,019	1,062,939
Inventories	82,588	67,000	67,000	67,000	80,309
Other assets	483,296	1,274,000	1,274,000	1,274,000	400,064
Total Current Assets	25,265,601	16,093,128	16,093,128	10,957,230	37,722,706
NON CURRENT ASSETS					
Investments in associates	260,096	237,000	237,000	237,000	260,096
Financial Assets	113,304	113,000	113,000	113,000	113,304
Trade and other receivables	45,200	68,000	68,000	68,000	47,683
WIP - Capital	1,390,953	15,032,700	15,032,700	17,682,456	2,516,877
Fixed assets	432,955,386	404,952,885	404,952,885	404,952,885	432,955,386
Total Non Current Assets	434,764,938	420,403,585	420,403,585	423,053,341	435,893,346
Total Assets	460,030,539	436,496,713	436,496,713	434,010,571	473,616,052
CURRENT LIABILITIES					
Trade and other payables	2,287,024	2,241,675	2,241,675	2,241,675	(1,859,026)
Trust funds and deposits	203,434	322,000	322,000	322,000	3,400,046
Interest bearing liabilities	2,224,111	0	0	0	2,214,975
Provisions - current	3,844,891	3,500,000	3,500,000	3,500,000	4,004,985
Total Current Liabilities	8,559,461	6,063,675	6,063,675	6,063,675	7,760,980
NON CURRENT LIABILITIES					
Interest bearing liabilities - non-current	0	0	0	0	(2,214,975)
Provisions - non-current	5,693,155	5,593,457	5,593,457	5,593,457	5,684,087
Total Non Current Liabilities	5,693,155	5,593,457	5,593,457	5,593,457	3,469,111
Total Liabilities	14,252,616	11,657,132	11,657,132	11,657,132	11,230,091
Net Assets	445,777,923	424,839,581	424,839,581	422,353,439	462,385,961
EQUITY					
Operating Surplus/Deficit	5,309,832	5,270,282	5,270,282	2,784,140	16,608,526
Accumulated surplus	170,538,715	214,553,440	214,553,440	214,553,440	175,848,557
Asset revaluation reserve	267,201,045	203,162,000	203,162,000	203,162,000	267,201,045
Reserves	2,727,833	1,853,859	1,853,859	1,853,859	2,727,833
Total Equity	445,777,425	424,839,581	424,839,581	422,353,439	462,385,961

	Prudential Guideline	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals
Working capital ratio / Liquidity ratio (current assets to current liabilities)	150%	265.40%	265.40%	180.70%	486.06%
Debt servicing ratio (interest paid as % of total revenue)	5%	0.40%	0.40%	0.39%	0.44%
Debt commitment ratio (interest and loan repayments as a % of rate revenue)	15%	11.66%	11.66%	11.66%	0.50%

13. Cashflow Statement for the period ended 30 September 2017

	Adopted Budget	Reviewed Budget	Forecast Budget	YTD Actuals
Cash flows from operating activities				
Rates and charges	20,545,000	20,545,000	20,545,000	3,122,838
Statutory fees and fines	238,000	238,000	238,000	32,525
User fees	5,315,000	5,315,000	5,315,000	1,847,494
Contributions	260,000	260,000	260,000	(3,124)
Grants - Operating	10,285,000	10,285,000	10,964,849	1,752,263
Grants - Capital	5,824,000	5,824,000	5,755,000	0
Reimbursements	750,000	750,000	750,000	58,602
Other Revenue	477,000	477,000	477,000	215,082
Payments to employees	(14,982,000)	(14,982,000)	(14,982,000)	(3,837,850)
Payments to suppliers	(13,123,000)	(13,123,000)	(17,233,491)	(7,538,035)
Net cash provided by operating activities	15,589,000	15,589,000	12,089,358	(4,350,205)
Cash flows from investing activities				
Payments for property, infrastructure, plant and equipment	(15,033,000)	(15,033,000)	(16,669,256)	(1,125,925)
Repayment of loans and advances from/(to) Organisations	67,000	67,000	67,000	29,185
Proceeds from sale of property, infrastructure, plant and equipment	665,000	665,000	665,000	313,052
Net cash flow from investing activities	(14,301,000)	(14,301,000)	(15,937,256)	(783,688)
Cash flows from financing activities				
Finance costs	(176,000)	(176,000)	(176,000)	(103,827)
Trust funds and deposits	0	0	0	3,196,612
Repayment of interest bearing loans and borrowings	(2,224,000)	(2,224,000)	(2,224,000)	(2,224,111)
Net cash from financing activities	(2,400,000)	(2,400,000)	(2,400,000)	868,674
Net increase (decrease) in cash and cash equivalents	(1,112,000)	(1,112,000)	(6,247,898)	(4,265,218)
Cash and cash equivalents at beginning of the year	13,919,104	13,919,104	13,919,104	21,968,371
Cash and cash equivalents at end of the year	12,807,104	12,807,104	7,671,206	17,703,152

10.6 Quick Response Grants - October 2017 Allocation

Author: David Rae, Director Corporate and Community Services

File No: D17/667

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - David Rae

In providing this advice to Council as the Director Corporate and Community Services, I have no interests to disclose in this report.

