



GOLDEN PLAINS SHIRE

AGENDA

Council Meeting

6.00pm Tuesday 19 January 2021

VENUE:
Golden Plains Civic Centre
Council Chambers
2 Pope Street, Bannockburn

NEXT COUNCIL MEETING
6.00pm Tuesday 23 February 2021

Copies of Golden Plains Shire Council's Agendas & Minutes
Can be obtained online at www.goldenplains.vic.gov.au

Code of Conduct Principles

WORKING TOGETHER

We Councillors will:

- acknowledge and respect that a diversity of opinion exists among us;
- recognise that each of us has different life experience, knowledge and values, and that all of these contribute collectively to our discussions;
- behave with courtesy towards each other, Council officers and our citizens;
- conform to the policy and precedents that guide the conduct of meetings;
- attend punctually and participate in all relevant meetings, workshops and briefings;
- share reasonably in the representation, ceremonial and hosting tasks of the full Council; and
- honour the majority decisions made by the Council, irrespective of our own position, and explain these decisions frankly to the community, once made.

BEHAVING WITH INTEGRITY

We Councillors will:

- identify our financial and personal interest, or potential interest, in any matter that comes before the Council;
- be honest and truthful;
- comply with laws and the regulations deriving there from;
- respect Council property and be frugal in its use, where allowed;
- avoid using our position for personal gain or to achieve advantage over others or to obtain preferential treatment;
- be sympathetic to the legitimate concerns of our citizens;
- act impartially when making decisions and have due regard to the needs of the community as a whole, rather than that of narrow vested interest; and
- acknowledge the role of Council officers in providing advice to us and in implementing Council decisions.

MAKING COMPETENT DECISIONS

We Councillors will:

- without diminishing the short term focus, approach decisions with due regard to the long term needs of the municipality;
- form policies with regard to the needs of the entire Shire;
- direct our attentions to the strategic and statutory needs of the municipality rather than short term, transient, operational issues;
- seek to fully inform ourselves on the issues before Council before making a decision;
- take all reasonable steps to improve our knowledge of matters relevant to our municipal duties; and
- use and respect the professional knowledge of Council officers and other advisers to Council.

Order Of Business

1	Opening Declaration	5
2	Acknowledgement of Country	5
3	Apologies and Leave of Absence	5
4	Confirmation of Minutes	5
5	Declaration of Conflict of Interest	5
6	Public Question Time	5
7	Business Reports for Decision	6
7.1	Delegates Report - 15 December 2020 to 18 January 2021	6
7.2	Councillor Engagement 2021	8
7.3	P20-116 Construction of a Dwelling, 1803 Steiglitz Road, Maude	12
7.4	P20-289 Veterinary Clinic and associated signs, Brooke Street, Smythesdale	22
7.5	Awarding of Tender (RFT 20-2020) - Inverleigh Sporting Complex Changeroom and Social Space Upgrade	40
7.6	Awarding of Tender (RFT 16-2020) - Bannockburn and District Bowls Club Upgrade-Construction of New Bowling Green	44
7.7	Awarding of Tender (RFT 18-2020) - Meredith-Shelford Road Widening Stage 2.....	48
7.8	Milton Street Arbour Petition.....	51
8	Notices of Motion	54
	Nil	
9	Petitions	54
	Nil	
10	Confidential Reports for Decision	54
	Nil	

1 OPENING DECLARATION

We the Councillors of Golden Plains Shire declare that we will undertake, on every occasion, to carry out our duties in the best interest of the community and that our conduct shall maintain the standards of the code of good governance so that we may faithfully represent and uphold the trust placed in this Council by the people of Golden Plains Shire

2 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledge the traditional Wadawurrung owners of the land where we meet today. Council pays its respects to Wadawurrung Elders both past and present and extends that respect to all Aboriginal and Torres Strait Islander People who are part of Golden Plains Shire.

3 APOLOGIES AND LEAVE OF ABSENCE**4 CONFIRMATION OF MINUTES****Recommendation**

That the minutes of the Council Meeting held on Tuesday 15 December 2020 as circulated, be confirmed.

5 DECLARATION OF CONFLICT OF INTEREST**6 PUBLIC QUESTION TIME**

7 BUSINESS REPORTS FOR DECISION**7.1 DELEGATES REPORT - 15 DECEMBER 2020 TO 18 JANUARY 2021****File Number:** 78-07-002**Author:** Sharon Naylor, Executive Assistant - Chief Executive Officer**Authoriser:** Eric Braslis, CEO**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Delegates Report – 15 December 2020 to 18 January 2021.

Cr Helena Kirby

15 December	Councillor Briefing Meeting
15 December	Council Meeting
17 December	Acting Ageing and Inclusion Advisory Group Meeting
17 December	MAV 2020 Mayoral Induction
17 December	Rokewood Recreation Reserve Pavilion Consultation Meeting
18 December	MAV 2020 Mayoral Induction
6 January	Councillors Community Engagement Meeting
12 January	Corporate Services Portfolio Meeting
14 January	Linton Shire Hall Open Day
18 January	Community Services Portfolio Meeting
18 January	Councillor Briefing Meeting

Cr Brett Cunningham

15 December	Councillor Briefing Meeting
15 December	Council Meeting
17 December	Golden Plains Twilight Market
21 December	Tourism Greater Geelong and the Bellarine Meeting
6 January	Councillors Community Engagement Meeting
12 January	Corporate Services Portfolio Meeting
13 January	Lethbridge Recreation Reserve Committee AGM
18 January	Councillor Briefing Meeting

Cr Gavin Gamble

15 December	Councillor Briefing Meeting
15 December	Council Meeting
17 December	Golden Plains Twilight Market
6 January	Councillors Community Engagement Meeting
18 January	Councillor Briefing Meeting

Cr Ian Getsom

15 December	Councillor Briefing Meeting
15 December	Council Meeting
6 January	Councillors Community Engagement Meeting
13 January	Lethbridge Recreation Reserve Committee AGM
18 January	Community Services Portfolio Meeting
18 January	Councillor Briefing Meeting

Cr Les Rowe

15 December	Councillor Briefing Meeting
15 December	Council Meeting
16 December	Timber Towns Victoria Meeting
6 January	Councillors Community Engagement Meeting
12 January	Corporate Services Portfolio Meeting
18 January	Councillor Briefing Meeting

Cr Owen Sharkey

15 December	Councillor Briefing Meeting
15 December	Council Meeting
16 December	Geelong Regional Library Committee Board Meeting
17 December	Golden Plains Twilight Market
6 January	Councillors Community Engagement Meeting
14 January	Geelong Regional Library Committee Meeting
18 January	Community Services Portfolio Meeting
18 January	Councillor Briefing Meeting

Cr Clayton Whitfield

15 December	Councillor Briefing Meeting
15 December	Council Meeting
17 December	Golden Plains Twilight Market
6 January	Councillors Community Engagement Meeting
13 January	Lethbridge Recreation Reserve Committee AGM
18 January	Councillor Briefing Meeting

7.2 COUNCILLOR ENGAGEMENT 2021

File Number:**Author:** Susan Talpey, Coordinator Communications, Engagement and Advocacy**Authoriser:** Eric Braslis, CEO**Attachments:** Nil**RECOMMENDATION**

That Council:

1. Endorse the Councillor Engagement 2021 program as outlined within the report, including Councillor Conversation Posts and Coffee with Your Councillor sessions.
2. Commence an Expression of Interest process for Councillor attendance and engagement at meetings of local community groups throughout 2021.

EXECUTIVE SUMMARY

In line with Council's commitment to community consultation, it is recommended that Councillors undertake a dedicated engagement program in 2021, the first year of the Council term. Based on the success of Golden Plains Shire Councillor Conversation Posts in previous years, it is recommended that Council continue to hold in-person conversation posts across the Shire in 2021, with the addition of online consultation sessions. It is also proposed to run an Expression of Interest process, inviting local community groups to host Councillors at a meeting of their individual group in 2021.

BACKGROUND

Community engagement is an area of increased interest and passion in the Golden Plains community. The ability to have conversations on issues that are affecting residents, and to share thoughts and ideas, is valuable and pre-planning appropriate engagement opportunities for Councillors supports positive and productive consultation.

Over the past few years, Councillor Conversation Posts have been a popular opportunity for face-to-face, informal engagement, supporting Councillors to be well-informed about the views and concerns of residents, facilitating community conversations around priorities and aspirations, and enabling participatory activity for quality community outcomes. In 2020, the Councillor Conversation Post program was not able to proceed due to COVID-19 restrictions, giving greater value to residents having the opportunity to meet the new Councillor group in this forum in 2021.

DISCUSSION

Council is dedicated to genuine, open engagement with residents and ratepayers on the decisions that impact their lives and their communities. With its new Community Engagement Policy in development, Council's commitment to quality, meaningful engagement will be further implemented in all consultation processes on Council's strategies, plans and projects. All engagement is presented to Council in reports seeking decisions on the relevant activities.

In addition to the community engagement coordinated by the organisation, the new Councillor group have the opportunity to conduct a program of consultation to ensure open lines of communication with residents and to hear ideas, views and concerns directly from community members.

It is customary for Councillors to attend local community meetings as part of their role, however it's is proposed to strengthen this commitment as part of the Councillor Engagement program in 2021. With many active and dedicated community groups in the Shire, this is an opportunity for well-informed and passionate residents to meet directly with their elected Councillors and share the story, views and concerns of their group. Conversely, Councillors will have opportunity to learn

more about the community group, listen to their plans and meet with members about any Council-related or other concerns and ideas.

Another new initiative are Coffee with Your Councillor sessions, to be held monthly in small townships in the Shire. These are an informal opportunity for residents to have a one-on-one chat with Councillors at a local café or community hall. These drop-in sessions will be attended by the Mayor and other Councillors and promoted to local residents.

An Expression of Interest will be open to local progress associations, community service groups (eg. Lions, Rotary, etc.), interest groups (eg. environmental, Landcare, historical societies, etc.), and community activity groups (eg. Scouts, Probus, CWA, etc.) to request attendance of Councillors at a meeting in 2021. Attending Councillors will report back to Council on the group and their engagement experience.

The proposed Councillor Conversation Post program for 2021 includes events in the north and south of the Shire, as well as two online conversation posts.

The following events/locations have been identified as suitable choices for the Councillor Conversation Posts in 2021, with the Coffee with Your Councillor session to be confirmed and promoted via Council's communication channels. If any events are unable to proceed due to COVID or other restrictions, an alternative opportunity will be arranged.

Event/Engagement	Date	Location
Smythesdale Fiesta – in conjunction with Council Plan engagement	Sunday 7 February	Smythesdale
Online Conversation Post – in conjunction with Council Plan Engagement	February – date to be confirmed	Online via Zoom
Golden Plains Farmers' Market – in conjunction with Draft Council Plan and Draft Council Budget engagement	Saturday 1 May	Bannockburn
Online Conversation Posts	August	Online via Zoom
Coffee with Your Councillor	Monthly – February to December	Townships across Golden Plains Shire

In 2021, a New Residents' Program will be developed and presented to Council, including the opportunity for face-to-face meet and greet events with Councillors.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes

Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	No
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	No
Communication	Yes
Human Rights Charter	Yes

COMMUNITY ENGAGEMENT

The Councillor Engagement Program 2021 supports a strategic requirement to consult with the community and also plays an important role in building trust with Council and community. These face-to-face consultations provide a chance for an open dialogue with community members and a chance for Councillors to hear first-hand from residents and community members, in line with Council's on-going commitment to quality, open community engagement.

STRATEGIES/PLANS

Community Engagement Strategy - Action Plan 2016-2020

Item 1.5 'Investigate and develop an approach that includes more active engagement activities in the community, including attendance at Markets, Community Events, use of mobile library and community group meetings or through the development of Council listening posts'.

Council Plan 2017-2021

Community engagement is an underpinning mechanism for Council to deliver on its Council Plan. In particular, it assists in the delivery of the following outcomes:

Promoting Healthy & Connected Communities

- Build strong and vibrant communities that provide opportunities for all people to engage, connect and participate.
- Deliver good governance & leadership
- Increase trust, ensure open and transparent good governance and active engagement through Council Planning and decision-making in the long-term interests of the community.

RISK ASSESSMENT

COMMUNICATION

All Councillor Conversation Posts and Coffee with Your Councillor sessions will be promoted through varied communications channels including the Gazette, Council News in the Golden Plains Times, Council's website, Council's social media, and community newsletters. The Expression of Interest for Councillor attendance at community meetings will be promoted in the same channels, as well as directly to relevant community groups.

HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (Vic).

OPTIONS

Option 1 – Endorse the Councillor Engagement 2021 program as outlined, including Councillor Conversation Posts and Coffee with Your Councillor sessions and endorse an Expression of Interest process for Councillor attendance and engagement at meetings of local community groups in 2021.

This option is recommended by officers as the two programs support Council's commitment to community engagement and consultation with informal, open engagement at the Councillor Conversation Posts and chat sessions, and attendance and quality engagement at meetings of local community groups in 2021.

Option 2 – Not endorse the Councillor Engagement 2021 program as outlined, including Councillor Conversation Posts and Coffee with Your Councillor sessions and not endorse an Expression of Interest process for Councillor attendance and engagement at meetings of local community groups in 2021.

This option is not recommended by officers as Councillor engagement provides greater understanding and appreciation of the ideas, views and concerns of local residents and support Council's commitment to genuine, open engagement.

Option 3 – Endorse the Councillor Engagement 2021 program as outlined, including Councillor Conversation Posts and Coffee with Your Councillor sessions and not endorse an Expression of Interest process for Councillor attendance and engagement at meetings of local community groups in 2021.

This option is not recommended by officers as, while it would be the previous Council's engagement commitment to Councillor Conversation Posts, the opportunity for further that understanding with attendance and quality engagement at meetings of local community groups would be missed.

CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest in regard to this matter.

CONCLUSION

Councillor engagement is a valuable opportunity for elected Councillors to directly connect and consult with residents. Given the success of past such engagement, the Councillors' commitment to attend and actively participate in the Councillor Conversation Posts and Coffee with Your Councillor programs in 2021 is sought and recommended. The new initiative of Council's commitment to attendance and quality engagement at meetings of local community groups in the first year of the Council term is also sought and recommended.

7.3 P20-116 CONSTRUCTION OF A DWELLING, 1803 STEIGLITZ ROAD, MAUDE**File Number:** P20-116**Author:** Peter O'Brien, Town Planner**Authoriser:** Phil Josipovic, Director Infrastructure and Development**Attachments:**

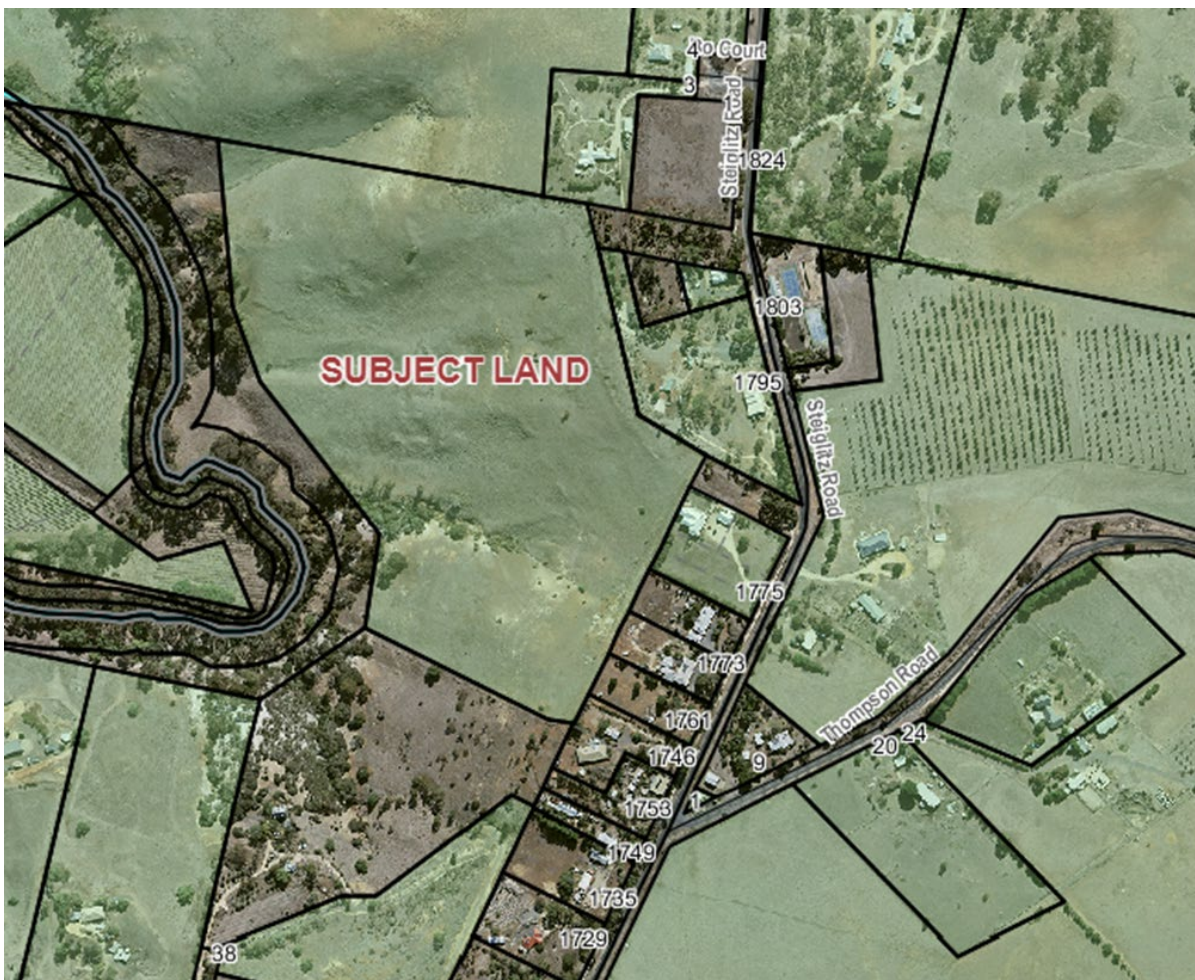
1. Recommended conditions
2. Development Plans (under separate cover)

RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for a dwelling at 1803 Steiglitz Road, Maude subject to the conditions attached to this report.

EXECUTIVE SUMMARY

This report relates to a planning permit application for the use and development of a dwelling and associated works at 1803 Steiglitz Road, Maude. The report was originally presented to the 15 December 2020 Ordinary Council meeting for a decision, however Council deferred the matter to the January Ordinary Council meeting. The application has been referred to the Council Meeting for determination because there are objections to the application. The report provides a background to the application and a summary of the relevant planning considerations. The Councillors have been provided with a full copy of the application and objections for consideration prior to making a decision.

Site map

BACKGROUND

Site description

The subject land is situated at 1803 Steiglitz Road, Maude and is formally described as Land in Plan of Consolidation 368644. The land is located in the Moorabool Valley on the western side of the Maude township. The total area of the land is 13.03 hectares. Access to the land is via an unmade government road off Steiglitz Road. The land adjoins the Maude Recreation Reserve ('Bunjil Lookout') and Maude township to the east and is bounded by the Moorabool River to the west. The surrounding area is used for a mixture of residential purposes, small-scale agricultural activities and community purposes.

Permit history

The following previous planning applications relate to the subject land:

- Planning permit P06-064 for a dwelling and shed was issued by Council on 2 May 2006. This permit was not acted on and has since lapsed.
- Planning application P17-251 for a dwelling and shed was refused by Council on 28 June 2018 due to safety risks associated with the proposed vehicle access to the land from Steiglitz Road.
- A subsequent planning application (P18-266) was made to address the access issues by proposing access at a new location to the north of the Maude Recreation Reserve. This application was for access only and did not seek permission for a dwelling. Planning permit P18-266 was issued by Council on 11 September 2019.

The proposal

The application proposes the use and development of the land for a dwelling and associated works. The dwelling is proposed to be located in the north-east corner of the land at the top of the slope of the Moorabool River valley. The dwelling has setbacks of 7.5m from the northern boundary, 52m from the eastern boundary and approximately 105m from Bunjil Lookout and 280m from the Moorabool River.

The proposal dwelling is a large four-bedroom dwelling over two levels that are graduated with the contours of the land. The "Upper Level" contains an undercover parking area, large kitchen, four bedrooms, laundry and a primary living area that opens to an outdoor terrace. The "Lower Level" will be utilised as a children's retreat and entertainment area and also contains a large undercover parking and vehicle storage area. The proposal includes associated works consisting of a site cut for the dwelling and driveways. Access to the land from Steiglitz Road is via a short section of unmade government road which has separate approval under Planning Permit P18-066.

Permit triggers:

- Clause 35.08-1 (RAZ2) A permit is required to use land for a dwelling (Section 2 use).
- Clause 35.08-4 (RAZ2) A permit is required for buildings and works associated with a Section 2 use.
- Clause 42.01-2 (ESO3) A permit is required to construct a building or construct or carry out works.

CONSULTATION

Notice of the application was given in accordance with Section 52(1)(a) and (d) of the *Planning and Environment Act 1987* ('the Act'). Notice was sent by mail to 13 adjoining and neighbouring owners and occupiers and the application material was placed on Council's website.

There are nine (9) objections to this application. A copy of the objections have been previously provided to the Councillors. An objection was received from Wadawurrung Traditional Owner

Aboriginal Corporation after the December Council meeting. The objection did not raise any new matters that were not previously considered during the assessment of the application. There are no Cultural Heritage requirements for this application. The development of a single dwelling is exempt from the requirement for a Cultural Heritage Management Plan under the *Aboriginal Heritage Regulations 2007*.

The main concern raised by objectors relates to the visual impact of the development on views from Bunjil Lookout. Other concerns have been raised that the proposal is not consistent with the zoning of the land and regarding environmental impacts, access, noise and loss of privacy. It is noted that three objectors have stated that they have no concerns with the proposed location of the dwelling.

A consultation meeting was not held for this application due to current COVID-19 health restrictions.

ASSESSMENT

The application was lodged on 5 May 2020. There are no referral authorities specified in the planning scheme for an application of this type. Further information requests were made on 1 June and 27 October and the requested information was received on 24 June and 13 November respectively.

Golden Plains Planning Scheme

Municipal Planning Strategy

Clause 02.02 Vision

Council's vision is to sustainably manage land use and development within the Shire, including:

- Residential development will predominantly be contained within townships.
- The natural environment will be protected and enhanced.
- The local economy will grow, particularly in township development and rural based and farming.

Clause 02.04 Strategic Framework Plans

The Golden Plains Strategic Framework Plan sets out the key land use planning directions for the Shire. The subject land is shown within the 'Moorabool Valley Tourism Area' on the Framework Plan. The planning scheme does not contain a Town Structure Plan for the Maude township.

Planning Policy Framework (SPPF)

Clause 12.03-1S River corridors, waterways, lakes and wetlands

The objective of this clause is:

- To protect and enhance river corridors, waterways, lakes and wetlands.

Strategies include:

- Protect the environmental, cultural and landscape values of all water bodies and wetlands.
- Ensure development is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways.

Clause 12.05-2S Landscapes

Objective:

- To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.

Strategies include:

- Ensure development does not detract from the natural qualities of significant landscape areas.
- Ensure important natural features are protected and enhanced.

Clause 14.01-1S Protection of agricultural land

Objective:

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

Strategies include:

- Protect productive agricultural land from unplanned loss due to permanent changes in land use.
- Limit new housing development in rural areas by:
 - Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
- In considering a proposal to use, subdivide or develop agricultural land, consider the:
 - Desirability and impacts of removing the land from primary production, given its agricultural productivity.
 - Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
 - Compatibility between the proposed or likely development and the existing use of the surrounding land.

Clause 17.04-1L Tourism

It is a strategy to direct the development of tourism accommodation in the Moorabool Valley to the Rural Activity Zone Schedule 1 (RAZ1).

Rural Land Use Strategy

The Golden Plains Rural Land Use Strategy (2008) is a reference document to the planning scheme and is designed to guide future land use and development and the application of rural zones across the Shire's rural areas. The strategy identifies the subject land within the Moorabool Valley area which is identified as an area containing small scale agricultural activities with the potential for tourism and other complementary activities. The rural strategy recommended that the Moorabool Valley be zoned Rural Activity Zone with a 40ha minimum subdivision area in order to achieve a mix of rural uses that reflects the current land use and development and that is compatible with, among other things, the area's dominant landscape features in particular the enclosed river valleys and escarpments.

Zone and overlay provisions

Clause 35.08 Rural Activity Zone – Schedule 2

The subject land is in a Rural Activity Zone – Schedule 2 (RAZ2). The purpose of the RAZ is, among other things, to provide for the use of land for agriculture; to provide for other development, in appropriate locations, which is compatible with agriculture and the environmental and landscape characteristics of the area; and to ensure that development does not adversely affect surrounding land uses. A dwelling is a Section 2 – permit required use under the provisions of the RAZ.

Before deciding on an application in the RAZ, Council must consider the decision guidelines contained in Clause 35.08-5 including the following design and siting issues:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.

Schedule 2 of the RAZ applies to the Moorabool Valley and seeks to achieve a planned mix of small agricultural holdings used for horticulture, rural industries, tourism and recreation facilities that are compatible with, among other things, the area's dominant landscape features in particular the enclosed river valleys.

Clause 42.01 Environmental Significance Overlay – Schedule 3

The Environmental Significance Overlay – Schedule 3 (ESO3) seeks to protect the environmental attributes of the Moorabool Valley and other areas of environmental significance. The objectives of the ESO3 are to protect the conservation values of the above areas including geological formations and landscape values. A permit is required to develop land for a dwelling under the provisions of the ESO3. There are no referral authorities specified in the ESO3.

The decision guidelines of the ESO3 require Council to consider the following matters:

- the preservation of the natural environment including natural environmental processes, any important landscape or conservation characteristics of the area;
- the need to protect the general environs of any natural vegetation or objects or features from development which would detract from their setting.
- the necessity of undertaking landscaping works and retaining vegetation in the vicinity of natural features, watercourses, roads, property boundaries, buildings and natural habitats.
- the need to control the siting, shape and height of any buildings or extensions and the extent to which the materials, colours and external finishes of buildings conform in appearance and character with adjacent buildings and with the character and appearance of the area generally.

General provisions

The decision guidelines contained in Clause 65.01 of the planning scheme require Council to consider the following matters, as appropriate:

- The matters set out in section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

DISCUSSION

Planning scheme

The application is considered to satisfy the State and local policies for Agriculture and the Rural Activity Zone which seek to protect productive agricultural land by ensuring that new development does not impact primary production on adjacent land and is compatible with existing uses on surrounding land. The proposal will not result in the loss of productive agricultural land because the land has limited capacity for agricultural production due to the steep slope. The proposed dwelling is also not considered to have any impact on adjoining agricultural activities because surrounding properties are predominately used for residential purposes.

The Rural Activity Zone – Schedule 2 (RAZ2) together with the Environmental Significance Overlay – Schedule 3 (ESO3) both identify the need to protect the dominant landscape features and natural beauty of the Moorabool Valley. In particular the ESO3 seeks to ensure that development does not detract from the landscape through the use of landscaping along boundaries and in the vicinity of buildings and by controlling materials, colours and external finishes of buildings so that they conform to the character and appearance of the area. These matters can be addressed by way of permit conditions requiring the establishment of landscaping in the vicinity of the proposed buildings and requiring that the external materials of the buildings be coloured or painted so that they are muted and non-reflective to ensure there is no visual impact on the landscape and amenity of the area.

Objections

Visual impact. The main ground of objection relates to the visual impact of the development, particularly on views from Bunjil Lookout. While the lookout affords an expansive panorama of the Moorabool Valley it is not a view of a pristine natural or agricultural landscape as there are many other dwellings and buildings that are visible both in the near and far distance. The proposed dwelling has been purposely sited and designed to ensure that it does not unreasonably dominate or interrupt the views from the lookout or surrounding properties. The graduated design of the dwelling in two levels follows the contours of the land. When viewed from the lookout the dwelling is positioned to the side of the main panorama and occupies only a small section of the total view plane. The dwelling also sits well below the horizon line and does not impede the upstream view of the valley or of the opposing western escarpment.

It should be noted that the public lookout takes benefit from private land (the subject land) in order to obtain its uninterrupted views of the valley. The applicant has quite rightly pointed out that the presence of the lookout should not restrict the reasonable development of the land. The landowner can, without requiring planning permission, plant trees along the boundary, erect a fence or construct an unenclosed agricultural building that would have a greater impact on views from the lookout than the proposed dwelling.

It is recommended that if a permit is issued that conditions be included in the permit requiring that the external materials and finishes of the building be muted tones and colours that are in keeping with the appearance of the area and that low-level landscaping is established on the south-eastern (lookout) side of the dwelling in order for the development to blend in with landscape.

Other concerns. The objectors raised other concerns in regard to environmental impacts, access, noise and loss of privacy. The proposed development is not considered to have any environmental impacts because the site of the dwelling does not contain any native vegetation or habitat for native wildlife. As discussed, the surrounding area is not a pristine natural environment and has been modified for residential and agricultural use. Concerns were raised in relation to access to the site which is via an unmade government road to Steiglitz Road. While a permit was required (and granted) to create access to Steiglitz Road (a road in a Road Zone, Category 1) planning permission is not required to construct a road within a government road reserve. A permit was granted for the proposed access to Steiglitz Road because the access location met safety requirements. Noise from the proposed dwelling is not expected to cause any greater noise impacts than those from the many neighbouring dwellings, the public recreation reserve and traffic on Steiglitz Road. The proposed dwelling will also not result in the loss of privacy as the proposed dwelling has adequate separation and there are no direct views to existing dwellings.

REPORTING AND COMPLIANCE STATEMENTS*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes

GOVERNANCE PRINCIPLES

In assessing and formulating a recommendation for this planning application, the *Planning and Environment Act 1987* and Golden Plains Shire Planning Scheme have been considered in the officers' assessment.

POLICY/RELEVANT LAW

In assessing and formulating a recommendation for this planning application, the *Planning and Environment Act 1987* and Golden Plains Shire Planning Scheme have been considered in the officers' assessment.

ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

Environmental considerations have been taken into account in formulating a recommendation in this matter.

COMMUNITY ENGAGEMENT

Notice of the planning application has been undertaken in accordance with the requirements sets out in the *Planning and Environment Act 1987*, by way of letters to adjoining and adjacent landowners.

PUBLIC TRANSPARENCY

As objections have been received for this application, the application is being forwarded to Council for a decision in line with delegation, thereby making the determination transparent.

STRATEGIES/PLANS

In assessing and formulating a recommendation for this planning application, the Golden Plains Shire Planning Scheme (which consists of strategic plans) has been considered in the officers' decision making.

RISK ASSESSMENT

- Objector may lodge an Application for Review at the Victorian Civil & Administrative Tribunal.
- Applicant lodging an Application for Review at the Victorian Civil & Administrative Tribunal; if the decision of Council is considered unfounded, costs may be awarded against Council. This outcome may impact Council's professional indemnity and reputational risk to Council.
- Applicant lodging an Application for Review at the Victorian Civil & Administrative Tribunal, and due to the unnecessary delay, apply for costs against Council. This outcome may impact Council's professional indemnity insurance and reputational risk to Council.

COMMUNICATION

For all options proposed for this application, the outcome will be communicated to all parties in writing.

HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

OPTIONS

Option 1 – Issue a Notice of Decision to Grant a Planning Permit

This option is recommended by officers as the proposed development achieves a high compliance against the provisions of the Golden Plains Shire Planning Scheme.

Option 2 – Issue a Notice of Refusal to Grant a Planning Permit

This option is not recommended by officers as the matters which are required to be considered have been, and the application achieves a high compliance to the provisions of the Golden Plains Shire Planning Scheme.

Option 3 – Defer the matter to another Council Meeting for Consideration

This option is not recommended by officers as there is no outstanding information which would alter the officer recommendation on this matter.

CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest in regard to this matter.

CONCLUSION

The application satisfies the provisions of the State and Local Planning Policy Frameworks, the Rural Activity Zone – Schedule 2, Environmental Significance Overlay – Schedule 3 and the decision guidelines of the Planning Scheme (Clause 65). The proposal will not remove land from productive agricultural use and will have no impact on adjoining agricultural activities. The siting and design of the dwelling together with permit conditions controlling the external materials of the building and requiring landscaping will ensure that the development has no visual impact on the landscape of the area and does not cause material detriment to any person.

P20-116 1803 STEIGLITZ ROAD, MAUDE (DWELLING)**RECOMMENDED CONDITIONS FOR A NOTICE OF DECISION TO GRANT A PERMIT****Amended plans**

- 1 Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) details of all external materials and finishes of the dwelling and garage, including the roofing, all of which must be coloured so that they are muted and non-reflective in order to blend with the environment and preserve the landscape and visual amenity of the area.
 - b) details of the proposed driveways and car parking areas, including full dimensions of works and surface treatments.

Landscape plan

- 2 Before the development starts, a detailed landscaping plan prepared by a suitably qualified and/or experienced person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plan must show the following:
 - a) the planting of trees and shrubs on the southern and eastern sides of the proposed dwelling. The landscaping must be of a low height to screen the dwelling from view from the nearby public lookout but without obstructing views of the surrounding landscape;
 - b) a planting schedule of all proposed trees and/or shrubs, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant, site preparation and establishment (watering) regime;
 - c) all species selected must be indigenous to the local area.

Layout not altered

- 3 The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Landscaping required before use starts

- 4 Before the use starts, the site must be landscaped in accordance with the endorsed landscape plan/s to the satisfaction of the Responsible Authority.

External materials

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

Access and utilities

- 6 Access to the land must be provided to the dwelling via an all-weather road with dimensions adequate to accommodate emergency vehicles to the satisfaction of the Responsible Authority.

- 7 The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes to the satisfaction of the Responsible Authority.
- 8 The dwelling must be connected to a reticulated electricity supply or have an alternative energy source to the satisfaction of the Responsible Authority.
- 9 The dwelling must be connected to a reticulated sewerage system or if not available, the wastewater must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970* to the satisfaction of the Responsible Authority.

Erosion control

- 10 Soil erosion control measures must be employed throughout the construction stage of the development (in accordance with Construction Techniques for Sediment Pollution Control, EPA 1991) to the satisfaction of the Responsible Authority.
- 11 All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the Responsible Authority.

General amenity

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

Expiry

- 13 This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of issue.
 - b) The use is not started and the development is not completed within four years of the date of issue.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (or twelve months after the permit expires for a request to extend the time to complete the development).

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

7.4 P20-289 VETERINARY CLINIC AND ASSOCIATED SIGNS, BROOKE STREET, SMYTHESDALE

File Number:

Author: Sandra Tomic, Town Planner

Authoriser: Phil Josipovic, Director Infrastructure and Development

Attachments: 1. Draft conditions

RECOMMENDATION

That Council resolve to issue a Notice of Decision to Grant a Planning Permit for Use of the land for a veterinary centre under clause 34.01-4, construction of a building and works under clauses 34.01-4, 43.01-1, 43.02-2, signs under clause 34.01-9 and 43.01-1 and provision of car parking under clause 52.06-3 in accordance with endorsed plans, subject to conditions attached to this report.

EXECUTIVE SUMMARY

This report relates to a planning permit application for the use of the land for a veterinary centre under clause 34.01-4, construction of a building and works under clauses 34.01-4, 43.01-1, 43.02-2, signs under clause 34.01-9 and 43.01-1 and provision of car parking under clause 52.06-3

The application has been referred to a Council meeting for determination because there are three (3) objections to the application. This report provided a background to the application and a summary of the relevant planning considerations. Councillors have been provided with a full copy of the application, and objections for consideration prior to making a decision.

BACKGROUND

Site description

The subject site is known as CA 2, Section 4, Township of Smythesdale. It is rectangular in shape and currently vacant, with a total area of 858sqm. The site has street frontage to Brooke Street and can be accessed via Becker Street at the rear. Angle car parking spaces are located along the Brooke Street frontage which will not alter as part of this proposal. The site is devoid of vegetation.

The site is located within the Commercial 1 Zone (C1Z) and is subject to Design and Development Overlay Schedule 1 – Meredith and Smythesdale (DDO1) and Heritage Overlay 104 (HO104). The site adjoins a Road Zone Category 1 (RDZ1) - Brooke Street, which is a Regional Roads Victoria road.

Land to the rear on the opposite side of Becker Street is zoned Township Zone (TZ), and contains a Primary School. The adjoining lot to the north is a similarly sized vacant parcel of land. The lot adjoining the southern boundary contains the historic Court House Hotel. On the other side of Brooke Street is the historic Court House and a church building on the corner of Brooke and Heales Streets. All of this land aside from the school is also within the Commercial 1 Zone which extends further north and south from the subject site.

The township of Smythesdale is located in the northern part of the Shire with the Glenelg Highway running through as the main thoroughfare to Ballarat, which is approximately 20km further on to the north-east.

As described in the Smythesdale Heritage Precinct Statement of Significance, Smythesdale is of historical, architectural and social significance to the Golden Plains Shire. It is significant as it is one of the many small settlements in the Shire established on the site of gold rushes in the 1850's and 1860's, several of which have survived into the twenty-first century.

The land is not subject to any covenants registered on title.

A planning permit is triggered under the following clauses of the Golden Plains Planning Scheme:

Clause 34.01-1 for the use of the land for a veterinary centre. A veterinary centre is defined at Clause 73.03 as follows:

Land used to:

- a) diagnose animal diseases or disorders;*
- b) surgically or medically treat animals; or*
- c) prevent animal diseases or disorders.*

It may include keeping the animals on the premises for treatment.

Clause 34.01-4 (C1Z) - A permit is required to construct a building or construct or carry out works.

Clause 34.01-9 (C1Z) - The sign requirements are at Clause 52.05. This zone is in Category 1 (minimum limitation).

Clause 43.01-1 (HO) - A permit to construct a building or construct or carry out works and to construct or display a sign.

Clause 43.02-2 (DDO) - A permit to construct a building or construct or carry out works.

Clause 52.06-3 (Car parking) – A permit is required to provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.

Subject site



Proposal

The application proposes the use and development of the land for a veterinary centre and associated signs, and provision of car parking. The proposal is described as follows: -

Building and works

The proposal is for a single storey, shallow-gabled veterinary clinic to be constructed of 'Shale grey' Colorbond sheeting for the roof and side and rear walls, and 'Monument' Colorbond sheeting (vertically oriented) for the front (Brooke Street) façade. This front façade is to be articulated with a glazed shopfront for the northern portion, partially disguised by a projecting post-supported reverse skillion roofed verandah. The construction of the verandah posts is shown to be of 'Monument' Colorbond colour, as is the verandah fascia.

Vertically oriented timber screens are proposed at the front and sides with the front screen to be supported by an off-form concrete plinth; the finish of the screens is proposed to be clear timber. A cantilevered fascia sign is to project beyond the screens at the front.

The street frontage is proposed to consist (in part) of aluminium framed windows and a central door entry to be situated behind the verandah screening. A single staff entry is proposed on the northern elevation and two modest sized aluminium framed windows on the south-west elevation.

Customer entry is also proposed via the rear of the property, accessible from Becker Street which is also the location of the associated car parking. An existing crossover on Becker Street is proposed to be widened to provide entry and egress with a total of eight (8) car parking spaces provided as one shared space which will be fitted with a bollard and can be used for deliveries.

Perimeter landscaping is proposed to the north and parts of the southern and western boundaries, and a post and wire fence is proposed for the northern boundary.

Use

As described by the applicant, the owners/occupiers of the proposed Veterinary Clinic will be the Smythesdale Animal Hospital (SAH), who intend to relocate from their current premises at 45 Brooke Street, Smythesdale, into the proposed purpose built facility.

The primary nature of operations is to provide domestic veterinary services, typical of a rural veterinary clinic; non-domestic (farm animals) will not be treated within the facility.

SAH core services include:

- General health and wellbeing checkups;
- De-sexing, vaccinations, microchipping;
- Medical and surgical consultations, radiology, ultrasonography, pathology; and
- Animal dentistry.

The nominated Vet staff numbers are 2 plus support staff.

The opening hours for the proposed premises are:

- Monday - Friday: 8:00 am - 6:00pm.
- Saturday: 9:00 am - 12:00pm.
- Sunday: closed.
- Emergencies: 24 hours per day (Vet on call).

Car park

Car parking will be located to the rear of the building with eight (8) spaces provided on site, with entry provided via Becker Street.

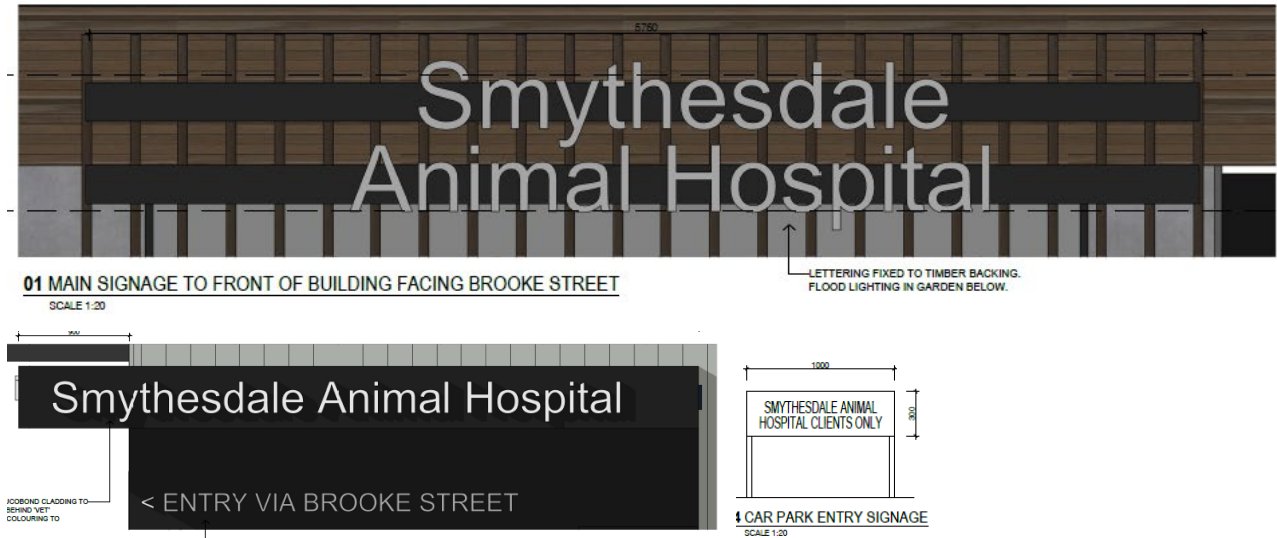
Signs

The business identification signage has been designed into the overall building aesthetic. The main

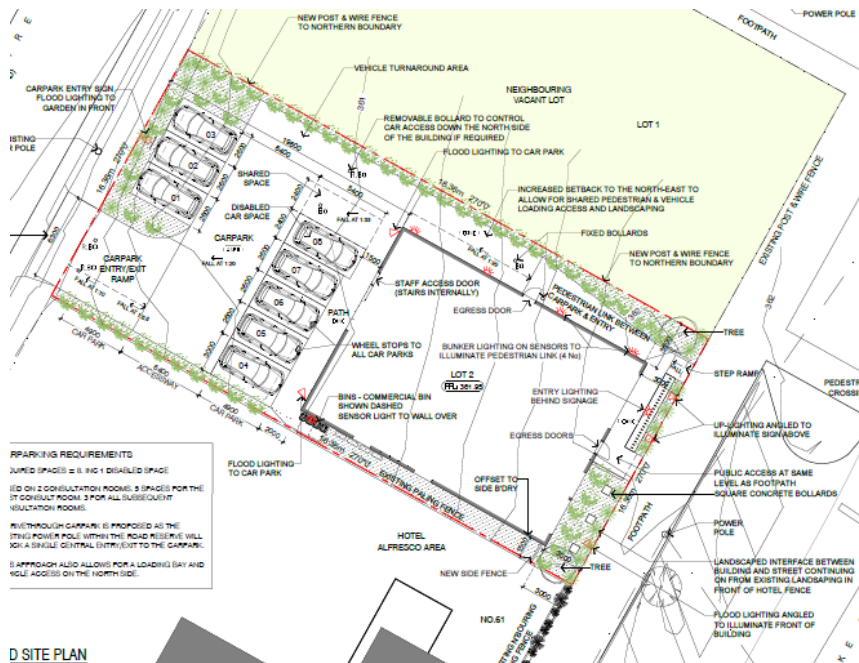
sign will be located along the front façade of the building, fronting Brooke Street.

A rear sign will direct customers to the entry to Brooke Street.

Carpark entry sign 1.0m x 300mm



Proposed development plan





ASSESSMENT

The application was submitted to Council on 31 August 2020 and a preliminary assessment was undertaken. The application was internally referred to Council's Works Department and Heritage Advisor. These parties had no objection to the issue of a permit subject to conditions being placed on the permit.

Planning Policy Framework (PPF)

Clause 15.01-1S Urban design

The objective of this policy is to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 15.03-1S Heritage conservation

The objective is to ensure the conservation of places of heritage significance.

Clause 15.03-1L Heritage conservation

This policy applies to all applications under the Heritage Overlay (HO).

Strategies

- Discourage the demolition of significant or contributory heritage places.
- Support the removal of alterations that do not contribute to the significance of a heritage place.
- Support subdivision or consolidation that complements the significance of a heritage place.
- Support development that responds to the historic character, form and context of the heritage place and makes a positive contribution through innovative design.
- Encourage the restoration, adaptation and reconstruction of heritage places in a manner that does not detract from the significance of the heritage place.
- Design development to protect the health of the mature trees in High Street, Inverleigh.
- Limit the number of signs on heritage places.
- Encourage signs to be designed and located so that they do not adversely affect the significance of heritage places.

Clause 17.02-1S Business

The objective is to encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Clause 17.02-1L Business

Strategies

- Direct commercial and retail use and development to town commercial and retail centres, including those in the Township Zone (TZ).
- Avoid linear commercial and retail development along highways and beyond identified

commercial precincts.

- Support commercial and retail use and development that is consistent with the role of each township.

Zone and overlay provisions

Commercial 1 Zone (C1Z)

The site is located in a Commercial 1 Zone (C1Z). The purpose of the C1Z is to create vibrant mixed-use commercial centres for retail, office, business, entertainment and community uses.

A permit is required for the proposed use and for buildings and works. The decision guidelines of the C1Z require Council to consider:

34.01-2 Use of the land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to and from the land
- Appearance of any buildings, works or materials
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

34.01-8 Decision guidelines, as appropriate: -

Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

Buildings and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The availability of and connection to services.
- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.

Signs

- Sign requirements are at Clause 52.05. This zone is in Category 1.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.
Business identification sign	
Home based business sign	
Promotion sign	

No planning permit is triggered for sign under the Commercial 1 Zone (C1Z)

Design & Development Overlay Schedule 1 (DDO1)

The land is affected by the Design & Development Overlay Schedule 1 (DDO1) which relates to the Meredith Town Place study and Smythesdale Urban Design Framework. The design objectives are: -

- To ensure that all development has regard to design, siting and landscaping issues in Meredith and Smythesdale.
- To ensure that development assists in the presentation of main road entrances into the towns and enhances the immediate environment.
- To ensure that development assists pedestrian level comfort and access.
- To protect heritage values and built character.
- To support tourism development and reinforce civic pride and town character.

Heritage Overlay

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Heritage Precinct, HO104

What is Significant?

Smythesdale is located on the Glenelg Highway, about 20 kms south-west of Ballarat on generally level ground north-east of the Woody Yallock River.

While gold had been discovered throughout the Woody Yallock district, it was the rush to Smythe's and Brown's Diggings which established the town of Smythesdale in 1855 and its consolidation as the colonial government's administration. The complex of Courthouse, Police Station and Police Stables, including the trees surviving from the Police Magistrate's garden, is one of the best surviving in the central goldfields.

Why is it Significant?

The township of Smythesdale is of historical significance as one of the many small settlements in the Shire established on the site of gold rushes in the 1850s and 1860s, several of which have survived into the twenty-first century. It was the administrative centre for the colonial government

imposing law and order as well as controls on the mining industry.

It is of architectural significance for its range of very modest private buildings dating from the nineteenth century and several particularly fine public buildings, the most important of which are the former Post Office, the former Courthouse and Police complex. The Courthouse Hotel is particularly distinctive for its rare form and dominant siting.

Particular Provisions

52.05 - Signs

Purpose

- To regulate the development of land for signs and associated structures
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character
- To ensure signs do not contribute to excessive visual clutter or visual disorder
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Clause 52.06 – Car parking

Purpose

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities. To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Clause 52.06-1 applies to a new use. Before a new use commences, the number of car parking spaces required under 52.06-5 must be provided to the satisfaction of the responsible authority. This clause requires:

- 5 car spaces - To the first person providing animal health services, plus
- 3 car spaces - To every other person providing animal health services.

Using this table as the basis for establishing the required number of car spaces, the car parking requirement would amount to 8 spaces (2 consultation rooms = 2 consulting Vets).

General provisions

The decision guidelines contained in Clause 65.01 of the planning scheme require Council to consider the following matters, as appropriate:

- The matters set out in section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.

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

Discussion

Use

The application meets the purpose of the zone by contributing to a vibrant mixed commercial centre and providing for community use. The transporting of any materials to and from the site will be part of the use, but no more than might be associated with many other permissible or as of right use in the commercial zone. This will primarily consist of delivery of veterinary supplies and removal of associated waste. The emission of any light (such as security lighting), smell, and waste can be addressed via the recommended conditions. The built form is addressed later in this assessment.

Additional use considerations include the effect the proposal may have on existing uses. The drainage of the land has been assessed by Council's Works Engineering team and conditions recommended accordingly; these have been included in the recommended conditions attachment. The developer can make arrangements for other relevant connections such as water and electricity – there are no referral requirements to these authorities for this type of use and development proposal. The site is connected to sewer so septic tank approval is not required.

The proposed hours of operation are acceptable. These are similar to other commercial and retail uses in the area, some of which have not needed planning approval and by extension nor have their hours of operation.

Vehicle access is proposed to be provided via Becker Street. A dedicated car park with 8 spaces is proposed as well as allowance for delivery and removal of goods from the site; the number of spaces meets the required quantity as specified by the planning scheme. No vehicular access is proposed from Brooke Street; pedestrians can walk through from Brooke Street though.

The use and development is proposed to be serviced by sensor/security lighting, to be low level and directional to avoid light spillage to the external areas of the neighbouring Hotel and neighbouring vacant site. A condition will be included on the permit regard lighting.

Areas of landscaping have been shown on the plans provided and conditions have been added to the suite of recommended conditions to require planting and maintenance. The site is not subject to any flood or inundation overlays nor bushfire controls as specified in the scheme.

The use will generate additional vehicle movement to and from the site, as can be expected. However, adequate on-site parking has been provided using the rear of the site rather than the Regional Roads Victoria road. Brooke Street serves the primary school at the rear of the site which is a sealed, two way street in the commercial zone and capable of accommodating the traffic generated by this use. Schools have two peak times; the morning drop off and afternoon pick up which subside relatively quickly. The use of the veterinary centre will be spread over the course of the day and can co-exist with the school. Commercial zones by their intent and nature are expected to generate a higher volume of traffic than a residential area, for example. The application states that this veterinary practice will not be accommodating large farm animals such

as horses or cows for example, which was raised in an objection to the proposal. The site has not been designed to accommodate larger parking spaces for horse floats or trailers.

Building & works (C1Z, HO and DDO)

The subject site is located at the northern entrance to the Smythesdale township and is part of the Smythesdale Heritage Precinct. It is also located adjacent to the significant two storey, rendered brick Court House Hotel and opposite a steeply-pitched, gabled timber church and the significant, gabled brick Victorian styled Court House.

In the initial review of the plan, Councils heritage advisor recommended the application be supported subject to:

1. Provision of a parapet on the front façade.
2. Alternative front wall cladding that responds more closely to the rendered, lighter toned appearance of the neighbouring Court House Hotel.
3. Articulation of the front windows (south portion).
4. Clarification of the paving construction of the rear car park and cross over.

Revised plans dated 7 October 2020 were submitted in response to the heritage advisor comments. The applicant (and architect) has responded to these referral comments by providing amended plans which show a parapet, cement sheet (Bare stone finish) wall cladding to simulate the rendered and lither-toned appearance of the neighbouring Court House Hotel as well including two vertically-oriented windows as a modern interpretation. Details of the finish of the car park were also provided; it is to be sealed in asphalt.

The building is proposed is to be single storey with its bulk and height being subservient to the neighbouring two storey Court House Hotel, which is a local heritage landmark, the single storey design and modern interpretation also provide a diversity in building type rather than trying to mimic the important heritage buildings of the precinct, which is not a desirable response to the heritage overlay. A modern building in a heritage setting should provide an acceptable modern interpretation of important heritage aspects rather than try and recreate buildings and works from the important but bygone era.

Consequently, the proposed building and works offer a modern interpretation of the heritage guidelines, considering appropriate built form scale, setbacks and materials. The proposal will not have an adverse effect on the significance, character and appearance of the Smythesdale Heritage Precinct.

The DDO1 relates specifically to design, siting and landscaping. The proposed building will activate the streetscape, by integrating the shopfront (clinic) with the pedestrian footpath along Brooke Street. The layout of the development has considered areas for landscaping, with landscaping to be provided along the frontage to Brooke Street, softening the entrances, while also providing landscaping to the rear to soften the car parking along Becker Street. A strip of landscaping is also showing along the entire northern boundary and along the car park along the southern boundary. The proposed building responds to the existing streetscape with appropriate setbacks and landscaping. A condition will be included for a detailed landscaping plan to be submitted to Council.

Sign

A permit is triggered for signs under the heritage overlay, the proposal has incorporated the main signs into the design of the building. The main signage will be appropriately lit via directional lighting from the garden below. Rear signage will also contains access information for pedestrians approaching from the car park to the front entry. The location and style of signs will not impact on the surrounding areas by impeding views or skyline.

This application is considered to satisfy the provisions of the planning scheme, including the State and Local Planning Policy Frameworks, the decision guidelines of Clause 65 and Section 60 of the Act.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes

GOVERNANCE PRINCIPLES

In assessing and formulating a recommendation for this planning application, the *Planning and Environment Act 1987* and Golden Plains Shire Planning Scheme have been considered in the officers' assessment.

POLICY/RELEVANT LAW

In assessing and formulating a recommendation for this planning application, the *Planning and Environment Act 1987* and Golden Plains Shire Planning Scheme have been considered in the officers' assessment.

ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

Environmental considerations have been taken into account in formulating a recommendation in this matter.

COMMUNITY ENGAGEMENT

Notice of the application was given in accordance with Section 52 of the *Planning and Environment Act 1987*. Notice was provided by mail to all adjoining and neighbouring owners. Two signs were placed on site, one to each street frontage, and the application information was placed on Councils website.

As a result of the public notice three (3) objections were received.

Objectors cited matters such as traffic and carparking impact, amenity, built form, impact on dining

patrons at the hotel, and also wanting other types of business for the community.

No consultation meeting was held due to the current hold on public gatherings as a result of COVID-19. This includes no unnecessary meetings held by Council.

Objectors concerns

Parking and traffic

Clause 52.06 of the Golden Plains Planning scheme states the number of car spaces required for a new use. As discussed within the report, this clause requires eight (8) car parking spaces to be provided and the plan submitted with the application provides 8 spaces located to the rear of the site. The car parking spaces along Brooke Street will also be maintained. The application was referred to Councils Works Engineering department who raised no concerns regarding the traffic or parking associated with the use. No upgrades to the road network have been required as it is deemed capable of supporting the use. For further commentary, I refer the reader to the earlier discussion comments in relation to the use of the land, which also addressed traffic.

Amenity

The site is located within the Commercial 1 Zone which allows for a wide variety of retail, commercial, office, community uses and more to co-exist. The veterinary centre proposes to operate Monday - Friday: 8:00 am - 6:00pm and Saturday: 9:00 am - 12:00pm (closed Sunday) which are entirely appropriate hours of operation in a commercial setting. There are no adjoining residential uses whereby the proposal could impact on residential amenity.

Built form

The design has considered and responded appropriately to the HO and DDO controls. The proposal has been referred to Council's Heritage Advisor who provided suggestions, points of clarification and alteration, which have since been addressed by the permit applicant. Refer to earlier discussion comments in relation to buildings and works for detailed assessment.

Impact on dining patrons at the hotel

The proposal is expected to have limited if any impact on the dining patrons of the hotel. The operators of the proposed use and development also run a vet clinic in Bannockburn which is immediately adjacent to residential properties; no complaints have been received regarding noise or smell from neighbours. There is no reason for odours to emanate from the site.

Given the car parking area at the rear of the site, most customers could be expected to enter the facility via the rear door which will have no disruptive impact on any alfresco diners. Further, those entering the front door will simply be carrying or leading (mainly) cats and dogs in which is not considered to be any more disruptive than a dog being taken on a walk and passing diners using the alfresco area.

