



ORDINARY COUNCIL MEETING AGENDA – 18 FEBRUARY 2016 WEST WIMMERA SHIRE COUNCIL

ORDINARY COUNCIL MEETING AGENDA

Mission Statement: *West Wimmera Shire Council will work in partnership with the community, business and government to develop and enhance a productive, healthy and safe community by providing leadership, services, advocacy and good governance*

TO BE HELD: **Thursday 18 February 2016**

LOCATION: **Kaniva Council Chamber**

COMMENCEMENT: **7.30pm**

REQUIRED TO ATTEND:	
Councillors	Senior Management Group
Annette Jones, Mayor	David Leahy Chief Executive Officer
Ron Hawkins	
Bruce Meyer	Venkat Peteti General Manager Corporate & Community Services
Richard Wait	
Warren Wait	Robyn Evans General Manager Infrastructure Development & Works

Members of the Gallery are advised that the following Local Law applies to this meeting:

West Wimmera Shire Council Local Law No.7, 2012

38. Gallery to be silent

- (1) Any member of the public addressing the Council or in attendance in the gallery must extend due courtesy and respect to the Council and the processes under which it operates*
- (2) Visitors must not interject or take part in the debate and must take direction from the Chairperson whenever called upon to do so.*

Vision Statement: *West Wimmera Shire delivers the very best experience and opportunity that rural living has to offer*



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1.0 WELCOME

2.0 OPENING PRAYER

Almighty God, we humbly ask your blessing upon this Council. Guide and prosper our decisions to the advancement of Your Glory and the true welfare of the people of West Wimmera Shire.

3.0 APOLOGIES, LEAVE OF ABSENCE, DECLARATION OF CONFLICT OF INTEREST

3.1 APOLOGIES

3.2 LEAVE OF ABSENCE

3.3 DECLARATION OF CONFLICT OF INTEREST

All councillors have a personal responsibility to ensure they are aware of the provisions mandated in the Local Government Act 1989 with regard Conflict of Interest disclosures. The Conflict of Interest – A Guide for Councillors (October 2012) has been made available to all Councillors in hard copy form and is available via Docs On Tap.

4.0 QUESTIONS FROM THE GALLERY (maximum of 30 minutes)

4.1 WRITTEN QUESTIONS ON NOTICE

Questions on Notice are to be submitted to Council no later than the Monday prior to the relevant Council Meeting. The template for Questions on Notice is available from the Edenhope and Kaniva Council offices, and from the Shire's website.

4.2 VERBAL QUESTIONS WITHOUT NOTICE

Time permitting, this section of the Agenda allows members of gallery to ask verbal questions of Councillors, through the Mayor. At all other times during the meeting, members of the gallery are required to be silent, pursuant to West Wimmera Shire Council Local Law No.7, 2012.



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5.0 DELEGATES REPORTS (FOR INFORMATION ONLY) AS LISTED IN THE COUNCIL KEPT COUNCILLOR DIARY

5.1 MAYOR, ANNETTE JONES

23/12/2015 GMCCS and GMIDW
12/01/2016 Mark Crouch, CEO
20/01/2016 Mark Crouch, CEO
20/01/2016 GWM Water Workshop
20/01/2016 Minister Pulford – funding announcement for Kaniva Community Hub
22/01/2016 Regional Mayors and Ralph Kenyon, Wimmera Development Association
25/01/2016 Mark Crouch, CEO
25/01/2016 Emma Kealy, MP
25/01/2016 Emma Kealy, MP & Friends of Lake Wallace
25/01/2016 Kellie Jordan, Manager Economic & Business Development
25/01/2016 Tim Conolan, Australia Day Ambassador 2016
26/01/2016 Australia Day Event in Edenhope
26/01/2016 Australia Day Event in Harrow
28/01/2016 Planning Canberra Deputation trip with neighbouring Shires
01/02/2016 Mullagh Wills Foundation Meeting, Melbourne
02/02/2016 David Leahy, CEO
03/02/2016 Kellie Jordan & Heidi Gajic
03/02/2016 Lisa Oliver, West Wimmera Landcare Network
03/02/2016 Edenhope Community Garden Meeting
04/02/2016 Morning Tea for new CEO David Leahy
04/02/2016 Councillor Forum, Kaniva
05/02/2016 Grampians Central West Waste & Resource Recovery Group Meeting
08/02/2016 David Leahy, CEO
12/02/2016 Wimmera Mayoral Gathering
13/02/2016 Blue Ribbon Foundation Ball, official opening of Horsham Town Hall
15/02/2016 Aboriginal Panels Project Meeting
15/02/2016 Economic Development Special Committee Meeting
16/02/2016 David Leahy, CEO
18/02/2016 Council Meetings

5.2 COUNCILLOR RON HAWKINS

25/01/2016 Emma Kealy, MP
25/01/2016 Tim Conolan, Australia Day Ambassador 2016
26/01/2016 Australia Day Event in Apsley
26/01/2016 Australia Day Event in Dergholm
01/02/2016 Morning Tea with new CEO David Leahy
04/02/2016 Morning Tea for new CEO David Leahy
04/02/2016 Councillor Forum, Kaniva
05/02/2016 Wimmera Southern Mallee Regional Transport Group Meeting



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08/02/2016	GWM Water information session at Goroke
09/02/2016	David Leahy, CEO
09/02/2016	Wimmera Development Association Board Meeting
10/02/2016	Local Laws Workshop
13/02/2016	Blue Ribbon Foundation Ball, official opening of Horsham Town Hall
15/02/2016	Economic Development Special Committee Meeting
18/02/2016	Council Meetings

5.3 COUNCILLOR BRUCE MEYER

18/12/2015	Wimmera Regional Library Corporation Board Meeting
24/12/2015	Kaniva Traders' Christmas Party
20/01/2016	GWM Water Workshop
20/01/2016	Minister Pulford – funding announcement for Kaniva Community Hub
25/01/2016	Emma Kealy, MP
25/01/2016	Tim Conolan, Australia Day Ambassador 2016
26/01/2016	Australia Day Event in Kaniva
01/02/2016	Morning Tea with new CEO David Leahy
04/02/2016	Morning Tea for new CEO David Leahy
04/02/2016	Councillor Forum, Kaniva
09/02/2016	Kaniva Community Sporting Complex Committee Meeting
10/02/2016	David Leahy, CEO
10/02/2016	Local Laws Workshop
15/02/2016	Aboriginal Panels Project Meeting
15/02/2016	Economic Development Special Committee Meeting
18/02/2016	Council Meetings

5.4 COUNCILLOR RICHARD WAIT

20/01/2016	GWM Water Workshop
25/01/2016	Emma Kealy, MP
25/01/2016	Emma Kealy, MP & Friends of Lake Wallace
26/01/2016	Australia Day Event in Dergholm
29/01/2016	Timber Towns Victoria – Timber Industry Road Evaluation Study
03/02/2016	Lisa Oliver, West Wimmera Landcare Network
04/02/2016	Morning Tea for new CEO David Leahy
04/02/2016	Councillor Forum, Kaniva
13/02/2016	Blue Ribbon Foundation Ball, official opening of Horsham Town Hall
15/02/2016	Wimmera Mallee Tourism Meeting
15/02/2016	Aboriginal Panels Project Meeting
15/02/2016	Economic Development Special Committee Meeting
18/02/2016	Council Meetings