Summary

The purpose of this report is to approve the October 2017 allocation of funds under the Quick Response Grants Program.

Introduction

The Quick Response Grants Program is beneficial in supporting instances of community needs that are not readily able to be considered under the Community and Facilities Grants Program or Environmental Grants Program. Applications for Quick Response Grants are considered by Council as they are received.

Issues

The Quick Response Grants Program is a fixed budget that Council provides annually for the distribution of funds to Shire community groups. The Quick Response Grants Program has a rolling intake and this flexible approach allows Council to allocate small amounts to various community groups which results in positive outcomes.

Applications received for this allocation are attached under separate cover. Each application has been assessed against the following criteria as detailed in the Quick Response Grants Policy:

- a. Eligible recipient
- b. Council Plan alignment
- c. Community benefit
- d. Eligible expenditure.

The assessment has also been provided as a separate attachment to this report.

Policy and Legislative Context

Consideration of applications for the Quick Response Grants Program is in accordance with the Quick Response Grants Policy and the following 2017-2021 Council Plan commitments:

We are committed to working towards ensuring the safety, health and wellbeing of our communities.

Council will continue to provide and support a range of community and social support services.

Council will provide and support a range of opportunities that support people to engage in healthy and active lifestyles, the arts, recreation and sport.

Improved educational outcomes in Corangamite Shire.

Support our small towns and dispersed population.

Improve the health and wellbeing of our community.

Internal / External Consultation

Applications for the Quick Response Grants Program are available from Council's website or by contacting Council's Community Relations team. Applicants are encouraged to discuss their application with the respective Ward Councillor prior to submission. Applicants may also contact Council's Director Corporate and Community Services for further information. Applicants will be advised of the outcome of their application following the Council meeting. Successful applicants will also be requested to provide a grant acquittal following completion of the event or project, including return on unexpended amounts.

Financial and Resource Implications

The 2017-2018 Quick Response Grants Program budget allocation is \$14,000. Annual allocations for each Ward shall not exceed 1/7th of the fund's annual budget in the case of North, South West, Coastal and South Central Wards, and 3/7th of the fund's annual budget in the case of Central Ward. Should the allocations be approved as recommended in this report, the remaining allocation is as follows:

Ward	Annual Allocation	Previous Allocations	This Allocation	Remaining Allocation
Coastal	\$2,000.00	\$1,500.00	\$0.00	\$500.00
North	\$2,000.00	\$200.00	\$0.00	\$1,800.00
South Central	\$2,000.00	\$495.00	\$0.00	\$1,505.00
South West	\$2,000.00	\$500.00	\$0.00	\$1,500.00
Central	\$6,000.00	\$1,298.00	\$500.00	\$4,202.00
	\$14,000.00	\$3,993.00	\$500.00	\$9,507.00

Options

Council can consider:

1. Allocating the funds as requested by the applicants.
2. Allocating the funds for a reduced amount.
3. Not allocating funds as requested by the applicants.

Conclusion

The Quick Response Grants Program provides financial assistance to community groups to undertake beneficial projects and activities. The applications recommended for funding in this allocation are in accordance with Quick Response Grants Policy and will result in positive outcomes for the community.

RECOMMENDATION

That Council approves the following applications for funding from the Quick Response Grants Program for October 2017:

Applicant	Purpose	Ward	Amount
Camperdown Pastoral and Agricultural Society Inc.	Assistance with cost of renewing floor coverings of the kitchen located within the pavilion at the show grounds.	Central	\$500.00

COUNCIL RESOLUTION

MOVED: Cr McArthur

SECONDED: Cr Gstrein

That the recommendation be adopted.

CARRIED

Attachments

1. Quick Response Grants Assessment - October 2017 Allocation - Under Separate Cover
2. Application - Camperdown Pastoral and Agricultural Society Inc. (Part A) - Under Separate Cover
3. Application - Camperdown Pastoral and Agricultural Society Inc. (Part B) - Under Separate Cover

10.7 Records of Assembly of Councillors

Author: Andrew Mason, Chief Executive Officer

File No: D17/542

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Summary

This report documents the Assembly of Councillors to be reported since the last Ordinary Meeting of Council on 26 September 2017.

