



Planning Committee Minutes

Bannockburn Shire Hall

**Tuesday 8 March 2016
9.04am-10.07am**

Committee Charter

1. To oversee the effective planning of the Shire in accordance with Council's Municipal Strategic Statement, policies and provisions of the Golden Plains Planning Scheme.
2. To work with the Development Unit to identify opportunities for the development of local planning policies and provide direction in the preparation of such policies and any relevant state policies.
3. To implement the provisions of the Golden Plains Planning Scheme, including the Municipal Strategic Statement, Local Planning Policies, State Planning Policies and Victorian Planning Provisions.
4. To consider the views of written submissions from the public; relevant Government and resource bodies and the Planning Officer's report and recommendations in the assessment of planning applications which attract objection(s) or are recommended for refusal.
5. To make recommendations to Council on planning applications and other planning matters, where appropriate.
6. To take all reasonable steps to improve our knowledge of matters relevant to our planning duties.

Table of Contents

1.	PRESENT	4
2.	APOLOGIES.....	4
3.	DECLARATIONS & MINUTES.....	5
	3.1. DECLARATIONS OF INTEREST	5
	3.2. CONFIRMATION OF MINUTES.....	5
4.	REPORTS.....	6
	4.1. KEY RESULT AREA: ENVIRONMENT & LAND USE PLANNING	6
	4.1.1 Planning Application P15-222 for the variation of a restrictive covenant at 40 Fleurs Lane Batesford.....	6
	4.1.2 Planning Application P15-256 to vary two covenants at 36 Warrak Drive, Bannockburn.....	10
	4.1.3 Application to amend Planning Permit P11-159 for intensive animal husbandry at 2199 Midland Highway, Bannockburn.....	13
5.	OTHER BUSINESS	18
6.	ATTACHMENTS	19
7.	DATE OF NEXT MEETING.....	19
8.	CLOSE OF MEETING	20
9.	CERTIFICATION	20

1. PRESENT

Cr Bill McArthur	Chairperson
Cr Jenny Blake	
Cr Andrew Cameron	Arrived 9.06am
Cr Nathan Hansford	
Cr Helena Kirby	
Cr Greg Vaughan	
Greg Anders	Director Assets & Amenity
Jillian Evans	Director Community Services
Richard Trigg	Director Corporate Services
Mike Barrow	Manager Executive Unit
Laura Wilks	Planning Team Leader
Leigh Page	Town Planner
Peter O'Brien	Town Planner
Petra Neilson (Minutes)	Council Support Officer

Gallery

Rhonda Wood
Anna Ferguson
Lubinka Javanovic
Mr Javanovic

2. APOLOGIES

Moved Crs Blake/Hansford

That Council note the apology from Cr Des Phelan and Mr Rod Nicholls.

Carried

3. DECLARATIONS & MINUTES

3.1. DECLARATIONS OF INTEREST

File: 02-03-007

Councillors must disclose a conflict of interest in accordance with Section 79 of the *Local Government Act 1989*.

Cr Kirby stated she did not know who the objectors were for the planning reports as this information has been blacked out. It was determined that in future all objector details will be provided to Councillors. The names of the objectors for each report was read out to the meeting.

Cr Helena Kirby declared an indirect interest by close association for report 4.1.3 Planning Application to amend P11-159 for Intensive Animal Husbandry at 2199 Midland Highway, Bannockburn.

3.2. CONFIRMATION OF MINUTES

Moved Crs Hansford/Cameron

That the Minutes of the Planning Committee meeting held 27 January 2016, as circulated, be confirmed.