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5.5 COUNCILLOR WARREN WAIT

20/01/2016	GWM Water Workshop
20/01/2016	Minister Pulford – funding announcement for Kaniva Community Hub
25/01/2016	Emma Kealy, MP
25/01/2016	Tim Conolan, Australia Day Ambassador 2016
26/01/2016	Australia Day Event in Goroke
04/02/2016	Morning Tea for new CEO David Leahy
04/02/2016	Councillor Forum, Kaniva
08/02/2016	Goroke Men's Shed Annual General Meeting
08/02/2016	GWM Water information session at Goroke
11/02/2016	David Leahy, CEO
13/02/2016	Blue Ribbon Foundation Ball, official opening of Horsham Town Hall
15/02/2016	Economic Development Special Committee Meeting
18/02/2016	Council Meetings

5.6 MARK CROUCH (FORMER CHIEF EXECUTIVE OFFICER)

22/12/2015	Post-Council Staff Briefing
22/12/2015	Kaniva Men's Shed Christmas Party
11/01/2016	Mullagh Wills Foundation Meeting, Melbourne
12/01/2016	Mayor Annette Jones
12/01/2016	Trevor Domaschenz, Friends of Lake Wallace
20/01/2016	Minister Jaala Pulford – Kaniva Community Hub funding announcement
20/01/2016	Staff afternoon tea – farewell for CEO
20/01/2016	Informal Dinner Meeting with Minister Pulford, Dunkeld
28/01/2016	Meeting re March 2016 Council delegation to Canberra
28/01/2016	Wimmera CEOs Meeting, Halls Gap

5.7 DAVID LEAHY (CHIEF EXECUTIVE OFFICER)

01/02/2016	Staff Morning Tea, Edenhope
02/02/2016	Mayor Annette Jones
02/02/2016	General Manager Corporate & Community Services & Finance Manager
03/02/2016	Edenhope Depot
04/02/2016	Staff Morning Tea, Kaniva
04/02/2016	Councillor Forum, Kaniva
04/02/2016	Kaniva Depot
08/02/2016	Regional Development Victoria
08/02/2016	GWM Water information session at Goroke
08/02/2016	Senior Management Group
08/02/2016	Budget preparation session with Managers
09/02/2016	Councillor Ron Hawkins
09/02/2016	Wimmera Development Association Board Meeting
10/02/2016	Councillor Bruce Meyer
10/02/2016	Local Laws Workshop



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13/02/2016	Blue Ribbon Foundation Ball, official opening of Horsham Town Hall
15/02/2016	Senior Management Group and Managers Meeting
15/02/2016	Rural Living Working Group
16/02/2016	Mayor Annette Jones
16/02/2016	Edenhope Cultural & Community Hub Project – stakeholder meeting
16/02/2016	James Ackland, Bendigo Bank Edenhope
16/02/2016	Superintendent Paul Margetts, Victoria Police
16/02/2016	Investment Logic Mapping – Legume Processing Plant Feasibility Study
18/02/2016	Council Meetings

5.8 GENERAL DELEGATES REPORTS

Councillors to provide delegates reports to Council meeting in relation to meetings attended in last month for which they have been appointed as Council representative. Verbal or written delegates' reports.

6.0 CONDOLENCES

7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Thursday 17 December 2015, be taken as an accurate record and confirmed.

8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

9.0 NOTICES OF MOTION



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10.0 COMMITTEE RECOMMENDATIONS, ASSEMBLY OF COUNCILLORS RECORD, WIMMERA REGIONAL LIBRARY CORPORATION

10.1 GENERAL COMMITTEE FOR DECISION

The resolutions arising from the General Committee Meeting held on Thursday 17 December 2015 are now required to be formally adopted by Council.

RECOMMENDATION:

That the resolutions arising from the General Committee Meeting, being resolutions from the meeting held on Thursday 17 December 2015, as listed below, be adopted on an individual resolution basis.

2.1.1 PUBLIC TOILETS, MADDERN STREET KANIVA – UPGRADE

Moved: Councillor Richard Wait

Seconded: Councillor Bruce Meyer

That the West Wimmera Shire consider in the next budget a refit upgrade of the Kaniva public toilets in Maddern Street.

Carried Unanimously

Officer Comment – GMIDW:

2.5.1 OPPORTUNITIES TO DROUGHT PROOF WEST WIMMERA SHIRE

Moved: Councillor Richard Wait

Seconded: Councillor Ron Hawkins

In light of the State Government's stated aims and the obvious need to "drought proof" West Wimmera Shire:

That Council write to the Hon. Lisa Neville, Minister for Environment, Climate Change and Water, to request a meeting as soon as possible to discuss what options and opportunities could be available to West Wimmera Shire.

Carried Unanimously

Officer Comment – CEO:



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10.2 ASSEMBLY OF COUNCILLORS

RECOMMENDATION:

That the Assembly of Councillors Record for the Councillor Forum held Thursday 4 February 2016 be received and noted.

10.3 WIMMERA REGIONAL LIBRARY CORPORATION

That the Draft Minutes of the Wimmera Regional Library Corporation Board Meeting held Friday 18 December 2015 be received and noted.

Attachments:

No.	Name	RecFind Ref
10.3.1	Draft Minutes – Wimmera Regional Library Corporation Board Meeting, 18 Dec 2015	16/000599

11.0 DEPUTATIONS AND PETITIONS



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12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE

12.1 DELEGATION TO CANBERRA BY WIMMERA MAYORS AND CHIEF EXECUTIVE OFFICERS

FILE NUMBER: AD0152

REPORT AUTHOR: DAVID LEAHY, CHIEF EXECUTIVE OFFICER

FOR INFORMATION

Introduction

An annual delegation of Mayors and CEOs from the Wimmera region to meet with Ministers and Shadow Ministers in Canberra has been arranged. The following report provides background on the subjects to be discussed overall and more specifically a summary of the topics to be discussed by the West Wimmera Shire Council delegates.

Background

To enable a well-structured campaign of advocacy to be undertaken at a Federal level, the Wimmera Mayors and CEOs have arranged a scheduled delegation to meet with Ministers and Shadow Ministers outside of the annual ALGA conference period.

The delegation appointments are being arranged via the office of the Member for Mallee, Mr Andrew Broad.

Topics being discussed at the various sessions include, renewable energy, Local Government funding (indexation of Financial Assistance Grants [FAGs] and grant conditions for small rural Councils), rail freight, mobile coverage, Rural Living Campaign, drought programs and improved weather forecasting.

In addition to the above, there are a number of topics that are specific to individual Councils or smaller sections of the region such as, VicRoads C Class Roads, wildlife arts museum, protein extraction plant and Stawell underground physics lab.

The Mayor will be attending 6 sessions with the following Ministers and Shadow Ministers'

- Senator Mitch Fifield – NBN and Mobile coverage
- Senator Ricky Muir – LG Funding, Western Hwy & C Class Roads
- Julie Collins MP – LG Funding and Rural Living Campaign



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- Barnaby Joyce MP – National Drought Reform, Weather Forecasting
- Senator Ann Ruston – drought conditions, weather forecasting & protein extraction plant
- Senator Nick Xenophon – LG Funding, Rural Living, Regional Investment & Western Highway.

