



Council Meeting Minutes

Linton Customer Service Centre

**Tuesday 20 December 2016
4.00pm – 6.45pm**

Our Vision

Golden Plains Shire offers a lifestyle and opportunities that foster social, economic and environmental wellbeing.

In partnership with the community we will provide strong leadership, encourage sustainable development and ensure quality services, to continue to improve the quality of life of residents.

Opening Prayer

Almighty God,

Help us to undertake our duties impartially and honestly, in the best interests of the people of the Golden Plains Shire.

We make this prayer through Jesus Christ Our Lord.

Amen.

Acknowledgement of Traditional Custodians

Council acknowledges the traditional Wadawurrung owners of this land. 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.

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.

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1. PRESENT

Cr Des Phelan, Mayor
Cr David Evans
Cr Joanne Gilbert
Cr Nathan Hansford
Cr Helena Kirby
Cr Les Rowe
Cr Owen Sharkey

Rod Nicholls	Chief Executive Officer
Greg Anders	Director Assets & Amenity
Jillian Evans	Director Community Services
Richard Trigg	Director Corporate Services
Mike Barrow	Manager Executive Unit
Jason Clissold	Finance Manager
Tim Waller	Development Manager
Laura Wilks	Team Leader Planning
Petra Neilson (Minutes)	Council Support Officer

Gallery

David Head
John Anderson
Ivan Kerr
Cameron Steele
Alex Hyatt
Graham, Smythesdale Progress Association
Kerrin Foster
Keith Damen

2. APOLOGIES

Nil

3. DECLARATIONS, MINUTES & ASSEMBLIES

3.1. DECLARATIONS OF INTEREST

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

Nil

3.2. CONFIRMATION OF MINUTES

Moved Crs Kirby/Hansford

That the Minutes of the Ordinary meeting of Council held 22 November 2016, as circulated, be confirmed.

Carried

3.3. ASSEMBLIES OF COUNCILLORS

File: 02-03-004

3.3.1 Council Briefing: G21 (22 November 2016)

Meeting type and name	Council Briefing: G21
Meeting date and time	1.00pm Tuesday 22 November 2016
Matters discussed	G21
Councillor information	Powerpoint presentation
Councillors	Cr Des Phelan Cr David Evans Cr Joanne Gilbert Cr Nathan Hansford Cr Helena Kirby Cr Lew Rowe Cr Owen Sharkey
Apology	Nil
Staff	Rod Nicholls, Chief Executive Officer Greg Anders, Director Assets & Amenity Jillian Evans, Director Community Services Richard Trigg, Director Corporate Services Mike Barrow, Manager Executive Services Jason Clissold, Finance Manager Petra Neilson, Council Support Officer
Guests	Elaine Carbines, CEO
Declarations of Interest	Nil

3.3.2 Council Briefing: MAV (22 November 2016)

Meeting type and name	Council Briefing: MAV
Meeting date and time	2.00pm Tuesday 22 November 2016
Matters discussed	MAV
Councillor information	Nil
Councillors	Cr Des Phelan Cr David Evans Cr Joanne Gilbert Cr Nathan Hansford Cr Helena Kirby Cr Lew Rowe Cr Owen Sharkey
Apology	Nil
Staff	Rod Nicholls, Chief Executive Officer Greg Anders, Director Assets & Amenity Jillian Evans, Director Community Services Richard Trigg, Director Corporate Services Mike Barrow, Manager Executive Services Jason Clissold, Finance Manager Petra Neilson, Council Support Officer
Guests	Rob Spence, CEO, MAV
Declarations of Interest	Nil

3.3.3 Council Briefing: Planning (22 November 2016)

Meeting type and name	Council Briefing: Planning
Meeting date and time	11.45am Tuesday 22 November
Matters discussed	Planning
Councillor information	Power point presentation
Councillors	Cr Des Phelan Cr David Evans Cr Joanne Gilbert Cr Nathan Hansford Cr Helena Kirby Cr Lew Rowe Cr Owen Sharkey
Apology	Nil
Staff	Rod Nicholls, Chief Executive Officer Greg Anders, Director Assets & Amenity Jillian Evans, Director Community Services Richard Trigg, Director Corporate Services Mike Barrow, Manager Executive Services Jason Clissold, Finance Manager Laura Wilks, Team Leader Planning Petra Neilson, Council Support Officer
Guests	Nil
Declarations of Interest	Nil

Moved Crs Sharkey/Hansford

That Council notes the record of assemblies of Councillors:

- 1. Council Briefing: G21 (22 November 2016)**
- 2. Council Briefing: MAV (22 November 2016)**
- 3. Council Briefing: Planning (22 November 2016)**

Carried

3.4. **ADVISORY COMMITTEES OF COUNCIL**

3.4.1 **Audit & Risk Committee (22 November 2016)**

Richard Trigg, Director Corporate Services

File: 02-01-001

Meeting type and name	Audit & Risk Committee Meeting
Meeting date and time	11.45am Tuesday 22 November 2016
Matters discussed	<ol style="list-style-type: none"> 1. Election of Chair 2. Review of Charter 3. Meeting Plan 2016-17 4. Quarterly Risk Management Report 5. Strategic Internal Audit Plan – Outstanding Recommendations 6. Quarterly Finance Report
Councillor information	<ol style="list-style-type: none"> 1. Audit and Risk Committee Charter 2. Meeting Plan 2016-17 3. Quarterly Risk Management Report 4. Summary of Outstanding Recommendations 5. Quarterly Budget Report – 3 months ended 30/9/16 6. Recent reports and publications of interest 7. Letter – LASF Vested Benefit Index (VBI) 30/6/16 8. LASF Defined Benefit Plan Employer Information Booklet
Councillors	John McDonald, Independent member, Acting Chairman Cr Des Phelan, Mayor Cr Andrew Cameron Cr Nathan Hansford Arrived 11.32am
Apology	Peter Bollen, Independent Chairman
Staff	Rod Nicholls, Chief Executive Officer Richard Trigg, Director Corporate Services Jill Evans, Director Community Services Greg Anders, Director Assets & Amenity Mike Barrow, Manager Executive Unit Jason Clissold, Finance Manager Kim Manley, Organisational Development Manager Petra Neilson, Council Support Officer
Guests	Nil
Declarations of Interest	Nil

Moved Crs Hansford/Sharkey

That Council notes the Audit and Risk Committee meeting minutes 22 November 2016.

Carried

3.4.2 **Confidential: Chief Executive Officer (CEO) Review Committee**

Cr Des Phelan, Chairperson
File: 02-01-002

No meeting held.

3.5. KEY RESULT AREA – ENVIRONMENT & LAND USE PLANNING

3.5.1 Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF) Rewrite

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director, Assets and Amenity
Responsible Manager	Tim Waller, Development Manager
Responsible Team Leader	Laura Wilks, Team Leader, Planning
Author	Alicia te Wierik, Strategic Planner
File References	EDMS file: 60-060-032 MSS Rewrite
Council Plan Link	<ul style="list-style-type: none"> ▪ Encourage and facilitate sustainable land use and development and protect and enhance the natural environment. ▪ The Municipal Strategic Statement is identified as a key Strategic Plan within the Council Plan.
Relevant Council Strategies	The purpose of the rewrite is to ensure that the Golden Plains Planning Scheme remains relevant and current and aligns with Council's strategies.
Overlays	N/A
Relevant Legislation	Section 12B of the Planning and Environment Act 1987 requires all planning authorities to review their Planning Schemes within one year of the adoption of the Council Plan.
Attachments	<ol style="list-style-type: none"> 1. Submissions 2. Updated MSS and LPPF with changes following consultation.

