



# COUNCIL MEETING

Tuesday 24 August 2021

6:00pm

Via Teams

## AGENDA

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2.	Apologies	
3.	Leave of Absence	
4.	Disclosures of Conflicts of Interest	
5.	Confirmation of the Minutes of Previous Council Meetings	2
6.	Minutes of Delegated and Advisory Committees Nil	
7.	Petitions	
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8.8	<b>PLANNING APPLICATION 028/21 USE AND DEVELOPMENT OF THE LAND FOR A SINGLE DWELLING AT 164 MOUNT VIEW ROAD, GOLDSBOROUGH</b>	<b>27</b>
9.	Use of Common Seal Nil	
10.	Notices of Motion Nil	
11.	Urgent Business	
12.	Other Business Nil	
13.	Confidential Business Nil	
14.	Meeting Close	

## **5 CONFIRMATION OF THE MINUTES OF PREVIOUS COUNCIL MEETING**

**Author:** Governance Officer

**Responsible Officer:** Chief Executive Officer

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

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### **SUMMARY/PURPOSE**

To present for confirmation the minutes of the Council Meeting held on 27 July 2021.

### **LEGISLATION AND POLICY CONTEXT**

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is proactive, well governed, professional and financially sustainable organisation.

4.3 Objective: Provide leadership in governance and Council decision making

### **BACKGROUND INFORMATION**

The minutes of meetings remain unconfirmed until the next meeting of Council.

### **REPORT**

Council keeps minutes of each meeting of the Council and those minutes are submitted to the next appropriate meeting for confirmation.

### **CONSULTATION/COMMUNICATION**

Once confirmed minutes become available, they will replace the unconfirmed minutes currently on the Council's website.

### **FINANCIAL & RESOURCE IMPLICATIONS**

Costs included in the Governance and Community Engagement budgets.

### **RISK MANAGEMENT**

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices. This process conforms to the requirements of the Governance Rules. Publication of the minutes increases transparency and reduces the risk of maladministration.

### **CONCLUSION**

The unconfirmed minutes of the Council Meeting held on 27 July 2021, (including confidential minutes) are presented for confirmation.

**ATTACHMENTS**

1. Unconfirmed Minutes of Council Meeting held 24 July 2021
2. Unconfirmed Confidential Minutes of Council Meeting held 27 July 2021 (circulated separately)

**RECOMMENDATION**

*That Council confirms the Minutes of the Council Meeting held on 27 July 2021 (including Confidential Minutes).*

## **7 PETITIONS**

### **7.1 PETITION - DERBY ROAD FOOTPATHS**

**Author:** **Manager Governance Property and Risk**

**Responsible Officer:** **General Manager Corporate Performance**

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

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#### **SUMMARY/PURPOSE**

To brief Council on the receipt of a petition asking the Council inspect and replace the unsafe footpath along Derby Road between Churchill St and Lean St Maryborough.

#### **LEGISLATION AND POLICY CONTEXT**

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Community

Outcome: A supported, cohesive community, living full and healthy life.

#### **BACKGROUND INFORMATION**

On Tues 3 August 2021 Council received a petition via email. The petition has been signed by 28 users and residents of Derby Road Maryborough.

The Governance Rules include criteria for accepting petitions and the procedure for handling petitions. The Governance Rules specify that petitions regarding operational matters must be referred by Council to the Chief Executive Officer.

#### **REPORT**

Attached to this report is the covering email attaching the petition, photographs provided with the petition, and a sample page of the petition with personal information redacted. As noted above, 28 users and residents signed the petition, each signed letter was the same as that included in the attachment.

Given this petition relates to an operational matter, it must be referred by Council to the CEO.

#### **CONSULTATION/COMMUNICATION**

This petition is being presented to Council.

#### **FINANCIAL & RESOURCE IMPLICATIONS**

There is no financial or resource implication regarding the presentation of this petition to Council.

#### **RISK MANAGEMENT**

This report addresses Council's strategic risk Community engagement - Inadequate stakeholder management or engagement impacting brand reputation and community satisfaction in Council decision making.

**CONCLUSION**

Council note the petition and as it refers to an operational matter, refer it to the Chief Executive Officer.

**ATTACHMENTS**

1. 3 August 2021 – Derby Road Petition

**RECOMMENDATION**

*That Council note the petition and refer it to the Chief Executive Officer.*

## 8. OFFICER REPORTS

### 8.1 CENTRAL GOLDFIELDS SHIRE COUNCIL POSITIVE AGEING STRATEGY 2021-2026

**Author:** Manager Community Services

**Responsible Officer:** General Manager Community Wellbeing

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

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#### SUMMARY/PURPOSE

The purpose of this report is to request that Council adopt the Central Goldfields Shire Council Positive Ageing Strategy 2021-2026.

#### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Community

- |               |  |
|---------------|--|
| Outcome:      | A supported, cohesive community, living full and healthy life.                               |
| Objective 1.3 | Ensure that all of our community, regardless of diversity, can live a full and healthy life. |
| Objective 1.7 | Support positive development for residents of all ages and abilities.                        |
| Objective 1.8 | Maximise all forms of connectivity for the community   |

#### BACKGROUND INFORMATION

The development of a positive ageing strategy was a key output in the Council's Action Plan for 2020-21.

The population in Central Goldfields Shire is ageing. On current trends, over 40% of the population in the Shire will be aged 70+ within ten years.

The increasing age profile, together with reported changes in the needs, expectations and ambitions of our ageing population and ongoing reforms to the aged care service sector creates the need for Council to develop a clear strategic framework to guide responsive decision making and priority setting over the medium to long term.

TAG (The Aligned Group) Consulting was commissioned to develop Council's Positive Ageing Strategy.

The draft strategy was endorsed by Council to go to a final round of public consultation in June 2021.

#### REPORT

The draft strategy received comments from a further 180 people following engagement with over 650 residents in the initial drafting phase.

The overall response to the strategy from the second round of consultation was positive. The 180 comments can be characterised as follows:

- Better advocacy needed on behalf of the community across a range of areas, including positive ageing
- Greater investment and focus on assisting community to adjust to technology
- More investment needed for service and supports for people to age well
- Strategy is ambitious and requires resources behind it
- Contributions had been heard, understood and captured within the objectives of the Plan

These comments support the original aims, objectives and priorities set out in the draft strategy as well as focusing attention from strategic development to practical delivery.

Comments received did not require any substantive changes to the strategy.

Officers are currently developing an implementation plan which will drive the delivery of priorities outlined in the final draft of the strategy.

## **CONSULTATION/COMMUNICATION**

Four methods of engagement were used to gain community, staff and key stakeholder input:

- on-line forum
- surveys
- interviews
- community meetings

To support the on-line engagement formats, paper-based document for the on-line forum and surveys were made available across the Shire.

The engagement process was undertaken with council staff, key stakeholders and community members in late 2020 and early 2021 to inform the strategic priorities and actions contained within Positive Ageing Strategy.