The CEO will be attending 5 sessions with the following Ministers and Shadow Ministers,

- Senator Ricky Muir – C Class Roads, Western Hwy & LG Funding
- Julie Collins MP – LG Funding & Rural Living
- Paul Fletcher MP – LG Funding & Rural Living
- Joel Fitzgibbon MP – Drought Conditions, Rural Living & LG Funding
- Anthony Albanese MP – Rail Freight, LG Funding & Western Hwy.

Risk Management Implications

Not commented on.

Legislative Implications

Not commented on.

Environmental Implications

A number of the sessions are discussing drought conditions and more specifically drought proofing which may lead to practical on ground measures / actions.

Financial and Budgetary Implications

The intention is to send a clear message that the financial implications of the freeze on indexing the FAGs is having a significant detrimental effect on small rural Shires and Councils.

Policy and Council Plan Implications

Not commented on.

Communication Implications

The outcomes of the various meetings will reported back to all of the Councils participating and a series of joint media statement will be issued.



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Conclusion

By taking the initiative to send a delegation to meet with Ministers and Shadow Ministers outside of the ALGA conference period, sends a clear message that Local Government in the Wimmera is serious about getting their message heard.

The common theme through all of the sessions is that the reduction in Local Government funding is having is creating an environment where Councils are forced to formulate budgets with a view to service reduction.

It is also critical that localised issues such as C Class Roads, individual drought conditions and localised weather forecasting are clearly articulated to ensure that a “one size fits all” approach is not taken at the Federal level.

OFFICER RECOMMENDATION:

That the report be received and noted.

Attachments:

No.	Name	RecFind Ref
12.1.1	Canberra Delegation Trip 15-17 March 2016 – list of meetings arranged with Ministers and Shadow Ministers	16/000599



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13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS

13.1 PLANNING PERMIT APPLICATION P1295 – GWM WATER (GOROKE SITE)

FILE NUMBER: PA0882
REPORT AUTHOR: GILLIAN BRADSHAW,
MANAGER PLANNING & ENVIRONMENT

FOR DECISION

Background

The applicant, Grampians Wimmera Mallee Water (GWM Water), propose to use the road reserve on the Natimuk-Frances Road, Goroke adjacent to 2-26 Natimuk-Frances Road, for the installation of an electronic standpipe. The installation of this minor utility will require the removal of some native vegetation thus a planning permit must be obtained.

GWM Water have obtained a Drought Assistance Funding from the State Government for Fire Fighting Tanks and Standpipe installations for the Country Fire Authority (CFA) and landowners' to access for emergency use.

There are a total of six (6) new electronic standpipes to be constructed within West Wimmera Shire, located at Apsley, Kaniva, Edenhope Goroke and two (2) at Harrow.

The new Apsley and Kaniva electronic standpipes do not require a planning permit as there is no native vegetation to be removed.

Subject site & locality

An inspection of the site and the surrounding area has been undertaken. The proposed facility is to be situated within an area of land no greater than 246.5 square metres. This land is located on the road reserve at Natimuk-Frances Road, Goroke adjacent to 2-26 Natimuk-Frances Road. The area in which native vegetation removal is to be most prominent, measures a size of 50 metres square.

The existing standpipe at Goroke is considered very slow and the infrastructure is dated, hence the need to replace with a more efficient and effective standpipe.



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Permit/Site History

The history of the site includes:

No records can be found of any building or planning permits for this site prior to this application.

Work commenced on the construction of the Electric standpipe prior to the lodgement of the Planning Permit application with Council, around the 20th November 2015.

Public Notification

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

Notice to the owners and occupiers of adjoining land by post on the 3rd December 2015.

Notice to the Determining Authority was forwarded to VicRoads on 7th December 2015, and the Department of Environment, Land, Water and Planning (DELWP) by email on the 22nd December 2015. This delay was due to a request for additional information in relation to the proposed offset area from GWM Water which was required for DELWP assessment.

The notification has been carried out correctly.

Council has received one (1) objection to date. The key issues that were raised in the objections are:

- a) Concerns about the drainage and overflow from the site onto their land.
- b) Chemical contamination from chemicals being spilt due to farmers filling boom sprays at the site or foam from fire trucks.
- c) Traffic could be an issue due to no room for vehicles to pull off the road. Standpipe can only accommodate one vehicle at a time.
- d) Possible reduction of water pressure on their property, as pressure is poor at other locations on the Natimuk-Frances Road, Gorokey.
- e) The position of the standpipe will restrict any future subdivision of their adjacent land, if desired in the future.
- f) No prior notification from GWM Water before construction of the standpipe commenced.



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Consultation

Consultation was undertaken and included:

1. All adjoining land owners received letters detailing the main features of the permit application.
2. GWM Water were contacted by the General Manager Infrastructure Development and Works (GMIDW), when Council was advised that works had commenced without a planning permit being granted, and asked to cease any further works until a decision on the planning permit had been made.
3. The relevant referral authority, VicRoads was advised of the application by email on 7th December 2015. VicRoads responded with no objections to the planning permit application but with three conditions to be included in the planning permit.
4. The relevant referral authority of DELWP was advised of the application by email on the 22nd December 2015. This delay was due to a request for additional information in relation to the proposed offset area from GWM Water which was required for DELWP assessment. DELWP have responded with no objection to the planning permit application, and three conditions to be included in the planning permit.
5. Numerous telephone calls were received from the objectors in relation to the matters raised and a written objection was submitted to Council on 15th December 2015.
6. GWM Water were advised of the objection and requested a copy so they could meet and discuss the issues raised directly with the objectors.
7. GWM Water met with the objectors on 28th January 2016 and provided a copy of the minutes of the meeting to Council and the objectors. GWM Water responded to the objectors concerns as follows:
 - a) The amount of water spilt when disconnecting occurs “might wet the surrounding ground” but doubt the volume from an approximate 5 metre length of 3” pipe would affect the adjacent property.
 - b) The standpipe access will only be provided to those customers who have a GWM Water swipe card. This type of incident is unlikely, firstly the water is for emergency use only, and normal farming operations such as mixing chemicals should be on-farm not at a utility site such as this. The CFA mix the foam on-site of a fire after determining the method of response.
 - c) As the standpipe is for emergency water access point for the CFA for a quicker fill.
 - d) No mention was made of this during the meeting.
 - e) This infrastructure is unlikely to impact on long term plans for growing crops, grazing animals or any other activity may wish to be pursued.
 - f) Apologised for the lack of previous consultation prior to the installation occurring, it was definitely not undertaken in the manner to which GWM Water continually prides itself on. However, if the appropriate process of customer consultation was followed, the timeframe would have been drawn out over a lengthy period of time and the objectors concerns would have respectively been heard.



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Referrals

External Referrals/Notices Required by the Planning Scheme:

Referrals / Notices:	Advice /	Response /	Conditions
Section 55	DELWP –	No objections	provided three conditions are included.
Referrals:	VicRoads –	No objections	provided three conditions are included.
Section 52 Notices:	Adjoining Land Owners –	one written objection	received.

Assessment

The zoning of the land and any relevant overlay provisions:

Road Zone Category 1 (Clause 36.04)

The purpose of the Road Zone Category 1 is to identify significant existing roads. A planning permit is required for a Utility Installation as it is a Section 2 use in Clause 36.04-1.

Clause 36.04-2 – A permit is required to construct a building or construct or carry out works for use in Section 2 of Clause 36.04-1.

Farming Zone (Clause 35.07) adjacent to Road zone

The purpose of the Farming zone is to:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- 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.