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.

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

Alicia te Wierik: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

This report is presented to Council to finalise the Municipal Strategic Statement (MSS) and Local Planning Policy (LPPF) rewrite, following community consultation. The report seeks Council's adoption and authorisation to proceed with preparation of a planning scheme amendment to include the updated MSS and LPPF into the Golden Plains Planning Scheme.

Background

The Golden Plains Planning Scheme sets out objectives, policies and provisions for the use, development and protection of land in Golden Plains Shire.

The Planning Scheme includes the State Planning Policy Framework (SPPF), the Local Planning Policy Framework (LPPF) which includes the Municipal Strategic Statement (MSS) and local policies, zones, overlays and other provisions that affect how land can be used and developed.

The SPPF comprises general principles for land use and development in Victoria and specific policies dealing with settlement, environment, housing, economic development, infrastructure and particular uses and development. Planning authorities must take into account and give effect to the general principles of the SPPF.

The LPPF sets a local and regional strategic policy context for the Shire. It comprises the MSS and specific local planning policies. The LPPF must operate consistently with the SPPF and should demonstrate how State Planning Policies will be achieved or implemented in the local context.

The MSS is part of the Local Planning Policy Framework (LPPF) and is a statement of the key strategic planning, land use and development objectives for Golden Plains Shire and outlines the strategies and actions for achieving those objectives. The MSS also provides the opportunity for an integrated approach to planning across all areas of Council's operations and should express links to the Council Plan, Municipal Public Health and Well Being Plan and the Emergency Management Plan.

The Department of Environment, Land, Water and Planning (DELWP) provide a Planning Practice Note on Writing a Municipal Strategic Statement which outlines the recommended content and structure for a MSS.

The Golden Plains Planning Scheme was reviewed in 2009. Since then, the Golden Plains LPPF (including the MSS) was restructured in 2014 to accord with the Practice Note and the SPPF. With the reformat completed, the strategic planning team has worked with Cazz Redding of RedInk Planning, on reviewing and rewriting the content under the formatted headings.

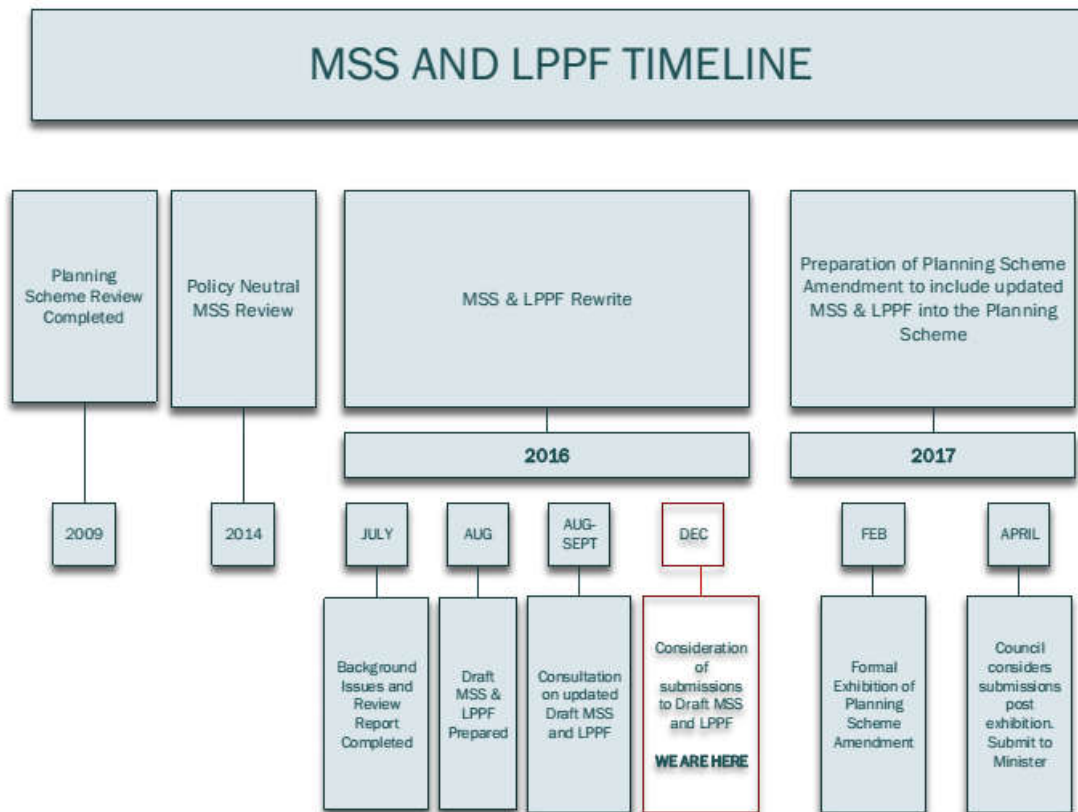
The updated version of the MSS and LPPF is based on the Golden Plains Local Planning Policy Framework Review - Background, Issues and Review Report, July 2016. This Background Report included consultation and input from relevant referral authorities and internal stakeholders across the organisation of Golden Plains Shire Council.

Council undertook community consultation on the draft updated MSS and LPPF during August/September 2016, the results of this consultation are presented within this report.

Information about the MSS and LPPF rewrite was provided on the Golden Plains website, local newspapers and community newsletters. Participation was also sought through "Drop-In-Sessions" held at the Bannockburn Farmers Market on Saturday 3 September, the Smythesdale Well on the 5th September and the Dereel Hall on the 7 September 2016.

Comments received from the community are presented to Council for consideration as part of this report with recommendations for changes to the draft provisions prior to preparation of a planning scheme amendment.

A formal consultation process is required as part of the planning scheme amendment process to include the revised MSS and LPPF into the Golden Plains Planning Scheme.



Proposal

The revised Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF) has been based on the findings of the *Golden Plains Local Planning Policy Framework Review – Background, Issues and Review Report, July 2016*. This Report consolidated the findings from

- The 2009 Review
- Review of planning scheme performance
 - Planning Panels Victoria
 - Planning applications
 - Victorian Civil and Administrative Tribunal (VCAT)
- ABS and Economic Development Statistical Data
- New policy, plans and strategies
 - Food Production Precinct
 - Recommendations by officers
 - Feedback from external referral authorities
 - Identification of key issues by Councillors

A copy of the Background Report, July 2016 and Appendices can be found at

<https://www.goldenplains.vic.gov.au/residents/my-home/planning/update-mss-and-lppf>

A copy of the draft updated Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF) has also been made available at

<https://www.goldenplains.vic.gov.au/residents/my-home/planning/update-mss-and-lppf>

The document titled, **Draft Golden Plains MSS and LPPF.pdf** is the version that was made available on the Golden Plains website and at the “Drop-In-Sessions”.

The General Changes made to the MSS included use of a set of verbs applied consistently to better articulate intent.

The matrix of verbs which have been applied is provided below:

Matrix of strategy verbs		APPROACH TO BE TAKEN		
		Make it happen	Support it happening	Control what happens
		(facilitate)	(support, should)	(must)
ACTION THEMES	Build new	Facilitate (External party action) Provide (Council action) Locate	Support (External party action) Create (Council action)	Limit Require
	Build on existing asset	Upgrade Complete Strengthen	Improve	Restore Reinforce
	Preserve	Conserve Reduce (the adverse impact)	Maintain Minimise (the adverse impact)	Protect Avoid
	Decide	Recognise Balance		
	Plan	Prepare (a specific type of plan) Plan / Design Use (a specific technique or approach) Direct (<i>growth to a particular location</i>)		

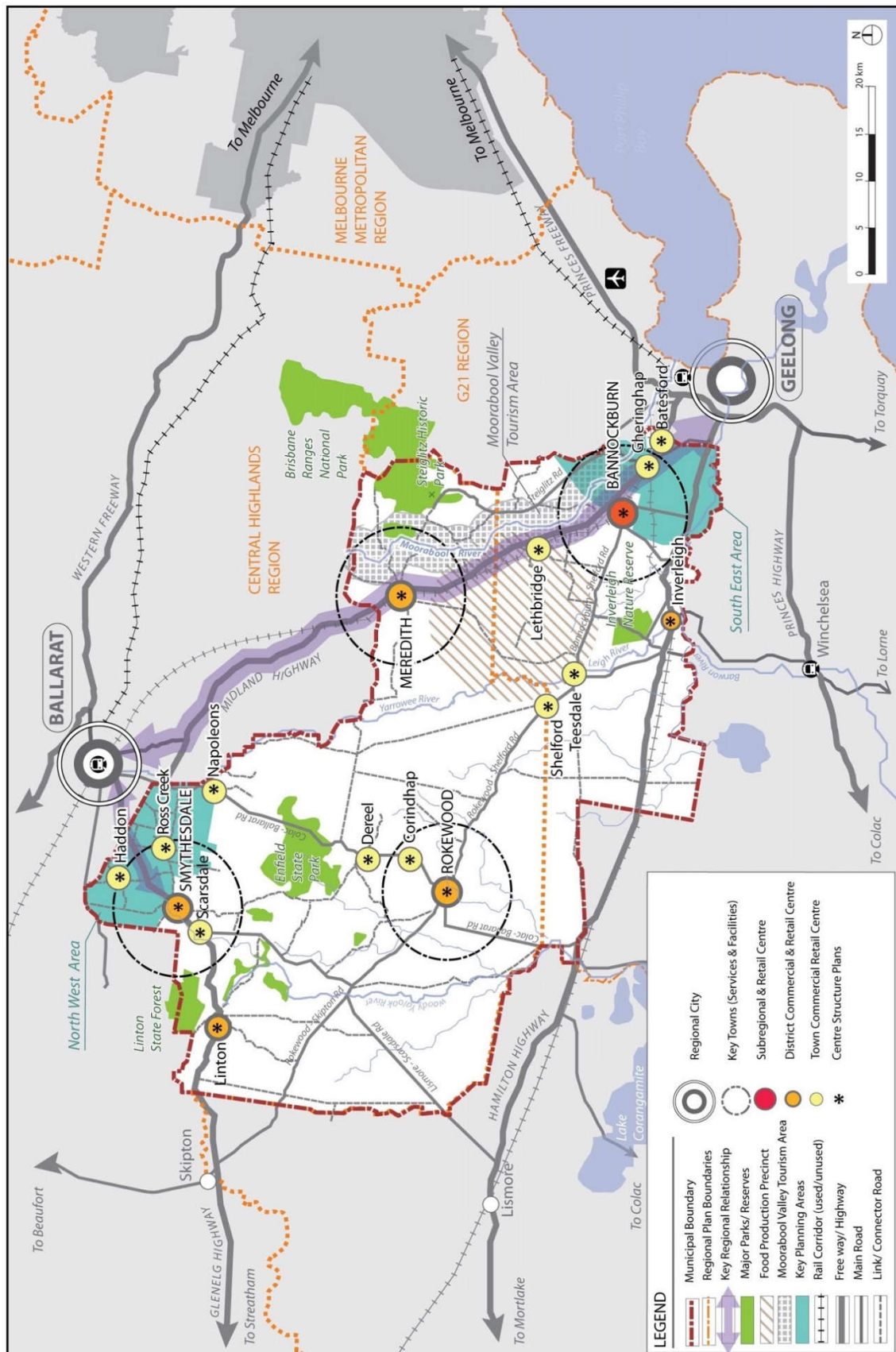
Other general changes included:

General Changes	
Context and issues	Moved to the relevant theme Context is now read immediately prior to relevant policy Minimal duplication between Municipal Profile and Context and Issues
Implementation	Structure of implementation section has changed: <ul style="list-style-type: none"> ▪ Guidelines for decision makers ▪ Planning scheme implementation ▪ Future Work
Reference documents	General references have been removed Policy in the LPPF relied upon instead of external documents

Specific changes to the MSS and LPPF include:

Clause	Changes	
21.01	Municipal Profile	Updated Abridged
21.02	Vision and Strategic Framework	Updated with current Council Plan Abridged New Strategic Framework Plan Retain township Strategic Plans

New Strategic Framework Plan



Clause		Changes
21.03	Settlement (p.7)	Updated context and issues
		Strengthen policy to avoid use and development that may undermine viability and sustainability of adjacent land in agricultural production.
		Identification that policy regarding dwellings and subdivision in the Farming Zone needs to be included as future work.
		Community facilities policy (encourage co-location)
		Battleaxe blocks policy (avoid in new subdivisions)

Clause		Changes
21.04	Environment and Natural Resources (p.16)	More specific biodiversity policy.
		New waterways policy.
		More specific flooding/ floodplain management policy.
		Rationalisation of salinity policy so as not to duplicate the Salinity Management Overlay.
		Deletion of protection of stone resources so as not to duplicate the SPPF

Clause		Changes
21.05	Economic Development (p.23)	Title change from Land Use and Development.
		Move residential land use policy to settlement and urban design and heritage
		New policy supporting intensive animal industries.
		Identification of Food Production Precinct.
		Strengthening of policy to avoid dwellings on undersized lots.
		New tourism policy.

Clause		Changes
21.06	Built form and heritage (p.29)	Accessibility policy.
21.07	Transport and Infrastructure	Strengthen policy to support infrastructure for grain industries and intensive animal husbandry.
		New policy to encourage sustainable transport.
		New policy to improve stormwater quality.

Local Policies:

Clause		Changes
22.02	Animal Keeping	Policy has been deleted. It doesn't guide decision making effectively.
22.03	Intensive Animal Husbandry	Clarifies the policy relates to animal keeping not covered by a Code of Practice.
22.08	Water Supply Catchment	Policy has been deleted. Duplicates ESO1 Decision guidelines have been added to ESO1
22.09	Low Density Residential Subdivisions Policy	Minor editing changes.
22.10	Salinity	Policy has been deleted. Duplicates the Salinity Management Overlay.
22.11	Floodplain Management	Policy has been edited. Remove reference to s.173 agreements. Edited to remove duplications.
22.12	Heritage	Reference to Burra Charter has been updated.

Environmental Significance Overlay Schedule 1

Clause		Changes
ESO1	Barwon Water Supply Catchment	Decision guidelines amended to incorporate policy that was included in 22.08 – Water Supply Catchment.

Discussion

Four submissions were received from the community, to the Draft Golden Plains MSS and LPPF. A copy of the submissions are provided in Attachment 1. A summary of the submissions and the planning officer's response is provided below:

The first submission relates to the Farming Zone provisions and the Schedule to the Farming Zone which requires a planning permit for a dwelling on land that is less than 100 hectares in area within the Farming Zone.

The next three submissions relate to a parcel of land zoned Rural Activity Zone – Schedule 1.

The submissions all raise the issue of residential development outside of township boundaries.

Officer's Response

The Golden Plains Planning Scheme makes it clear that broad-acre agriculture is a key component of both the State and the Shire's economic production, and that substantial effort should be made to preserve and grow that sector.

Clear provisions together with consistent land-use planning and development decisions are required to preserve and grow the agricultural sector. The Council's Rural Land Use Strategy recommended that land suitable for broad-acre agriculture be put in the Farming Zone to ensure that a stable and substantial land supply remained for this purpose.

Within the Farming Zone, the Golden Plains Planning Scheme currently specifies a 100 hectare minimum lot size for which a dwelling can be constructed without a planning permit. On Farming Zone lots less than 100 hectares, a planning permit is required and the applicant must demonstrate that the proposed dwelling supports the agricultural use of the land and is consistent with the purpose of the Farming Zone. The schedule seeks to prevent compromising the agricultural integrity of larger contiguous land holdings which support viable broad acre farming operations. The retention of larger parcels also protects rural land which may be suitable for a higher order agricultural use.

Land for smaller agricultural land holdings was put into the Rural Activity Zone, where lot sizes and subdivision patterns were already heavily compromised. In a submission to the Municipal Association of Victoria regarding the implementation of the Rural Zones, Council stated that the value of land was being distorted, and increased beyond its nominal agricultural value, by the introduction of new home buyers into previously rural areas searching for value within the Victorian property market. This was identified as effectively creating new communities, which threatened the viability of existing settlements and the ongoing use of land for farming.

In the case of these submissions, there is a substantial supply of residential zoned land in the nearby townships of Linton and Haddon respectively, and an oversupply of 2ha (5 acre) lots currently around these townships. The Planning Scheme encourages residential growth to existing settlements to improve the productivity of its existing infrastructure and to reduce the cost of new infrastructure. New dwellings in the Farming Zone and subdivision of the Rural Activity Zone would further increase the demand for services and infrastructure away from settlements and increase costs to Council.

Council statistics show that there are 3,650 small farming lots in the Shire. Of these, 579 lots contain dwellings. Many of the undeveloped lots would be operated in conjunction with other lots to form a larger, combined land holding. Approving dwellings on such small lots would provide a financial incentive for many farmers and provide a seemingly affordable housing option for new home buyers, but this scenario has significant long term implications and becomes very costly for Council and the community.

Approval of applications for non-farming dwellings on smaller Farming Zone lots would establish an undesirable precedent and would incentivise land speculation. This would reduce the Shire's appeal to the agriculture industry by (1) increasing land prices and (2) introducing impediments to the establishment of industries which require substantial buffers, such as the poultry industry. Golden Plains Shire currently enjoys a competitive advantage over many other authorities within a similar distance to Melbourne, and provincial centres, due to its planning policy in the Farming Zone.

No changes to the MSS and LPPF are required in response to these submissions. The submitters' comments relate to residential land supply in the north of the Shire which is currently being reviewed as part of the Northern Settlement Strategy. The submitters have also made submissions to the Northern Settlement Strategy which will be further considered by Council at a later date, as part of the consideration of future settlement patterns in the northern part of Golden Plains Shire.

Any changes relating to lots sizes and settlement patterns in the north of the Shire should be made in the context of the Northern Settlement Strategy.

Comments from the Technical Reference Group

Some minor editing changes have been identified during the consultation period by officers in the Technical Reference Group. These include;

- Minor grammatical edits throughout the MSS and LPPF including full stops, extra spaces etc.
- Inclusion of reference to the Gold Rush within the Municipal Profile
- Inclusion of the current Batesford Structure Plan which includes reference to the area to be developed as part of the Gheringhap Structure Plan.

- Removal of Further Strategic Work that is outside the responsibility of local government ie. Management plans for the control and eradication of gorse and serrated tussock.
- Removing reference to timber plantations reducing environmental problems. Strategy should simply support Timber Production.
- Remove Strategy 3.3 within Clause 21.08-2 Smythesdale – which sought to Protect sewerage treatment works – these are located in Ballarat, not Smythesdale, so the strategy is not required.
- Remove) from the list of contributory elements located in the Bannockburn Heritage Precinct under Clause 22.12-2, the St John the Evangelist Catholic Church, 24 High Street Bannockburn (burnt down) and Public Hall, 27 High Street, Bannockburn (removed for the new Bannockburn Cultural Centre.
- Inclusion of reference to the application of the Infrastructure Design Manual (IDM) standards when considering infrastructure guidelines for use and development and a strategy to support this ie “Require appropriate development infrastructure to be provided”.

These changes have been incorporated into the revised MSS and LPPF for consideration by Council. A copy of the updated MSS and LPPF with the above changes is provided in Attachment 2.

Community Engagement

The Community Engagement goal for this project is to ensure that the community is aware of, and how to engage with the project, and participate in influencing Council’s strategic directions on land use planning policy.

Council informed the community about the MSS and LPPF rewrite through the Golden Plains Gazette, the Golden Plains website, social media platforms as well as through local newspapers and newsletters. Feedback was sought from the community on the “Have Your Say” page of the Golden Plains website and one-on-one consultation was offered at ‘Drop-In-Sessions’ across the north, middle and south of the Shire during August-September 2016.

Four submissions were received which are provided at Attachment 1.

A formal consultation process will be required as part of the planning scheme amendment to include the new MSS and LPPF provisions into the Golden Plains Planning Scheme.

Cultural Heritage Implications

The protection of Cultural Heritage places is considered throughout the MSS. Both Heritage Victoria and Wathaurong have been invited to review the MSS content, ensuring it remains current and relevant. It is considered there will not be any implications for cultural heritage as a result of this project.

Financial & Risk Management Implications

The MSS is a key strategic planning document that will be used by Council, Planning Panels and VCAT to determine planning applications and outcomes within the Shire.

The process for undertaking the rewrite is comprehensive and includes a number of review points and reporting requirements. The process included presentation to Council of the draft MSS and LPPF rewrite for Council approval prior to community and stakeholder consultation and is presented again for authorisation to commence a planning scheme amendment to implement the draft MSS and LPPF provisions. A formal planning scheme amendment process follows with particular legislated requirements for exhibition of the proposed changes. Council will be required to consider all submissions received and to determine whether any further amendments should be made to the amendment. Ultimately approval will be required from the Minister for Planning.

Any potential risks in undertaking this process are mitigated by the extensive review and reporting requirements.

Economic, Social & Environmental Implications

Advice and input has been sought through a Technical Reference Group of Golden Plains Shire officers including representation from statutory planning, community development, health and well-being, recreation, economic development, works, natural resources, emergency management and environmental health.

Communications

The Consultation Plan, including Community Engagement Plan has included consultation with referral authorities, internal stakeholders and the community. The project has been advertised in the Golden Plains Gazette with notices also provided in local newsletters and the Geelong Advertiser and Ballarat Courier. Drop In Sessions were conducted at the Bannockburn Farmers Market, Smythesdale Well and the Dereel Public Hall providing opportunity for interested persons to meet with strategic planning officers. Another formal round of consultation on the updated MSS and LPPF will occur as part of the legislated Planning Scheme Amendment process.

Conclusion

The Municipal Strategic Statement and Local Planning Policy provisions of the Golden Plains Planning Scheme have been updated following a thorough review of the performance of the provisions, the legibility of the structure, and relevance of content and strategic direction in light of current demographics and Council policy.

The updated MSS and LPPF provide a solid introduction to the planning provisions contained in the Golden Plains Planning Scheme and will assist planners, Council, Planning Panels and VCAT with clear direction for the consideration of future land use and development in Golden Plains Shire.

Moved Crs Hansford/Kirby

That Council suspend standing orders to hear a submission from Ivan Kerr .

Carried

It is recorded that Council suspended Standing Orders at 4.21pm.

Mr Kerr addressed the committee between 4.21pm and 4.32pm.

Moved Crs Hansford/Kirby

That Council resume Standing Orders.

Carried

It is recorded that Council resumed Standing orders at 4.32pm.

Moved Crs Hansford/Sharkey

That Council

- 1. Adopt the updated MSS and LPPF as provided in Attachment 2 to this report, and***
- 2. Seek authorisation from the Minister for Planning to proceed with a planning scheme amendment to include the updated MSS and LPPF into the Golden Plains Planning Scheme.***

Carried

3.5.2 Planning Scheme Amendment C74 – Rezoning 230 Hopes Plains Road, Inverleigh

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director Assets and Amenity
Responsible Manager	Tim Waller, Development Manager
Responsible Team Leader	Laura Wilks, Team Leader
Author	Sarah Fisher, Strategic Planner
File References	EDMS file: 60-02-074
Council Plan Link	Encourage and facilitate sustainable land use and development and protect and enhance the natural environment.
Relevant Council Strategies	Inverleigh Structure Plan
Overlays	N/A
Relevant Legislation	<ul style="list-style-type: none"> ▪ The Golden Plains Planning Scheme ▪ The Planning and Environment Act 1987
Attachments	<ol style="list-style-type: none"> 3. Current Inverleigh Structure Plan Framework (2005) 4. Current Staging plan as per Inverleigh Structure Plan (2005)

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.

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

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

Purpose

The purpose of this report is to consider an application to amend the Golden Plains Planning Scheme as requested by Samantha and James Ramsay and prepared by David Lock & Associates, to rezone approximately 41.7 hectares of land at Hopes Plains Road, Inverleigh, from Farming Zone to Low Density Residential Zone (Amendment C74).

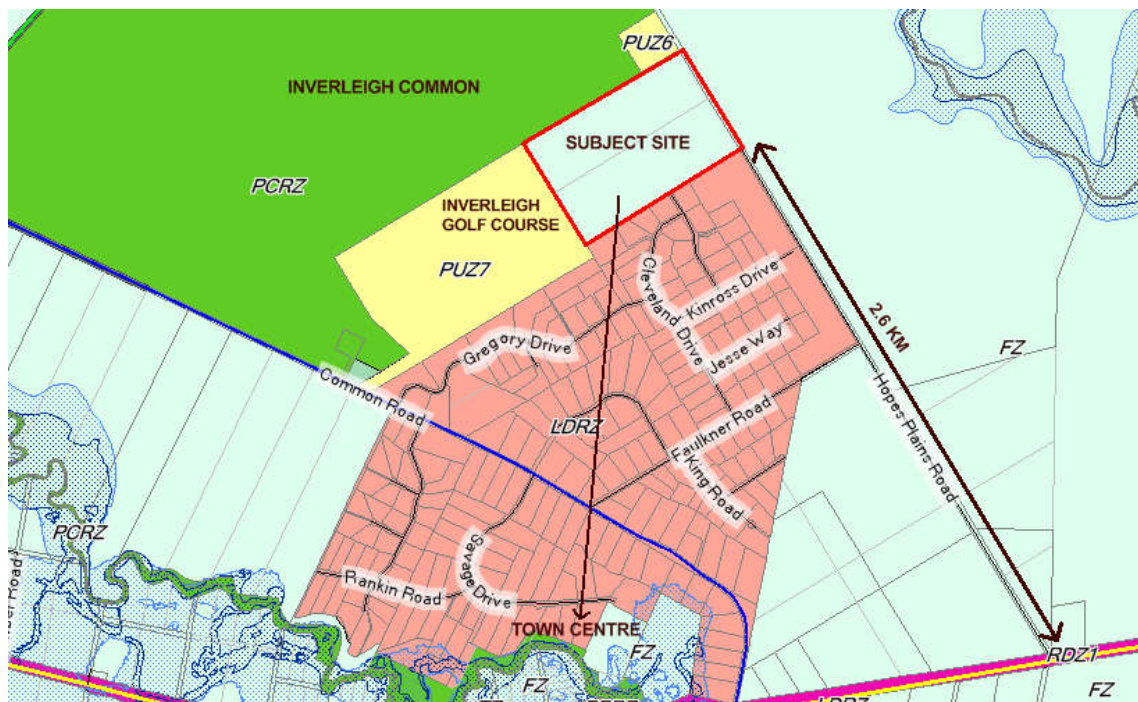
This report seeks from Council, authority to prepare and exhibit the amendment.

Background

The subject site consists of two titles, Lot 1 on TP372637J and Lot 1 on TP397040G, totalling approximately 41.7 hectares, located at 230 Hopes Plains Road, Inverleigh.

This land is located approximately 2.7km north-east of the town centre, and fronts Hopes Plains Road, the portion of which is currently unconstructed.

The two rectangular parcels as highlighted at the northern end of the map represent the land proposed to be rezoned as part of Amendment C74.



The site is currently zoned Farming and no overlays apply. Immediately adjoining the land to the north is the Inverleigh Common – Flora and Fauna Reserve. The Reserve is owned and managed by Parks Victoria. On the far north-east boundary is a small square parcel of land also owned by and managed by Parks Victoria which is zoned Public Use 6 – Local Government. On the western property boundary is the Inverleigh Golf Club, zoned Public Use 7 – Other Public Use.

Adjoining the site to the south is the existing Barrabool Views Estate, which is currently accessed via Cleveland Drive given Hopes Plains Road remains unconstructed at this point. The proposed future rezoning and development of this site will ensure the provision of access to and upgrade of Hopes Plains Road, which ultimately provides direct access to the Hamilton Highway on the eastern edge of the Inverleigh township.

Having been used for agricultural purposes such as grazing over the years, the site is devoid of vegetation aside from several scattered trees and pasture grasses. The site has a very gentle slope downwards from the golf course to Hopes Plains Road, with the flattest land in the middle of the site. There is a small shed and some water troughs but no other infrastructure on site.

This site is identified as *Future Low Density Residential (1-2Ha)* as per Figure 1 in the Inverleigh Structure Plan 2005. Refer to Attachment 4.

Proposal

Council has met with the developer on a number of occasions to discuss the proposed rezoning and its timing, including why it should be considered at this point in time rather than in line with the sequencing as set out in the Inverleigh Structure Plan Review 2005.

Appendix 2 identifies the current proposed staging for the future growth of the Inverleigh township. This proposed rezoning application is not in sequence with this figure. This subject site is to be part of the 9th and final stage of rezoning for the future growth of Inverleigh. Stage 1 of the sequencing plan has been completed and stage 2 is also currently under consideration for rezoning with an application having also recently been submitted.

Although this application is out of sequence, it is being considered for a number of reasons, one being a land supply shortage. Based on the State Government's population forecasts stages 1, 2 and 3 were predicted to provide for a 20 year residential land supply.

Council's statistics show that the population of Inverleigh has in fact increased by 148 households in the 10 years from 2005 to 2015. This represents an additional 400 people living in Inverleigh over this time, an annual growth rate of 5.2%. These figures demonstrate that Inverleigh's population has grown faster in 10 years, than was expected in 15 years. The faster than anticipated uptake is thought to be in response to factors such as the opening of the Geelong Ring Road and new commercial ventures. Education and sporting facilities, among other things, make Inverleigh a popular choice for those seeking a change in lifestyle, in a location that is within easy commuting distance to the employment, education and higher order services of Geelong, in particular.

The application is considered as sequential development to the adjoining land to the south (Barrabool Views and Manna Gum Estates) which have been developed. This land sits between Hopes Plains Road and Common Road. As previously noted, Stage 2 is under consideration. Land identified as Stage 3 is in fragmented ownership, and at this current time there is no willingness from all parties to pursue a rezoning.

The subject land forms the north-eastern extent of development within the town boundary. It adjoins developed land where infrastructure is readily available. The land is flat and unencumbered with no known constraints. It is accessible from existing road networks, including an internal link to the estate to the south and it is not isolated from existing residential development. In addition, this rezoning will, through legal agreement with Council, ensure that Hopes Plains Road is constructed at the time of subdivision which will service not only this site, but existing stages of development along Hopes Plains Road, and in time, land identified in Stage 3.

Acknowledging that this proposed rezoning is being brought forward, the known shortage of suitably zoned residential land at Inverleigh, along with the suitable physical location means that this proposed rezoning is considered both suitable and necessary, a position that the Department of Environment, Land, water and Planning (DELWP) is supportive of.

The applicant submits that *by allowing this land to be rezoned, the site will be better suited to meeting Council's strategic vision for the Shire by accommodating the expected residential growth within the Inverleigh Township boundaries and not adversely impacting or expelling any significant agricultural opportunities.*

The proposed rezoning of the land to Low Density Residential is intended to allow for the future subdivision of the land into low density, lifestyle lots.

The purpose of the Low Density Residential Zone is *'To provide for low-density residential development on lots, which in the absence of reticulated sewerage, can treat and retain all wastewater'*. The proposed rezoning reflects the intended use of the land.

After the rezoning process is finalised, a planning permit is required for subdivision. Each lot in the subdivision will be required to meet the minimum lot size requirements in the Schedule to the Low Density Residential Zone. The lot size requirements for Inverleigh are identified in the Inverleigh Structure Plan Review 2005, Figure 1. Specifically, this site is identified as Future Low Density Residential (1-2Ha). Refer to Appendix 1.

It is noted that the Golden Plains Shire Council is in the early stages of developing a new Inverleigh Structure Plan. There is the possibility that the new Structure Plan may review the current 1-2 hectare lot size requirements of Inverleigh.

Additional supporting information was submitted as part of the application in relation to servicing and infrastructure, which is summarised as follows.

The reticulation mains within the existing Barrabool Views Estate can be readily extended to service the subject site. Barwon Water has advised that extension of the existing reticulation network can service the proposed low density residential zone.

The site will not be served by reticulated sewerage, therefore future low density development must ensure it can treat and retain waste water within the property boundaries of each lot. As part of this application a Land Capability Assessment was prepared by St Quentin Consulting in order to confirm future capacity of the site.

A Storm Water Management Plan was also submitted as part of this application, prepared by TGM Group Pty Ltd. This report seeks to demonstrate that water quality and quantity (drainage) within the site meets Urban Stormwater Best Practice Environmental Management Guidelines and the stormwater quality objectives of the Planning Scheme and the Planning and Environment Act 1987. More detailed drainage work will be undertaken at subdivision stage, but at this early stage, the information shows that the stormwater can be treated to meet 'best practice' objectives.

The Country Fire Authority (CFA) have provided some preliminary comments indicating that the amendment has adequately considered bushfire risk, however potential changes to the Bushfire Management Overlay (BMO) impacting on the site will require further consideration at subdivision stage. The CFA have identified the predominate bushfire risk to the site arises from the Inverleigh Common Flora and Fauna Reserve on the northern boundary. The proposed amendment will increase the number of residents living in close proximity to the bushfire hazard, however this hazard can be managed by appropriate subdivision design, including buffer zones and building location.

The Corangamite Catchment Management Authority (CCMA) do not have any official record of flooding on the subject site on which to base its assessment - this is not to say the land will never flood. The Stormwater Management Plan submitted with this application has demonstrated best practice objectives for both water quality and quantity with recommendations for adoption of vegetated swales and three detention basins. The CCMA do not object to the proposed rezoning.

The internal road network will be to Council's standard requirements. A Traffic Impact Assessment prepared by Traffic Works assessed the impact of this proposal on the surrounding road network and to evaluate the internal road network. This information confirmed that the surrounding road network is capable of accommodating the additional traffic generated by the development.

Powercor have advised that a future subdivision can be connected to the electricity grid in accordance with normal residential practice.

Telstra has advised that it does not envisage any problems servicing the development and that access to the telephone system is in accordance with normal residential practice.

There is no reticulated gas supply in the Inverleigh area.

Golden Plains Shire will provide a fortnightly domestic garbage collection and weekly domestic recyclables collection service which can be extended to accommodate this new residential development.

In summary, there is no evidence to suggest that the proposed rezoning would be unfeasible on account of servicing, infrastructure or environmental constraints.

Discussion

This Amendment will support the Inverleigh Structure Plan Review 2005 in providing additional residential zoned land, in an identified location, to meet the demand in Inverleigh.

In a Strategic Planning report to Council last year, identifying the need for a new Inverleigh Structure Plan, it was noted that there is currently a 5.7 year supply of zoned rural residential land remaining in Inverleigh. While there is ample land identified for future residential development purposes within Inverleigh, the staging sequence plan and minimum lot size provided in the 2005 Structure Plan Review are outdated and obstructing rezoning applications.

The need for additional land, its physical location together with the level of information supplied signifies that Council officers are satisfied that this proposal can work through the next stage of the amendment process.

This report seeks from Council, authority to prepare and exhibit an amendment for the rezoning of land at 230 Hopes Plains Road, Inverleigh, from Farming Zone to Low Density Residential Zone.

Community Engagement

Community engagement will be encompassed as part of the next step in the Amendment process where Council will seek authority from the Department of Environment, Land, Water and Planning (DELWP) to prepare and exhibit an amendment.

As part of this process the community, relevant agencies and landowners will have the opportunity to provide comment on the amendment through the formal exhibition process. Amendments are made available for public inspection during office hours at the Bannockburn Customer Service Centre and online through the Golden Plains Shire Council and Department of Environment, Land, Water and Planning websites.

Cultural Heritage Implications

The applicant provided cultural heritage information with the application in the form of preliminary advice, prepared by dig International Pty Ltd Cultural Heritage Management, which states 'The rectangular site lies outside culturally sensitive areas. Therefore the proposed development is not considered a high impact activity. No further archaeological investigation is required prior to development'.

Financial & Risk Management Implications

The application for amendment has been made by Samantha and James Ramsay who will bear the costs of the amendment process. Therefore it is considered that financial implications associated with the planning scheme amendment process are acceptable.

There are not considered to be any risk management implications.

Economic, Social & Environmental Implications

There are not considered to be any economic, social or environmental implications.

Communications

It is not considered that a communication plan is required.

Conclusion

Amendment C74 proposes to rezone the land at 230 Hopes Plains Road, Inverleigh (Lot 1 on TP372637J & Lot 1 on TP397040

G) from Farming Zone to Low Density Residential, at the request of Samantha and James Ramsay. The amendment will ensure that there is a suitable supply of land which is developed in an orderly manner and is consistent with the Inverleigh Structure Plan Review 2005.

Moved Crs Hansford/Gilbert

That an application be made to the Minister for Planning for the authority to prepare and exhibit an amendment (C74) to the Golden Plains Planning Scheme under Section 9(2) and Section 19 of the Planning and Environment Act 1987, to rezone land fronting Hopes Plains Road Inverleigh, being Lot 1 on Title Plan 372637J, and Lot 1 on Title Plan 397040G from Farming Zone to Low Density Residential Zone.

Carried

3.5.3 Development Plan – Lot A PS347684, CA 12A SEC 22, Lot 1 PS313731 (1659), Lot 1 TP918332 (1669) Midland Highway, Bannockburn, Parish of Gheringhap

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director Assets and Amenity
Responsible Manager	Tim Waller, Development Manager
Responsible Team Leader	Laura Wilks, Planning Team Leader
Author	Angela Vary, Strategic Planner
File References	BluePoint File: 60-09-010
Council Plan Link	Encourage and facilitate sustainable land use and development and protect and enhance the natural environment.
Relevant Council Strategies	Bannockburn UDF 2005
Overlays	Design and Development Schedule 5 (DDO5) Development Plan Overlay Schedule 10 (DPO10)
Relevant Legislation	<ul style="list-style-type: none"> ▪ Golden Plains Planning Scheme ▪ Planning and Environment Act 1987
Attachments	<ul style="list-style-type: none"> 5. Development and Landscape Plans 6. Development Plan Overlay – Schedule 10

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.

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

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

Purpose

The purpose of this report is to consider a Development Plan for Lot A PS347684, CA 12A SEC 22, Lot 1 PS 313731 (1659), Lot 1 TP918332 (1669) Midland Highway, Bannockburn to enable a 57 lot subdivision. The provisions of Schedule 10 of the Development Plan Overlay, (DPO10) applying to this land require the preparation of a Development Plan to the satisfaction of the responsible authority prior to the issue of a permit for subdivision. This report will describe the site, provide an assessment of the development plan against the DPO10 and finally offer a recommendation to approve the Development Plan. The Development Plan submitted for approval is provided at Attachment 5 and the provisions of the Development Plan Overlay and Schedule are provided at Attachment 6.

Background

On 3 May 2007 the subject land was rezoned from Rural Zone (RUZ) to Low Density Residential Zone, and the DPO10 applied as part of Amendment C27. A number of submissions were received by Council in the course of preparing Amendment C27. Issues raised relates to drainage and effluent disposal, road traffic, land access, pedestrian safety, services, public open space, land management, character and future development. These issues are considered in the application of the DPO10.

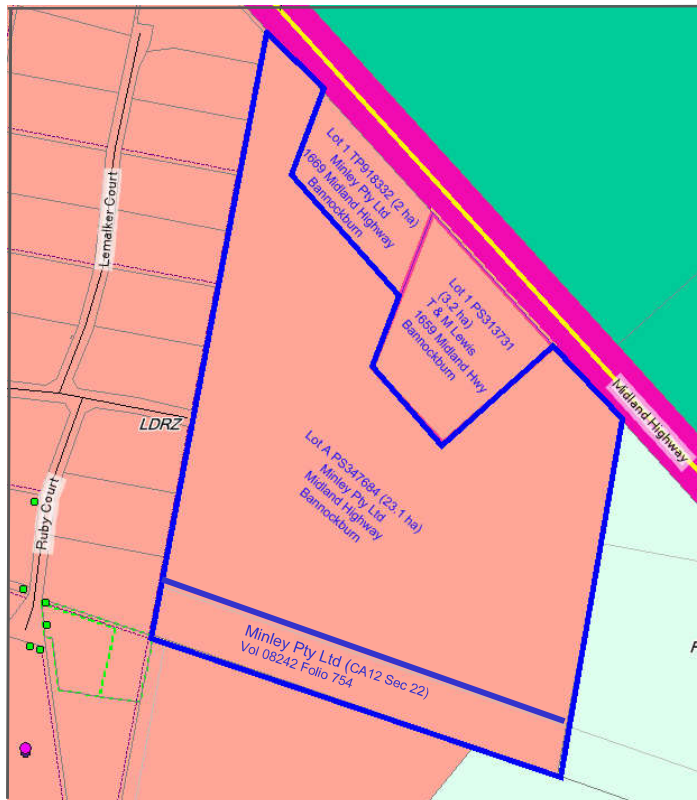
The Design and Development Overlay Schedule 5 (DDO5) was applied on the 11 December 2008 as part of Amendment C39. The DDO5 applies to the entire area of the subject land and is relevant to minimum setbacks for buildings and works proposed on each lot. The DDO5 is not relevant to the consideration of the Development Plan.

Site Description

The subject site is located on land zoned Low Density Residential Zone (LDRZ) and adjoins the Rural Activity Zone (RAZ) to the north and the Farming Zone (FZ) to the east.

