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# AGENDA



For a meeting of the seventh Campaspe Shire Council to be held on Tuesday, 15 August 2017, commencing at 5:00pm at the Echuca Civic Centre.

## OPENING PRAYER

We pray to Almighty God that our decisions as a Council be in the best interest of the people, culture and the environment of the Shire of Campaspe.

*Amen*

The Campaspe Shire Council acknowledges the traditional owners of the land upon which we meet and pay our respect to their elders both past and present.

## MEETING PROCEDURES

Please ensure that all mobiles are turned off or switched to silent.

There are Ask a Question Forms just inside the door for anyone who would like to submit a question to Council. Questions forms must be completed within 10 minutes and returned to the tray. Questions will be addressed at the end of the open section of the meeting.

Council meetings are broadcast live via the internet. During the meeting, members of the public may be recorded, particularly those speaking to an item. By attending this meeting, you are consenting to the possibility that your image may also be broadcast to the public. Any personal and health information voluntarily disclosed by any person at Council meetings may be broadcast live, held by Council and made available to the public for later viewing.

Those people who have requested to speak to an item will be allowed five minutes to address Council. Speakers will be notified with a bell when there is 60 seconds remaining. Speakers must only speak in relation to the subject stated on their application and shall not debate the issue with Councillors and officers. Councillors are able to ask questions of the speaker on points of clarification.

Speakers are advised that they do not enjoy any special protection from defamation arising from comments made during their presentation to Council and should refrain from voicing defamatory remarks or personal defamatory statements against any individual. Speakers will be treated with respect when addressing Council. I ask that the same respect is extended to Councillors and officers.

## **BUSINESS**

### **1. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCES**

#### **APOLOGIES**

That it be noted that Cr Adrian Weston has been granted a leave of absence previously on 18 July 2017 for the period from 25 August to 3 September 2017.

#### **REQUESTS FOR LEAVE OF ABSENCE**

## **2. CONFIRMATION OF MINUTES & ATTACHMENTS**

For the:

- Open section of the Council Meeting held on 18 July 2017
- Open section of the Campaspe Briefing Session held on 11 July 2017
- Open section of the Campaspe Briefing Session held on 18 July 2017

### **Recommendation**

**That the following minutes be accepted as true and accurate records:**

- **The open section of the Council Meeting held on 18 July 2017**
- **The open section of the Campaspe Briefing Session held on 11 July 2017**
- **The open section of the Campaspe Briefing Session held on 18 July 2017**

### 3. DECLARATION OF INTERESTS

Disclosure of Conflict of Interests are to be made immediately prior to any relevant item being discussed.

*Local Government Act 1989 Section 79*

- (1) If a Councillor or member of a special committee has a conflict of interest in a matter which is to be considered or discussed at a meeting of the Council or the special committee, the Councillor or member must, if he or she is attending the meeting, disclose the conflict of interest in accordance with subsection (2).
- (2) A Councillor or member of a special committee who has a conflict of interest and is attending the meeting of the Council or special committee must make a full disclosure of that interest:
  - (a) by either
    - (i) advising the Council or special committee at the meeting of the details required under paragraphs (b) and (c) immediately before the matter is considered at the meeting; or
    - (ii) advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and
  - (b) classifying the type of interest that has given rise to the conflict as either:
    - (i) a direct interest; or
    - (ii) an indirect interest and specifying the particular kind of indirect interest under section 78, 78A, 78B, 78C, 78D or 78E; and
  - (c) describing the nature of the interest; and
  - (d) if the Councillor or member advised the Chief Executive Officer of the details under paragraph (a)(ii), the Councillor or member must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

## 4. RESPONSIBLE AUTHORITY DECISIONS

### 4.1. COUNCIL PLANNING REPORT – 754 GRAHAM ROAD KYABRAM VIC 3620, PLN088/2017

<b>ALLOCATED OFFICER:</b>	Ally Wilkie, Planner
<b>RESPONSIBLE MANAGER:</b>	Planning & Building Manager
<b>APPLICATION NO:</b>	Pln088/2017
<b>DATE RECEIVED:</b>	6 April 2017
<b>APPLICANT:</b>	Shaun Donovan
<b>PROPOSAL:</b>	Use and development of the land for Animal Boarding in the Farming Zone Schedule 1
<b>SUBJECT SITE:</b>	754 Graham Road Kyabram VIC 3620
<b>ZONING:</b>	Farming Zone Schedule 1
<b>OVERLAYS:</b>	None
<b>UNDER WHAT CLAUSE (S) IS A PERMIT REQUIRED?:</b>	Clauses 35.07-1 & 35.07-4
<b>RESTRICTIVE COVENANTS ON THE TITLE?:</b>	None
<b>CURRENT USE AND DEVELOPMENT:</b>	Existing dwelling and outbuilding
<b>IS A CULTURAL HERITAGE MANAGEMENT PLAN REQUIRED:</b>	No
<b>OBJECTIONS:</b>	Thirteen (13)

#### 1. Summary Recommendation

It is recommended that Council as the Responsible Authority issue a Refusal.

#### 2. Conflict of Interest

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

#### 3. Charter of Human Rights

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

#### 4. Instrument of Delegation

This report has considered the Instrument of Delegation (S6) by Council. This application is reported to Council based on the community concern.

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## 5. Proposal

Use and development of the land for Animal Boarding in the Farming Zone Schedule 1. The animal boarding is for boarding kennels with a maximum of 50 dogs and a cattery with a maximum of 30 cats. The proposed hours of operation are:

- Monday to Friday – 8am – 4pm
- Saturday - 9am - 1pm
- Sunday - 10am - 1pm

It is proposed to utilise the existing outbuilding for a cattery. The outbuilding is 14.7m x 6m, will have a maximum height of 3.3m with a total floor area of 88.2m<sup>2</sup>. The shed is located in proximity to the northern boundary, 30m from the eastern property boundary and 61m from the western property boundary. The building will contain 19 enclosures which will each be 1.2m x 0.9m. The building will also contain an office/waiting room, staff amenities (kitchenette and toilet), store and grooming area.

It is proposed to construct a new outbuilding to be used for the kennels. The outbuilding will be 22m x 10m, will have a maximum height of 3.672m and will have a total floor area of 220m<sup>2</sup>. The outbuilding will be located 53m from the eastern property boundary, 35m from the southern property boundary and 31m from the western property boundary. The building will contain 30 enclosures which will each be 2.1m x 1.2m. The building will be accessed by two (2) secure areas for entry and exit. The building is proposed to be treated with 'Earthwool acoustic and thermal insulation batts' and then covered with cement sheeting (4.5mm thickness). The kennel will wash down daily, with the waste water stored in a separate tank (poly master bloo septic tank).

The proposal includes a walking track and sand pit for use by the dogs kept on-site. The area will be surrounded by a 1.8m high Colorbond fence. There is also a Colorbond fence which separates the kennels from the cattery and, entrance and parking facilities.

Access is proposed from Graham Road, adjacent to the intersection with John Allan Road and Albion Street. Car parking will be provided on the site with seven gravel car spaces (including 1 disabled car space) located to the south of the existing shed (to be used as a cattery).

All sewage and sillage from the buildings will be contained and disposed of within the subject land by an approved septic system. All solid and liquid wastes from dogs will be collected, suitably bagged and then stored onsite in a secure, vermin-proof bin for collection and removed by a suitable firm as needed. Stormwater from all buildings will be collected into rainwater tanks for re-use on site.

The applicant has provided a response to outline that the facility has been designed to meet and operate in accordance with the Code of Practice for the Operation of Boarding Establishments, January 2013. The Code addresses, the purpose, admission requirements, staff, management, animal welfare, hygiene, security, facilities, overnight boarding, housing, pen sizes, transport and records.

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## 6. Subject Site & Locality

An inspection of the site and the surrounding area has been undertaken.

The site is located on the northwest corner of Graham Road and John Allan Road, approximately 20m from the intersection. There is an existing channel located to the east of the site, abutting John Allan Road.

The subject site has a frontage to Graham Road of 104.16m, a maximum depth of 44.66m and a total area of approximately 4,636m<sup>2</sup>. The site contains an existing single storey dwelling and outbuilding, with vegetation located along the southern boundary of the site. Access to/from the site is via an existing crossover onto Graham Road. A water supply easement (E-1) is located along the southern boundary of the site.



The site is located approximately 1.5km north of the Kyabram CBD. The locality is characterised by land located within the Public Use Zone 1, Farming Zone, Rural Living Zone and Industrial 1 Zone.

Directly north of the site is an irrigated agricultural parcel of land which is in the ownership of Goulburn Valley Region Water Corporation. To the north-west and west of the subject site is more land owned by Goulburn Valley Region Water Corporation which contains the Kyabram Sewerage Plant. All of this land is zoned Public Use Zone 1 – Service & Utility.

East of the subject site is a channel, a small portion of land owned by Goulburn Valley Region Water Corporation and then John Allan Road, which is a declared main road managed by VicRoads (Road Zone Category 1). East of the road is a dwelling and agricultural land in the Farming Zone Schedule 2.

To the southeast, diagonally opposite corner, is a dwelling and further east and south of the dwelling are more dwellings in the Rural Living Zone.

South of the subject site on the opposite side of Graham Road is industrial land. This land was owned and subdivided by Council via planning permit TPA259/2014 which was issued in December 2014, for the subdivision of the land into 16 lots. The land is now referred to as the Kyabram Business Park.



## 7. Permit/Site History

The history of the site includes:

- 2000-451 Development of the land by the construction of an outbuilding – issued on 8 November 2000.

**8. Public Notification**

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

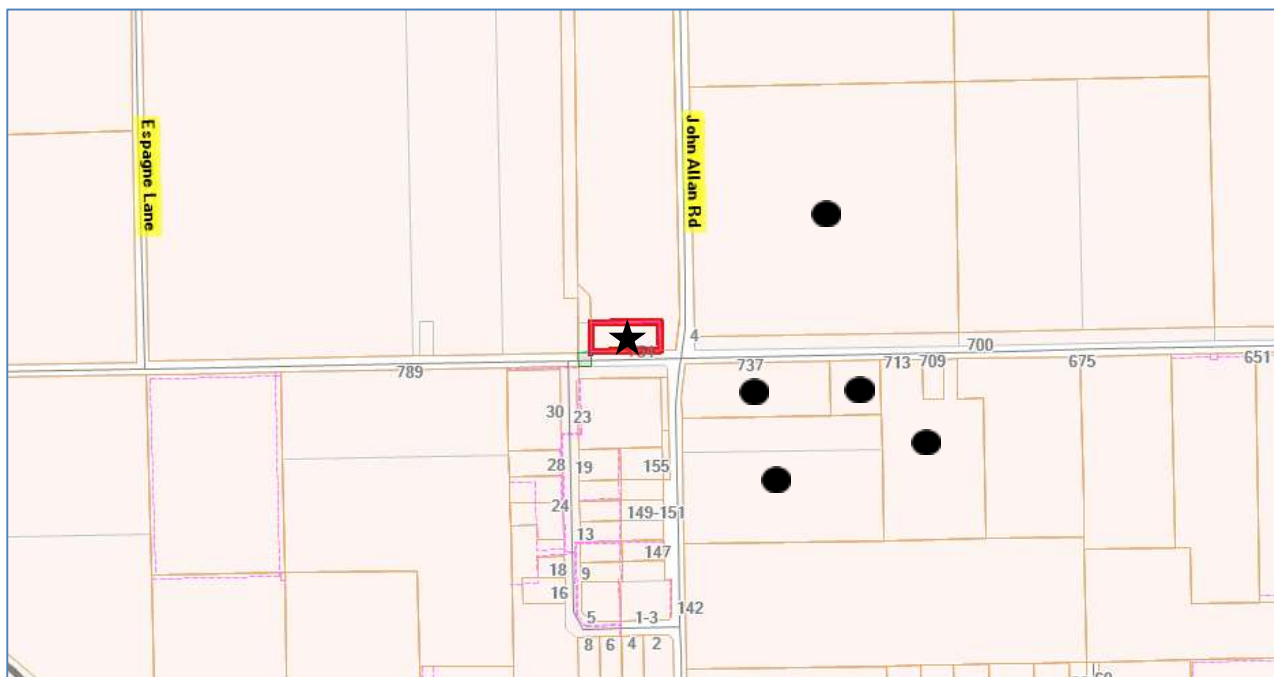
- Sending notices to the owners and occupiers of adjoining land.
- Placing a sign on site.

The notification has been carried out correctly and Council have received thirteen (13) objections to the application. The objections can be summarised as follows:

- Noise from dogs and cats and reaction of existing pets
- Odour from the animals
- Does not comply with EPA guidelines
- Devaluation of properties
- Traffic congestion
- Contamination of water supply
- Reduced amenity levels
- Too close to residential areas and dwellings
- The size of the property is too small for the proposed use
- The proposed exercise area is too small
- Livestock could be harmed if animals were to escape

These issues have been taken into account in the assessment of the planning application.

**Figure 1: Subject site and surrounds**



Legend	
Subject Site	★
Objection	●

Not all objectors are included on the above map or addresses are unknown as PO Boxes have been provided.

## 9. Consultation

A consultation meeting was held on 25 July 2017 between the applicants objectors and was attended by two (2) councillors. The purpose of the meeting was to enable all affected parties to gain a greater understanding of the application process and allow for any potential mediation. In this case no mediated outcome was achieved however a wider understanding of the other parties' positions was achieved.

It is noted that there were concern expressed in relation to the notification of the application, however as explained at the meeting the notice requirements have met the provisions of the Act, which also included a sign on site.

## 10. Referrals

The application has been referred to one external authorities and two internal Council Departments. The following table makes note of the type of information requested; whether consent was given and whether conditions were requested to be attached to the permit. In some cases, notes or other advice were included in the referral response.

Referral Authority	Type of Referral	Consent/ Approve Proposal	Request Permit Conditions	Any other advice notes
VicRoads	Section 52	Yes	Yes	Yes
Internal Department	Type of Referral	Consent/Approve Proposal	Request Permit Conditions	Any other advice notes
Design Services	Info	Yes	Yes	No
Environmental Health	Info	Yes	Yes	Yes

Notice of the application under Section 52 of the Act was given to VicRoads due to the proximity of the site to Nathalia-Kyabram Road/John Allan Road which is a Road Zone Category 1 Road.

## 11. Assessment

### State Planning Policy Framework (SPPF)

The following State policies and objectives are relevant to this application.

**Clause 10 - Operation of the State Planning Policy Framework** - The purpose of State planning policy is to inform responsible authorities of the aspects to be considered and given effect in administering the planning scheme. The State Planning Policy Framework provides a context for decision making by responsible authorities. The planning policies are directed to land use and development, as required by the Planning and Environment Act 1987, a primary objective of which is to provide for the fair, orderly, economic and sustainable use and development of land.

**Clause 11 Settlement** - The objective of planning is to anticipate and respond to the need of existing and future communities. Planning should recognise the need for and as far as practicable contribute towards, the health and safety, diversity of choice, adaption in response to changing technology, economic viability, a high standard of urban design and amenity, energy efficiency, prevention of pollution to land, water and air, protection of environmentally sensitive areas and natural resources, accessibility and land use and transport integration.

#### 11.07 Regional Victoria

##### Objective

To develop regions and settlements which have a strong identity, are prosperous and are environmentally sustainable.

#### 11.13 Loddon Mallee North

##### Objectives

- To align population and economic growth.
- To realise opportunities to strengthen and diversify the economy.
- To support and manage rural landscapes.
- To manage the region's environmental and cultural heritage assets and minimise exposure to natural hazards.

**Clause 12 Environmental and Landscape Values** – Planning should assist in the protection and conservation of biodiversity including important habitat for flora and fauna. The permitted clearing of native vegetation should result in no net loss in the contribution made by native vegetation to Victoria's biodiversity.

**Clause 13 Environmental Risk** - Planning should adopt a best practice environmental management and risk management approach which aims to avoid or minimise environmental degradation and hazards. Planning should identify and manage the potential for the environment, and environmental changes, to impact upon the economic, environmental or social well-being of society.

#### **Clause 13.04-1 Noise Abatement**

##### **Objective**

- To assist the control of noise effects on sensitive land uses.

##### **Strategy**

- Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land functions and character of the area.