Under the provisions of the Farming Zone, a planning permit is not required for minor utility installations. The permit trigger is instead prompted by the removal of native vegetation. No new land uses are proposed which compromise the use of adjoining land for agricultural uses.

Environment Significance Overlay - Schedule 2 – Red-tailed Black Cockatoo (42.01)

The purpose of schedule 2 to the ESO is:

- To protect the habitat of the endangered Red-tailed Black Cockatoo.



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- To ensure the availability of suitable nesting sites for the Red-tailed Black Cockatoo through the protection of live and dead hollow bearing trees and other suitable trees within the bird's known nesting area.
- To protect the feeding habitat of the Red-tailed Black Cockatoo through the retention of Buloke and Stringybark trees.

The permit application proposes to remove some Grasses, but no vegetation which provides significant habitat value to the Red Tailed Black Cockatoo. No other developments on site should have the potential to affect the Red Tailed Black Cockatoo as the land use remains unchanged, but with the current facilities being upgraded.

The State Planning Policy Framework (SPPF)

13.05-1 Bushfire

One of the strategies mentioned under this Clause states:

Ensure that planning support bushfire management and prevention and emergency services actions and activities.

- The installation of the electronic standpipe will support the Country Fire Authority brigades fighting fires by providing a good quality water supply for filling the fire tankers in cases of emergency.

14 Natural Resource Management – Protection of Agricultural Land (14.01)

The purpose of this state policy is to protect productive farmland which is of strategic significance in the local or regional context. The positioning of the subject site on the road reserve provides a barrier from nearby agricultural land.

The new land use proposed will have little impact between this site, and nearby farming land. Further, the proposal is one which may support the existence of agricultural practices in the region as farmers may chose to utilise the service and purchase water for their agricultural activities.

15.01 Urban Environment

One of the strategies mentioned under this Clause states:

Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental stability.

- The installation of the electronic standpipe will support the local fire brigades when fighting fires both in the township and in the rural areas around Edenhope, by providing a good quality water supply for filling the fire tankers in cases of emergency.

19.03-2 Water Supply, Sewerage and Drainage

To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.



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- The installation of the electronic standpipe will support the local fire brigades when fighting fires both in the township and in the rural areas around Gorokey, by providing a good quality water supply for filling the fire tankers in cases of emergency.

The Local Planning Policy Framework (LPPF)- including the Municipal Strategic Statement (MSS) and local planning policies

21.06 Land Uses - Agriculture (21.06-5)

Clause 21.06 acknowledges agriculture as the most dominant land use within the shire, and the greatest economic driver. With this in mind, the policy aims to ensure the industry's longevity in the region.

As previously stated, the proposed new land use is to be used in such a way that it may be considered conducive to agricultural production. The provision of water from a standpipe facility can assist in mitigating the potential effects of a bushfire and may also prove beneficial to farmers who may chose to purchase water for their farm operations.

21.07-3 Environmental Hazards

Natural disasters (including fire, flood, storms and drought) have the potential to substantially affect the community, economically and socially, in addition to the environmental issues created by these disasters.

There are large areas of grass/cropping land and bushland in the Shire which regularly burn as a result of natural causes, accidents or deliberate action. One of the major issues is that of uncontrolled bushfires. Planning is required to decrease the level of risk to life and property and facilitate the efforts of the emergency services to handling crises.

- The installation of the electronic standpipe will support the local fire brigades when fighting fires both in the township and in the rural areas around Gorokey, by providing a good quality water supply for filling the fire tankers in cases of emergency

Relevant Particular Provisions

52.17 Native Vegetation

The purpose of this particular provision is:

- To ensure permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity. This is achieved through the following approach:
 - Avoid the removal of native vegetation that makes a significant contribution to Victoria's biodiversity.
 - Minimise impacts on Victoria's biodiversity from the removal of native vegetation.
 - Where native vegetation is permitted to be removed, ensure that an offset is provided in a manner that makes a contribution to Victoria's



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biodiversity that is equivalent to the contribution made by the native vegetation to be removed.

- To manage native vegetation to minimise land and water degradation.
- To manage native vegetation near buildings to reduce the threat to life and property from bushfire.

In line with the objectives of this particular provision, the applicant has secured an offset – one which exceeds the required general biodiversity equivalence units (.006 compared to a required .00054). The vegetation to be removed only covers a very small area of some 50 square metres and it's removal is not expected to dramatically alter the landscape or its contribution to the biodiversity of the surrounding area.

As previously addressed, the permit application provides the possibility for the potential risks from a bushfire to be reduced as the water available from a standpipe can be seen as a valuable resource available in fighting a bushfire and also enabling preventive actions to be undertaken.

The decision guidelines of Clause 65

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.*
Council has considered the relevant Sections of the Act.
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
The proposal is shown to be generally consistent with the SPPF and LPPF.
- *The purpose of the zone, overlay or other provision, and any matter required to be considered in the zone, overlay or other provision.*
The proposal is consistent with the purpose of the Zone (Clause 36.04 Road Zone Category 1) and the associated overlay (Clause 42.01-2 Environmental Significance Overlay)
- *The orderly planning of the area.*
Council is satisfied that the proposal represents orderly planning of the area. The permit application does not propose any land uses which may compromise the objectives of the Road Zone Category 1, nor those of the associated overlays.
- *The effect on the amenity of the area.*
The installation of the Electronic standpipe has been identified by the adjoining landowner as affecting the amenity of the adjacent land, with the possible construction of a dwelling in the future, and/or possible subdivision of the adjacent land in the future.
- *The proximity of the land to any public land.*
Not applicable.



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- *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 proposed Electronic standpipe should have little or no effect on the stormwater within the existing site.

- *The extent and character of native vegetation and the likelihood of its destruction.*
A small area of native vegetation will be removed. The native vegetation consists of Grasses. Council is satisfied the removal of this vegetation will not cause a detrimental effect to the biodiversity of the surrounding area. The habitat of endangered species such as the Red Tailed Black Cockatoo will not be compromised.

- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*

The applicant has secured an offset which is deemed satisfactory by DELWP.

- *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.*

No land uses will be introduced which may exacerbate the risk of a bushfire affecting the property. Rather, the existence of a standpipe is a facility which can be used to mitigate the potentials risks from a bushfire.

Overall, this proposal is consistent with the Clause 65 Decision Guidelines.

Other relevant adopted State policies/strategies

Not applicable.

Relevant incorporated or reference documents

Permitted Clearing of Native Vegetation – Biodiversity Assessment Guideline (DEPI 2013)

The purpose of this incorporated document is to guide how impacts on biodiversity should be considered when assessing an application for a permit to remove, lop or destroy native vegetation. The application complies with all requirements of the guidelines.

Relevant Planning Scheme amendments

Not applicable.



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Summary of Key Issues

GWM Water has obtained Drought Assistance Funding from the State Government for Fire Fighting Tanks and Standpipe installations for the Country Fire Authority (CFA) and landowners' to access for emergency use.

The proposal is for GWM Water to install a new electronic standpipe facility on the road reserve Natimuk-Frances Road, Gorokey, adjacent to 2-26 Natimuk-Frances Road, Gorokey. This facility will require the removal of some native vegetation, for which a planning permit is required.

The land is subject to the conditions of the Road Zone Category 1, and is adjacent to the Farming Zone with an Environmental Significance Overlay (ESO2) in place.