Carried

4. REPORTS

4.1. KEY RESULT AREA: ENVIRONMENT & LAND USE PLANNING

4.1.1 Planning Application P15-222 for the variation of a restrictive covenant at 40 Fleurs Lane Batesford

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director Assets & Amenity
Responsible Manager	Tim Waller, Development Manager
Responsible Team Leader	Leigh Page, Acting Planning Team Leader
Author	Adrian Peggie, Town Planner
File References	Planning Application P15-222
Relevant Policies & Legislative Frameworks	Golden Plains Planning Scheme Planning & Environment Act 1987
Proposal Summary	Variation of restrictive covenant AC865144K
Land Address	40 Fleurs Lane, Batesford
Applicant	Smith Land Surveyors
Zone & Overlay Summary	<ul style="list-style-type: none"> ▪ Low Density Residential Zone ▪ Design and Development Overlay 5 ▪ Development Plan Overlay 2
Particular provisions	<ul style="list-style-type: none"> ▪ Clause 52.02 Easements, Restrictions and Reserves
Attachments	<ol style="list-style-type: none"> 1. P15-222 Proposed covenant variation 2. P15-222 Locality Plan 3. P15-222 Objections

Declarations of Interest: Councillors & Officers

Greg Anders: In providing this advice as the senior manager, I have no disclosable interests in this report.

Tim Waller: In providing this advice as the responsible manager, I have no disclosable interests in this report.

Leigh Page: In providing this advice as the responsible team leader, I have no disclosable interests in this report.

Adrian Peggie: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

This report relates to a planning permit application for the variation of a restrictive covenant applicable to the subject site. The application has been referred to the Planning Committee for determination as refusal of the proposal is recommended. This report provides a background to the application, a summary of the relevant planning considerations and an officer recommendation.

Proposal

The application proposes to vary part (a) (i) of the restrictive covenant applicable to the subject site. This part of the covenant states:

That the transferee:

- (a) Shall not at any time hereafter erect or build or cause or suffer to be erected or built on the Lot or any part thereof:
 - (i) Any more than one single dwelling house;

The application proposes to replace part (a) (i) with the following:

- (i) Any more than two single dwellings;

The application has been made to enable the subdivision of the site.

A permit is required to vary a restrictive covenant pursuant to Clause 52.02 of the Planning Scheme.

Site Description

The subject site is located at 40 Fleurs Lane, Batesford. It is formally known as Lot 5 on Plan of Subdivision 523081, of the Parish of Gherineghap. The relevant covenant was registered on the title on 28 May 2004. The lot is rectangular and has an area of approximately 1.5 hectares. There is a dwelling and associated outbuilding towards the south east of the site. There is a large open paddock on the west side of the land. The site has no direct access to the Midland Highway.

The area is characterised by large dwellings generally set on approximately 1 to 1.5 hectares of land. Three subdivisions have taken place in the area. A summary of these subdivisions is set out later in the report.

History

The application was submitted on 18 September 2015. The application was advertised following a further information request on 1 October. A consultation meeting was held on 28 January 2016.

Community Communication

Notice of the application was given to fifty neighbours pursuant to Section 52 (1)(a) of the *Planning and Environment Act 1987* ("the Act"). An advertisement was also displayed at the front of the site and an advertisement placed in the Geelong Advertiser on 14 November 2015.

Five objections to the application were received (please Attachment 3 for details). The main grounds of objection were that the proposal would:

- a) harm the amenity of the area through an increase in density, an increased strain on infrastructure and loss of open space;
- b) result in a loss of financial value of homes due to the loss of amenity;
- c) result in a change to the character of the low-density nature of the area;
- d) may set a precedent for further such subdivision.

A consultation meeting was held on 28 January 2016 to discuss the proposal. No agreement was reached on any of the points listed above.

Golden Plains Planning Scheme

Particular Provisions

Clause 52.02 Easements, Restrictions and Reserves

A permit is required to vary or remove a restriction under this clause. The responsible authority must consider the interests of affected people before deciding on an application.

Section 60 (2) of the Act

As the covenant was registered following 25 June 1991, Section 60(2) of the Act applies. It states:

The responsible authority must not grant a permit which allows the removal or variation of a restriction (within the meaning of the Subdivision Act 1988) unless it is satisfied that the owner of any land benefited by the restriction (other than an owner who, before or after the making of the application for the permit but not more than three months before its making, has consented in writing to the grant of the permit) will be unlikely to suffer-

- (a) *financial loss; or*
- (b) *loss of amenity; or*
- (c) *loss arising from change to the character of the neighbourhood; or*
- (d) *any other material detriment-*

as a consequence of the removal of variation of the restriction.