Introduction

The *Local Government Act 1989* (the Act) requires that records of meetings which constitute an Assembly of Councillors be tabled at the next practicable meeting of Council and is incorporated in the minutes of the Council meeting.

Issues

An 'Assembly of Councillors' is defined in the Act as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or subject to the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

Typical meetings classed as an Assembly of Councillors at Corangamite Shire include Councillor briefings, advisory committees and planning site inspections. However, from time to time additional records may be reported in accordance with the Act.

Section 80A of the Act requires that a record must be kept of an Assembly of Councillors which lists:

- The Councillors and members of Council staff attending.
- The matters discussed.
- Disclosures of conflict of interest (if any are made).
- Whether a Councillor left the meeting after making a disclosure.

Records of an Assembly of Councillors are documented by a Council officer present at a meeting designated as an Assembly of Councillors. Responsibility for the maintenance of records associated with Assembly of Councillors rests with the Chief Executive Officer.

Policy and Legislative Context

Tabling of the records of Assembly of Councillors ensures Council is compliant with the Act. In addition, this report is consistent with the Council Plan 2017-2021 objective that "Council will demonstrate high levels of ethical behaviour and governance standards".

Conclusion

The records documenting the below Assembly of Councillors are attached:

- Councillor Briefing 26 September 2017
- Planning Inspection PP2017/059 1868 3 October 2017
- Planning Inspection PP2017/082 7976P 3 October 2017
- Councillor Briefing 10 October 2017.

RECOMMENDATION

That Council accepts the attached Records of Assembly of Councillors.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Durant

That the recommendation be adopted subject to the amendment of the record for 3 October 2017 in Port Campbell (PP2017/082) to note that Kirsten Kilpatrick did not attend; and the record for 10 October 2017, noting that Rocky lamana attended for Item 7.

CARRIED

Attachments

1. Record of an Assembly of Councillors 26 September 2017
2. Record of Assembly of Councillors Planning Site Inspection 3-10-2017 PP2017/059 1868P
3. Record of Assembly of Councillors Planning Site Inspection 3-10-2017 PP2017/082 7976P – amended
4. Record of an Assembly of Councillors 10 October 2017 - amended

Council

Record of an Assembly of Councillors

**Councillor Briefing****Date:** 26 September 2017**Time:** 2.30 pm**Place:** Derrinallum Hall**Present:**

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Officers:

Ian Gibb Brooke Love Andrew Mason David Rae

Matthew Dawson (Item 1)

Guests:

Dr Lynne Gleeson (Item 1)

Gordon Fisher, Janine Davis, Pam Pitts (Item 4)

Issues Discussed:

Item	Discussion Topic
1	Municipal Public Health and Wellbeing Plan 2017-2021
2	Hot Topics <i>Agenda Items, Workshop Debrief, Emergency Management Exercise, Regional Partnership Assembly, Essential Services Commission Productivity Report, Derrinallum Pharmacy, Booringa Road Planning Application.</i>
3	Councillor Items <i>Mediation Costs, Aged Friendly Communities, Lake Purrumbete Facilities and Inspections, VicRoads Licence Plates, Colac Otway Events, Road Issues, Raised Bed Cropping Drainage Issues, Cobden Dairy Day, Mt Leura Open Day, Youth Council Update, Briefing with Richard Riordan.</i>
4	Derrinallum Progress Association

Conflicts of Interest declared: Nil.**Councillors left the meeting at:** NA**Councillor Conflict of Interest Forms Completed:** NA**Meeting close:** 5.55 pm**Note taker:** Andrew Mason

Planning Inspection

Record of an Assembly of Councillors



Date: 3 October 2017

Time: 9.30am

Location: 120 Steeles Road Leslie Manor

Application No: PP2017/059

Present:

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Officers:

Greg Hayes

Applicant:

- Anthony Bright of Rod Bright and Associates
- Woodshawk Pty Ltd (Sarah and Phil)

Submitters:

- Ken and Barb Alford
- Chris Morgan

Observers:

- Paul (potential purchaser)

Issues Discussed:

- Application
- Right to farm
- Purpose of the excision
- Lake overflow
- Adjacent shed
- Potential amenity impacts

Conflicts of Interest declared: None

Meeting close: 10.10 am

Note taker:

Greg Hayes



Planning Inspection

Record of an Assembly of Councillors



Date: 3 October 2017

Time: 11.00am

Location: 2 Cairns Street Port Campbell

Application No: PP2017/082

Present:

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Officers:

Greg Hayes

Applicant:

- Kirsten Kilpatrick did not attend

Submitters:

- John Bleazby for Paul Bleazby

Observers:

- Connie Cook on behalf of owners

Issues Discussed:

- Setback of dwellings
- Height of dwellings
- Overlooking
- View sharing

Conflicts of Interest declared: None

Meeting close: 11.50 am

Note taker:

Greg Hayes



Council

Record of an Assembly of Councillors

**Councillor Briefing****Date:** 10 October 2017**Time:** 10.00 pm (There was a meeting break between 3pm-4pm)**Place:** Old Chambers**Present:**

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Cr McArthur left the meeting at 12.40pm; Cr Durant arrived at 12.55pm

Officers:

Ian Gibb Brooke Love Andrew Mason David Rae

Lyllal Bond (Item 3)

Jane Hinds and Jarrod Woff (Item 5)

Michael Emerson (Item 7)

Guests:

Jozef Vas, Mark Koliba, Emma Miller-Olsen, Sam Pirrotta, VicRoads (Item 2)

Andrew Searle, Dallas Petrie, Rocky Iamana (Item 7)

Issues Discussed:

Item	Discussion Topic
1	Regional Partnership Groups
2	VicRoads
3	Draft Domestic Animal Management Plan 2017-2021
4	Hot Topics: <i>MAV Regional Meeting, Rural and Regional Council Sustainability Forum, Saleyards, Drought Proofing the Heytesbury, Event Stalls, Gas Policy</i>
5	Future Directions - Gnarpurt Road, Lismore, Morris Street, Port Campbell and Newfield Lane, Newfield – Confidential Item
6	Councillor Items: <i>Timboon Linemarking, CFA Issues, Ward Subdivision, MAV Conference and State Council, MAV Board Meeting Update, Free Green Waste, Leslie Manor Subdivision, Blair Estate, Port Campbell Planning Application, Youth Awards, Telstra Reinstatement in Terang, Planning Inspections, Protocol, Lismore Mens's Shed Planning Permit, Mt Elephant, Escourt Street Terang Parking, Bike Racks in Terang, Wind Turbines in Naroghid Enquiry</i>
7	Camperdown Car and Bike Show Update

Conflicts of Interest declared: Nil.

Councillors left the meeting at: NA

Councillor Conflict of Interest Forms Completed: NA

Meeting close: 5.00 pm

Note taker: Andrew Mason

11. OTHER BUSINESS

12. OPEN FORUM

The Mayor, Cr J. Beard, invited members of the public to ask a question or make a statement.

The following items were submitted:

- Mr Alan Fleming, President Camperdown RSL, spoke about upcoming Remembrance Day services in Camperdown and Terang and invited members of the public to attend.
- Mr Les Mulholland asked about the recently announced State Government funding of \$50m. The Mayor responded.

COUNCIL RESOLUTION

MOVED: Cr Durant

SECONDED: Cr Brown

That standing orders be suspended.

CARRIED

Standing Orders were suspended at 8.58 pm for supper.

COUNCIL RESOLUTION

MOVED: Cr McArthur

SECONDED: Cr Illingworth

That standing orders be resumed.

CARRIED

Standing Orders were resumed at 9.16 pm. All Councillors were present. Mr Matthew Dawson, Mr Greg Hayes, Mr Adam Taylor and members of the public left the meeting.

13. CONFIDENTIAL ITEMS

RECOMMENDATION

That pursuant to the provisions of Section 89(2) of the *Local Government Act* the meeting be closed to the public to enable consideration of the following reports as they relate to contractual matters.

COUNCIL RESOLUTION

MOVED: Cr Gstrein
SECONDED: Cr McArthur

That the recommendation be adopted.

CARRIED

The meeting moved into confidential items at 9.16 pm.

13.1 Contract 2018011 Supply and Loading of Roadmaking Materials

13.2 Contract 2018010 Provision of Roadside Vegetation Management, including Tree Services, Roadside Slashing and Spraying to the Corangamite Shire

COUNCIL RESOLUTION

MOVED: Cr Gstrein
SECONDED: Cr Illingworth

That the meeting move out of confidential items.

CARRIED

The meeting moved out of confidential items at 9.35 pm.

Meeting Closed: 9.35 pm.

I hereby certify that these minutes have been confirmed and are a true and correct record.

CONFIRMED:

(Chairperson)

DATE: