

AGENDA

SECTION 86 RURAL GROWTH STRATEGY COMMITTEE MEETING

Wednesday 26 July, 2017
Council Chambers, Ballan
4.00pm

MEMBERS

Cr. Tom Sullivan	Councillor – West Moorabool Ward
Cr. Pat Toohey	Councillor – Woodlands Ward
Cr. Paul Tatchell	Councillor - Central Moorabool Ward

OFFICERS

Mr. Rob Croxford	Chief Executive Officer
Mr. Satwinder Sandhu	General Manager, Growth & Development
Mr. Andrew Goodsell	Manager Strategic and Sustainable Development
Mr. Rob Fillisch	Manager Statutory Planning and Community Safety
Mr. Joe Morgan-Payler	Urban Designer
Ms. Christine Rodda	Minute Taker

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2. RECORDING OF MEETING

As well as the Council for its minute taking purposes, the following organisations have been granted permission to make an audio recording of this meeting of Council:

- The Moorabool News; and
- The Star Weekly.

3. PRESENT AND APOLOGIES

4. APPOINTMENT OF CHAIR

5. CONFLICT OF INTEREST

6. GROWTH & DEVELOPMENT REPORTS

6.1 Elaine Civic Improvement Plan

Briefing Note

Date: 10 July 2017

File Ref: 13/01/013

To: Rural Growth Strategy Committee

From: Joe Morgan-Payler, Urban Designer, SSD

Topic: Elaine - Civic Improvement Plan

Background

Following on from the adoption of the Small Town Strategy, SSD has begun to look at delivering the identified strategic Urban Design outcomes identified in the report via a Civic Improvement Plan.

The Civic Improvement Plans aim to take the strategic actions and distil them into deliverable items that can be inserted into either Capital works programming and or existing delivery budgets.

For example; an 'Improve Amenity' action may be turned into deliverable items such as; seating, tree planting and signage via the Civic Improvement Planning process.

It is intended that the work to date is presented in the form of a PowerPoint to the committee to provide a background on the approach and draft actions identified and raise any issues and or concerns with the committee prior to it being presented to Council at an OMC.

Key Issues

The Civic Improvement Plans will take a slightly new approach to the usual methods that are used in these circumstances with the hope that it drives better value for both Council and the community.

It will identify key users and chart their requirements within the public realm. By doing this we should create a clear picture of what is and isn't required and should make for good 'bang for buck' interventions with a strong logic / justification / prioritisation framework.

It is also important to take a wide view of towns to ensure that key elements in the overall picture are not left out or that elements are delivered in the correct order.

This will ensure we don't end up with a 'cart before the horse' situation.

ELAINE AS PILOT PROJECT

Elaine has been identified as the starting point for this work for a number of reasons.

Firstly, the area has seen an influx of new business activity in the main street this year which would provide a good opportunity for council to support and encourage further.

It is also of a small enough size to make more manageable the testing of the civic improvement template and methodology which will later be applied to larger settlements as identified in the Small Town Strategy.

Key Players

Across Australia, the public realm has a large impact on a range of users, and in Elaine it is no different. It is hoped that this work will both support the local economy / business interests in the community and also provide a higher quality of public realm for residents and visitors alike.

Current Status

Elaine's Civic Improvement Plan is currently in Draft Status. Following presentation to the Section 86 Committee, any incorporated changes will be presented to the local community and finally the report along with its actions are to be presented to an OMC for Adoption.

Communications Strategy

Elaine's residents and businesses were consulted as part of the Small Town Strategy and will be again consulted on the draft of this report.

Conclusion

Development of Civic Improvement Plans is a new approach for Council that will help bridge the gap between strategic actions and on-ground outcomes with the aim to provide benefit for Residents, visitors, businesses and Council alike.

As this template, or approach, will be utilised in other towns across the shire, it would be helpful to capture the committee's feedback at this early stage to ensure the project is aligned with council's ambitions and goals going forward.

It is proposed that the Elaine Civic Improvement Plan is developed first as a pilot program based on the high volume of through traffic, potential economic benefits, active local community and it's relative small physical scale will assist in the implementation of any learnings to be incorporated in the development of future Civic Improvement Plans for other small towns and settlements across Moorabool.

6.2 Small Towns Amendment

Amendment C78 –Small Towns and Settlements Strategy

Introduction

File No.: 13/06/62
Author: Geoff Alexander, Strategic Planner
General Manager: Satwinder Sandhu, General Manager Growth & Development

Background

In September 2016 Council adopted the Moorabool Shire Small Towns and Settlements Strategy (2016), which is a component of Moorabool 2041. On the basis of the Strategy, Council initiated Planning Scheme Amendment C78 to bring the Strategy into effect within the Planning Scheme.

Amendment C78 was considered by Council at its Ordinary Meeting on 1 March, 2017 where it was resolved to request Authorisation to prepare the Amendment and to exhibit the Amendment for public comment following Authorisation.

After a lengthy Authorisation process with the DELWP, largely focussed on minimising the content of the Amendment, the Amendment was authorised on 19 April, 2017.

Subsequently the amendment was exhibited for public comment between 25 May and 25 June, 2017 and 6 submissions were received. Of the submissions, four express support for the amendment, however all of the submissions either seek changes to the amendment or allude to possible future changes.

A recommendation on how to proceed with submissions is proposed to be presented Council at its September, 2017 meeting.

The Amendment

Amendment C78 seeks to include the Small Towns and Settlements Strategy as a Reference Document to the Moorabool Planning Scheme, as well as carry over key content from the Strategy.