Response to grounds of objections

Given the number and range of concerns raised by objectors, it is considered that the responsible authority cannot be satisfied that the above-listed effects are unlikely to be suffered by any owner benefitting from the restriction. It is therefore considered that Council cannot issue a permit based on the decision guidelines of Section 60 of the Act.

Previous permit decisions

Both applicant and objectors have raised queries regarding three previous subdivisions in the vicinity of this application. These are listed and addressed as follows:

141 Tarraford Way

A permit was granted for the variation of the covenant at this property (ref no. P14-114). No objections were received during the application stage. A permit was subsequently granted for subdivision of the property.

33 Daruma Way

A permit was granted for the variation of the covenant at this property (ref no. P14-145). No objections were received during the application stage. A permit was subsequently granted for subdivision of the site.

22 Daruma Way

An examination of the title has revealed that there were no restrictions governing subdivision or additional dwellings applicable to this title. A planning permit was granted for subdivision.

Cultural Heritage Implications

It is considered that there are no cultural heritage implications.

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social & Environmental Implications

It is considered that the application does not present any economic, social or environmental implications.

Conclusion

The application fails to satisfy Section 60 (2) of the Act.

Moved Crs Blake/Kirby

That the Planning Committee resolves to issue a Notice of Decision to Refuse to Grant a Permit for the variation of a restrictive covenant at 40 Fleurs Lane, Batesford, on the following grounds:

- ***the application fails to satisfy Section 60 (2) of the Act.***

Carried

4.1.2 Planning Application P15-256 to vary two covenants at 36 Warrak Drive, Bannockburn

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director Assets & Amenity
Responsible Manager	Tim Waller, Development Manager
Responsible Team Leader	Leigh Page, Acting Planning Team Leader
Author	Adrian Peggie, Town Planner
File References	Planning Application P15-256
Relevant Policies & Legislative Frameworks	Golden Plains Planning Scheme Planning & Environment Act 1987
Proposal Summary	Variation of restrictive covenants L762610A & M094264K
Land Address	36 Warrak Drive, Bannockburn
Applicant	Lubinka Jovanovic
Zone & Overlay Summary	<ul style="list-style-type: none"> ▪ Low Density Residential Zone ▪ Design and Development Overlay 5
Particular provisions	<ul style="list-style-type: none"> ▪ Clause 52.02 Easements, Restrictions and Reserves
Attachments	<ol style="list-style-type: none"> 4. P15-256 Covenants 5. P15-256 Locality Plan 6. P15-256 Objection

Declarations of Interest: Councillors & Officers

Greg Anders: In providing this advice as the senior manager, I have no disclosable interests in this report.

Tim Waller: In providing this advice as the responsible manager, I have no disclosable interests in this report.

Leigh Page: In providing this advice as the responsible team leader, I have no disclosable interests in this report.

Adrian Peggie: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

This report relates to a planning permit application for the variation of a restrictive covenant applicable to the subject site. The application has been referred to the Planning Committee for determination as refusal of the proposal is recommended. This report provides a background to the application, a summary of the relevant planning considerations and an officer recommendation.

Proposal

The application proposes to vary the two restrictive covenants applicable to the subject site by altering part (a) of each of those covenants. These covenants are essentially identical. The first part of those covenants states that the owner will not:

“erect or cause or suffer to be erected or placed upon the said lot more than one main dwelling...”

The application seeks to remove this part of the covenants to enable subdivision of the site and consequently build more than one dwelling on the land.

A permit is required to vary a restrictive covenant pursuant to Clause 52.02 of the Planning Scheme.

Site Description

The subject site is located at 36 Warrak Drive, Bannockburn. It is formally known as Lot 15 on Plan of Subdivision 147470, of the Parish of Wabdallah. The restrictive covenants were registered on title in 1985 and 1986. The covenants are identical. The lot is shaped somewhat like a bishops hat, and has an area of approximately 2.5 hectares. There is a dwelling and associated outbuilding towards the south east of the site. There is a large open paddock to the rear of the dwelling.