**Clause 14.01 Agriculture** - To protect productive farmland which is of strategic significance in the local or regional context and to encourage sustainable agricultural land use.

**Clause 15 - Built Environment and Heritage** - All new land use and development should appropriately respond to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value. Quality built environments should be created that achieve high quality urban design and architecture that:

- Contributes positively to local urban character and sense of place;
- Reflects the particular characteristics, aspirations and cultural identity of the community;
- Enhances liveability, diversity, amenity and safety of the public realm;
- Promotes attractiveness of towns and cities within broader strategic contexts; and
- Minimises detrimental impact on neighbouring properties.

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

**Clause 21.01 Campaspe Shire Key Issues and Strategic Vision** - The estimated 2013 population of the shire was approximately 37,000, which is expected to grow to approximately 39,600 by 2031 (VIF 2015) and to 43,000 by 2036 (Campaspe Profile). Compared to other areas of regional Victoria, the shire has a higher population of younger (school age) people and older people. This trend is expected to grow, which may leave a 'population donut', with less working age residents in the municipality.

Agriculture (particularly irrigated primary production) and its processing underpin the economy of the shire and region. Approximately 40% of employment in the shire is in manufacturing, agriculture (including fishing and forestry) and health care. There is also significant employment in tourism related industries such as food services, accommodation and retailing. Recent economic growth has been driven primarily by growth in health care and social assistance, professional and scientific services and construction.

The key issues facing Campaspe are focused around seven strategic themes:

- Settlement and Housing.
- Environmental and Landscape Values.
- Environmental Risks.
- Natural Resource Management.

- Built Environment and Heritage.
- Economic Development.
- Transport and Infrastructure

**Clause 21.01-4 Strategic Vision** - The Planning and Environment Act 1987 requires that an MSS be consistent with the current Council Plan (2013-2017) which outlines the following vision for Campaspe:

*“A vibrant place to live, grow and visit, with a thriving, diverse and healthy lifestyle.”*

**Clause 21.02-6 Sensitive interfaces** - The need to separate sensitive land uses from uses with the potential for adverse amenity impacts has long been one of the primary purposes of land use planning, especially at the interface between industrial and residential uses, and between some agricultural uses and residential uses. Typical impacts of industry on sensitive uses include odour, dust and noise emissions. Industries are also potentially affected by proximity to sensitive uses, as expensive amelioration works may be required to minimise the impact of noise and air emissions from industry. Interfaces with sensitive uses exist around a number of townships within the shire where General Residential, Low Density Residential and Rural Living zoned land directly abuts land in an industrial zone. In the long term, residential and rural residential land requires appropriate protection from industrial development, especially in those areas where there is a desire among landowners to retain the ‘rural’ character of the area.

**Clause 21.04 Environmental Risks** - This clause provides local content to support Clause 13 (Environmental Risks) of the State Planning Policy Framework. A relevant objective is to promote the use of water sensitive urban design, including stormwater re-use.

#### **Clause 21.05 Natural Resource Management**

**Agriculture** - Irrigated primary production and the processing of that product underpin the economy of the municipality and the region. The level of production is nationally important and the region is responsible for significant parts of the nation’s milk production, deciduous canned fruit production, stone fruit crop and tomato processing production.

It is increasingly evident that prospective agricultural investment is jeopardised, deterred, or lost by land use and development that has the potential to compromise the scale and location of such investment. In particular, agricultural investment is far less likely where the ownership of land is fragmented with housing dispersed throughout. To address this, a Regional Rural Land Use Strategy (2008) identified various categories of farming areas, and recommended different subdivision and minimum lot size provisions for dwellings in each category. Important principles arising from the strategy that have been applied in the rural areas are:

- Intensive animal and intensive agricultural industries are important to the shire, such as feed lots, piggeries, aquaculture, dog breeding, and poultry farms. Council considers it important that appropriate buffer areas are established and performance requirements are set for intensive activities.

#### **Objectives**

- To ensure that agriculture is and remains the major economic driver in the region.
- To identify a preferred area for intensive agricultural activities.
- To ensure that use and development does not pose a threat to the sustainable productive capacity of the shire’s agriculture economic base.

**Clause 22.01 Agriculture Policy** - This policy addresses two separate issues, which arise in the Farming Zone being rural subdivision and rural dwellings. As this is a proposal for use (not a dwelling or subdivision) this policy does not provide much guidance.

**Clause 22.07 Water Sensitive Urban Design (Stormwater Policy)** - This policy builds on the MSS objective in Clause 21.04-2 Environment relating to water which seeks to protect the surface waters and ground waters in Loddon, Campaspe and Goulburn Basin catchments from stormwater pollutants and the impacts of peak stormwater flows. This policy also builds on the water quality and conservation as well as stormwater objectives of the SPPF in Clauses 14.02 and 19.03.

## Zoning

**Clause 35.07 Farming Zone (FZ2)** – Provides of the use of land for agriculture.

**Clause 35.07-1** – A permit is required to use the land for animal boarding. Clause 35.07-4 a permit is required for buildings and works associated with a Section 2 Use (animal boarding).

## Overlays

None

## General Provisions

**Clause 65 Decision Guidelines** - Sets out decision guidelines for the responsible authority to consider in ensuring acceptable outcomes in terms of State Planning Policies and Local Planning Policies.

## Definitions

**Clause 74 Land Use Terms - Animal boarding** – Land used to board domestic pets, such as boarding kennels and a cattery. Included in Animal keeping.

## Relevant incorporated, reference or guidelines

- Code of Practice for the Operation of Boarding Establishments
- EPA Publication No.1254 'Noise Control Guidelines'

## Relevant Planning Scheme amendments

N/A

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## 12. Summary of Key Issues

The following is a summary of the relevant planning issues and areas of non-compliance, considering planning principles and issues raised by the objectors. The proposal is required to be assessed against the SPPF, LPPF, Farming Zone Schedule 1 and the General Decision Guidelines of Clause 65. Clause 65 of the Planning Scheme sets out decision guidelines which the Responsible Authority must consider, as appropriate, before deciding on an application. This clause opens with the following statement:

"Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause."

The relevant guidelines of the Code of Practice for the Operation of Boarding Establishments and the EPA Publication No.1254 'Noise Control Guidelines' have been used as a guide as part of the assessment.

## Planning and Environment Act 1987

Section 60(1)(b) of the Planning and Environment Act 1987 states that before deciding on an application, the responsible authority must consider all objections and other submissions which it has received and which have not been withdrawn. Section 60(1)(f) of the Planning and Environment Act 1987 states that before deciding on an application, the responsible

authority must consider any significant social effects and economic effects which the responsible authority considers the use or development may have.

Notice of the application was given and thirteen (13) objections have been received. Whilst it is acknowledged that a large number of objections does not necessarily equate to refusing an application, the Act was amended to require the responsible authority (and VCAT) to have regard to the social impact.

In considering whether a proposed use or development may have a significant social effect, the likelihood is dependent upon such factors as whether the objections have merit, or are supported by other evidence. Based on the number of objections received and the nature of the concerns expressed (as discussed below), this application will have a significant social effect.

## Policy

The application proposes animal boarding in the Farming Zone. Animal boarding is defined in Clause 74 as Land used to board domestic pets, such as boarding kennels and a cattery. Animal boarding is nested under Animal Keeping. In Clause 75.02 Nesting Diagrams – Agricultural Group both uses are nested under agriculture. The application proposes animal boarding to accommodate up to 50 dogs and 30 cats which is an agricultural use. Planning policy outlines that Council should protect productive agricultural land, consider opportunities for farming expansion and that boarding facilities need to carefully be considered based on site selection and off-site impacts.

**Clause 11.05-3** Rural Productivity aims to 'manage land use change and development in rural areas to promote agriculture and rural production'. Clauses 14.01 Protection of agricultural land aims to 'ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use'. Animal keeping is classified as a form of agriculture. Although not a "traditional" form of agriculture like cropping or grazing, it is considered an appropriate land use and meets the purpose of the zone.

**Clause 13.04-1** highlights the importance in assisting the control of noise effects on sensitive land uses through such strategies as ensuring that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land functions and character of the area.

**Clause 21.02-6** Sensitive interfaces outlines the need to separate sensitive land uses from uses with the potential for adverse amenity impacts, especially between industrial and residential uses, and between some agricultural uses and residential uses. Typical impacts include odour, dust and noise emissions. Clause 21.05-1 Agriculture of the Local Planning Policy Framework acknowledges that intensive animal industries, such as dog breeding, are an increasingly important rural land use to the shire, and further acknowledges that appropriate siting and/or operational safeguards are needed for the operation of these activities. These off-site impacts are also an important consideration under the zoning, as Clause 35.07-6 decision guidelines states 'whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses'.

It is acknowledged that the proposal is an agricultural use on land zoned Farming, however the sites context, character and adjoining uses are an important consideration. Policy outlines that careful consideration needs to be given to the suitability of the site, compatibility and off-site impacts such as odour, noise, etc.

When considering the context and character, opposite, both diagonally and to the east are dwellings (within 150 metres), with the land to the southeast being located within the Rural Lining Zone (RLZ). The RLZ is primarily a residential zone in which agricultural uses are secondary, but do not generally exist in this area. The RLZ is included in the rural group of zones rather than the residential group of zones and therefore residents level of amenity expectations needs to be tempered. In the RLZ residents can expect a certain level of noise, odour, dust and other outcomes that can arise from agricultural and/or commercial activities.

Although the Rural Living Zone is a more robust zone which allows a number of varied uses, it is considered reasonable that the residents amenity expectations should not be reduced or adversely impacted. Clause 13.04 encourages emissions (odour and noise) to be managed so they do not reduce community amenity, with a management measure including separation. Clauses 21.02-6 and 21.05-1 also directs that siting, separation and buffer areas are highly important to minimise impacts, with strategies to retain the 'rural' character, establish appropriate buffer areas, negate off-site impacts and to protect rural residential areas.



When reviewing the site and surrounds it is evident that the proposal is not located in a preferred area and is in proximity to existing dwellings. As expressed in the objections received there is the potential for off-site impacts which may affect their amenity. The proposed use does not relate or create a use which is compatible with surrounding land uses. Although located in the Farming Zone (as a singular pocket) due to the unacceptable buffer distance and noise disturbance, there will be adverse effects on the amenity of the dwellings.

It is recognised that measures including screening dogs from external stimuli, management regimes and by using noise mitigation measures can be achieved. However, the intent of the policies and strategies are to encourage dog keeping and boarding facilities to provide buffers largely on their own site and be separated from sensitive uses.

### **Animal Boarding**

A response has been provided by the applicant in relation to the Code of Practice for the Operation of Boarding Establishments (the Code). The applicant has considered and addressed the guidelines of the Code. The facility and welfare of the animals will be appropriately managed through measures such as employing experienced staff, having suitable arrangements in place with veterinarians, cleaning, hygiene, exercise, and an appropriate provision of food and water. All facilities have been designed to meet or exceed the requirements of the Code, with regards to pen and yard sizes, general construction and materials and the provision of appropriate fencing.

Waste from the use will be contained and disposed of within the subject land by an approved septic system. All pens will be cleaned out at least once per day by hosing or other appropriate means, and all solid and liquid wastes from the dogs will be collected, suitably bagged and then stored.

The submitted information outlines measures to minimise the potential impact of noise on the surrounding area. These include feeding and exercise times. The kennel buildings will also be constructed of masonry walls with acoustic wall insulation batts in order to help minimise noise and reduce thermal variance. The information also includes native vegetation buffer/tree line which will surround the buildings and works, including the walking track and sand pit.

The total number of dogs and cats are considered appropriate based on the size of the site and the facilities proposed for the housing of the animals complies with the Code. The information provided by the applicant also illustrates a good understanding and history, which has been acknowledged by objectors.

The buildings and works meet the setback requirements of Clause 35.07-4, with the distance between the proposed use and the nearest dwelling being approximately 140m.

As outlined above, it is acknowledged that some of the measures identified by the applicant will assist in softening the appearance and help minimise impacts. Although the Code does not specify setbacks or distances from sensitive land uses, the Environmental Protection Authority (EPA) Publication No.1254 'Noise Control Guidelines' outlines the following in relation to dog kennels, "*The problems caused by the perpetual barking of dogs has been known to exist at distances as far as 500 metres from the actual source.*" The guidelines then suggests measures to mitigate against the issue of noise such as:

- *The kennels should be located at least 500 metres from residential areas.*
- *Some fully enclosed or acoustically baffled kennels should be available to house particularly noisy animals, at a ratio of 1:15.*
- *Electronic masking noise devices should be provided to reduce audible stimuli to the dogs.*
- *Kennels should be constructed to visually screen stimuli such as other dogs, animals, traffic or passers-by.*
- *Access to kennels should be restricted solely to staff.*
- *Feeding of the dogs should be restricted to the daytime hours of 7 am — 6 pm.*
- *Exercise of the dogs may only be performed between the hours of 9 am and 5 pm.*

- *A responsible person must be available on site 24 hours per day.*
- *Kennels should be constructed of such a material so as to provide an appropriate reduction in the emission of noise. Materials such as masonry and cement sheeting would provide a suitable structural basis.*
- *The kennels should be positioned so as to utilise the ability of the topography to reduce noise.*

Although the potential operator has outlined that many of these guidelines can be met (would have to be enforced through conditions and plans), the key concern is the lack of separation from residences. It is noted that there are eleven (11) dwellings within 500 metres of the land subject to this application, with eight (8) in the Rural Living Zone, two (2) in the Farming Zone and one (1) in the Industrial Zone. If the proposal was located on a large portion of land where appropriate buffers could be established, it is considered that the criteria could be appropriately achieved.

Animal boarding is a highly contentious proposal which has a long history of complaint and dispute within our Shire. When considering policy and the need for certainty to achieve acceptable outcomes, residents in this area should be assured that there will be no unreasonable or unacceptable amenity impact. Policy and the guidelines clearly indicate that establishments such as this, should be well separated, away from sensitive land uses and on larger lots that provide the necessary buffers to sensitive uses.

### **Effluent**

Concerns have been expressed in relation to waste management. Previous planning permit applications have addressed the issue of waste and disposal by way of conditions on permits and this application has been carefully considered.

The application was referred to the Environmental Health, who outlined that the wastewater generated from the facility could be controlled through appropriate treatment facilities and management. Environmental Health requires an onsite wastewater management system to be installed to service the existing dwelling and for the animal boarding facility to have its own separate wastewater system.

The proposal would have to achieve full compliance with the current version of the EPA Code of Practice – Onsite Wastewater Management 891 and the existing system for the dwelling would have to be decommissioned once the new system has been installed and approved.

### **Access & Parking**

The proposal accommodates seven on-site gravel car spaces (including 1 disabled car space). Access is proposed from Graham Road, which would require an upgrade an existing crossing. The accessway is required to be designed to ensure safe and efficient movement, especially given the use and traffic movement (25-30 v.p.d normally and 35-40 v.p.d. at peak times like school holidays). These figures have been determined by Councils engineers reviewing similar uses.

Due to the proximity to a declared main road (RDZ1), notice of the application under Section 52 of the Act was given to VicRoads. VicRoads did not object to the proposal but suggested conditions which ensured access had to be from Graham Road and required the existing access to be upgraded.

The area set aside for the parking of vehicles for staff and customers, together with the driveway to be formed with crushed rock are considered appropriate and sufficient. The existing intersection at Nathalia-Kyabram Road/John Allan Road and Graham Road has also been recently upgraded (due to the industrial subdivision opposite) and could cater with the predicted volumes.

### **Devaluation**

Property devaluation was a concern raised by objectors. Case law established by Victorian Civil and Administrative Tribunal (VCAT) has determined that property devaluation is not a valid planning consideration and has therefore not been considered in the assessment of this application.

### 13. Conclusion

The use and development of the land for animal boarding within the umbrella of the land use term "agriculture" is generally appropriate within the Farming Zone. It is acknowledged that animal boarding facilities can create off-site amenity impacts including noise, odour and other environmental impacts which is why the siting and location are important considerations.

Although the proposal has illustrated that the Code of Practice for the Operation of Boarding Establishments can be achieved, as expressed in the number of objections received, there is potential for off-site impacts which may affect the amenity of residences in proximity to the site.

Generally facilities of this type should be located on larger farming lots to create greater separation minimising off-site impacts and ensuring that noise and odour (and other issues) can be effectively treated and managed. Larger agricultural lots also ensure that they are well separated from the rural urban interface which exists in Kyabram. The proposal does not appropriately address the relevant objectives of the Campaspe Planning Scheme and it is recommended that the application be refused.

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### 14. Recommendation

**That Council as the Responsible Authority under the *Planning and Environment Act 1987*:**

- **having caused notice of Planning Application No. PLN088/2017 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme**

**That Council having caused notice of Planning Application No. PLN088/2017 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Refuse to Grant a Permit under the provisions of Clauses 35.07-1 & 35.07-4 of the Campaspe Planning Scheme in respect of the land known as Vol.10972 Fol.517 and described as 754 Graham Road, Kyabram, for the use and development of the land for Animal Boarding in the Farming Zone Schedule 1, with the application dated 6 April 2017.**

**For the following reasons:**

- 1. The proposed use and development is contrary to the relevant local planning policies, in particular Clauses 21.02-6, 21.05-1 of the Campaspe Planning Scheme.**
- 2. The proposed use and development does not have appropriate buffers and will create unreasonable adverse amenity impacts on the adjoining properties and surrounding area.**
- 3. The proposal is not compatible with adjoining or nearby uses, contrary to the decision guidelines of Clause 35.07-6 of the Farming Zone.**
- 4. The proposal will have an unreasonable impact on the amenity of the area, contrary to the Environmental Protection Authority (EPA) Publication No.1254 'Noise Control Guidelines.**

## **5. PLANNING AUTHORITY DECISIONS**

## 6. COUNCIL DECISIONS

### 6.1. CAMPASPE SHIRE MUNICIPAL EARLY YEARS PLAN

**Author:**

Kasey Mullane, Children's Services Coordinator – Strategy

**Responsible Manager:**

Community Care Manager

**Attachments:**

6.1.1. Campaspe Early Years Plan 2017-2021

6.1.2. Campaspe Early Years Plan Background Report

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#### 1. Purpose

To provide Council with the final Campaspe Early Years Plan and background document for adoption and first year implementation plan for noting.

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#### 2. Recommendation

**That Council:**

1. **Adopt the 2017-2021 Campaspe Early Years Plan and accompanying background report.**
  2. **Note the first year implementation plan.**
- 

#### 3. Conflict of Interest

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

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#### 4. Charter of Human Rights

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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#### 5. Instrument of Delegation

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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#### 6. Background

Local Government plays a pivotal role in planning for its community, and in Victoria has historically invested significant effort into developing and delivering early years systems and programs. Localised Municipal Early Years Plans (MEYPs)

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provide a rigorous platform from which to identify gaps, strengthen partnerships and enhance access to a range of services and places by families. In May 2007 the Victoria Auditor General's Office undertook a review of Victoria's Municipal Early Years Planning processes, and found that MEYPs are sound initiatives that can improve coordination, integration and delivery.<sup>1</sup>

This plan supersedes Council's obsolete Early Years Plan 2004 and has been developed in line with the Municipal Association of Victoria (MAV) *Municipal Early Years Plan Framework*. The revised Plan will provide a strategic direction for the development and coordination of early years programs, activities and other local community development processes that impact on children 0 – 8 years in our municipality. Council engaged Public Place Consulting to lead the development of the plan through undertaking consultation, research of current trends and evidence base and documentation of existing conditions and opportunities and threats. A focus of the planning process included Council's role in service and infrastructure provision, planning, advocacy and community capacity building across the universal, targeted and intensive service system. Consultation included survey and then workshops with stakeholders and community held in November 2016.

Following the compilation of data from the research and consultation, trends were identified and formulated into an overarching vision for the plan, underpinned by four key themes and a number of supporting goals under each theme.

An annual Implementation Plan has been developed (in partnership with relevant stakeholders and internal council departments) to guide Council's initiatives and programs in the early years and ensure that the plan is implemented effectively and efficiently. It will allow Council and the community to monitor and evaluate the implementation of the plan and its outcomes, which will be reported through Council publications such as newsletters and the Annual Report.

In July 2017, the draft plan was released for public comment for a period of two weeks. No further feedback was received during this time.

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## 7. Content

The Early Years Plan demonstrates Council's commitment to supporting children and ensuring that families understand the importance of the early years and have the support that they need during this critical phase in every child's life.

The vision for the Early Years Plan is that Campaspe Shire is a place where children are supported to reach their potential.

The plan is built around a vision, four key themes and related goals which have been developed in consultation with families and relevant local stakeholders. The four key themes of the plan are:

- **The best possible start** – Children in Campaspe Shire have the opportunity to grow and develop in a rich and nurturing environment
- **High quality, sustainable services and infrastructure** – Plan for, monitor and evaluate services and facilities to meet community need
- **Support vulnerable children** – Families in which children may be vulnerable are identified and assisted before things become critical
- **Family friendly places** – The physical environment of Campaspe Shire supports the growth and development of children and families

The Vision and themes of the Early Years Plan reflect the desired outcomes for Council outlined in the Council Plan:

- **Strong & Engaged Communities** - Services, programs and advocacy enable improved health, wellbeing and safety of our community.
- **Healthy Environment** - A healthier environment for current and future generations

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<sup>1</sup> Victorian Auditor General 'Giving children the best start in life', Victorian Government Printer, May 2007

- **Balanced Services & Infrastructure** - Services and assets meet current and future community need.
- 

## 8. Issues and Risk Management

### Issues:

Community expectation is not aligned with capacity to deliver

It is acknowledged that there are known gaps in service delivery (or even in the existence of services themselves) and access to facilities or transport that support the wellbeing of children and families. Through the action planning that will underpin the plan, it is expected that further gaps may be identified. It is important to note that these gaps may not be the funding responsibility of Council. Any commitments undertaken through partnership work to influence the themes of the plan will be sympathetic to the resource and financial capacity of Council (or the lead organisation). Officers will work closely with Council's Corporate Strategy Manager and partner organisations to inform current and future advocacy items.

### Risk:

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

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## 9. Options

Option 1: Adopt the 2017-2021 Campaspe Early Years Plan and accompanying background report and note the first year implementation plan.

This option is recommended by officers.

Proceeding with this option will ensure that Council has a clear strategic direction and commitment to the early years. An extensive consultation and engagement process has been undertaken for the development of the plan and the final document reflects the needs and aspirations of the community.

Option 2: Do not adopt the 2017-2021 Campaspe Early Years Plan and accompanying background report or note the first year implementation plan.

This option is not recommended by officers.

Option 3: Adopt with changes

This option is not recommended by officers.

The plan in its current format, reflects an extensive community and stakeholder engagement and planning process underpinned by evidence-based data. Any alterations to the plan would need to be considered in this context.

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## 10. Strategic Planning Environments

Strong and Engaged Communities: Community members and stakeholders have been actively involved in the development of the Early Years Plan. The plan is supported by consultation, evidence-based data and local need. Annual implementation plans will support best practice service delivery and advocacy initiatives in the early years. Actively working toward shared goals that will influence the themes of the plan will enhance partnering opportunities between Council, stakeholders and community.

Resilient Economy: No impact.

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Healthy Environment:	The plan will broadly communicate to residents and visitors where family friendly passive and recreational spaces exist.
Balanced Services and Infrastructure:	Actions underpinning the plan will endeavour to enhance usage of current facilities and spaces. It is also noteworthy to understand that one dollar spent in the early years is estimated to save between \$3 and \$9 in future spending on health, social and justice services. <sup>2</sup>
Responsible management:	Having documented strategic direction in the early years will allow Council to clearly communicate and outline its role in the early years in relation the balance of service and infrastructure provision, planning, advocacy and community capacity building across the universal, targeted and intensive service system.

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## 11. Consultation

### Internal

- Councillors
- Community Planning Officer
- Library Services Manager
- Community Programs Coordinator
- Children's services staff – MCH nurse, long day care coordinators, supported playgroups facilitator

### External

- Online survey – 28 responses from community
- Workshops with Public Place consultants: 24 representatives from 15 organisations / groups / education services.
- Implementation plan workshop: Representatives from eight organisations across the Shire of Campaspe and regions including Department of Education and Training, Campaspe Primary Care Partnership, Save the Children, Early Childhood Intervention Services, Anglicare, Preschool cluster management
- Plan released for public feedback and comment for a period of two weeks in July 2017. No feedback received.