The Amendment includes a long term work program for Council in the Small Towns and Settlements, which varies based on the circumstances and strategic opportunities present in particular towns. In most cases recommendations are town specific but there are also a limited number of overarching strategies applying to all settlements.

Specifically, the amendment proposes updates to Clause 21.01 (Municipal Context), Clause 21.02 (Natural Environment) and Clause 21.03 (Settlement and Housing) to bring them into consistency with the Strategy. Clause 21.09 (Small Towns) is proposed to be updated to include the vision, context and key recommendations from the Small Towns Strategy. Clause 21.11 (Reference Documents) is proposed to be updated to include the Small Towns and Settlements Strategy as a Reference Document to the Moorabool Planning Scheme.

Submissions

The submissions are varied in nature and are summarised in the below table:

Submission	Content
<i>Submitter 1 - resident</i>	Generally supports the amendment. Seeks for an explicit statement to be included in the Planning Scheme based on supporting development in an industrial area of Bungaree, and the designation of this area as an industrial precinct.
<i>Submitter 2 - resident</i>	Generally supports the amendment. Seeks for a statement to be included for Council to consider the rezoning of any non-township zoned land as it is sewered over time.
<i>Submitter 3 - resident</i>	Proposes three statements for inclusion, with the first two covered by dot point one: <ul style="list-style-type: none">• Recognising that development of land in small towns may be appropriate in some circumstances where there are limited constraints.• Seeks the inclusion of a statement prioritising land development in accordance with restructure plans ahead of zoning requirements.
<i>Submitter 4 - CFA</i>	Generally supports the amendment, in particular the components of the amendment that seek to limit development in bushfire prone areas. Proposes additional objectives, strategies and an implementation actions aimed at protecting properties against bushfire risk.
<i>Submitter 5 - DELWP</i>	Supported the amendment and did not request inclusions but noted a number of environment related matters that may warrant consideration.
<i>Submitter 6 - EPA</i>	Expressed no concerns but recommended that Council take into consideration Publication 1518 (recommended separation distances for industrial residual air emissions, March 2013).

Proposal

It is proposed to hold or attempt to hold meetings with all objecting submitters to identify whether resolution of submissions will be practicable, and whether issues can be addressed through either negotiation or clarification. At the time of writing officers had held a meeting with two of the objectors.

It is further proposed to make a recommendation to Council at its ordinary meeting in September on whether Amendment C78 should proceed to a Planning Panel, and whether changes on the basis of submissions are warranted.

Policy Implications

The 2013 – 2017 Council Plan provides as follows:

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Key Result Area	Enhanced Infrastructure and Natural and Built Environment.
Objective	Effective and integrated strategic planning in place to create sustainable communities.
Strategy	Development of Urban and Rural Growth Strategies in conjunction with other related plans. The Amendment reflects a part of the implementation phase of a key Rural Growth Strategy.

The proposal is consistent with the 2013 – 2017 Council Plan.

Financial Implications

The continued processing of the amendment has being undertaken in-house by Council's Strategic and Sustainable Development team.

Costs for the amendment including any Panel hearing is already provided for within the 2017/18 budget of Strategic and Sustainable Development.

Risk & Occupational Health & Safety Issues

There are no identified risks associated with the amendment.

Communications and Consultation Strategy

Implementation of the amendment has included statutory notification processes. It is proposed to give all objecting submitters the opportunity for a meeting prior to presenting a report to Council on how to proceed with submissions.

Should Council resolve to request the appointment of a panel, submitters to the Planning Scheme Amendment will have the opportunity to present their case at a Planning Panel to be appointed by the Minister for Planning.

Victorian Charter of Human Rights and Responsibilities Act 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

Officer's Declaration of Conflict of Interests

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Satwinder Sandhu

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

Author – Geoff Alexander

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

Conclusion

Moorabool 2041 and the Small Towns and Settlements Strategy presents Council with an opportunity to develop a consolidated and coordinated vision and plan for its smaller settlements.

Six submissions to the amendment have been received, and whilst three of them explicitly offer support for the amendment all submissions propose, suggest or recommend some additional content to the amendment. The content of submissions has varied greatly, though generally it is not considered justified to add in the proposed content for the various reasons discussed in this report.

As per the Planning and Environment Act 1987, Council must now decide whether to abandon the amendment, refer the amendment to a panel to resolve submissions or make the changes requested by submissions. As the vast majority of submitter proposals are considered non-beneficial or lacking in relevance to the amendment it is recommended that Council refers Amendment C78 to a Planning Panel, who will hear all parties to the Amendment.

Recommendation:

That the S86 Rural Growth Committee resolves to:

- 1. Receives the report herein.**
- 2. Council staff writes to all objecting submitters to Amendment C78 offering the opportunity for a discussion with a view to resolving submissions through either negotiation or clarification.**
- 3. That a further report be present to Council at September 2017 Ordinary Meeting of Council with a recommendation on how to proceed with submissions and whether a Planning Panel should be appointed.**

Report Authorisation

Authorised by:

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: 10 July, 2017



7. CLOSED SESSION OF MEETING TO THE PUBLIC

7.1 Confidential Report

Recommendation:

That pursuant to the provisions of the Local Government Act 1989, the meeting now be closed to members of the public to enable the meeting to discuss matters, 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**

***Item 7.1 is a Confidential Report and
therefore not included in the Agenda***

8. DATE OF NEXT MEETING

Wednesday 27 September, 2017 at Council Chambers, Ballan

9. MEETING CLOSURE