Other types of business for the community

One objection suggested that the township of Smythesdale would benefit from a business other than a veterinary centre. This is subjective, however from a planning perspective, Council assesses applications against the Golden Plains Planning Scheme that are submitted for consideration and cannot refuse an application simply because there is no accountant or bakery or newsagent for example, which are deemed more desirable by an objector.

The subject site received approval in 2015 for the development of the land for a building to contain three shops and a dwelling. This permit was never acted upon and has since lapsed. There is ample land within the township and in particular the commercial zone for an application to be made for other uses to be established, however this is market driven.

PUBLIC TRANSPARENCY

The recommendation, and determination made by the officer has been made in line with the

Planning and Environment Act 1987, and the Public Transparency Policy adopted by Council.

STRATEGIES/PLANS

In assessing and formulating a recommendation for this planning application, the Golden Plains Shire Planning Scheme (which consists of strategic plans) has been considered in the officers' decision making.

RISK ASSESSMENT

- Objector may lodge an Application for Review at the Victorian Civil & Administrative Tribunal.
- Applicant lodging an Application for Review at the Victorian Civil & Administrative Tribunal, and due to the unnecessary delay, apply for costs against Council. This outcome may impact Council's professional indemnity insurance and reputational risk to Council.

COMMUNICATION

For all options proposed for this application, the outcome will be communicated to all parties in writing.

HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (Vic).

OPTIONS

Option 1 – Issue a Notice of Decision to Grant a Planning Permit

This option is recommended by officers as the proposed development achieves a high compliance against the provisions of the Golden Plains Shire Planning Scheme.

Option 2 – Issue a Notice of Refusal to Grant a Planning Permit

This option is not recommended by officers as the matters which are required to be considered have been, and the application achieves a high compliance to the provisions of the Golden Plains Shire Planning Scheme.

CONFLICT OF INTEREST

The officers preparing this report declare no conflict of interest in regard to this matter.

CONCLUSION

The application satisfies the provisions of the Planning Scheme, including local planning policies, the provisions of the Commercial Zone and the decisions guidelines of the Planning Scheme (Clause 65). The proposed use and development will have minimal impact on the surrounding area and is an appropriate location. The proposal is consistent with relevant planning policy. The issue of a planning permit is appropriate subject to conditions.

Proposed Draft Conditions: 4 Brooke Street, Smythesdale(P20289)**Endorsed Plan**

1. The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the responsible authority.
2. All external materials to be used in the construction of the building must be of muted tones and be non-reflective and must not result in any adverse visual impact on the amenity of the surrounding area.
3. No more than two (2) veterinary practitioners are permitted to practice at this site at any one time, unless written approval is first obtained from the responsible authority.

Hours of operation

4. The use may only operate within the following hours, except in the event of emergency treatment being required.
 - Monday - Friday: 8:00 am - 6:00pm.
 - Saturday: 9:00 am - 12:00pm.

Amenity

5. The amenity of the area must not be detrimentally affected by the use or development of any reason to the satisfaction of the responsible authority.
Including the following:
 - a. Appearance of any building, works or materials;
 - b. Emission of noise, vibration, smell, dust, waste water, waste products.
 - c. All external lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land;
 - d. Security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service
 - e. Presences of vermin; and
 - f. Transport of materials, good or commodities to or from the land.
6. The loading and unloading of good must only be carried out on the subject site and must not disrupt the circulation and parking of vehicles on the land.

Landscaping

7. Before the development starts, landscaping plan, prepared by a suitably qualified or experienced landscaping professional, to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimension. The plan must show:
 - a. One tree to be planted within the front setback Brooke and Becker Street. (total of two trees).
 - b. A plant schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot size, size at maturity and quantities of each plans
 - c. Landscaping and planting within all open areas on site
 - d. Details of surface finished including the carpark
8. Landscaping must be completed prior to the commencement of the use.

General

9. No fewer than 8 car parking spaces are to be provided for use in association with the Veterinary Clinic, including at least one space (including required shared area) clearly marked and set aside as disabled compliant, to the satisfaction of the responsible authority.
10. The amenity of the area must not be adversely affected by the use or development as a result of:

- a. transport of materials, goods or commodities to or from the land;
 - b. appearance of any building, works, stored goods or materials;
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, steam, soot, ash, dust, waste water, waste products or oil; or
 - d. the presence of vermin.
11. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.
 12. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.
 13. The loading and unloading of goods from vehicles must only be carried out on the land.

Works

Stormwater Management Plan

14. Before the development starts, a Stormwater Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must ensure that stormwater and drainage discharge from the development site meets current best practice performance objectives for stormwater and must include:
 - a. A construction site plan incorporating the stormwater management measures to be implemented during the construction phase of the development and details how stormwater is to be managed, including sediment controls, during both the land development phase and the building phase. The plan must have regard to the Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).
 - b. Regular monitoring and maintenance measures;
 - c. The incorporation of on-site retention, Water Sensitive Urban Design (WSUD) infiltration, storage and re-use stormwater management techniques, where practicable, to reduce pollutant export and peak discharge from the site; and
 - d. Any other matters of merit.
15. The provisions and requirements of the endorsed Stormwater Management Plan must be implemented and, thereafter, complied with at all times. The Stormwater Management Plan may be amended only with the prior written consent of the Responsible Authority

Traffic Management Plan

16. Before the use starts, a Traffic Management and Parking Plan to the satisfaction of the Responsible Authority and prepared by a suitably qualified traffic engineer must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must include:
 - a. Vehicular details including type of vehicle, vehicle loads, total volume, and vehicle routes.
 - b. The means by which the direction of traffic and pedestrian flows to and from car parking area will be controlled both on- and off-site;
 - c. Measures to discourage patron car parking in undesignated locations;
 - d. Servicing of the drainage and maintenance of car parking areas.
17. The provisions and requirements of the endorsed Parking and Traffic Management Plan must be implemented and thereafter complied with. The Parking and Traffic Management Plan may be amended only with the prior written consent of the Responsible Authority

Construction Management Plan

18. Before the development starts, a Construction Management Plan (CMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must address, but is not limited to the following matters:
 - a. Measures to minimise the impact of construction vehicles arriving at, queuing, and departing from the land;

- b. Measures to accommodate the private vehicles of workers/tradespersons;
- c. Details of the location of all construction equipment and facilities, including delivery points, storerooms, toilets, temporary offices and workers' facilities;
- d. Discharge of any polluted water, disposal of site waste and any potentially contaminated materials;
- e. Noise attenuation measures to be put in place to protect the amenity of nearby residents during construction having regard to the EPA Guidelines on Construction and Demolition Noise;
- f. Measures to minimise the generation and dispersal of dust;
- g. Details of a 24 hour phone number for access to a contact person or project manager accountable for the project and compliance with the CMP; and
- h. Arrangements for waste collection and other services to be provided during construction.

Environmental Management Plan

19. Before any construction works start, an Environmental Management Plan (EMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must include, but is not limited to:
 - a. An outline of how issues such as runoff, mud on roads, dust generation and erosion and sediment control will be managed, on site, during the construction and post construction phase.
 - b. Details of contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise.
 - c. Management measures are to be in accordance with the EPA guidelines for Environment Management, 'Doing it Right on Subdivisions' Publication 960, September 2004.

20. Before the development starts, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and endorsed by the Responsible Authority. The Waste Management Plan must have regard to the draft 'Best Practice Guidelines for Kerbside Recycling at Multi-Occupancy Residential Developments' (Sustainability Victoria June 2006). The Plan must include:
 - a. The location and space allocated for storage and waste and recyclable materials, bins and containers;
 - b. The type of waste and recycling materials, bins and containers;
 - c. The garbage and recycling equipment (E.g. vehicles and lifting equipment) to be used;
 - d. The frequency and timing of waste collection;
 - e. The path of access for both users and collection vehicles;
 - f. Details of appropriate signage or alternative measures informing owners and occupiers of the waste management arrangements.
 - g. Demonstrate how all collection vehicles can enter and exit the premises in a forward direction. Vehicles must not reverse from the site at any time.
 - h. Measures to manage and minimise noise, odour and litter.
 - i. Swept path diagram for waste collection vehicles including the manoeuvrability within the subject site to waste collection point(s) and the ability to enter and exit the subject site in a forward direction

21. Waste management must be undertaken in accordance with the approved Waste Management Plan. The Waste Management Plan may only be amended with the prior written consent of the Responsible Authority.

Detailed Construction Plans

22. Before any construction works associated with the development or subdivision start, detailed drainage and carpark construction plans and specifications to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The construction plans must accord with Council's standards and specifications in the Infrastructure Design Manual (IDM).

23. The drainage plans must be in accordance with the approved Stormwater Management Plan. Once approved, the drainage plans will be endorsed and will then form part of the permit. The plans must be in accordance with Council's Infrastructure Design Manual (IDM) and provide:
 - a. full drainage analysis and design plans for minor (5 year) and major storm (100 year) events considering all contributing external and internal catchments areas detailing how the site is to be drained.
 - b. full drainage analysis considering all contributing external and internal catchments areas and detailing how peak flow rates from the development are retarded to pre-development levels.
 - c. analysis and computations demonstrating storm water discharge quality from the development meets current best practice performance as contained in Urban Stormwater – Best Practice Environmental Management Guidelines.

Drainage Works

24. Before the use/occupation of the development starts, the following drainage works must be carried out and completed, generally in accordance with the approved Stormwater Management Plan and to the satisfaction of the Responsible Authority and in accordance with the Infrastructure Design Manual (IDM):
 - a. Piped underground drainage discharging to the nearest Council stormwater pit in Becker Street. No stormwater from the site will be permitted to discharge directly to the kerb & channel.
 - b. Provide drainage retardation to limit peak flow rates to pre-development levels or flow rates as agreed with the responsible authority.
 - c. Provide stormwater treatment in accordance with current best practice as contained within Urban Stormwater – Best Practice Environmental Management Guidelines.

Vehicle crossings

25. Before the use/occupation of the development starts, access to the subject site must be provided in accordance with Infrastructure Design Manual (IDM) Standard Drawing number 250, to the satisfaction of the Responsible Authority.
26. The following requirements apply to vehicle crossings and driveways that must be constructed to the satisfaction of the Responsible Authority:

Vehicle crossings must be constructed in reinforced concrete or other approved material;

 - a. New vehicle crossings to suit the proposed driveways must be constructed;
 - b. Redundant vehicle crossings are to be removed and kerb and channel or other approved road edgings reinstated to suit existing works;
 - c. Pathways must be replaced with a section capable of sustaining traffic loads where vehicle crossings are constructed or relocated;

Car parking

27. Before the use/occupation of the development starts, the area/s set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must, to the satisfaction of the Responsible Authority, be:
 - a. Constructed;
 - b. Properly formed to such levels that they can be used in accordance with endorsed plans;
 - c. Surfaced with an all-weather-seal coat;
 - d. Drained;
 - e. Line marked to indicate each car space and all access lanes; and
 - f. Clearly marked to show the direction of traffic along access lanes and driveways.
28. Access driveway(s) and parking module gradients are to be designed in accordance with the requirements of AS 2890.1—Parking facilities Part 1: Off-street car parking
29. Car spaces, access lanes and driveways must be kept available for these purposes at all times.

20. Protective kerbs (of a minimum height of 150mm) must be provided to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas and to control drainage flows and are to be positioned so as to eliminate the need for wheel stops.

21. Appropriate traffic signage must be installed within the car park to support traffic movement to the satisfaction of the Responsible Authority.