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<sup>2</sup> Grunewald, R. & Rolnick, A. (2006)



## **6.2. SUPPORT FOR SIR JOHN MONASH RECOGNITION**

### **Author:**

Kaye Mason, Executive Assistant

### **Responsible Manager:**

Chief Executive Officer

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### **1. Purpose**

To seek approval for Council to support the recognition of Sir John Monash's methods and command in leading the combined forces of Canadians, British, Americans, Tank, Air Force and Auxiliary Personnel, thus contributing to saving the lives of many soldiers.

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### **2. Recommendation**

**That Council write to the Prime Minister, the Hon Malcom Turnbull MP and Member for Murray, the Hon Damian Drum MP, to communicate Council's strong support of the Jerilderie Proposition, to posthumously promote General Sir John Monash to the rank of field Marshal.**

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### **3. Conflict of Interest**

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

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### **4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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### **5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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### **6. Background**

The Municipal Association of Victoria (MAV) Management Board has written to councils seeking support for a campaign to have General Sir John Monash GCMG KCB VD promoted to the rank of Field Marshall by 11 November 2018. This campaign is known as the Jerilderie Proposition. As Sir John Monash originated from Jerilderie, the Jerilderie Proposition is a resolution that was unanimously passed by Jerilderie Shire Council at its meeting of 27 October 2015 and reads:

*Following on the outstanding contribution of Sir John Monash to State and Nation before, during and after World War 1 and reflecting the fact that Sir John Monash received no Australian Awards or Honours post 11 November 1918, the Prime Minister approve by Government Gazette publication, the posthumous promotion of one step in rank of General Sir John Monash to the rank of Australian Field Marshal, with effect 11 November 1930, one year after Sir John Monash was eventually promoted to the rank of General.*

Since then a Saluting Monash Council has been established with the specific objective of achieving the posthumous promotion of General Sir John Monash to the rank of Field Marshall.

Information from the Saluting Monash Council website provides some background to this campaign:

*Effective 1 June, 1918 Monash was given command of the Australian Army Corps and promoted to Lieutenant General under General Rawlinson Commander of the Fourth Army.*

*This Australian Corps was the largest Corps in the Allies Armies comprising, at its peak, 208,000 personnel and at various times Monash commanded Canadians, British, Americans, Tank, air force and auxiliary personnel needed to support the attack forces. A total at one stage of eight Divisions.*

*It was two and a half times the size of Napoleon's army at the Battle of Waterloo.*

*By the end of the war Monash had acquired an outstanding reputation for intellect, personal magnetism, management and ingenuity. He also won the respect and loyalty of his troops. Monash was regarded with great respect by the British. Field Marshal Bernard Montgomery later wrote: 'I would name Sir John Monash as the best general on the western front in Europe [1918]'. British Prime Minister David Lloyd George described him as 'the most resourceful General in the British army' and indicated that should the war have continued 'till 1919, he would have been nominated to replace Haig as Commander in Chief (a field marshal's posting).*

It is widely accepted by historians, military leaders and international politicians of the day that Sir John's actions shortened the war. His methods of combining all forces from the use of Tanks and the air force were all designed to win battles, and ultimately saved the lives of many soldiers.

Britain, France, Belgium and the United States recognised his contribution. The Jerilderie Proposition seeks to ensure he finally receives similar recognition from the Australian government.

## 7. Issues and Risk Management

### Issues:

Nil

### Risk:

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## 8. Strategic Planning Environments

Strong and Engaged Communities:	The Jerilderie Proposition ensures the recognition of General Sir John Monash.
Resilient Economy:	No impact
Healthy Environment:	No impact
Balanced Services and Infrastructure:	No impact
Responsible Management:	No impact

## 9. Consultation

The Chief Executive Officer has consulted with Councillors on this matter.

### **6.3. SALE OF INDUSTRIAL LAND – 10 MALLOY STREET ROCHESTER**

**Author:**

Astrid O'Farrell, Investment Attraction Manager

**Attachments:**

6.3. Valuation dated 7 August 2017 for 10 Malloy Street Rochester

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**1. Purpose**

To consider the sale of 10 Malloy Street Rochester (Lot 7 of Plan of Subdivision 610775L Volume 11084 Folio 082) to Darren Chugg Plumbing Pty Ltd for \$20,000 plus GST with a 30 day settlement.

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**2. Recommendation****That Council:**

1. **Agree to the sale of land to Darren Chugg Pty Ltd (Purchaser) and/or;**
  - a. **a natural person or corporation if that person or corporation is connected with the Purchaser. A person or corporation is "connected" for the purposes of this resolution if:**
    - i) **that person or corporation is a trustee of a trust under which the Purchaser is capable of benefitting, or**
    - ii) **the Purchaser has the capacity to determine the outcome of decisions about the corporation's financial and operating policies and exercise that capacity for the benefit of the Purchaser;**
  - b. **a natural person who is a closely related party to the Purchaser. A person is a "closely related party" to the Purchaser for the purposes of this resolution if that person is a spouse, child, parent, brother, sister of the Purchaser or in a de facto relationship with the Purchaser;**

**for the land described as Lot 7 on Plan of Subdivision 610775L Certificate of Title Volume 11084 Folio121, for \$20,000 plus GST with a 30 day settlement or earlier by mutual agreement and otherwise on terms and conditions satisfactory to Council's Governance Manager.**

**subject to:**

- a. **The giving of public notice under Section 189 of the *Local Government Act 1989*; and**
  - b. **Consideration of submissions received pursuant to Section 223 of the *Local Government Act 1989*, which will be returned to Council for consideration if submissions are received.**
2. **Authorise the CEO to sign the Contract of Sale and associated documents subject to the satisfactory outcome of the statutory requirements of Section 189 of the *Local Government Act 1989*.**
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**3. Conflict of Interest**

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

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#### 4. Charter of Human Rights

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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#### 5. Instrument of Delegation

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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#### 6. Background

Campaspe Shire developed the Rochester Industrial Estate to encourage business growth and new investment. The estate was completed in 2008 and all of the blocks that front Lowry Street have since been sold. There are four smaller sized lots still available, excluding 10 Malloy Street. There is also a large block of land (1.702 hectares) earmarked for future industrial land development.

The price of industrial land in Rochester is affordable in comparison to Bendigo, Echuca and Kyabram.

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#### 7. Content

Darren Chugg Plumbing has been operating in Rochester for thirteen years. The business employs three full-time employees in addition to the owner and focuses on new homes, gas and maintenance work in and around Rochester.

The business currently operates from home which is a temporary arrangement. The proprietor wishes to purchase land and build a shed to support the business.

Eishold Property Services provided a Valuation report to Council dated 7 August 2017 recommending that a price of \$20 per square metre exclusive of GST be adopted. The block is 1,000 m<sup>2</sup> and the price recommended is \$20,000 plus GST.

The sale is subject to Councils' Policy 30 Industrial Land Sale Policy.

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#### 8. Issues and Risk Management

##### **Issues:**

Not applicable

##### **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

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#### 9. Options

Option 1: Council agree to the sale of the land.

Officers recommend this option.

Option 2: Council decline the offer to sell the land.

Officers do not recommend this option.

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**10. Strategic Planning Environments**

Strong and Engaged Communities:	No impact
Resilient Economy:	The sale and development of this land demonstrates business growth and confidence in the local economy.
Healthy Environment:	No impact
Balanced Services and Infrastructure:	A reduction in the area of land for Council to maintain.
Responsible Management:	No impact

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**11. Consultation**

- Planning Department regarding development proposal.
  - Legal Officer to request updated Valuation and current Certificate of Title search on the property.
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**12. Officer Comment**

It is encouraging to sell another block of industrial land in Rochester Industrial Estate.

The timing of the sale is important in reassuring locals that the Rochester economy is buoyant and other businesses are investing in their businesses. It is particularly important given the pending closure of the Murray Goulburn factory in 2018 and the departure of Emerald Grain due in November 2017.