Over 650 individuals initially provided valuable feedback and insight that has been used to develop the strategic priority areas and actions and a further 180 in the second round of community consultation in June 2021.

Overall, those who participated were positive about growing older within the Central Goldfields Shire, with key areas of strength being relationships and support of their neighbours, services and support provided by Council and other service providers, opportunities to participate in civic and social activities and engagement and quality of community information and parks and gardens.

Key areas for improvement included

- footpath quality and maintenance
- road safety and parking
- shire planning
- transport
- connectivity
- volunteer support models to improve the experience of volunteering.

The engagement also highlighted areas where increased awareness would be of benefit, especially around services available, opportunities to participate in civic and social activities and downsizing of housing.

## FINANCIAL & RESOURCE IMPLICATIONS

There are no direct financial or resource implications to Council presented by the draft report at this stage.

Should the strategy be endorsed by Council, there will be a series of future resourcing decisions required in order to prioritise and implement recommended actions.

## RISK MANAGEMENT

This report addresses Council's strategic risk Community Well-being - Failure to recognise and manage the impact of changing social and economic conditions on the community.

Risk	Mitigation
Strategy creates a series of actions which are difficult to resource by Council	Implementation planning to be staged over a number of years with key actions prioritised for early implementation. External funding sources and partnerships to be sourced
Aged care (and other Government) policy reform requires changes to Council services which are not consistent with the strategy.	Individual and group advocacy with Government

## CONCLUSION

The Positive Ageing Strategy is now available to be presented to Council, recommending Council adopt the Central Goldfields Shire Council Positive Ageing Strategy 2021-2026.

## ATTACHMENTS

1. Central Goldfields Shire Positive Ageing Strategy 2021-2026

## RECOMMENDATION

*That Council adopts the Central Goldfields Shire Positive Ageing Strategy 2021-2026.*



## 8.2 DISABILITY ACTION PLAN – OBJECTIVES AND ACTIONS FOR FEEBACK AUGUST 2021

**Author:** Manager Community Services

**Responsible Officer:** General Manager Community Wellbeing

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

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### SUMMARY/PURPOSE

The purpose of this report is to request that Council endorse the draft paper titled Disability Action Plan – Objectives and Actions for feedback August 2021.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Community

Outcome:	A supported, cohesive community, living full and healthy life.
Objective 1.3	Ensure that all of our community, regardless of diversity, can live a full and healthy life.
Objective 1.7	Support positive development for residents of all ages and abilities.
Objective 1.8	Maximise all forms of connectivity for the community

Councils are obligated by law to create a Disability Action Plan. The Victorian Disability Act 2006 under Section 38 requires plans for the purpose of:

1. reducing barriers to persons with a disability accessing goods, services, and facilities.
2. reducing barriers to persons with a disability obtaining and maintaining employment
3. promoting inclusion and participation in the community of persons with a disability
4. achieving tangible changes in attitudes and practices which discriminate against persons with a disability.

### BACKGROUND INFORMATION

In the 2016 Census, over 8% of the Central Goldfields Shire population reported being in receipt of the Disability Support Payment and 14% of the population reported that they were an unpaid carer of a person with a disability.

Council does not have a current strategic framework to guide responsive decision making and priority setting geared towards creating greater equity and opportunity for people with disabilities. The last Disability Action Plan adopted by council expired in 2016.

The work on creating Council's new prospective Plan was instigated as part of the Working for Victoria Program in 2020 with TAG Consulting contracted in early 2021 to complete the project.

## **REPORT**

The Disability Action Plan has been produced following a process of environmental scanning and community, staff and stakeholder engagement

As a result of this process a set of six draft objectives and action areas have been prepared for consideration and comment. A full literature review and context analysis has been developed separately and will be incorporated to form the full Disability Action plan.

The six draft objectives, are:

- People with disabilities will have equal physical access to the Central Goldfields Shire
- Information about Council and services will be made widely available in accessible formats
- People with disabilities will have equal opportunities to participate in community life
- People with disabilities will be engaged in planning to assist Council to deliver high quality outcomes
- Positive and inclusive images of people with a disability will be promoted
- CGS will be a leader in coordinating efforts to enhance the experience of people with a disability across the Shire

A series of draft actions have been developed to address each of the objectives. Both the objectives and actions are now ready for a final round of public consideration.

It is proposed that public engagement on the draft objectives and action areas will include:

- opportunities for online feedback through Council platforms
- opportunities for telephone and face to face discussions with Officers developing the Plan

The draft paper will be on view for public comment for a period of 2 weeks.

A final draft of the full plan will be prepared for Council consideration and adoption in October 2021.

## **CONSULTATION/COMMUNICATION**

An extensive engagement initiative was undertaken with community, staff and stakeholders throughout late 2020 and early 2021.

Engagement methods have included 1-1 interviews, both an on-line and paper-based survey and the initiation of the Disability Advisory Focus Group.

The Focus Group has representatives that includes persons living with disability, a carer, a community linker, a representative from Maryborough District Health service, Maryborough Education Centre and disability services provider Asteria.

The Focus Group will continue to meet and monitor the implementation of the Plan over its four-year life cycle.

## **FINANCIAL & RESOURCE IMPLICATIONS**

There are no direct financial or resource implications to Council presented by the draft report at this stage.

Should the strategy be adopted by Council, there will be a series of future resourcing decisions required in order to prioritise and implement recommended actions.

## **RISK MANAGEMENT**

This report addresses Council's strategic risk for Community Well-being - Failure to recognise and manage the impact of changing social and economic conditions on the community.

The ability to develop and maintain partnerships with key organisations will be essential in progressing implementation along with external funding sources. Implementation planning will be staged over a four-year period with key actions prioritised for early implementation.

## **CONCLUSION**

The draft objectives and actions paper are the critical section of the Council's Disability Action plan.

The draft is now ready for community comment. Once endorsed, it will be available for comment from 30 August to 13 September 2021. All submissions will be used in the development of the final Disability Action Plan.

## **ATTACHMENTS**

1. Central Goldfields Shire Draft Disability Action Plan - Objectives & Actions for Feedback August 2021

### **RECOMMENDATION**

*That Council endorse the Central Goldfields Shire Draft Disability Action Plan - Objectives & Actions for Feedback August 2021 paper for public comment.*

### **8.3 2021-2024 CENTRAL GOLDFIELDS VOLUNTEER STRATEGY AND ACTION PLAN**

**Author:** Event and Volunteer Development Officer

**Responsible Officer:** General Manager Community Wellbeing

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

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#### **SUMMARY/PURPOSE**

The purpose of this report is to present the 2021-2024 Central Goldfields Volunteer Strategy and Action Plan to Council for adoption.

#### **LEGISLATION AND POLICY CONTEXT**

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Community

Outcome: A supported, cohesive community, living full and healthy life.

1.2 Objective: Support and encourage volunteerism in the community

Initiative: Provide a safe, fun, encouraging and welcoming environment for volunteers and promote the benefits of a volunteer organisation.

#### **BACKGROUND INFORMATION**

Volunteers are integral to the Central Goldfields Shire. They work in many settings and under a variety of conditions. Without them our community would be unrecognisable. In the 2016 census, around 3000 residents actively volunteered, however, our ageing population and the increased risks presented by the recent COVID-19 pandemic make it more important than ever to maximise the rate of volunteering across the community. The 2021-2024 Central Goldfields Volunteer Strategy and Action Plan aims to provide Council with a clear strategic framework to guide priority setting over the medium to long term.

#### **REPORT**

Following Council's endorsement of the draft 2021-2024 Central Goldfields Volunteer Strategy and Action Plan at the June Council Meeting, the strategy was released for a final period of community consultation from 24 June to 8 July 2021.

The feedback received during this consultation highlighted the need to recognise that volunteering can be more flexible and achieved in the virtual space. This has been noted in the strategy and will be addressed through action items in the plan.

#### **CONSULTATION/COMMUNICATION**

The strategy and actions have been developed following meetings with Council officers who manage volunteers, meetings with the Maryborough Volunteer Resource Centre, one on one interviews with volunteers, and a focus group session with local volunteers and volunteer organisations.

## **FINANCIAL & RESOURCE IMPLICATIONS**

Volunteer Development was incorporated into the position description of the Event Officer in October 2020, with the development of a Strategy and Action Plan prioritised as a first step.

Developing a Council wide approach to volunteering, as well as developing a close and supportive working relationship with the Maryborough Volunteer Resource Centre are also key deliverables of the role.

To date, support of the Maryborough Volunteer Resource Centre has also included the provision of one day a week for six months free of charge in the co-working space, which will provide invaluable support while the organisation is in its infancy.

The Maryborough Volunteer Resource Centre has also received support through Bendigo Bank funding for an online portal to register and match volunteers with new opportunities offered in the community.

The implementation of the Strategy and Action Plan will help support and increase volunteer numbers, who contributed almost \$92,000 of value to Council services in FY2020-21 alone. Action items requiring financial support will be subject to the annual budget process or funding sought from external sources.

## **RISK MANAGEMENT**

This report addresses Council's strategic risk Community Well-being - Failure to recognise and manage the impact of changing social and economic conditions on the community by providing a foundation that will help grow volunteerism within council and the community.

## **CONCLUSION**

The 2021-2024 Central Goldfields Volunteer Strategy is integral to the future direction of volunteerism in the Central Goldfields Shire.

The 2021-2024 Central Goldfields Volunteer Strategy is presented for Council approval.

## **ATTACHMENTS**

1. 2021-2024 Central Goldfields Volunteer Strategy and Action Plan

### **RECOMMENDATION**

*That Council adopts the 2021-2024 Central Goldfields Volunteer Strategy and Action Plan*

## 8.4 WALKING AND CYCLING ADVISORY GROUP

**Author:** Manager Community Partnerships

**Responsible Officer:** General Manager Community Wellbeing

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

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### SUMMARY/PURPOSE

The purpose of this report is to seek Council's support to reactivate the Walking and Cycling Advisory Group; appoint a Councillor as Chair and for Council; commence an Expression of Interest process for community representatives to join the group, and to approve the Draft Terms of Reference.

The purpose of the Walking and Cycling Advisory Group will be to provide advice to Council on the Walking and Cycling Strategy 2017-2026 and to oversee its implementation.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Community

Outcome: A supported, cohesive community, living full and healthy life.

1.6 Objective: Promote and enhance passive and active recreation.

Central Goldfields Shire Walking and Cycling Strategy 2017-2026

16: General Actions: Planning

5: Establish a new advisory group called Bicycle and Walking Advisory Group. This will replace the existing Bicycle Advisory Group.

'Active Central Goldfields', Recreation and Open Space Strategy 2020-2029

3.5.3.1: Priority Governance, Capacity Building and Resourcing

Strategy 7: Review Community Support Committees

Action a: Review the role and responsibility of the Walking and Cycling Advisory Committee

3.5.2.2: Priority Planning and Feasibility for Development

Strategy 10: Expand trail links to neighbouring LGAs

Strategy 11: Revise Walking and Cycling Strategy

## **BACKGROUND INFORMATION**

In September 2020 Council adopted 'Active Central Goldfields': Recreation and Open Space Strategy 2020-2029' (ROSS). This document proposes a review of the role and responsibilities of the Walking and Cycling Advisory Committee and provides some key recommendations relevant to the Walking and Cycling Strategy 2017-2026. The ROSS refers to a 'Committee' but as a formal committee process is not proposed, the previous use of 'Group' has been continued.

The Central Goldfields Shire Bicycle Advisory Group was established following the development of the Central Goldfields Shire Council Bicycle Strategy Plan 2004-2013. It included members from a range of organisations associated with cycling (including Vic Police, education providers, local businesses, a major health provider and relevant government departments) plus cycling enthusiasts.

The Central Goldfields Shire Walking and Cycling Strategy 2017-2026 recommends the establishment of a new advisory group to be called the Bicycle and Walking Advisory Group; that it should build on the success of the previous Bicycle Group and use a similar model.

The Group has been in recess since early 2018. A 'revival' meeting was held on 14 August 2019 where it was recommended that the name of the group be the 'Central Goldfields Walking and Cycling Advisory Group' (WCAG) to reflect the Strategy name. A further meeting was scheduled for 19 November 2019 but was never held because it was understood that the ROSS, then in progress, would make a recommendation about the Advisory Committee.

The ROSS recommended a review of the role and responsibilities of the WCAG and provided some key recommendations relevant to the Walking and Cycling Strategy.

The former WCAG had several community representatives with strong cycling backgrounds, but no one specifically acknowledged as having walking and/or bush walking experience.

## **REPORT**

The WCAG will provide advice to Council and oversee the implementation of the Walking and Cycling Strategy 2017-2026. This will ensure Council continues to build upon previous achievements, the community will benefit through improved and positive health and wellbeing, and more active transport options can be encouraged. An Expression of Interest (EoI) process will be implemented seeking community representatives with expertise and interest in walking and/or cycling.

### Role

The role of the WCAG will be to provide advice to Council on the implementation of the CGSC Walking and Cycling Strategy 2017-2026.

### Functions

The previous Terms of Reference and the recommendations of the ROSS have been incorporated into the proposed functions of the WCAG, which are to:

- provide strategic advice to Council on cycling and walking related issues
- undertake an annual review of the existing strategy

- facilitate community bicycle education programs in partnership with relevant service providers
- work with Council and engage with the community to promote walking and cycling opportunities by:
  - facilitating the development of walking and cycling maps for distribution throughout the municipality and to other tourism outlets
  - assisting Council to prepare regular public awareness material promoting walking and cycling infrastructure, events and activities
- facilitate and further develop existing walking and cycling opportunities within the Central Goldfields Shire, in partnership with relevant community groups
- liaise with walking and cycling event organisers to attract walking and cycling events to the Central Goldfields Shire
- extend active transport options
- improve the support infrastructure for existing tracks, trails and pathways such as trail head shelters, cycling hubs, signage, way finding, shelters and seating
- provide input to the development of the proposed Urban Bike Park at Bristol Hill
- expand trail links to neighbouring local government areas e.g. proposed Castlemaine to Maryborough Rail Trail
- undertake or commission research in relation to walking and cycling related issues e.g. satisfaction levels with specific trails, economic impact on Ballarat to Maryborough Heritage Trail, bike-friendly readiness of local businesses, why low numbers of children are walking/cycling to school, etc. Funding may need to be sought to conduct some of this research, and
- explore the potential for a commercial operator to develop walking and cycling tourist businesses, such as a bicycle hire business.

### Membership

It is proposed that membership will comprise of representatives from Council, key organisations and the community.

#### *Central Goldfields Shire Council*

- Councillor (Chair)
- General Manager Community Wellbeing (Deputy Chair)
- Manager Community Partnerships
- Manager Infrastructure
- Manager Tourism
- Coordinator Recreation



### *Key Organisations*

- Dja Dja Wurrung Aboriginal Clans Corporation
- Sport and Recreation Victoria, Regional Manager
- Department of Transport Loddon Mallee
- Parks Victoria - local
- Victoria Police - local
- Committee for Maryborough

### *Community Representation*

- Up to six (6) community representatives with relevant experience in walking and/or cycling to be appointed through an EoI process.
- Responses from interested community members to include:
  - Why they are interested in applying
  - What skills and experiences they will bring to the Advisory Group
  - What connections they have with walking and/or cycling groups and organisations
  - Confirmation that they have time to participate in both the Advisory Group meetings and, where appropriate, to participate in specific project groups.
- Appointments to be for two (2) years (initially three (3) community representatives to be appointed for one (1) year).

### Terms of Reference

The proposed Terms of Reference is attached. (Attachment 1)

### **CONSULTATION/COMMUNICATION**

Council officers have received verbal and written queries relating to the further implementation of the Walking and Cycling Strategy including ones about the future of the WCAG.

Members of the previous WCAG will receive written acknowledgement thanking them for their contributions, advising them of the proposed reactivation of the WCAG and inviting them to consider completing an EoI.

The reactivation of the WCAG and the EoI process will be promoted through Council's usual communication channels.

A specific Communications Plan will be developed for Walking and Cycling in Central Goldfields. This will include promoting the activities of the WCAG.

## **FINANCIAL & RESOURCE IMPLICATIONS**

Council officer time for participation in meetings of the WCAG and possibly in project groups, the preparation of funding applications to implement Walking and Cycling Strategy actions, and administration of the WCAG.

Grant applications will often require matching dollars and will therefore need to be considered in the budget, and if successful, Council officer time for project management.

Payment for participation by Dja Dja Wurrung Aboriginal Clans Corporation representative(s).

## **RISK MANAGEMENT**

This report addresses Council's strategic risk Community engagement - Inadequate stakeholder management or engagement impacting brand reputation and community satisfaction in Council decision making by ensuring the WCAG:

- includes representation from relevant key stakeholders
- harnesses community and user knowledge and expertise, and
- enhances decision-making transparency by contributing to Council's decision-making processes.

This report addresses Council's strategic risk Property and Assets - Failure to maintain, renew and expand our assets in a timely and robust way, that considers service and delivery needs by the WCAG being the mechanism to ensuring projects/proposals are well enough developed to make competitive funding applications.

## **CONCLUSION**

This report seeks Council's support to reactivate the WCAG, with a Councillor as Chair, to assist with the continued implementation of the Walking and Cycling Strategy 2017-2026.

The membership will include a mix of representatives from Council, key organisations and the community.

Appointments of community representatives to the group will be sourced through an EoI process. The term will be for two (2) years but initially staggered – three (3) for one (1) year and three (3) for two (2) years. This will ensure continuity which will aid the work of the group.

## **ATTACHMENTS**

1. Draft Terms of Reference Walking and Cycling Strategy Advisory Group

### **RECOMMENDATION**

*That Council endorses the:*

1. *reactivation of the Walking and Cycling Advisory Group;*
2. *nomination of a Councillor as Chair of the Group;*
3. *appointment of community representatives through an Expression of Interest process; and*
4. *draft Terms of Reference Walking and Cycling Advisory Group.*

## 8.5 COUNCIL PLAN ACTION PROGRESS REPORT

**Author:** Manager Governance, Property and Risk

**Responsible Officer:** General Manager Corporate Performance

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

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### SUMMARY/PURPOSE

The purpose of this report is to provide Council with an update on the status of the projects identified in the 2020-21 Action Plan.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

**Outcome:** Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

**4.3 Objective:** Provide leadership in governance and Council decision making

Under Section 90 of the Victorian Local Government Act 2020 Council must prepare a Council Plan which includes; the strategic direction and objectives for achieving the strategic direction, strategies for achieving the objectives for at least the next four financial years, strategic indicators for monitoring the achievement of the objectives, a description of the Council's initiatives and priorities for services, infrastructure and amenity.

### BACKGROUND INFORMATION

The 2017-2021 Refreshed Council Plan was adopted by Council at the Ordinary Meeting of Council in August 2018. The 2020-21 Action Plan was developed to support the achievement of the strategic objectives identified in the Refreshed Council Plan and to provide a reporting framework to measure progress against the Council Plan. The 2020-21 Action Plan was adopted by Council at the Ordinary Meeting of Council 11 August 2020.

This is the final progress report against the Action Plan 2020-21.

### REPORT

There has been progress against the initiatives and projects outlined in the 2020-21 Action Plan. There are 82 actions identified in the plan, of these 33 are complete/ongoing, four are not due to start, three are not progressing and 42 are underway. It is also important to note some items are across a number of years so carry through each year's action report.

### CONSULTATION/COMMUNICATION

Council has developed the Action Plan through consultation with the community during the development of the 2017-2021 Refreshed Council Plan, through Listening Posts held quarterly across the Shire, and the development of the 2020-21 Budget.

## **FINANCIAL & RESOURCE IMPLICATIONS**

The 2020-21 Budget and the four year Strategic Resource Plan were prepared in line with the initiatives identified in the Annual Plan subject to grants from State and Federal Government being received in some cases.

## **RISK MANAGEMENT**

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices.

## **CONCLUSION**

The 2020-21 Action Plan outlines the projects and programs that were undertaken during the year to meet the objectives of the Council Plan. This report shows progress for the fourth quarter.

## **ATTACHMENTS**

1. 2020-21 Action Plan Progress Report Quarter 4

### **RECOMMENDATION**

*That Council note as detailed in the report update on the status of the projects identified in the 2020-21 Action Plan.*

## 8.6 COUNCIL RESCIND CORPORATE PURCHASE CARD POLICY

**Author:** General Manager Corporate Performance

**Responsible Officer:** Chief Executive Officer

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

### SUMMARY/PURPOSE

The purpose of this report is to brief Council on the proposal that Council rescind the Corporate Credit Purchase Card Policy as it is being superseded by a new policy for approval by the Chief Executive Officer.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

**Outcome:** Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

**4.3 Objective:** Provide leadership in governance and Council decision making

### BACKGROUND INFORMATION

The current Corporate Purchase Card Policy was adopted by Council at its meeting of 30 January 2018. This policy remains in force until rescinded by Council.

### REPORT

The Strategic Document, Policy and Procedure Guidelines describe the purpose of the following documents:

Strategic document	Defines Council's approach and objectives
Council Policy	<p>Defines the principles Council will apply to an external matter and why</p> <p>Relates to Council's customers and community</p> <p>May be of such significance to good governance across the organisation that Council needs to make a commitment to it</p>
Organisation-wide Policy	<p>Defines the principles Council will apply to an internal matter and why. These generally relate to corporate functions such as human resources, procurements, ICT, financial management, health and safety or governance.</p> <p>Relates to the internal business or decision making of Council</p>

Organisation-wide Procedures	Prescribe specific actions needed to be taken to implement an organisation policy
Program or service specific policies and procedures	Defines the principles and process by which a specific service or program will deliver services. Often related to or drawn from external program guidelines, professional standards or service agreements.

Council Policies are adopted by Council, while Organisation-wide Policies are adopted by the CEO.

It is recommended that it is more appropriate that a credit card policy is an Organisation-wide Policy as it applies to an internal matter. Therefore, Council will be presented with a report recommending it rescind the current Corporate Purchase Card Policy to allow the CEO to approve and Organisation-wide Policy relating to corporate purchase cards.

#### **CONSULTATION/COMMUNICATION**

The Audit and Risk Committee have reviewed and approved the policy. Internal consultation has occurred across relevant council officers including General Manager Corporate Performance, Manager Governance Property and Risk and Manager Finance.

#### **FINANCIAL & RESOURCE IMPLICATIONS**

There are no financial implications.

#### **RISK MANAGEMENT**

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices.

#### **CONCLUSION**

It is proposed that Council rescind the current Corporate Purchase Card Policy. Following the rescission, a draft Organisation-wide policy will be presented to the Chief Executive Officer for approval in accordance with the Strategic Document, Policy and Procedure Guidelines.

#### **ATTACHMENTS**

1. Corporate purchase card policy

#### **RECOMMENDATION**

*That Council rescind the current Corporate Purchase Card Policy.*

## 8.7 FOOTPATH PROGRAM 2021 - 2022

**Author:** Manager Infrastructure

**Responsible Officer:** General Manager Infrastructure Assets and Planning

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

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### SUMMARY/PURPOSE

The purpose of this report is for Council to note the footpath program for 2021 – 2022.

The 2021- 2022 budget has \$400,000 allocated to new footpaths - \$300,000 of which are for Maryborough and \$100,000 for other areas.

A program for new footpaths has been developed from the Walking and Cycling Strategy 2017 – 2026.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Built and Natural Environment

**Outcome:** Our Shire celebrates the rich built and natural heritage and a sustainable environment.

**4.3 Objective:** Ensure investment in roads, footpaths and buildings meet community needs now and, in the future

### BACKGROUND INFORMATION

As part of the 2021 – 2022 Budget Council allocated \$300,000 of Local Roads and Community Infrastructure Grant Round 2 to new footpaths in Maryborough, and \$100,000 to footpaths in other areas.

### REPORT

The Walking and Cycling Strategy 2017 – 2026 aims to provide a strategic framework to guide Council in relation to walking and cycling opportunities such as paths / trails, infrastructure, events, programs and services for the next ten years.

The Strategy notes that when a network of safe, quality, linked paths and trails is created, supported by suitable programs, events and services, there is a much greater potential for local residents to utilise active transport to key destinations such as schools, work, sport and recreation facilities and shopping precincts or to enjoy recreational walking and cycling for fitness.

The footpath budget and program developed is developed from the Action Plan contained in the Walking and Cycling Strategy 2017 – 2026, which nominates high, medium and low priority new infrastructure required for each township. The new footpath locations were also reviewed given the Strategy was developed in 2016/17 and use patterns may have changed.



The footpaths that will be developed as part of this year's program are:

- Maryborough Locations:
  - Park Road from the Golf Course to Gardiner Street (approx. 340m)
  - Goldsmith Street from Kars Street to Inkerman Street (approx. 230m)
  - Hollyrood Street from Gladstone Street to Park Road (approx. 450m)
  - Cross Street from Burke Street to Napier Street (approx. 105m)
  - Napier Street from Derby Road to Clarke Street (approx. 50m) (completion dependant on tender pricing)
  
- Dunolly Locations:
  - Bull Street from Market Street to Havelock Street (approx. 300m)
  - Market Street from Bull Street to swimming pool (approx. 100m)

These footpaths link residential areas to the existing network of paths and increase opportunities to access the main centres of each township.

## **CONSULTATION/COMMUNICATION**

The Walking and Cycling Strategy 2017 – 2026 was developed through extensive community consultation. This report notes the implementation of part of the Action Plan in the Strategy and will be communicated to the community through media releases.

## **FINANCIAL & RESOURCE IMPLICATIONS**

Council has allocated funding in the 2021 – 2022 Budget for the new footpath construction.

## **RISK MANAGEMENT**

This report addresses Council's strategic risk Property and Assets - Failure to maintain, renew and expand our assets in a timely and robust way, that considers service and delivery needs by providing new walking infrastructure (expand the asset class).

## **CONCLUSION**

Council allocated \$400,000 to new footpaths in the 2021 – 2022 Budget, with \$300,000 allocated to footpaths in Maryborough and \$100,000 for other townships.

The program has been developed from the recommended actions of the adopted Walking and Cycling Strategy 2017 – 2026

The new footpaths will provide a missing link for communities to the existing network and increase the walkability of our townships.

## **ATTACHMENTS**

Nil

**RECOMMENDATION**

*That Council:*

- 1. note the program for the development of new footpaths in the 2021 – 2022 financial year, in line with the adopted 2021 – 2022 Budget;*
- 2. communicate the program for the development of new footpaths over 2021 – 2022 financial year through Council's media channels.*

## 8.8 PLANNING APPLICATION 028/21 USE AND DEVELOPMENT OF THE LAND FOR A SINGLE DWELLING AT 164 MOUNT VIEW ROAD, GOLDSBROUGH

**Author:** Statutory Planner

**Responsible Officer:** General Manager Infrastructure Assets and Planning

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

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### SUMMARY/PURPOSE

Council has received a planning application for the use and development of a single dwelling at 164 Mount View Road, Goldsborough. The site is located in the Farming Zone and is covered by a Bushfire Management Overlay.

Public notice of the application has been given and one objection received.

The report assesses the application and addresses the issues raised by objectors. It concludes that the proposal accords with the relevant provisions of the Central Goldfields Planning Scheme and recommends that the proposal be to issue a Notice of Decision to Grant a Planning Permit for the Use and Development of a Dwelling at 164 Mount View Rd, Goldsborough.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Economy

**Outcome:** Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

**2.3 Objective:** Promote Central Goldfields as a place of choice to live, work and play.

This report has been developed in accordance with the *Planning and Environment Act 1987*, the *Central Goldfields Planning Scheme*.

### BACKGROUND INFORMATION

Planning application 028/21 was lodged 28<sup>th</sup> February 2021, and proposes the use and development of the land for a single dwelling and associated works.

The proposed dwelling will have a gross floor area of 234 square meters. The dwelling will contain 2 bedrooms, kitchen, dining/living area, laundry, and a studio space. Reticulated electricity is available to the site with wastewater proposed to be managed by a septic system; water tanks for potable water will be used.

Access to dwelling is proposed from Baker Lane, which is an all-weather gravel road located to the east of the site. The dwelling is proposed to be setback approx. 110m from the northern boundary and 55m from the eastern boundary.

Scattered native vegetation is present across the subject site, however, the application does not require the removal of vegetation, with the proposed dwelling site is clear of vegetation.

The subject site is partly within the Cultural Sensitivity Overlay, under regulation 9 of the Aboriginal Heritage Regulations 2018 a Cultural Heritage Management Plan (CHMP) is not required as a single dwelling on a lot is an exempt activity. It is noted that the proposed dwelling site is not within the overlay.

It is noted that a planning permit was issued on the 31<sup>st</sup> May 2016 for the use and development of a single dwelling on the subject site. The permit was not acted upon and subsequently expired with no requests for an extension of time made by the permit holder.

## **REPORT**

### **Site and Surrounds**

The subject site is an irregular site of approximately 28.39 hectares. The subject land is within 1 parcel, however, has two parts which are physically divided by an unused road reserve. The upper northern portion has an area of 7.598 hectares with the larger southern portion having an area of 20.79 hectares. The dwelling is proposed to be sited on the larger portion of land.

The site is within the Farming Zone (FZ) and affected by the Bushfire Management Overlay (BMO) and the south-east is partly covered by the Vegetation Protection Overlay – Schedule 1 (VPO1).

The immediate areas surrounding the subject site see a mixture of rural residential and light agricultural uses such as cropping and grazing. Land surrounding the subject site is highly fragmented with allotments generally being irregular in shape. Several dwellings are present in the area with the closest to the proposal being approx. 130m to the north at 134 Queens Birthday Mine Road. 7 dwellings exist within 500m of the subject site in all directions. Further to the east, south and west the subject area is bound by crown land (The Bealiba-Barp State Forest) which consists of dense bushland. Directly to the North of the site is also Crown Land (Goldsborough Historic and Cultural Features Reserve).

Please refer to Attachment 1: Subject site and surrounding area.

The site is 6km north-west of the Dunolly town centre via Dunolly Moliagul Road and Goldsborough Road.

### **Planning Permit Trigger**

Under clause 35.07-1 of the Farming Zone, a permit is required to use land for a dwelling on a lot of less than 40 hectares.

Under Clause 35.07-4 of the Farming Zone, a permit is required to construct buildings and works associated with a section 2 use (dwelling).

Under clause 44.06-2 of the Bushfire Management Overlay, a planning permit is required to construct a building or construct or carry out works associated with accommodation.

### **Planning Scheme Provisions**

#### **Planning Policy Framework**

##### **11.01-1L Settlement - Central Goldfields**

Strategies

Provide medium density residential opportunities close to Maryborough Central Business Area.

Provide low density and rural living opportunities around the periphery of Maryborough and other centres where they do not conflict with environmental and agricultural objectives and where infrastructure can be supplied in a cost-effective way.

#### 13.02-1S Bushfire planning

##### Objective

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

#### 13.07-1S Land use compatibility

##### Objective

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

#### 14.01-1S Protection of agricultural land

##### Objective

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

#### 14.01-2S Sustainable agricultural land use

##### Objective

To encourage sustainable agricultural land use.

#### 14.02-1S Catchment planning and management

##### Objective

To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment.

#### 14.02-2S Water Quality – Central Goldfields

##### Strategy

Ensure effluent disposal systems in unsewered areas are located and maintained to minimise the risk of pollution to waterways.

#### 15.01-6S Design for rural areas

##### Objective

To ensure development respects valued areas of rural character.

### **Zone**

### 35.07 Farming Zone

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

### 44.06 Bushfire Management Overlay

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

## **Particular Provisions**

### 53.02 Bushfire Planning

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.
- To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.
- To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

## **General Provisions**

### Decision Guidelines of Clause 65.01

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision. The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.

- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts

The application has been considered against the Decision Guidelines of Clause 65.01 and is acceptable.

### Referrals

The following table outlines the referrals undertaken under both section 55 and 52 of the *Planning and Environment Act 1987* and the *Central Goldfields Planning Scheme*.

Department	Response
<b>Goulburn Murray Water (GMW) s.55</b>	<p>Based on the information provided and in accordance with Section 56 (a) of the Planning and Environment Act 1987, GMW has no objection to this planning permit being granted subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).</li> <li>2. All wastewater from the dwelling must be treated and disposed of using an approved system. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.</li> <li>3. The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy, including an appropriately sized disposal area based on a full water balance specific to the proposal and subject land in accordance with the requirements of the current EPA Code of Practice – Onsite Wastewater Management.</li> <li>4. The wastewater disposal area must be located at least: 100m from any waterways, 40m from any drainage lines, 60m from any dams, and 20m from any bores.</li> <li>5. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A</li> </ol>

	<p>reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.</p> <p><i>Planning Note</i></p> <p><i>The subject property is located within an area of Cultural Heritage Sensitivity. Should the activity associated with proposed development require a Cultural Heritage Management Plan (CHMP), planning permits, licences and work authorities cannot be issued unless a CHMP has been approved for the activity.</i></p>
<b>Planners Comment</b>	No comment on conditions. The proposal of a dwelling is exempt from the requirement of a CHMP

<b>Department</b>	<b>Response</b>
<b>Country Fire Authority (CFA) s.55</b>	<p>CFA acting as a Referral Authority pursuant to Section 55 of the Planning and Environment Act, 1987 (Act) has considered and does not object to the grant of a permit for the above proposal subject to –</p> <ul style="list-style-type: none"> <li>• Any mandatory conditions specified within the planning scheme; and</li> <li>• The following conditions being included on any planning permit that may be issued.</li> </ul> <p>1. Bushfire Management Plan</p> <p>The Bushfire Management Plan prepared by Euca Planning (Pages 1 and 2) dated 19/02/2021 must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.</p>
<b>Planners Comment</b>	Nil