The area is characterised by low-scale dwellings generally set on generous portions of land. The density of the area is generally increasing as subdivision of the large, original lots takes place.

History

The application was submitted on 29 October 2015 and subsequently advertised.

A previous application was made to vary the covenant in 2004 (ref no. P04/162). That application was refused.

Community Communication

Notice of the application was given to eight neighbours pursuant to Section 52 (1)(a) of the *Planning and Environment Act 1987* ("the Act"). An advertisement was also displayed at the front of the site and an advertisement placed in the Geelong Advertiser on 5 December 2015.

One objection to the application was received (please Attachment 3 for details). The main grounds of objection were that the proposal would result in a change to the character of the low-density nature of the area.

The objector was invited to a consultation meeting but declined to attend.

Golden Plains Planning Scheme

Particular Provisions

Clause 52.02 Easements, Restrictions and Reserves

A permit is required to vary or remove a restriction under this clause. The responsible authority must consider the interests of affected people before deciding on an application.

Section 60 (5) of the Act

As the covenant was registered before 25 June 1991, Section 60(5) of the Act applies. It states:

The responsible authority must not grant a [permit](#) which allows the removal or variation of a restriction referred to in subsection (4) unless it is satisfied that—

- (a) *the [owner](#) of any [land](#) benefited by the restriction (other than an [owner](#) who, before or after the making of the application for the [permit](#) but not more than three months before its making, has consented in writing to the grant of the [permit](#)) will be unlikely to suffer any detriment of any kind (including any perceived detriment) as a consequence of the removal or variation of the restriction; and*
- (b) *if that [owner](#) has objected to the grant of the [permit](#), the objection is vexatious or not made in good faith.*

Response to grounds of objections

It is considered that the objector could suffer some form of detriment if the application were approved. It is not considered that the objection is vexatious or not made in good faith. It is therefore considered that Council cannot issue a permit based on the decision guidelines of Section 60 of the Act.

Cultural Heritage Implications

It is considered that there are no cultural heritage implications.

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social & Environmental Implications

It is considered that the application does not present any economic, social or environmental implications.

Conclusion

The application fails to satisfy Section 60 (5) of the Act.

Recommendation

That the Planning Committee resolves to issue a Notice of Decision to Refuse to Grant a Permit for the variation of a restrictive covenant at 36 Warrak Drive, Bannockburn, on the following grounds:

- ***the application fails to satisfy Section 60 (5) of the Act.***

Moved Crs Vaughan/Blake

That Council suspend Standing Orders to hear a submission.

Carried

It is recorded that Council suspended Standing Orders at 9.18am.

It is recorded that Mr Jovanovic addressed Council between 9.18am and 9.20am

Moved Crs Hansford/Blake

That Council resume Standing Orders.

Carried

It is recorded that Council resumed Standing Orders at 9.20am.

Moved Crs Hansford/Blake

That the Planning Committee resolves to issue a Notice of Decision to Refuse to Grant a Permit for the variation of a restrictive covenant at 36 Warrak Drive, Bannockburn, on the following grounds:

- ***the application fails to satisfy Section 60 (5) of the Act.***

Carried

It is recorded that Cr Helena Kirby declared an indirect interest by close association for this report and left the changer at 9.21am.

4.1.3 Application to amend Planning Permit P11-159 for intensive animal husbandry at 2199 Midland Highway, Bannockburn

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director Assets and Amenity
Responsible Manager	Tim Waller, Development Manager
Responsible Team Leader	Leigh Page, Acting Planning Team Leader
Author	Peter O'Brien, Town Planner
File References	P11-159
Relevant Policies & Legislative Frameworks	Golden Plains Planning Scheme
Proposal Summary	Amend Planning Permit P11-159 by amending plans to provide for the construction of an additional goat shed.
Land Address	2199 Midland Highway, Bannockburn
Applicant	Rodney Thompson
Zone & Overlay Summary	Farming Zone (FZ) No overlays
Attachments	7. P11-159 Copy of permit and endorsed plans. 8. P11-159 Copy of application to amend permit. 9. P11-159 Locality map (CONFIDENTIAL). 10. P11-159 Copy of objection

Declarations of Interest: Councillors & Officers

Greg Anders: In providing this advice as the senior manager, I have no disclosable interests in this report.