The new land use as proposed by the application will not breach the Road Zone Category 1 or the adjacent farming Zone. Rather, the installation of the new electronic standpipe will ensure the CFA has available water for fire fighting purposes. Farmers may also find that the facility assists their farming operations with water being close by should they need it.

The applicant has met the conditions of the Particular Provision regarding Native Vegetation (Clause 52.17). The Department of Environment, Land, Water and Planning has reviewed this application and are satisfied that the vegetation can be removed provided an equivalent offset is provided. The applicant has provided evidence of an offset larger than that needed and therefore, the proposal is in line with the objective of Victoria's Planning Scheme to ensure "no net loss of native vegetation".

The proposal was advertised to adjoining landowners, and one objection was received. A meeting was held with a representative of GWM Water and the objectors and minutes of the meeting were provided and GWM Water responded to most of the issues raised by the objectors.

VicRoads and DELWP have both responded with no objection, but providing conditions that must be included in the planning permit.

Conclusion

The proposal is consistent with all relevant clauses of the West Wimmera Planning Scheme, particularly including the objectives of the Road Zone Category 1 – Clause 36.04. The proposal is also commensurate with the Schedule 2 to the Environmental Significance Overlay - Red-tailed Black Cockatoo Habitat Areas.



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A planning permit should be granted for GWM Water to proceed with the removal of native vegetation in order to allow for the installation of the new electronic standpipe facility.

OFFICER RECOMMENDATION:

That Council having caused notice of Planning Application No. P1295 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to Grant a Permit under the provisions of Clauses 13.05-1, 14, 15.01, 19.03-2, 21.06, 35.07, 36.04, 36.04-2, 42.01 and 52.17 of the West Wimmera Planning Scheme in respect of the land known and described as road reserve on Natimuk-Frances Road, Parish of Gorokey, adjacent to 2-26 Natimuk-Frances Road, Gorokey, for the Removal of Native Vegetation to construct an Electronic standpipe to enhance fire-fighting and water carting capabilities in West Wimmera Shire, in accordance with the endorsed plans, with the application dated 3rd December 2015, subject to the following conditions:

Responsible authority conditions:

1. The proposed development shall be in accordance with the documentation, plans and proposals and shall not be altered or modified without the consent in writing of the responsible authority.

VicRoads Conditions:

2. The developer must submit a plan of the proposed development to the satisfaction of VicRoads and the responsible authority.
3. The developer must complete the construction of all works prior to the development being brought into operation.
4. Works must meet the requirements of the Road Management Act 2004.

Department of Environment, Land, Water and Planning Conditions:

5. Offset requirements

In order to offset the removal of 0.003 ha in remnant patches of native vegetation approved

as part of this permit, the applicant must provide a native vegetation offset that meets the following requirements, and is in accordance with the *Permitted Clearing of Native Vegetation – Biodiversity Assessment Guideline* (DEPI 2013) and the *Native Vegetation Gain Scoring Manual*.

The offset must:

- contribute gain of 0.00054 general biodiversity equivalence units
- be located within the boundaries of the Wimmera Catchment Management Authority or the West Wimmera Shire
- have a strategic biodiversity score of at least 0.224.



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6. Offset evidence

Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the responsible authority. This offset must meet the offset requirements set out in this permit and be in accordance with the *Permitted Clearing of Native Vegetation – Biodiversity Assessment Guideline* (DEPI 2013) and the *Native Vegetation Gain Scoring Manual*.

Offset evidence can be either:

- a security agreement, to the required standard, for the offset site or sites, including a 10 year offset management plan; or
- a credit register extract from the Native Vegetation Credit Register.

7. Monitoring and reporting on onsite offset implementation

Every year, for ten years after the responsible authority has approved the offset management plan, the applicant must provide notification to the responsible authority of the management actions undertaken towards the implementation of the offset management plan. An offset site condition statement, including photographs must be included in this notification.

Attachments:

No.	Name	RecFind Ref
13.1.1	VicRoads Response	15/005614
13.1.2	T & K Exell objection	16/000012
13.1.3	DELWP response	16/000141
13.1.4	GWM Water Minutes of meeting	16/000599



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13.2 PLANNING PERMIT APPLICATION P1294 – GWM WATER (EDENHOPE SITE)

FILE NUMBER: PA0881

REPORT AUTHOR: GILLIAN BRADSHAW,
MANAGER PLANNING & ENVIRONMENT

FOR DECISION

Background

The applicant, Grampians Wimmera Mallee Water (GWM Water), propose to use the road reserve on Halahan Street, Edenhope adjacent to 2-8 Halahan Street, for the installation of an electronic standpipe. The installation of this minor utility will require the removal of some native vegetation thus a planning permit must be obtained.

GWM Water have obtained a Drought Assistance Funding from the State Government for Fire Fighting Tanks and Standpipe installations for the Country Fire Authority (CFA) and landowners' to access for emergency use.

There are a total of six (6) new electronic standpipes are to be constructed within West Wimmera Shire, located at Apsley, Kaniva, Edenhope Goroke and two (2) at Harrow.

The new Apsley and Kaniva electronic standpipes do not require a planning permit as there is no native vegetation to be removed.

Subject site & locality

An inspection of the site and the surrounding area has been undertaken. The proposed facility is to be situated within an area of land no greater than 246.5 square metres. This land is located on the road reserve on Halahan Street, Edenhope adjacent to 2-8 Halahan Street. The area in which native vegetation removal is to be most prominent measures a size of 50 metres square.

The existing standpipe at Edenhope is considered dated, hence the need to replace with a more efficient and effective standpipe.



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Permit/Site History

The history of the site includes:

No records can be found of any building or planning permits for this site prior to this application.

Work commenced on the construction of the Electric standpipe prior to the lodgement of the Planning Permit application with Council, around the 1st December 2015.

Public Notification

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

Notice to the owners and occupiers of adjoining land by post on the 3rd December 2015.

Notice to the Determining Authority was forwarded to VicRoads on 7th December 2015, and the Department of Environment, Land, Water and Planning (DELWP) by email on the 22nd December 2015. This delay was due to a request for additional information in relation to the proposed offset area from GWM Water which was required for DELWP assessment.

The notification has been carried out correctly.

Council has received one (1) objection to date. The key issues that were raised in the objections are:

- a) The area the standpipe is to be installed is zoned Residential.
- b) It is believed the installation of the standpipe will reduce the value of the land in the future.
- c) The installation of the standpipe will limit building of a residence/s on our property.
- d) The road on which it is to be built is an unsealed road – increased truck and tanker traffic will lead to increased dust and damage to the road.
- e) Noise – as it will be used for Fire Tankers, it will be accessed at any time of day or night.

Consultation

Consultation was undertaken and included:

1. All adjoining land owners received letters detailing the main features of the permit application.
2. GWM Water were contacted by the General Manager Infrastructure Development and Works (GMIDW), when Council was advised that works had commenced without a planning permit being granted, and asked to cease any further works until a decision on the planning permit had been made.



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3. The relevant referral authority, VicRoads was advised of the application by email on 7th December 2015. VicRoads responded with no objections to the planning permit application but with three conditions to be included in the planning permit.
4. The relevant referral authority of DELWP was advised of the application by email on the 22nd December 2015. This delay was due to a request for additional information in relation to the proposed offset area from GWM Water which was required for DELWP assessment. DELWP have responded with no objection to the planning permit application, and three conditions to be included in the planning permit.
5. Three (3) letters of support for the planning permit application were received.
6. Numerous telephone calls were received from the objector in relation to the matters raised and a written objection was submitted to Council on 9th December 2015.
7. GWM Water were advised of the objection and requested a copy so they could meet and discuss the issues raised directly with the objector.
 - a. GWM Water advised Council that they would meet with the objector and discuss the issues raised. To date no further information has been received from GWM Water, but if this information is received before Council meeting this will be forwarded to all Councillors.

Referrals

External Referrals/Notices Required by the Planning Scheme:

Referrals / Notices:	Advice /	Response /	Conditions
Section 55 Referrals:	DELWP – No objections provided three conditions are included.		
Section 52 Notices:	Adjoining Land Owners – one written objection received. Three letters of support were received.		

Assessment

The zoning of the land and any relevant overlay provisions:

Township Zone (TZ)

The purpose of the Township Zone is to implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide for residential development and a range of commercial, industrial and other uses in small towns.

To encourage development that respects the neighbourhood character of the area.

To impellent neighbourhood character policy and adopted neighbourhood character guidelines.



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To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Environment Significance Overlay - Schedule 2 – Red-tailed Black Cockatoo (42.01)

This overlay is not in place over the subject land.

The purpose of schedule 2 to the ESO is:

- To protect the habitat of the endangered Red-tailed Black Cockatoo.
- To ensure the availability of suitable nesting sites for the Red-tailed Black Cockatoo through the protection of live and dead hollow bearing trees and other suitable trees within the bird's known nesting area.
- To protect the feeding habitat of the Red-tailed Black Cockatoo through the retention of Buloke and Stringybark trees.

The permit application proposes to remove some Grasses, but no vegetation which provides significant habitat value to the Red Tailed Black Cockatoo. No other developments on site should have the potential to affect the Red Tailed Black Cockatoo as the land use remains unchanged, but with the current facilities being upgraded.

The State Planning Policy Framework (SPPF)

14 Natural Resource Management – Protection of Agricultural Land (14.01)

The purpose of this state policy is to protect productive farmland which is of strategic significance in the local or regional context. The positioning of electronic standpipe on the subject site on the road reserve whilst within the Township of Edenhope is in close proximity to agricultural land. The proposal is one which may support the existence of agricultural practices in the region as farmers may chose to utilise the service at this site and purchase water for their agricultural activities.

13.05-1 Bushfire

One of the strategies mentioned under this Clause states:

Ensure that planning support bushfire management and prevention and emergency services actions and activities.

- The installation of the electronic standpipe will support the Country Fire Authority brigades fighting fires by providing a good quality water supply for filling the fire tankers in cases of emergency.

15.01 Urban Environment

One of the strategies mentioned under this Clause states:

Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental stability.

- The installation of the electronic standpipe will support the local fire brigades when fighting fires both in the township and in the rural areas around Edenhope, by



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providing a good quality water supply for filling the fire tankers in cases of emergency.

19.03-2 Water Supply, Sewerage and Drainage

To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.

- The installation of the electronic standpipe will support the local fire brigades when fighting fires both in the township and in the rural areas around Edenhope, by providing a good quality water supply for filling the fire tankers in cases of emergency.

The Local Planning Policy Framework (LPPF)- including the Municipal Strategic Statement (MSS) and local planning policies

21.07-3 Environmental Hazards

Natural disasters (including fire, flood, storms and drought) have the potential to substantially affect the community, economically and socially, in addition to the environmental issues created by these disasters.

There are large areas of grass/cropping land and bushland in the Shire which regularly burn as a result of natural causes, accidents or deliberate action. One of the major issues is that of uncontrolled bushfires. Planning is required to decrease the level of risk to life and property and facilitate the efforts of the emergency services to handling crises.

- The installation of the electronic standpipe will support the local fire brigades when fighting fires both in the township and in the rural areas around Edenhope, by providing a good quality water supply for filling the fire tankers in cases of emergency.

Relevant Particular Provisions

52.17 Native Vegetation

The purpose of this particular provision is:

- To ensure permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity. This is achieved through the following approach:
 - Avoid the removal of native vegetation that makes a significant contribution to Victoria's biodiversity.
 - Minimise impacts on Victoria's biodiversity from the removal of native vegetation.
 - Where native vegetation is permitted to be removed, ensure that an offset is provided in a manner that makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation to be removed.
- To manage native vegetation to minimise land and water degradation.



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- To manage native vegetation near buildings to reduce the threat to life and property from bushfire.

In line with the objectives of this particular provision, the applicant has secured an offset – one which exceeds the required general biodiversity equivalence units (.006 compared to a required .00017). The vegetation to be removed only covers a very small area of some 50 square metres and its removal is not expected to dramatically alter the landscape or its contribution to the biodiversity of the surrounding area.

As previously addressed, the permit application provides the possibility for the potential risks from a bushfire to be reduced as the water available from a standpipe can be seen as a valuable resource available in fighting a bushfire and also enabling preventive actions to be undertaken.

The decision guidelines of Clause 65

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.*
Council has considered the relevant Sections of the Act.
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
The proposal is shown to be generally consistent with the SPPF and LPPF.
- *The purpose of the zone, overlay or other provision, and any matter required to be considered in the zone, overlay or other provision.*
The proposal is consistent with the purpose of the Township Zone, TZ.
- *The orderly planning of the area.*
Council is satisfied that the proposal represents orderly planning of the area. The permit application does not propose any land uses which may compromise the objectives of the Township Zone.
- *The effect on the amenity of the area.*
The installation of the Electronic standpipe has been identified by the adjoining landowner as affecting the amenity of the adjacent land, with the possible construction of a dwelling in the future.
- *The proximity of the land to any public land.*
Not applicable.
- *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 proposed Electronic standpipe should have little or no effect on the stormwater within the existing site.
- *The extent and character of native vegetation and the likelihood of its destruction.*
A small area of native vegetation will be removed. The native vegetation consists of Grasses. Council is satisfied the removal of this vegetation will not cause a



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detrimental effect to the biodiversity of the surrounding area. The habitat of endangered species such as the Red-tailed Black Cockatoo will not be compromised.

- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*

The applicant has secured an offset which is deemed satisfactory by DELWP.

- *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.*

No land uses will be introduced which may exacerbate the risk of a bushfire affecting the property. Rather, the existence of a standpipe is a facility which can be used to mitigate the potentials risks from a bushfire.

Overall, this proposal is consistent with the Clause 65 Decision Guidelines.

Other relevant adopted State policies/strategies

Not applicable.

Relevant incorporated or reference documents

Permitted Clearing of Native Vegetation – Biodiversity Assessment Guideline (DEPI 2013)

The purpose of this incorporated document is to guide how impacts on biodiversity should be considered when assessing an application for a permit to remove, lop or destroy native vegetation. The application complies with all requirements of the guidelines.

Relevant Planning Scheme amendments

Not applicable.

Summary of Key Issues

GWM Water have obtained Drought Assistance Funding from the State Government for Fire Fighting Tanks and Standpipe installations for the Country Fire Authority (CFA) and landowners' to access for emergency use.

The proposal is for GWM Water to install a new electronic standpipe facility on the road reserve on Halahan Street, Edenhope adjacent to 2-8 Halahan Street. This facility will require the removal of some native vegetation, for which a planning permit is required.