<b>Department</b>	<b>Response</b>
<b>Central Goldfields Shire Engineer (s.55)</b>	<p><b>Access</b></p> <ul style="list-style-type: none"> <li>• Access to the property must be provided from Bakers Lane via an all-weather driveway with dimensions adequate to accommodate emergency vehicles to the satisfaction of the Responsible Authority.</li> <li>• The applicant/owner must make further application for and have approved driveway crossing permit/s for any crossover/driveway works. All works constructed or</li> </ul>



	<p>carried out must be in accordance with the approved plans/permit(s).</p> <ul style="list-style-type: none"> <li>Once constructed the crossovers must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.</li> </ul> <p><b>Drainage</b></p> <ul style="list-style-type: none"> <li>All stormwater must be accommodated and treated within the subject land.</li> <li>The owner/applicant must design a drainage system to drain the lot to the legal point of discharge to the satisfaction of the Responsible Authority.</li> </ul> <p><b>Asset Protection</b></p> <ul style="list-style-type: none"> <li>At any time the permit holder must ensure that the operation and condition of Council assets (including street trees, drains and roads) are not damaged by the site construction works. If the Responsible Authority deems Council assets have been detrimentally affected or damaged by development construction access, the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the Responsible Authority.</li> </ul> <p><b>Emissions and Discharges during Construction</b></p> <ul style="list-style-type: none"> <li>The developer must restrict emissions and discharges from any construction sites within the land in accordance with the best practice environmental management techniques and guidelines contained in the Environment Protection Authority publications Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995) to the satisfaction of the Responsible Authority.</li> </ul>
<b>Planners Comment</b>	Nil

<b>Department</b>	<b>Response</b>
<b>Central Goldfields Shire Environmental Health Officer (s.55)</b>	An application must be made for a Permit to Install a Septic Tank System to the satisfaction of Council’s Environmental Health Officer prior to a building permit being issued in accordance with the requirements of the Building Act 1993. The septic system must comply with the Code of Practice – onsite Wastewater

	Management Publication 891.4 and AS1546.1 to 1546.4 and be in accordance with the requirements of Goulburn Murray Water.
<b>Planners Comment</b>	Nil

## ASSESSMENT OF THE APPLICATION

The planning application is proposing use and development of a single dwelling on lot within the Farming Zone and Bushfire Management Overlay.

### Farming Zone

Under clause 35.07-1, a permit is required to use land for a dwelling as the lot is less than 40ha in total area.

The proposal meets the purposes of the farming zone:

- Development and use of the land for a dwelling would not result in a loss of agricultural land or impact on the use of land around the site (which has limited agricultural use). The potential for farming practice surrounding the site is limited as it is surrounded by other fragmented, lifestyle blocks. There is some evidence of low scale hobby farming on surrounding lots, however, this activity is limited by the smaller size of the lots, the proliferation of existing dwellings in the area and the dense bushland that encircles the area in general.
- Use of the land for a dwelling would provide for an opportunity to retain population in the rural area.

In accordance with clause 35.07-5, an application to use a lot for a dwelling must respond to the decision guidelines for dwellings in the zone. An assessment against these guidelines is as follows:

*Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*

The addition of a dwelling on the lot is not considered to cause a significant loss of agricultural land. The subject site is in an area characterized by smaller, fragmented land holdings with minimal agricultural activity occurring and that generally contain dwellings.

*Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*

There is no evidence of significant agricultural activity in the area. Small scale cropping and grazing exist nearby, however this activity is limited by a number of factors which have been previously discussed within this report.

*Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*

The addition of the dwelling on the subject site would not affect the expansion of a nearby agricultural use. Only small-scale agriculture and rural residential uses are evident in the area. Furthermore, physical barriers around the subject site would limit further expansion elsewhere, these being the existing road network and dense areas of existing bushland in all directions.

*The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

The area is considered to have already been impacted by the development of a number of dwellings. Each lot surrounding the subject site contains a dwelling, with the subject site being the largest of all the surrounding sites.

The proposed dwelling is considered to further address the general, agricultural, environmental and design decision guidelines. The subject site is one of the larger land holdings in the immediate area and is considered capable of supporting small scale agriculture given its larger cleared areas of land.

A license issued by DEDJTR is currently held by the landowner that allows for hemp to be cropped on the property. Under the Central Goldfields Planning Scheme cropping is nested under Agriculture and is a section 1 use (no permit required) in the Farming Zone.

The addition of the dwelling will allow the landowner an opportunity to improve management of the land as it is currently vacant.

Environmental issues including bushfire and water quality are addressed through referral responses from the Country Fire Authority (CFA), Goulburn Murray Water (GMW) and CGSC Environmental Health Officer and CGSC Engineer. All have provided conditional consent to a permit being issued. Conditions address bushfire mitigation measures and water quality risks in terms of onsite wastewater and runoff in special water catchment areas.

The modest design and siting of the dwelling addresses design for rural areas and does not create visual bulk and is sympathetic to the existing landscape. The dwelling is sited 130m south of the next closest dwelling.

It is considered that the proposed dwelling responds to the purpose of the Farming Zone and adequately addresses the decision guidelines of the zone.

The proposal is considered to be consistent with the intent and purpose of the Farming Zone, applicable overlays and relevant planning policies regarding development of a single dwelling.

#### Bushfire Management Overlay

The proposal is considered to be consistent with the purpose of the Bushfire Management Overlay. The applicant has provided a Bushfire Management Statement and Bushfire Management Plan of which consent has been provided by the CFA.

Given the existing residential uses adjoining the subject site, sufficient vehicle access and management of surrounding land, the proposal is considered to meet the purpose of the Bushfire Management Overlay and clause 13.02-1 Bushfire Planning in terms of mitigating risk to an acceptable level. Increased activity on the subject site can contribute to the ongoing management of the land during higher risk bushfire periods.

The CFA have granted conditional consent based on the Bushfire Management Statement and Plan provided, and it is considered the proposal does not create an unnecessary risk and addresses the purpose of the provision by implementing approved mitigation measures.

Overall, the proposed development is considered to be consistent with the Farming Zone and the Bushfire Management Overlay affecting the site.

#### **CONSULTATION/COMMUNICATION**

The application was advertised to 6 adjoining landowners via letter in the mail and 1 sign was placed on the site for a period of 14 days. As a result of the notification period the application received one objection.

The objection to the application raise the following concerns:

- Land is zoned farming therefore has to be 100 acres (40ha) to build a dwelling
- Information regarding land size and permit requirements should be included in a section 32 for transferring of land to deter the wrong type of purchaser.
- Previous owners have ignored council direction to clean up the site previously.

The Planning Officer has reviewed the objections and a response to each of the matters raised is provided below.