Tim Waller: In providing this advice as the responsible manager, I have no disclosable interests in this report.

Leigh Page: In providing this advice as the responsible team leader, I have no disclosable interests in this report.

Peter O'Brien: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

This report relates to an application to amend Planning Permit P11-159 for intensive animal husbandry at 2199 Midland Highway, Bannockburn. The application has been referred to the Planning Committee for determination as an objection to the application was received. This report provides a background to the application, a summary of the relevant planning considerations and an officer recommendation.

Background

Planning permit P11-159 was originally issued by Council on 7 December 2011. An amended permit was issued on 18 April 2012 as the result of a VCAT review. The permit allows the use and development of the land for intensive animal husbandry. Amended plans of the use and development including waste management and landscape plans were submitted to and approved by Council in accordance with the conditions of the permit. The development included the

construction of a shed of 60 metres by 24 metres to house goats. A copy of the permit and endorsed plans are provided as Attachment 7.

Proposal

The application proposes to amend Planning Permit P11-159 by amending the plans endorsed under the permit. The amended plans provide for the construction of an additional (second) goat shed. The proposed shed is identical to the existing shed and has a length of 60m, width of 24m and height of 3.6m. The proposed shed is open to three sides and external cladding consists of a colourbond north wall and zincalume roofing. The application states that the purpose of constructing an additional shed is to improve animal management. There are no changes proposed to the permit preamble ('what the permit allows') or to the conditions of the permit. A copy of the application is provided at Attachment 8.

Site Description

The subject land is situated at 2199 Midland Highway, Bannockburn and is formally known as Crown Allotment 4 Section B Parish of Wabdallah (refer to Attachment 9 – locality map). The site is located on the Midland Highway to the north of the Bannockburn township. The site contains a dwelling, sheds and enclosures associated with the keeping of goats. The site is generally flat with introduced trees and landscaping established around the dwelling and enclosures. The surrounding area contains a mixture of rural lifestyle properties and small-scale agricultural activities.

History

The application to amend the permit was received by Council on 13 April 2015 and a preliminary assessment of the application was undertaken. There are no referral authorities specified in the planning scheme for an application of this type.

Communications

Notice of the application was given in accordance with Section 52 (1)(a) and (d) of the *Planning & Environment Act 1987* ('the Act'). Notice was provided by mail to neighbouring landowners and occupiers.

Summary of Objections

As a result of the public notice one objection was received. This objection was received from the adjoining owner to the north. A copy of the objection is provided in Attachment 10. The objector says that the existing goat farm has caused an unreasonable amenity impact due to noise, odour, waste management and nuisance from pests and that an additional goat shed will lead to further loss of amenity. The objector also believes that several requirements of the permit have not been met, including landscaping, shed flooring, and goat numbers.

Council officers have discussed the situation with both the applicant and objector. Council officers offered to arrange a mediation meeting between the applicant and objector however the offer was declined by the objector.

Golden Plains Planning Scheme

State Planning Policy Framework (SPPF)

Clause 14.01-2 Sustainable agricultural land use

This policy seeks to encourage sustainable agricultural land use and facilitate the establishment and expansion of intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.

Local Planning Policy Framework (LPPF)

Clause 21 Municipal Strategic Statement (MSS)

The MSS identifies maintaining and encouraging viable agricultural industries as one of the key issues affecting the Shire's land use planning and development. The Agriculture Policy (Clause 21.04-3) emphasises the economic importance of agricultural industries to the Shire and

recognises that an important land use management issue is the potential for conflict between sensitive uses and agricultural practices. The objectives of the Agriculture Policy seek to ensure that the use and development of rural land is both compatible and complementary to agricultural activities and facilitates more intensive and diversified use of rural land.

Clause 22.03 Intensive animal husbandry

This policy recognises that the proper siting and design of intensive animal husbandry is needed to ensure residential amenity and environmental quality is protected. This is to be achieved through the use of setbacks to dwellings and watercourses, waste management measures and landscaping.

Zone and overlay provisions

The site and surrounding land is in a Farming Zone and there are no overlays. The primary purpose of the Farming Zone is to provide for the use of land for agriculture, including intensive animal husbandry. Intensive animal husbandry is a "Section 2 (Permit required) Use" in the Farming Zone. Before deciding on an application, Council must consider the decision guidelines contained in the Farming Zone, which include the following matters:

- Whether the site is suitable for the development and whether the proposal is compatible with adjoining and nearby land uses.
- Whether the development will support and enhance agricultural production.

General provisions

The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines contained in Clause 65 of the planning scheme. Before deciding on an application or approval of a plan the responsible authority must consider, as appropriate:

- Discussion The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- 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.

Planning Scheme

The application to amend the permit is considered to satisfy the relevant provisions of the planning scheme including State and Local planning policies, Farming Zone and Clause 65 of the Victoria Planning Provisions. The application is consistent with state and local agriculture policies which seek to facilitate the establishment of intensive animal industries in suitable locations. The application also satisfies the local policy for Intensive Animal Husbandry as adequate setbacks have provided from the proposed shed to neighbouring dwellings.

Objector's concerns

The concerns raised by the objector are addressed as follows:

Loss of amenity

The objector has raised concerns that the construction of an additional goat shed will result in loss of amenity due to noise, odour, waste management and pests. In Council's and VCAT's previous decisions on the application it was determined that the use and development of the site for intensive animal husbandry was acceptable subject to conditions limiting the number of goats, the location of the shed 450m from neighbouring dwellings, the construction of a shed with a non-permeable floor, and waste management and landscaping requirements. These conditions were designed to ensure that the amenity of surrounding properties was maintained. The proposed shed complies with all of the existing conditions of the permit. The siting of the proposed shed achieves a 450m setback to the objector's dwelling. It should be noted that the setback of the shed to the neighbouring dwelling to the south is slightly less than 450m however the owners of this dwelling have provided a letter of support for the application (copy provided in Attachment 2). The application does not propose any changes to the conditions of the permit and does not increase the size or scale of the existing operations. The existing 900 goat limit will be maintained. For these reasons the proposed amendment is not considered to result in any loss of amenity to neighbouring landowners.

Non-compliance with planning permit

The objector believes that Council should not allow the construction of an additional shed because the applicant has not complied with the existing permit conditions relating to landscaping, shed flooring and goat numbers. Council officers recently inspected the site and found that the operations fully complied with its planning permit. As the use already existed before the planning permit was issued not all of the conditions of the permit were complied with from the start. However all conditions have now been met to Council's satisfaction including landscaping and shed flooring requirements. In relation to goat numbers the owner has recently taken measures – the birthing and rearing of baby goats will now take place off site – to ensure that the 900 goat limit is adhered to.

Cultural Heritage Implications

This proposal does not require the preparation of a Cultural Heritage Management Plan under the *Aboriginal Heritage Regulations 2007*.

Financial & Risk Management Implications

It is considered there are no financial or risk management implications.

Economic, Social & Environmental Implications

It is considered that there are no economic, social or environmental implications.

Conclusion

The application is considered to satisfy the provisions of the State and Local planning policies, Farming Zone and Clause 65 of the Victoria Planning Provisions. Compliance with the existing conditions of the permit will ensure there is no detrimental impact on the amenity of neighbouring properties. It is therefore considered that the amendment of the permit will not cause material detriment to any person.

Recommendation

That the Planning Committee resolves to issue a notice of decision to amend planning permit P11-159 for intensive animal husbandry at 2199 Midland Highway, Bannockburn. The following amendment is made to the permit:

- 1. Amend the plans endorsed under the permit to allow for the construction of an additional goat shed.***

Moved Crs Blake/Hansford***That Council suspend Standing Orders to hear a submission.******Carried***

It is recorded that Council suspended Standing Orders at 9.30am.