The land is subject to the conditions of the Township Zone. The new land use as proposed by the application will not breach the Township Zone. Rather, the installation of the new electronic standpipe will ensure the CFA has available water for fire fighting



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purposes. Farmers may also find that the facility assists their farming operations with water being close by should they need it.

The applicant has met the conditions of the Particular Provision regarding Native Vegetation (Clause 52.17). DELWP has reviewed this application and are satisfied that the vegetation can be removed provided an equivalent offset is provided. The applicant has provided evidence of an offset larger than that needed and therefore, the proposal is in line with the objective of Victoria's Planning Scheme to ensure "no net loss of native vegetation".

The proposal was advertised to adjoining landowners, three letters of support and one objection was received. GWM Water has advised Council they will meet with the objector to discuss the issues raised. To date no information is available in relation to the proposed meeting, but if the information is received before the Council meeting it will be forwarded to all Councillors.

DELWP has responded with no objection, but providing conditions that must be included in the planning permit.

Conclusion

The proposal is consistent with all relevant clauses of the West Wimmera Planning Scheme, particularly including the objectives of the Township Zone – 32.05. The proposal is also commensurate with the Schedule 2 to the Environmental Significance Overlay - Red-tailed Black Cockatoo Habitat Areas, which is not in place over the subject land.

A planning permit should be granted for GWM Water to proceed with the removal of native vegetation in order to allow for the installation of the new electronic standpipe facility.

OFFICER RECOMMENDATION:

That Council having caused notice of Planning Application No. P1294 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to Grant a Permit under the provisions of Clauses 13.05-1, 14, 15.01, 19.03-2, 12.06, 21.07-3, 32.05, 42.01 and 52.17 of the West Wimmera Planning Scheme in respect of the land known and described as road reserve on Halahan Street, Edenhope, Township of Edenhope, adjacent to 2-8 Halahan Street, Edenhope, Township of Edenhope, for the Removal of Native Vegetation to construct an Electronic standpipe to enhance fire-fighting and water carting capabilities in West Wimmera Shire, in accordance



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with the endorsed plans, with the application dated 3rd December 2015, subject to the following conditions:

Responsible authority conditions:

8. The proposed development shall be in accordance with the documentation, plans and proposals and shall not be altered or modified without the consent in writing of the responsible authority.

Department of Environment, Land, Water and Planning Conditions:

9. Offset requirements

In order to offset the removal of 0.001 ha in remnant patches of native vegetation approved

as part of this permit, the applicant must provide a native vegetation offset that meets the following requirements, and is in accordance with the *Permitted Clearing of Native Vegetation – Biodiversity Assessment Guideline* (DEPI 2013) and the *Native Vegetation Gain Scoring Manual*.

The offset must:

- contribute gain of 0.00017 general biodiversity equivalence units
- be located within the boundaries of the Wimmera Catchment Management Authority or the West Wimmera Shire
- have a strategic biodiversity score of at least 0.112.

10. Offset evidence

Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the responsible authority. This offset must meet the offset requirements set out in this permit and be in accordance with the *Permitted Clearing of Native Vegetation – Biodiversity Assessment Guideline* (DEPI 2013) and the *Native Vegetation Gain Scoring Manual*.

Offset evidence can be either:

- a security agreement, to the required standard, for the offset site or sites, including a 10 year offset management plan; or
- a credit register extract from the Native Vegetation Credit Register.

11. Monitoring and reporting on onsite offset implementation

Every year, for ten years after the responsible authority has approved the offset management plan, the applicant must provide notification to the responsible authority of the management actions undertaken towards the implementation of the offset management plan. An offset site condition statement, including photographs must be included in this notification.



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Attachments:

No.	Name	RecFind Ref
13.2.1	Objection letter	16/000599
13.2.2	DELWP response	16/000599
13.2.3	Letters of support x 3	16/000599



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13.3 REAR LANE ACCESS CRANAGE LANE TO 79-87 ELIZABETH STREET

FILE NUMBER: PS0007

**REPORT AUTHOR: GILLIAN BRADSHAW,
MANAGER PLANNING & ENVIRONMENT**

FOR DECISION

Introduction

As reported at the 16 October 2015 Council meeting, Council resolved:

To proceed with the excision and creation of a road at the rear of 79-87 Elizabeth Street Edenhope, and that the following actions be undertaken as part of that process:

- *Council obtain written confirmation from the landowner of Lot 1 of Title Plan 329202, Section 6, Township of Edenhope 77 Elizabeth Street Edenhope of consent to excise a portion from the rear of the allotment to create a “road” and to sell that portion to the West Wimmera Shire Council.*
- *Council obtain a written quotation from the Land surveyor for the cost of the subdivision to excise a portion of the allotment and create a “road”.*
- *Council allocate funding for the costs involved.*
- *The Landholder requesting the rear access to 79-87 Elizabeth Street, Edenhope make a financial contribution of \$1,250 toward the cost incurred.*

This report provides the update following Council’s resolution.

Background

The landowner of 79-87 Elizabeth Street Edenhope has advised Council officers that he has three allotments in total, one on the north of the road and two allotments on the south of the road. The landholder has had informal use of an access across the rear of the property located at 77 Elizabeth Street, however this allotment was not subdivided therefore there is no provision for a road to traverse the rear of the allotment. A subdivision to excise a portion of the allotment and create a “road” would be required.

The creation of the Road” at the rear of 77 Elizabeth Street, would connect both existing surveyed roads and create one road, addressing a planning anomaly from the past.



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The landowner has contacted the landowner of 77 Elizabeth Street who has verbally agreed to the excision and creation of a road. This would need to be confirmed in writing. The estimated cost for the sale of the land is \$500 and legal costs are estimated at \$700.

The landowner has also contacted land surveyor from Brayley and Hayes, who have verbally advised an estimated survey cost of \$1,000.

Council wrote to the landowner of 77 Elizabeth Street requesting confirmation of their willingness to sell part of the allotment to create a road at the rear of the allotment. A written response was received confirming consent to sell a portion of the allotment for a consideration (price) of \$1,000 with Council to pay all legal fees, which were not specified.

Council also wrote to the Land Surveyor requesting confirmation of the quotation for the land survey costs. A written response was received confirming the cost of the subdivision to excise a portion of the allotment at the rear of 77 Elizabeth Street to create a road at \$3,000 plus GST plus incidental costs.

The costs quoted from both the landowner and the Land Surveyor are greater than initially indicated by the landowner requesting the rear lane access.

It is estimated that the total cost could be up to \$7,000 including legal fees and incidentals.

Risk Management Implications

The excision and creation of a road would provide access to all the buildings from 65 to 87 Elizabeth Street and the allotments on the south of the “road”. It would form one continuous road and have to be listed on the Shire road register and maintained by the Shire.

Legislative Implications

The newly created road would be included in the Shire road register and would be maintained by Council under the Road Management Act.

Environmental Implications

There are no environmental implications, no native vegetation needs to be removed for the subdivision of the road.



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Financial and Budgetary Implications

The total estimated cost of the survey, sale of land and legal costs is estimated to be up to \$7,000. Council has resolved that the landholder requesting the rear access pay \$1,250 based on an original estimate of \$2,200 and the landholder has provided written confirmation that they are willing to contribute \$1,250 towards the cost of the subdivision and purchase of a portion of the allotment for a road.