#### Farming Zoned land

The subject site is within the Farming Zone, Clause 35.07-1 states that a dwelling is a Section 1 use (permit not required) if the following conditions are met:

- Must be the only dwelling on the lot.
- The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.

The schedule to the Farming Zone states that the minimum area for which no permit is required to build a dwelling is 40 hectares (100 acres). A dwelling proposed on land less than 40 hectares then becomes a section 2 use (permit required); and a planning permit must be approved in order for a dwelling to be constructed.

Applications of this nature must be considered against the purpose and decision guidelines of the Farming Zone, and the Responsible Authority must decide if the proposal is appropriate or not. In some cases, Council can seek a Farm Management Plan (FMP) from the applicant if there is concern that the development of the site creates a risk of losing quality agricultural land. In this instance a FMP was no requested as the site is not considered to be high quality land and the surrounding area has already been developed in rural residential manner. In this instance the land is considered to be well suited a larger rural residential allotment, the land owner may wish to undertake hobby farming or a smaller farming enterprise, however the site is not deemed as suitable for prime production.

The application being assessed is considered to be appropriate for reasons stated within the assessment section of this report. As such approval will be recommended by the Planning Officer. It should be noted that it is not prohibited to construct a dwelling on less than 40 hectares.

#### Section 32 information

Council's Planning Department is not involved in the creation or information which is provided in a section 32, nor does the Planning Department have any powers to control information included within a Section 32. It is the responsibility of a prospective purchaser to seek advice on the requirements of planning as part of their own due diligence process.

As such, this is not considered to be in the scope of the planning assessment considerations.

#### Alleged non-compliance with Council orders

The Planning Officer is not aware of any outstanding or past planning non-compliance or enforcement matters.

## **FINANCIAL & RESOURCE IMPLICATIONS**

The assessment of planning permit applications is within the normal operational budget of Council.

Should any party appeal any decision that Council makes there would be a VCAT hearing. Additional costs will be incurred if a VCAT hearing occurs.

## **RISK MANAGEMENT**

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices by ensuring our assessment of the application meets all relevant legislation.

There is a risk to council should it not make a decision within the statutory time frames of a 'failure to determine' appeal at VCAT.

Should the proposal be approved by Council and VCAT (upon appeal) there is a risk to non-compliance with the permit conditions. Council has a planning compliance function to mitigate this risk.

## **CONCLUSION**

The proposed planning application seeks approval for the use and development of a single dwelling at 164 Mount View Road, Goldsborough.

Public notice of the application has been given and one objection received raising concerns with housing in the farming zone and some past concerns around use of the property.

The development of housing on smaller lots in the farming zone (and therefore requiring a planning permit under the zone) is generally discouraged unless the dwelling is needed for the main farming use, or other mitigating circumstances.

This application sits in an area where housing has been allowed within the farming zone and a number of rural residential lots have been established, the main land use is no longer dominated by farming.

It is therefore recommended that Council issue a Notice of Decision to Grant a Planning Permit, subject to conditions.

## **ATTACHMENTS**

1. Proposed Plans
2. Subject site and surrounding area

**RECOMMENDATION**

*That Council, having caused notice of Planning Application No. 028/21 to be given under Section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, resolves to issue a Notice of Decision to Grant a Permit in respect of Planning Application No. 028/21 for the land known and described as 164 Mount View Road, Goldsborough, for the use and development of the land for a dwelling within the Farming Zone and Bushfire Management overlay, in accordance with the endorsed plans and subject to the following conditions:*

**No layout alteration**

1. The use and development permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.

**Construction Activities**

2. The development must be managed during construction so that the amenity of the area is not detrimentally affected through the:
  - a. transport of materials, goods or commodities to or from the land;
  - b. appearance of any building, works or materials;
  - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, litter, dust, waste water, waste products, grit or oil; and
  - d. presence of vermin or animals.

to the satisfaction of the Responsible Authority.

**Use of the land for a dwelling**

3. Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
4. The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.
5. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire-fighting purposes.
6. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

**Engineering**Access

7. Access to the property must be provided from Bakers Lane via an all-weather driveway with dimensions adequate to accommodate emergency vehicles to the satisfaction of the Responsible Authority.

8. Bakers Lane shall be upgraded between the court bowl/turn-around area at the end of Queens Birthday Mine Road and the proposed property access to the subject property. The upgrade shall be done at the cost of the permit holder.
9. The upgraded road shall be a minimum of 4.0m wide, with a fine crushed rock pavement 150mm deep on a suitable subgrade.
10. A vehicular crossover and culvert if required must be constructed between the upgraded road and the property boundary.
11. The applicant/owner must make further application for and have approved driveway crossing permit/s for any crossover/driveway works. All works constructed or carried out must be in accordance with the approved plans/permit(s).
12. Once constructed the crossovers must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.

#### **Drainage**

13. All stormwater must be accommodated and treated within the subject land.
14. The owner/applicant must design a drainage system to drain the lot to the legal point of discharge to the satisfaction of the Responsible Authority.

#### **Asset Protection**

15. At any time the permit holder must ensure that the operation and condition of Council assets (including street trees, drains and roads) are not damaged by the site construction works. If the Responsible Authority deems Council assets have been detrimentally affected or damaged by development construction access, the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the Responsible Authority.

#### **Emissions and Discharges during Construction**

16. The developer must restrict emissions and discharges from any construction sites within the land in accordance with the best practice environmental management techniques and guidelines contained in the Environment Protection Authority publications Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995) to the satisfaction of the Responsible Authority.

#### **Country Fire Authority**

##### Mandatory Condition

17. 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.

##### Bushfire Management Plan

18. The Bushfire Management Plan prepared by Euca Planning (Pages 1 and 2) dated 19/02/2021 must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

### **Goulburn Murray Water**

19. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
20. All wastewater from the dwelling must be treated and disposed of using an approved system. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.
21. The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy, including an appropriately sized disposal area based on a full water balance specific to the proposal and subject land in accordance with the requirements of the current EPA Code of Practice – Onsite Wastewater Management.
22. The wastewater disposal area must be located at least: 100m from any waterways, 40m from any drainage lines, 60m from any dams, and 20m from any bores.
23. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.

### **Permit Expiry**

24. This permit will expire if one of the following circumstances applies;

The development is not started within two (2) years of the date of this permit;  
The development is not completed within four (4) years of the date of this permit.  
The use is discontinued for a period of two (2) years.

The Responsible Authority may extend the periods referred to if a request is made in writing whereby either of the following instances apply:

before or within six (6) months after the permit expiry date, where the use or development allowed by the permit has not yet started; or

within twelve (12) months after the permit expiry date, where the proposal allowed by the permit has lawfully started before the permit expires.

### **Permit Notes:**

#### **Building Approval**

This permit is issued pursuant to the provisions of the Central Goldfields Planning Scheme and does not relieve the permit holder of the necessity to obtain a building permit pursuant to the Building Act 1993 prior to commencement of any construction or works on any part of the site.