Constructed Plans

22. Before the use/occupation of the development, drainage 'As Constructed' plans must be provided to and approved by the Responsible Authority, detailing any drainage assets to be vested to Council.

Signs

23. The location and details of the sign(s), and any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the responsible authority.

24. The sign(s) must not contain any flashing light.

25. The sign lighting must be designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse effect on adjoining land.

26. The sign(s) must be constructed and maintained to the satisfaction of the responsible authority.

Expiry

27. The permit will expire if one of the following circumstances applies:

- The development is not started within two years of the date of this permit.
- The development is not completed within four years of the date of permit
- The use is not started within four years of the date of the permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards;

Note: A works within road reserve permit must be obtained from the responsible authority prior to the carrying out of any vehicle crossing works.

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

7.5 AWARDING OF TENDER (RFT 20-2020) - INVERLEIGH SPORTING COMPLEX CHANGEROOM AND SOCIAL SPACE UPGRADE

File Number:

Author: Thomas Lindberg, Contract and Procurement Specialist

Authoriser: Philippa O'Sullivan, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council:

1. Award Contract RFT 20-2020 for the construction of Inverleigh Sporting Complex Changeroom and Social Space Upgrade to Bowden Corporation Pty Ltd for the contract for the sum of \$1,655,337.40 (exclusive of GST), exclusive of the project contingency sum of \$165,533.74 (ex GST).
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.
3. Redirect \$96,270 from the Federal Local Roads and Community Infrastructure (LRCI) allocation to RFT 16-2020 Bannockburn and District Bowls Upgrade – Construction of new Bowling Green.

EXECUTIVE SUMMARY

Council approval is required for the awarding of the tender to a suitably qualified contractor to undertake the construction of the Inverleigh Sporting Complex Changeroom and Social Space Upgrade project that aligns with the current AFL Vic's Preferred Facility Guidelines for a local level facility.

Works will include:

- New female friendly change rooms inclusive of first aid room, massage room and storage spaces
- Upgrade of the existing sports pavilion change rooms,
- Upgrade of existing toilet amenities,
- Social space extension
- Upgrade of kitchen, bar and cool room amenities

BACKGROUND

The Inverleigh Sporting Complex is located at Railway Street, Inverleigh. The precinct currently provides for a number of sporting and leisure activities with an existing lawn bowls rink and newly constructed netball courts (with lighting), a shared pavilion for bowls and netball user groups, a sporting pavilion catering for AFL football and cricket, two ovals with sports lighting on main football oval, cricket practice wickets and a playground all utilised on a daily basis.

The Golden Plains Shire has undertaken a significant amount of planning over the past few years in the sport and recreation area. These have particularly focused on open space planning and active sports planning. All studies gave a high priority to the development of active sporting pursuits and determine the need to complete further works on key sports precincts, undertake master plans and implement those agreed plans. The Golden Plains

Shire wishes to continue with the development of the Inverleigh Sporting Complex to meet the needs of increased numbers (including greater female participation) participating in sport.

The project will allow the provision of a quality facility that will assist with attracting new players, young and old, male and female players to the club and progress the level of competition and use of the facility.

The project was identified in Council's Priority Project Booklet.

A new wastewater treatment system (septic system) will also be introduced to the precinct to cater for the increased loads and amenities. This will be completed as a separate contract due to it being a specialised field.

FUNDING

The Inverleigh Sporting Complex Change Room and Social Space Upgrade project funds were sourced through the following funding streams:

Social Space Upgrade –

- Department of Infrastructure, Transport, Regional Development and Communications \$ 500,000

Changeroom Upgrade – jointly funded by:

- Local Roads and Community Infrastructure (Stage 1) \$ 177,000
- Sport & Recreation Victoria via the 'Community Sports Infrastructure Stimulus Program' \$1,527,300
- Inverleigh Sporting Complex Committee Incorporated \$ 72,000

The project has been funded for the total value of \$2,276,300.00 (ex GST).

DISCUSSION

The tender was released to the market on Saturday the 14 November 2020 and was open for 26 days with submissions due on 9 December 2020. Four (4) tenders were received and reviewed and compliance checked.

The OHS team also completed a review on all submissions and provided a final report on its findings.

After the evaluation panel had reviewed and scored each tender individually, a consensus evaluation meeting was held on 23 December 2020. Bowden Corporation Pty Ltd was acknowledged as the preferred supplier based on consensus scores measured by *capacity, capability, methodology, price and local content*.

A detailed confidential Tender Evaluation report has been provided to Council.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes

Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

POLICY/RELEVANT LAW

Tender GPSC-RFT-20-2020- Inverleigh Sporting Complex Changeroom and Social Space Upgrade complies with *GPSC May 2020 Procurement Policy* and the *Local Government Act 189 and 2020*.

PUBLIC TRANSPARENCY

Public notice was provided in line with Local Government Act 1989, (Sect.186) and included advertisements in the Geelong Advertiser, Ballarat Courier, Golden Plains and Council's eProcure. Decision outcomes will be advised on eProcure tender website and Council minutes.

FINANCIAL MANAGEMENT

The overall funding for the project is \$2,276,300.00 (ex GST) which will include the following elements and their costs:

- Tendered Construction Sum \$ 1,655,337
- 10% contingency sum \$ 165,533
- Design, Supervision and Investigation \$ 155,000 (approx.)
- Wastewater Treatment Construction \$ 170,000 (approx.)
- Other precinct improvements \$ 34,159
 - Total estimated project cost \$ 2,180,303

The estimated 'whole of project cost' is in line with funded allocations and funding ratio requirements.

RISK ASSESSMENT

There is always an element of 'Financial Risk' associated with the projects that contain bulk earthworks in regions of volcanic rock and works associated with existing structures. Prior investigations have been completed allowing for minimising risks, but not eliminating them completely.

COMMUNICATION

HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

OPTIONS

Option 1 – Approve Tender Evaluation Report – GPSC-RFT-20-2020 - Inverleigh Sporting Complex Change Room and Social Space Upgrade.

This option is recommended by Council officers through the Tender evaluation and selection process which recommends Bowden Corporation Pty Ltd as the preferred supplier for Inverleigh Sporting Complex Change Room and Social Space Upgrade.

Option 2 - Do not award contract.

This option is not recommended as the works have been identified as high need and if a contract is not awarded, may result in reputational damage for Council.

Option 3 – Re-tender GPSC-RFT-20-2020 - Inverleigh Sporting Complex Change Room and Social Space Upgrade.

This option is not recommended by Council officers as this will result in delaying the timing of when this project can be delivered for our community and as the procurement process used to evaluate the tenders is extensive and considers key criteria to award the preferred tenderer, the results of the tender is unlikely to change.

CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest in regard to this matter.

CONCLUSION

The Evaluation Panel has conducted a comprehensive and detailed assessment of the submissions which were received in response to Council's request for tender GPSC-RFT-20-2020 - Inverleigh Sporting Complex Change Room and Social Space Upgrade as outlined in this report to ensure compliance with:

1. *Relevant provisions of the Local Government Act 1989 (Vic)*
2. *Council's Procurement Policy requirements*

In conclusion, Bowden Corporation Pty Ltd met the Council's tender requirements and are best placed to provide the required Inverleigh Sporting Complex Change Room and Social Space Upgrade for Council.

7.6 AWARDING OF TENDER (RFT 16-2020) - BANNOCKBURN AND DISTRICT BOWLS CLUB UPGRADE-CONSTRUCTION OF NEW BOWLING GREEN

File Number:**Author:** Thomas Lindberg, Contract and Procurement Specialist**Authoriser:** Philippa O'Sullivan, Director Corporate Services**Attachments:** Nil**RECOMMENDATION**

That Council:

1. Resolves to award the contract, GPSC-RFT-16-2020 - Bannockburn and District Bowls Club Upgrade – Construction of New Bowling Green, to SportsBuild Pty Ltd for the contract sum of \$603,560 (exclusive of GST), exclusive of the contingency sum of \$33,079 (ex GST).
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

EXECUTIVE SUMMARY

Golden Plains Shire Council is seeking a suitably qualified contractor for the construction of a new bowling green at the Bannockburn and District Bowls Club.

BACKGROUND

The Bannockburn and District Bowls Club Upgrade will involve the construction of a new 34.6m x 37.6m bowling green including a capping layer, composite membrane, drainage system, base layers, levelling layer, synthetic surface, ditch walls, strip footings, plinths and battens. The project will also include the installation of 100Lux lighting, perimeter paving, seating, shelters and boundary fencing.

FUNDING

The Bannockburn and District Bowls Club Upgrade – Construction of New Bowling Green project funds were sourced through the following funding streams:

- Council contribution \$274,400
- Sport & Recreation Victoria \$250,000
- Bannockburn Bowls Club \$140,000
- Local Roads and Community Infrastructure
(as redirected from Inverleigh Changerooms) \$ 96,270

The project has been funded to the total value of \$ 760,670 (ex GST).

DISCUSSION

The tender was originally advertised on 12 September 2020, with a closing date of 7 October 2020, however no submissions were received. Upon seeking feedback from likely potential tenderers as to why they did not submit, it was found this was due to a variety of reasons including a disagreement with some elements of the tendered design; scheduling conflicts due to other projects; and lack of in-house resources or available subcontractors resulting in an inability to undertake some portions of the project work outside of the scope of the bowling green itself. Based on this feedback, the tender documents were updated to allow for more flexibility in terms of potential tenderers' proprietary designs and the mandatory scope items to be priced were also modified.

The tender was re-advertised and was released to market 17 October 2020. Three supplier responses were received, and compliance checks undertaken. The Occupational Health and Safety (OHS) Team also reviewed the submissions and provided a final report.

After the evaluation panel had reviewed and scored each tender individually, a consensus evaluation meeting was held on 24th November 2020. SportsBuild Pty Ltd was identified as the preferred supplier based on consensus scores measured by capacity, capability, methodology, price and local content. The panel required clarifications and a Best and Final Offer (BAFO) to support the non-conforming components of the submission which included proprietary and innovative solutions.

A detailed confidential Tender Evaluation Panel Report has been provided to Council.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

POLICY/RELEVANT LAW

PUBLIC TRANSPARENCY

Public notice was provided in line with *Local Government Act 1989, (Sect.186)* and included advertisements in the Geelong Advertiser, Ballarat Courier, Golden Plains and Council's eProcure. Decision outcomes will be advised on eProcure tender website and Council minutes.

FINANCIAL MANAGEMENT

The overall required funding for the project is \$760,670 (ex GST) inclusive of the original allocated funds (\$664,400) plus the funds redirected to this project from other project savings (\$96,270). This

funding will cater for the following elements of the project:

Tendered Construction Sum	\$ 603,560
Required seating and shelters	\$ 58,020 (approx.)
5% contingency sum	\$ 33,079
Design, Supervision and Investigation	\$ 65,000 (approx.)

The BAFO from the preferred supplier, SportsBuild Pty Ltd, is \$603,560. Under the SportsBuild Pty Ltd contract, all scope items required as per the funding agreement will be delivered, with the exclusion of the supply and installation of seating and shelters for the facility. The seating and shelters will be delivered through a separate contract process.

RISK ASSESSMENT

COMMUNICATION

HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (Vic).

OPTIONS

Option 1 – Approve Tender Evaluation Report – GPSC-RFT-16-2020 - Bannockburn and District Bowls Club Upgrade – Construction of New Bowling Green.

This option is recommended by Council officers through the tender evaluation and selection process which recommends SportsBuild Pty Ltd as the preferred supplier for GPSC-RFT-16-2020 - Bannockburn and District Bowls Club Upgrade – Construction of New Bowling Green.