Policy and Council Plan Implications

The Council Plan at 2.1 relates to the Township Amenity Plan, and the proposed road could be incorporated into the Township Amenity Plan.

Communication Implications

A planning permit would be required for the subdivision and excision to create the “road”, therefore all landowners within this whole section will be notified in writing, and submissions invited.

Council may then consider the extension of “Cranage Lane” to encompass the whole laneway, and this would need to be advertised in the newspaper and then the office of Geographic Place Names notified.

Conclusion

In response to Council’s request as to how much the landholder would be willing to contribute to the costs to obtain rear access to 79-87 Elizabeth Street, Edenhope, the landholder has written to Council advising that they are willing to pay \$1,250 towards the cost of the subdivision and land purchase for the “road”.

OFFICER RECOMMENDATION:

That Council resolve to place the procurement of the land and the survey of the “road” at the rear of 77 Elizabeth Street, Edenhope, on the Capital Works program for 2016/2017.

Attachments:

No.	Name	RecFind Ref
13.3.1	Land Surveyor quotation	15/004742
13.3.2	Landholder letter re sale of land	15/003709



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13.4 VICTORIAN ADAPTION SUSTAINABILITY PARTNERSHIP (VASP) – BUILDING RESILIENCE IN FARMING AND AGRIBUSINESS MINUTES FILE NUMBER: PS0453

**REPORT AUTHOR: MICHELLE ELLIS, EXECUTIVE ASSISTANT,
INFRASTRUCTURE DEVELOPMENT & WORKS**

FOR INFORMATION

Introduction

West Wimmera Shire Council has been successful in a grant application in partnership with Yarriambiack Shire under State Governments, Victorian Adaption Sustainability Partnership (VASP) funding program.

Background

The two year project is 'Building Resilience in Farming and Agribusiness' and is an information sharing and practical research project.

The aims are to:

- Examine blockers to and opportunities for building resilience in farming communities and agri-business
- Trial and evaluation of some of those opportunities to enable them to be put into practice and;
- Add value to existing networks, research and sustainability advice within the Wimmera farming communities.

The key aim is to provide an understanding for local government into how information and practice about climate change is received and utilised by farming and agribusiness.

The Wimmera Development Association (WDA) is the project manager engaged to deliver the project.

Risk Management Implications

Not commented on.

Legislative Implications

Not commented on.



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Environmental Implications

Not commented on.

Financial and Budgetary Implications

There are four milestones for this project:

- | | |
|---|--------------------------|
| 1. Due 30 th of March 2014 with tax invoice: | \$100,000.00 – completed |
| 2. Due 30 th of September 2014 with tax invoice: | \$ 50,000.00 – completed |
| 3. Due 30 th of March 2015 with tax invoice: | \$ 25,000.00 – completed |
| 4. Due 30 th of March 2016 with tax invoice: | \$ 25,000.00 |

The total project income with be: \$200,000.00 (exc GST)

To date Council has received: \$175,000.00 (exc GST)

Expenditure to date is \$165,000.00 (exc GST):

16/06/2015:	Wimmera Development Association	\$20,000.00
22/10/2014:	Wimmera Development Association	\$50,000.00
30/09/2014:	Wimmera Development Association	\$70,000.00
30/09/2014:	Federation University	\$25,000.00

Policy and Council Plan Implications

Not commented on.

Communication Implications

Not commented on.

Conclusion

The final meetings for both the VASP Project Control Group (PCG) and Project Reference Group (PRG) will be organised for March 2016. These dates are to be confirmed.

A final report is due end of March 2016 and will presented to Council for information once received.



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OFFICER RECOMMENDATION:

That:

- 1. The report is received and noted;**
- 2. Council note the minutes of the ‘Building Resilience in Farming – VASP’ meeting held 14th of December 2015.**

Attachments:

No.	Name	RecFind Ref
13.4.1	Building Resilience in Farming VASP Minutes	16/00019



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14.0 CORPORATE AND COMMUNITY SERVICES

14.1 FINANCIAL REPORT AS AT 31 DECEMBER 2015

FILE NUMBER: FM0062

REPORT AUTHOR: NICK TEMPLETON, MANAGER FINANCE

FOR INFORMATION

Introduction

Management of WWSC are required to constantly review their budgets and ensure they remain accurate. As part of a rigorous budget reviewing process, management have committed to conduct budget forecast updates on a quarterly basis and update figures regularly.

Background

WWSC has in previous years undertaken a mid-year budget review process and update any budget figures at that time once per year. This review included taking up any relevant carry forwards from the previous financial year.

Included in the attached financial reports are forecast updates to budget figures along with actual amounts to show how Council is performing in relation to budgets. The most significant forecast updates include acknowledging the variation due to prepayment of 50% of Council's Victoria Grants Commission allocation and adjustments to capital works primarily to carry forward incomplete projects from 2014-2015 and as a result of the additional Roads to Recovery funding for the current year.

The financial reports show an analysis of the annual forecast compared to the actual figures at 31 December 2015, along with comparing actuals to forecasts at 31 December 2015. Where variances that are greater than \$20,000 and 10% between actual amounts and forecast figures at 31 December 2015, a note is provided to give an explanation for the variance. The financial reports include an Operating Report, a Capital Report and Balance Sheet to give a true indication of Council's operations, the capital works program and the financial position.

Risk Management Implications

Financial risks exist where officers are not adhering to budgets.



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Legislative Implications

Section 138 of the Local Government Act 1989 requires that Council is provided with financial reports a minimum of every three months comparing the budgeted revenue and expenditure with actual revenue and expenditure.

Environmental Implications

Nil

Financial and Budgetary Implications

Updates to budget figures need to be justified and officers are required to find equivalent savings where expenditure is increasing, wherever possible.

Policy and Council Plan Implications

Nil

Communication Implications

Finance Manager will continue to work with officers and managers to educate and enable financial management of their department.

Conclusion

The improved process for monitoring budgets has been well accepted and implemented by staff so that the corporate financial system will be regularly updated with more accurate information. This will aid management and Council to make more accurately informed decisions.

OFFICER RECOMMENDATION:

That the financial reports as at 31 December 2015 be received and noted.

Attachments:

No.	Name	RecFind Ref
14.1.1	Operating Report	16/000571: EDOC001071
14.1.2	Capital Report	EDOC001072
14.1.3	Balance Sheet	EDOC001074
14.1.4	Notes to Financial Report	EDOC001075



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15.0 LATE ITEMS OF BUSINESS

Pursuant to Local Law No.7 (2012), Meeting Procedure and Common Seal Local Law 2012, West Wimmera Shire Council:

25. Urgent Business

Business must not be admitted as urgent business unless it:

- i. Relates to or arises out of a matter which has arisen since distribution of the agenda; and*
- ii. Cannot safely or conveniently be deferred until the next Ordinary Meeting.*

16.0 SEALING SCHEDULE

17.0 CONFIDENTIAL (PURSUANT TO SECTION 89 LGA 89)

RECOMMENDATION

That Council pursuant to section 89(2) (d) Contractual Matters and (f) Legal advice of the Local Government Act 1989 close the meeting to members of the public at pm to resolve on matters pertaining to the following items:

MEETING CONCLUDED:

NEXT MEETING:

**THURSDAY 17 MARCH 2016
EDENHOPE COUNCIL CHAMBER**