## 7. COUNCIL INFORMATION

### 7.1. OPEN ASSEMBLY OF COUNCILLORS RECORDS

**Author:**

Sharolyn Taylor, Council Support Officer

**Responsible Manager:**

Governance Manager

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**1. Purpose**

To present to Council the open records for the Assemblies of Councillors held in the month of July 2017.

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**2. Recommendation**

**That Council note the open records of Assemblies of Councillors as outlined in this report.**

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**3. Conflict of Interest**

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

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**4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

---

**5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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**6. Background**

The Local Government Act provides a definition of an assembly of Councillors where conflicts of interest must be disclosed.

A meeting will be an assembly of Councillors if it considers matters that are likely to be the subject of a Council decision, or, the exercise of a Council delegation and the meeting is:

1. An advisory committee of the Council that includes at least one Councillor; or
2. A planned or scheduled meeting that includes at least half the Councillors (5) and one member of Council staff.

The requirement for reporting provides increased transparency and the opportunity for Councillors to check the record, particularly the declaration of conflict of interest.

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## 7. Content

The following Assemblies of Councillors were held in the month of July 2017:

<b>Meeting Information</b>		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	11 July 2017	
Matters Discussed	<ol style="list-style-type: none"> <li>1. Welcome, present &amp; apologies</li> <li>2. Declaration of Interests</li> <li>3. Future Meeting Dates</li> <li>4. Communication Reports</li> <li>5. Mayors Report               <ol style="list-style-type: none"> <li>5.1. Shiroi Delegation 2017</li> <li>5.2. Crime and Community Safety</li> </ol> </li> <li>6. Corop Hall and Wyuna Hall Updates</li> <li>7. CEO Update               <ol style="list-style-type: none"> <li>7.1 Microphones</li> <li>7.2 Echuca Bridge</li> <li>7.3 Corrective Services – Community Work Programs</li> <li>7.4 Murray Goulburn Rochester Update</li> <li>7.5 Sir John Monash</li> <li>7.6 Random House, Rochester</li> <li>7.7 Old Echuca Court House</li> <li>7.8 Murray Darling Association</li> <li>7.9 Rural Living Campaign</li> <li>7.10 VicTrack</li> <li>7.11 Echuca Court Update</li> </ol> </li> <li>8. Events in Campaspe</li> <li>9. Mulvehills Bridge Update</li> <li>10. Green Team Update</li> <li>11. Website Policies Update</li> <li>12. Delegation – Mitiamo Domestic &amp; Stock Pipeline Project Update</li> </ol>	
<b>Attendees</b>		
Councillors	Cr Adrian Weston (Mayor), Cr Daniel Mackrell (10:42am – 2:38pm), Cr Kristen Munro, Cr Vicki Neele, Cr Neil Pankhurst (10:18am - 2:38pm), Cr Annie Vickers, Cr Leigh Wilson, Cr John Zobec	
Staff	Jason Russell, Keith Oberin, Paul McKenzie, Emma Dalton, Frank Crawley (1:09pm- 1:58pm), Sharolyn Taylor, Richard Conway (10:07am – 11:00am) (11:58am – 12:33pm) (1:53pm – 2:38pm)	
<b>Apologies</b>		
Councillors	Cr Leanne Pentreath (approved leave of absence)	
<b>Conflict of Interest disclosures</b>		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

<b>Meeting Information</b>		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	18 July 2017	
Matters Discussed	<ol style="list-style-type: none"> <li>1. Welcome, present &amp; apologies</li> <li>2. Declaration of Interests</li> <li>3. Future Meetings</li> <li>4. Review Briefing Minutes</li> <li>5. Fox Island Bridge Gunbower Update</li> <li>6. Council Meeting Agenda – Open Q &amp; A</li> <li>8. Monthly reports - June 2017</li> <li>9. Unsealed Road Level of Service</li> <li>10. Department Update – Finance</li> <li>11. Customer Satisfaction Future Direction</li> <li>12. Department Update - Customer Service</li> <li>13. General Business               <ol style="list-style-type: none"> <li>13.1 Smart Move Computers Complaint Regarding ICT project:</li> <li>13.2 Communication Report - request from DELWP to close a government road allotment in the Township of Glanville</li> </ol> </li> </ol>	
<b>Attendees</b>		
Councillors	Cr Adrian Weston (Mayor) (11:34am – 1:20pm), Cr Leanne Pentreath (Deputy Mayor) (11:13am – 3:08pm), Cr Daniel Mackrell, Cr Vicki Neele, Cr Neil Pankhurst, Cr Annie Vickers, Cr Leigh Wilson, Cr John Zobec	
Staff	Jason Russell, Diane Hood, Keith Oberin, Emma Dalton, Paul McKenzie (1:14pm - 2:19pm), Frank Crawley (11:42am – 12:15pm), Sharolyn Taylor, Richard Conway (11:06am – 11:46am) (12:44pm - 1:32pm)	
<b>Apologies</b>		
Councillors	Cr Kristen Munro (approved leave of absence)	
<b>Conflict of Interest disclosures</b>		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

## 8. Issues and Risk Management

Nil.

## 9. Strategic Planning Environments

Strong and Engaged Communities:	No impact
Resilient Economy:	No impact
Healthy Environment:	No impact
Balanced Services and Infrastructure:	No impact
Responsible Management:	No impact

## 10. Consultation

Nil.



## **7.2 LETTERS OF APPRECIATION**

The following have been received:

- Stanhope Primary School – thank you to Brian Hubbard, Project Manager and his team for the wonderful new carpark. From the inception, through to the final stages of ground work we were kept up-to-date and many comments have been received about the improved safety for the students and families.
- Stephanie Wilson, Nathalia Secondary College – thank you to Stephanie Crawford, Human Resources Officer for assisting with my recent work experience placement. A big thanks to Stuart Stevens, Grace Paisley, Adele Hayes, Andrew Fletcher and Jacqui Bruns in planning for my first three days, which were my favourite and to Gary Biddle and the rest of the project management team for the other two days.
- River City Christian College – thank you for your significant contribution of 60 plants and tree guards as part of the National Tree Day program for the School Tree Day planting held recently. It was a great experience for all involved.
- Moama Border Indoor Bias Bowls Association Inc – thank you to the Campaspe Shire Council for the funding of \$500 received under 2017/2018 Community Grants Program (Round one) towards the annual tournament. This is very much appreciated.

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### **Recommendation**

**That Council note the letters of thanks and appreciation as listed.**

**7.3. RESPONSIVE GRANTS PROGRAM****Author:**

Bobbi Aitken, Civic Events & Grants Officer

**Responsible Manager:**

Communications & Public Affairs Manager

**1. Purpose**

To note Responsive Grants Program applications received and approved in line with grant guidelines and criteria.

**2. Recommendation**

**That Council note the following grant has not been approved in accordance with Responsive Grants Program guidelines and criteria and applicants advised in writing:**

- **Kyabram Community & Learning Centre Inc – to assist Campaspe Family Violence Action Group with the development of a strategic plan to reduce family violence within Campaspe Shire.**

**3. Conflict of Interest**

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

**4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

**5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

**6. Background**

The Responsive Grants Program provides funding for community initiatives and has guidelines for applications submitted to council.

This month, the following applications have been received:

Organisation	Amount	Amount Recommended	Purpose	Comment
Kyabram Community & Learning Centre Inc	\$1,000	\$0	To assist Campaspe Family Violence Action Group with the development of a strategic plan to reduce family violence within Campaspe Shire	Not approved by CEO – Campaspe Family Violence Action Group has indicated in previous communication via email that they have sufficient funds raised through Rosie Batty events to cover the cost of the development of the strategy.

<b>Fund Balance Prior to application approval:</b>	\$50,000
<b>Funding approved:</b>	\$0
<b>Fund Balance: (15 August 2017)</b>	\$50,000

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## 7. Issues and Risk Management

### Issues:

Nil

### Risk:

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

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## 8. Strategic Planning Environments

Strong and Engaged Communities:	This funding source provides support to Responsive Grants Program requests for community initiatives.
Resilient Economy:	No impact
Healthy Environment:	No impact
Balanced Services and Infrastructure:	No impact
Responsible Management:	This annual budget allocates funding for Responsive Grants Program requests for community initiatives.