It is recorded that Adrian and Rhonda Wood addressed Council between 9.30am and 9.37am

Moved Crs Vaughan/Hansford***That Council resume Standing Orders.******Carried***

It is recorded that Council resumed Standing Orders at 9.37am.

Moved Crs Cameron/Hansford***That the Planning Committee resolves to issue a notice of decision to amend planning permit P11-159 for intensive animal husbandry at 2199 Midland Highway, Bannockburn. The following amendment is made to the permit:***

- 1. Amend the plans endorsed under the permit to allow for the construction of an additional goat shed.***

Carried

Cr Kirby returned to the chamber at 9.50am

5. OTHER BUSINESS

Gheringhap roundabout upgrade:

- Mr Greg Anders, Director Assets & Amenity, advised that VicRoads have been consulted regarding a future road connection into the Gheringhap industrial zone.
- An extra 2m wide pavement will be provided to limit inconvenience at the roundabout while it is under construction.
- Anticipate no change to Ryan Road traffic movements.
- Completion date is approximate July 2016.
- Cr Blake advised the need for sufficient queueing places at peak times for cars turning right into Fyansford.
- Cr Hansford noted that traffic from Bannockburn to Fyansford will have one lane for smooth traffic flow and a right turning lane.
- Mr Anders to provide a copy of the plans to Councillors.

Gheringhap Structure Plan:

- Ms Laura Wilks, Planning Team Leader, advised Cr Helena Kirby on the cost of the Gheringhap Structure Plan was within budget conducted mainly in-house with the assistance of a consultant. This information is to be provided to Cr Kirby.
- Also that some industries are permissible in a farming zone. The permit and rezoning process can be done at the same time. Costs for drainage and investigations are for the applicant.
- A detailed briefing report and a meeting with landowners have been undertaken.

Cr Greg Vaughan raised the issue of vehicles and a trailer for sale on land over from the railway line in Bannockburn. This is to be monitored and action taken.

The Chair, Cr Bill McArthur, raised the issue of meeting with a group that opposes the waste facility in Stonehaven. He has sought legal advice for Councillors wishing to attend meetings and these meetings should be explicitly put on the basis that Councillors are meeting for the purpose of hearing concerns and they retain an open mind to making a decision when presented with all of the information at a Council meeting.

The Chair, Cr Bill McArthur, requested that Councillors be provided with a graph on the planning process including timelines.

Cr Nathan Hansford raised the issue of street names that are very similar. Mr Richard Trigg will contact Cr Hansford to follow this up.

6. ATTACHMENTS

Attachment 1	Item 4.1.1	P15-222 Proposed covenant variation
Attachment 2	Item 4.1.1	P15-222 Locality plan
Attachment 3	Item 4.1.1	P15-222 Objections
Attachment 4	Item 4.1.2	P15-256 Covenant
Attachment 5	Item 4.1.2	P15-256 Locality Plan
Attachment 6	Item 4.1.2	P15-256 Objection
Attachment 7	Item 4.1.3	P11-159 Copy of permit and endorsed plans
Attachment 8	Item 4.1.3	P11-159 Copy of application to amend permit
Attachment 9	Item 4.1.3	P11-159 locality map (Confidential)
Attachment 10	Item 4.1.3	P11-159 Copy of objection

Attachments are available upon request.4.1.3

7. DATE OF NEXT MEETING

To be advised.

8. CLOSE OF MEETING

The meeting closed at 10.07am.

9. CERTIFICATION

In accordance with Section 93(5) of the Local Government Act 1989, I hereby certify that the minutes of this Planning Committee meeting have been confirmed as a true and correct record.

Confirmed, Chair, Cr Bill McArthur

Date

Agendas (total printed)..... TBC
 Councillors..... 4
 Gallery..... TBC
 Minutes (committee & ordinary)..... 2
 Soft copy (portal, intranet, box) 1

Attachments (total printed) 9
 Councillors..... 7
 Minutes (committee & ordinary)..... 2
 Soft copy (portal, intranet, box) 1

Minutes (total printed)..... TBC
 Councillors..... 7
 Minutes file 1
 Soft copy (portal, intranet, box) 1