Option 2 – Do not award contract.

This option is not recommended as the demand for bowls in Bannockburn and the need to improve bowls infrastructure has been identified both regionally and locally and has been identified in the following strategic documents:

- G21 Physical Activity Strategy
- Councils Recreation Strategy
- Bannockburn Community Infrastructure Development Plan
- Bannockburn Community and Civic Precinct Master Plan

The project is identified as high need and if a contract is not awarded, may result in reputational damage for Council and negative impacts to community recreation opportunities.

Option 3 – Re-tender GPSC-RFT-16-2020- Bannockburn and District Bowls Club Upgrade – Construction of New Bowling Green

This option is not recommended by Council officers as this will result in delaying the timing of when this project can be delivered for our community and as the procurement process used to evaluate the tenders is extensive and considers key criteria to award the preferred tenderer, the results of the tender is unlikely to change.

CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest in regard to this matter.

CONCLUSION

The Evaluation Panel has conducted a comprehensive and detailed assessment of the

submissions which were received in response to Council's request for tender RFT-16-2020-Bannockburn and District Bowls Club Upgrade – Construction of New Bowling Green, as outlined in this report to ensure compliance with:

1. *Relevant provisions of the Local Government Act 1989 (Vic)*
2. *Council's Procurement Policy requirements*

In conclusion, SportsBuild Pty Ltd met the Council's tender requirements and are best placed to provide the required Bannockburn and District Bowls Club Upgrade – Construction of New Bowling Green for Council.

7.7 AWARDING OF TENDER (RFT 18-2020) - MEREDITH-SHELFORD ROAD WIDENING STAGE 2

File Number:

Author: Thomas Lindberg, Contract and Procurement Specialist

Authoriser: Philippa O'Sullivan, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council:

1. Resolves to award the Contract GPSC-RFT-18-2020 Meredith-Shelford Road Widening Stage 2 to Bitu-Mill (Civil) Pty Ltd for the lump sum of \$831,683.08 (exclusive of GST).
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

EXECUTIVE SUMMARY

Golden Plains Shire Council wish to upgrade Meredith-Shelford Road, Meredith from Lower Plains Road for a length of approximately 2 km (1994 metres).

BACKGROUND

Council is seeking to appoint a suitably qualified and experienced contractor to construct approximately 2km of sealed road with 300mm compacted depth crushed rock and a 7mm size primer seal to support a safer and more efficient transportation network. The extent of works to be constructed is as indicated on engineering construction drawings noted as the limit of works between chainages 12,756.844 to 14,750.

DISCUSSION

The tender was released to market 31 October 2020 and was open for 32 days. Three (3) supplier responses were received and compliance checked. The Occupation Health and Safety (OHS) team reviewed only the compliant submissions and provided a final report. After the evaluation panel had reviewed and scored each compliant tender, a consensus evaluation meeting was held on 18 December 2020. Bitu-Mill (Civil) Pty Ltd was acknowledged as the preferred supplier based on consensus scores measured by *capacity, capability, price and local content*.

A detailed Tender Evaluation Panel Report was previously provided to Council.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No

Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

POLICY/RELEVANT LAW

Tender RFT-18-2020- Meredith-Shelford Road Widening Stage 2 complies with *GPSC May 2020 Procurement Policy* and the *Local Government Act 1989 and 2020*.

PUBLIC TRANSPARENCY

Public notice was provided in line with *Local Government Act 1989, (Sect.186)* and included advertisements in the Geelong Advertiser, Ballarat Courier, Golden Plains and Council's eProcure. Decision outcomes will be advised on eProcure tender website and Council minutes.

FINANCIAL MANAGEMENT

Project is fully funded under the Federal Government's Blackspot Roads Program.

RISK ASSESSMENT

IMPLICATIONSCOMMUNICATION

HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (Vic).

OPTIONS

Option 1 – Approve Tender Evaluation Report – RFT-18-2020 - Meredith-Shelford Road Widening Stage 2.

This option is recommended by Council officers through the Tender evaluation and selection process which recommends Bitu-Mill (Civil) Pty Ltd as the preferred supplier for RFT-018-2020 - Meredith-Shelford Road Widening Stage 2.

Option 2 – do not award contract.

This option is not recommended as the works have been identified as high need and if a contract is not awarded, may result in reputational damage for Council.

Option 3 – Re-tender Tender Evaluation Report – RFT-18-2020 - Meredith-Shelford Road Widening Stage 2.

This option is not recommended by Council officers as this will result in delaying the timing of when this project can be delivered for our community and as the procurement process used to evaluate the tenders is extensive and considers key criteria to award the preferred tenderer, the results of the tender is unlikely to change.

CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest in regard to this matter.

CONCLUSION

The Evaluation Panel has conducted a comprehensive assessment of the submissions which were received in response to Council's request for tender for RFT-18-2020-Meredith-Shelford Road Widening Stage 2 as outlined in this report to ensure compliance with:

1. *Relevant provisions of the Local Government Act 1989 (Vic)*
2. *Council's Procurement Policy requirements*

In conclusion, Bitu-Mill (Civil) Pty Ltd met the Council's tender requirements and are best placed to provide the required construction of Meredith-Shelford Road Widening Stage 2.

7.8 MILTON STREET ARBOUR PETITION

File Number:**Author:** Lisa Letic, Director Community Services**Authoriser:** Lisa Letic, Director Community Services**Attachments:** Nil**RECOMMENDATION**

That Council:

1. Notes the petition regarding the Milton Street Arbour has been received and properly considered.
2. Advises the first named petitioner that the project owner, Bannockburn Community Planning Group Inc. intend to relocate the project.

EXECUTIVE SUMMARY

At its meeting of 8 December, Council received and noted a petition requesting that Council prevent the building of a proposed arbour in Milton Street, Bannockburn. The petition received at the Council Office on 27 November 2020 consisted of 11 signatures.

Since that time the Bannockburn Community Planning Group have reviewed their proposal and are now seeking to relocate the project to Bannockburn Bush where it can be enjoyed by users of this significant community asset for picnicking and a base for nature walks or to provide shelter for general park users.

BACKGROUND

The Bannockburn Community Planning Group Inc. have been exploring the idea of creating an Arbour along Milton Street for some time and have completed extensive investigations and community engagement. Investigations have included consideration of requirements for planning permits, traffic management and consultation with Parks Victoria, the land managers of Wabdallah Reserve, being adjacent to the proposed site, discussions with local community groups and research into collaborations with local indigenous artists and in the provision of locally sourced materials.

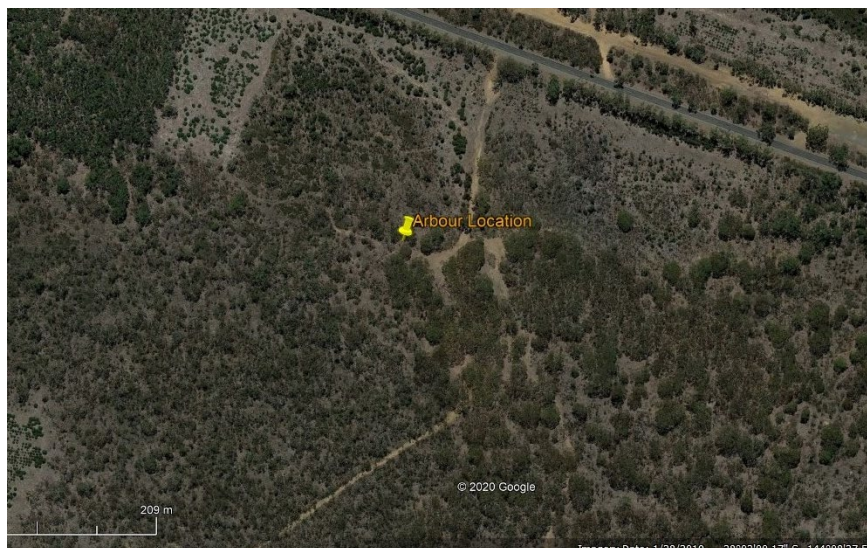
The group successfully applied for a Council Community Strengthening Grant of \$8,000 with the following project description “to construct a 9m X 3m Ironbark shade arbour to provide a place to meet, sit and shelter and from sun, wind or rain for students and parents traveling to the Bannockburn Schools and day care centres. It will be covered with indigenous plants and at a later date will include indigenous art work. The timber has been grown and milled locally as an example of using local, sustainable building materials. Seating and other artworks will be constructed in conjunction with the schools and Indigenous community to reflect our local indigenous heritage”.

The Bannockburn Community Planning Group have garnered support for their project from the Bannockburn P-12 College, Ballarat Environment Network, the Beautify Bannockburn Group the Golden Plains Arts Inc. and the two neighbouring Child Care Centres.

Although Council Officers supported the project based on the groups extensive investigations they requested that the Planning Group inform local Milton Street residents of the proposal prior to commencing any works. In doing so the group received positive feedback from some residents and other residents were not supportive and triggered the petition to Council.

DISCUSSION

The Bannockburn Community Planning Group Inc. (The Group) and relevant Council Officers are satisfied that the issues about safety and impact on community amenity raised in the petition have been considered and are not substantiated, however as the petition expresses lack of support for the project in Milton Street, The Group are now proposing to relocate the project to Bannockburn Bush as indicated in the image below:



Preliminary support from the Ballarat Environment Network as land managers of the Bannockburn Bush on behalf of Department of Environment, Land, Water and Planning (DELWP) has been obtained and the group will keep working to gain formal approval from all relevant parties. New investigations in relation to the requirements for planning approvals and new quotes are being obtained which may impact on the groups ability to achieve the project outcomes.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	No
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No

Risk Assessment	No
Communication	Yes
Human Rights Charter	No

ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

Whilst there are no environment or sustainability implications for this report the project which was the subject of the petition has been designed as being environmentally sensitive and will encourage community participation in the natural environment.

COMMUNITY ENGAGEMENT

This report has been prepared in response to a petition received by Council. Following the receipt of the petition Council Officers met with the project owners to identify suitable alternate sites.

COMMUNICATION

It is proposed that Council advises the author of the petition that the project owner, the Bannockburn Community Planning Group have decided to relocate the project to Bannockburn Bush where it will be enjoyed by a wider cohort of the community.

HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (Vic).

OPTIONS

Option 1 – That Council notes the petition regarding the Milton Street Arbour has been received and properly considered and advises the first named petitioner that the project owner, Bannockburn Community Planning Group Inc. intend to relocate the project.

This option is recommended by officers as it is in accordance with Council's *Governance Rules* and the associated *Public Participation in Council Meetings Policy* (Policy). The issues raised in the petition have been considered and an alternate approach to the project identified.

Option 2 – To not consider petition has been adequately considered and seek additional information.

This option is not recommended by officers as the provision of additional information is unlikely to impact on the project and a suitable alternate has been identified.

Option 3 – To consider the petition has been adequately considered and that the matters raised do not warrant a change in the Bannockburn Community Planning Groups proposal to construct an arbour in Milton Street, Bannockburn.

This option is not recommended by officers because although investigations suggest that the issues raised in the petition have been adequately considered, the project owners are supportive of relocating the project.

CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest in regard to this matter.

CONCLUSION

In response to receiving the petition Council Officers and a representative of the Bannockburn Community Planning Group Inc. met to consider options, the outcome of these discussions has been the identification of an alternate location for the proposed Arbour in Bannockburn Bush. Although further work is required to confirm the suitability of the site and confirm consent for the alternate site preliminary investigations are positive.

8 NOTICES OF MOTION

Nil

9 PETITIONS

Nil

10 CONFIDENTIAL REPORTS FOR DECISION

Nil