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## 9. Consultation

Nil

## 8. COUNCILLOR REPORTS

<b>Cr Adrian Weston</b>	
19 July 2017	Rushworth Senior Citizens AGM
19 July 2017	Fairley Leadership Lecture - Entrepreneurship in the Region
20 July 2017	50 years of Public Library Services in Kyabram
21 July 2017	Towards Zero Game Plan Lunch
21 July 2017	Fairley Leadership 21st Birthday
27 July 2017	Winter Blues Launch Party
8 August 2017	Basketball Victoria Country Jamboree Photo Launch
9 August 2017	Senior Combined Partners & Integrated Water Management for Goulburn Broken Meetings
10 August 2017	MAV Rural & Regional Forum
14 August 2017	GSCC and Murray River Group of Councils MDBP discussions
15 August 2017	Rotary Club of Rochester and Farm and Road Safety Expo

<b>Cr Daniel Mackrell</b>	
19 July 2017	Food Safety & Tobacco Law Workshop
21 July 2017	Towards Zero Game Plan Lunch
21 July 2017	RivADance Deb Ball
27 July 2017	Winter Blues Launch Party
5 August 2017	Echuca Moama Artists Exhibition to Support Search & Rescue Opening
9 August 2017	Murray Business Network Event - Kieran Flanagan
14 August 2017	Echuca Moama Business Traders Association AGM

<b>Cr Kristen Munro</b>	
24 July 2017	CCLLEN Board Meeting
27 July 2017	Girgarre Cottage White Ribbon Night Fundraiser
28 – 30 July 2017	MAV Councillor Development Weekend
7 August 2017	EMFM Radio
15 August 2017	Rotary Club of Rochester and Farm and Road Safety Expo

<b>Cr Vicki Neele</b>	
19 July 2017	Fairley Leadership Lecture - Entrepreneurship in the Region
19 July 2017	Kyabram Deakin Residents and Ratepayers Development Group Meeting
20 July 2017	Echuca Moama and District Tourism Development Association Inc Board Meeting
20 July 2017	50 years of Public Library Services in Kyabram
25 July 2017	Planning Consultation Session - Pln 088/2017
26 July 2017	Kyabram Men's Shed
26 July 2017	Food Safety & Tobacco Law Workshop
27 July 2017	Girgarre Cottage White Ribbon Night Fundraiser
9 August 2017	Murray Business Network Event - Kieran Flanagan
11 August 2017	Kyabram P12 College Chaplaincy 16th Annual Fundraising Dinner
15 August 2017	Rotary Club of Rochester and Farm and Road Safety Expo

<b>Cr Neil Pankhurst</b>	
20 July 2017	50 years of Public Library Services in Kyabram
25 July 2017	Focus Group on Improving Victoria's Water Information Delivery

<b>Cr Leanne Pentreath</b>	
21 July 2017	Towards Zero Game Plan Lunch
21 July 2017	Fairley Leadership 21st Birthday
27 July 2017	Leitchville Gunbower Auskick Presentation Night
15 August 2017	Rotary Club of Rochester and Farm and Road Safety Expo

<b>Cr Annie Vickers</b>	
19 July 2017	Kyabram Deakin Residents and Ratepayers Development Group Meeting
20 July 2017	50 years of Public Library Services in Kyabram
21 July 2017	Towards Zero Game Plan Lunch
22 July 2017	RivADance Deb Ball
24 July 2017	Campaspe MEMPC Meeting
27 July 2017	Winter Blues Launch Party
23 – 30 July 2017	MAV Councillor Development Weekend
3 August 2017	Integrated Municipal Emergency Management Planning Committee Meeting
4 August 2017	Aboriginal Children's Day & Launch of Echuca Moama Early Years Directory
5 August 2017	Echuca Moama Artists Exhibition to Support Search & Rescue Opening
9 August 2017	Murray Business Network Event - Kieran Flanagan
14 August 2017	Echuca Moama Business Traders Association AGM
15 August 2017	Rotary Club of Rochester and Farm and Road Safety Expo

<b>Cr Leigh Wilson</b>	
24 July 2017	Rochester Senior Citizens AGM
25 July 2017	Rochester Community House Meeting
25 July 2017	Rochester Historical Society Morning Tea
29 July 2017	Toolleen Football – NBN Truck
3 August 2017	Rochester Open For Business Action Group Meeting
5 August 2017	Echuca Moama Artists Exhibition to Support Search & Rescue Opening
11 August 2017	GVWRRG Forum Meeting
14 August 2017	Earthcore Neighbours Meeting
15 August 2017	Rotary Club of Rochester and Farm and Road Safety Expo

<b>Cr John Zobec</b>	
20 July 2017	50 years of Public Library Services in Kyabram
21 July 2017	Towards Zero Game Plan Lunch
25 July 2017	Planning Consultation Session - Pln 088/2017
23 – 30 July 2017	MAV Councillor Development Weekend
11 August 2017	Kyabram P12 College Chaplaincy 16th Annual Fundraising Dinner
15 August 2017	Rotary Club of Rochester and Farm and Road Safety Expo

## Recommendation

**That the Councillor reports be noted.**

## 9. CHIEF EXECUTIVE OFFICER'S REPORT

Activities and meetings attended since previous Council meeting:

- Mark Gepp, Member for Northern Victoria
- Rochester Water Services Committee
- Meeting with Deputy Secretary DELWP
- Regional Development Victoria Meeting regarding potential Rochester investments
- GMW Regional Floodplain Strategy discussions
- RDV Murray Goulburn Transition Committee
- VicRoads: Country Roads Forum
- Department of Justice re Works Order Opportunities
- Winter Blues Launch Party
- Victorian Planning Authority Director
- Victorian Chamber of Commerce CEO
- Murray River Group of Councils CEO Meeting
- EMFM Radio
- Murray River Council Interim GM
- LGPro Emerging Leaders Mentoring Program
- VicTrack meeting re Echuca Station Precinct Plan
- Echuca & Moama District Tourism CEO
- Senior Combined Partners Meeting
- Integrated Water Management meeting
- MAV Rural & Regional Forum
- Rural Councils Victoria Workshop and Steering Committee

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### Recommendation

**That the Chief Executive Officer's report be noted.**

## 10. NOTICES OF MOTION

### 10.1 MARRIAGE EQUALITY

**Cr Kristen Munro**

Council resolves to:

1. Publicly support marriage equality irrespective of sex, gender, identity or sex characteristics.
2. Write to all federal members of parliament and the commonwealth human rights and equal opportunity commission advising them of councils support.
3. Write to all political parties with representation in federal parliament encouraging them to prioritise debating changes to the marriage act and allow a conscience vote on marriage equality.

## 11. URGENT BUSINESS

## 12. QUESTION TIME

## 13. CLOSED SESSION OF THE MEETING TO THE PUBLIC

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### Recommendation

That pursuant to the provisions of the Local Government Act 1989, the meeting will now be closed to members of the public to enable the meeting to discuss matters in items 14, 15, 16 and 17 which the Council may, pursuant to the provisions of Section 89(2) of the Local Government Act 1989 (the Act) resolve to be considered in Closed Session, being a matter contemplated by Section 89(2) of the Act, as follows:

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer;
- (c) industrial matters;
- (d) contractual matters;
- (e) proposed developments;
- (f) legal advice;
- (g) matters affecting the security of Council property;
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.



## **14. CONFIRMATION OF CONFIDENTIAL MINUTES & ATTACHMENTS**

89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person

## **15. CONFIDENTIAL COUNCIL INFORMATION**

### **15.1. CONFIDENTIAL ASSEMBLY OF COUNCILLORS RECORDS**

89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person

### **15.2. CONFIDENTIAL COMMUNICATION REPORTS & ATTACHMENTS**

89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person

## **16. CONFIDENTIAL BUSINESS**

### **16.1 89(2)(D) CONTRACTUAL MATTERS**

### **16.2. 89(2)(D) CONTRACTUAL MATTERS**

## **17. CONFIDENTIAL COUNCIL MEETING CLOSE**

89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person

## **18. ITEMS DETERMINED TO BE NO LONGER CONFIDENTIAL**

## 19. OPEN MEETING TO THE PUBLIC

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### Recommendation

That Council resolves to open the meeting to the public

## 20. CLOSE MEETING

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JASON RUSSELL

CHIEF EXECUTIVE OFFICER