The site covers a total area of 31.5 hectares and is located approximately 2.3 kilometres east of the Bannockburn town centre. The subject site forms part of the north eastern edge of the Bannockburn Urban Growth Boundary. The land is predominantly flat with a gradual slope to the east and is clear of any significant vegetation. The site has road access to Garonne Drive and frontage to the Midland Highway.

The subject site is comprised of 4 separate lots in two ownerships as shown below. The site contains two (2) dwellings, associated sheds and planted vegetation located adjacent to the Midland Highway along the northern edge of the land. The proposed primary access to the site is via Garonne Drive located midpoint on the western boundary of the site.



Land Ownership

Proposal

Pursuant to Clause C43.04-1, prior to a subdivision being approved a Development Plan must first be prepared and considered by Council. Once a Development Plan is prepared, the subdivision is then required to be designed and constructed in accordance with the approved Development Plan.

The Development Plan proposes that the subject land will be subdivided into 57 lots in five stages. The Development Plan has been prepared to respond to a number of requirements listed within the DPO10. These are discussed within the overlay provisions of the report.

Discussion

State Planning Policy Framework

The proposed amendment is consistent with the State Planning Policy Framework. The following clauses are relevant to the consideration of this proposal:

Clause 11.05-4 Regional Planning Strategies and Principles

This clause encourages growth to be located where utility, transport, commercial and social infrastructure and services are available or can be provided in the most efficient and sustainable manner. The site is located in close proximity to services within Bannockburn and can be connected to utilities.

Clause 15.01-3 Neighbourhood and Subdivision Design

This clause encourages the provision of a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people. The proposed subdivision will achieve lot diversity by providing allotments ranging in size from 4000m² to 5814m².

Local Planning Policy Framework

The Development Plan is consistent with the Local Planning Policy Framework. The following clauses are relevant to the consideration of this proposal:

Clause 21.05-1 Residential Land Use

This clause encourages residential development to occur within established townships and to focus development within the boundaries of the townships. The proposed development is sited within the Bannockburn Urban Growth Boundary and is consistent with land use development located within close proximity to a commercial centre.

Clause 21.07-1 Bannockburn

This clause encourages residential development within the urban growth boundary that is responsive to the character and ambience of Bannockburn. The proposed development will provide walking and cycling linkages to community facilities and promote wide tree-lined road reserves in accordance with the Bannockburn Urban Design Framework.

Clause 22.09 Low Density Residential Subdivision

This policy applies to all land zoned LDRZ. It encourages residential lot size to have regard for onsite waste water management as a key consideration to managing residential growth in the Shire. The development plan considers land capability and notes the application of effluent disposal envelopes for each lot.

Zone Provisions

The land is located within the Low Density Residential Zone as described in Clause 32.03 of the Planning Scheme. The purpose of the zone is to provide for low-density residential development of lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

The Development Plan is consistent with the Low Density Residential Zone as it provides a range of low density residential lots that demonstrate capacity to retain wastewater.

Overlay Provisions

Design and Development Schedule 5

The Design and Development Schedule 5 applies to the entire site. The purpose of the overlay is to ensure siting and design of buildings have regard to the low density residential character of the area, and that development maintains a high level of amenity.

Development Plan Overlay Schedule 10

The Development Plan Overlay Schedule 10 (DPO10) applies to the entire site. Clause 43.04 and the accompanying Schedule 10 sets out the particular requirements that Council must consider when assessing the Development Plan. Schedule 10 to the Overlay relates specifically to the subject site. This requirement of the schedule is reinforced in Clause 43.04-1 which states that:

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

In light of the above, Council cannot issue a permit to subdivide land until such time as it has approved a Development Plan for the site. The Schedule lists 15 requirements that the Development Plan must address. Each point is listed below, providing a guide to the assessment of the Development Plan.

The requirements of the Development Plan and how they have been addressed are detailed below:

- ***An overall design response incorporated in a single plan***

The indicative lot plan shows the dimensions and sizes of the proposed allotments which are all capable of accommodating a maximum of a four bedroom dwelling. A condition for a restriction of dwelling size will be included in any planning permit issued for subdivision to meet environmental health requirements related to waste water treatment and disposal. The plan is consistent with the requirements of the DPO10.

- ***Stormwater Management Plan***

Council's Engineer has reviewed the Stormwater Management Plan prepared by TGM Consultants dated August 2016. At this stage of the process the information provided by the plan ensures that stormwater and drainage may be adequately managed via open drains in road reserves. Further detailed engineering drawings will be submitted as part of the planning permit process.

- ***Buffers to the rural land to the east and the Midland Highway to the north***

The development plan proposes a 13 metre wide plantation buffer located on the northern boundary of the subject site to reduce the impact of road noise and to provide a treed landscape feature along the interface between Midland Highway and residential development.

A 13 metre wide landscaped vegetation buffer is proposed along the eastern boundary of the subdivision to reduce potential impacts on the rural land to the east. The provision of deep lots fronting the Midland Highway will create the opportunity for large setbacks to enable dwellings to be sited a considerable distance from the Highway.

- ***Vegetation belt of at least 8 metres and pedestrian path along the eastern boundary between the Geelong-Ballarat Railway Line and the Midland Highway***

A 13 metre wide buffer along the eastern boundary and 8 metre wide buffer along a section of the south east corner of the subdivision will form the urban growth boundary to the proposed development. The buffers are dimensioned appropriately to facilitate landscape elements consistent with the growth boundary of the Bannockburn Urban Design Framework (2005).

- ***Provision of suitable road, cycle and pedestrian linkages and consideration of the wider road and pedestrian network***

The local road network features 25 metre wide road reserves to accommodate not only vehicle traffic but also a footpath for cycle and pedestrian use. Garonne Drive is identified as the primary access road to the subdivision, including those adjacent the Midland Highway. Council's works department has consented to the overall design plan.

▪ ***Subdivision response to surrounding neighbourhood lot pattern and character***

The subdivision proposes to create 57 lots ranging in size from 4000m² to 5814m². Lots adjoining the development to the west are somewhat larger (approximately 1 hectare) however the proposed lots will provide enough area to accommodate a dwelling and landscaping, consistent with development to the west. The vegetative buffers to the north adjoining the Midland Highway and to the east adjoining rural land will act a landscaped feature and shelter belt or windbreak consistent with the surrounding farming context.

▪ ***Lots sizes consistent with the 'LDRZ Lot Size Schedule' adopted by Council as a guide for minimum lot size decision in the LDRZ.***

The 'LDRZ Lot Size Schedule' is no longer relevant and does not form a Council Policy. In 2013 Council revised the Low Density Residential Subdivision Policy (Clause 22.09 of the Golden Plains Planning Scheme) to remove any reference to a minimum lot size. Previously this policy stipulated a minimum of 1 hectare. Council now assesses an application based on the minimum lot size as detailed in the zone as follows:

- 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.
- 0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.

The proposed Development Plan is consistent with the requirements of the Low Density Residential Zone (LDRZ).

▪ ***A subdivision design that ensures vehicular access to allotments fronting the Midland Highway (existing and proposed) is from internal roads so that existing access points to the Highway can be removed.***

The subdivision layout has been designed to enable vehicle access to all allotments be provided from the internal local road network. There is no reliance on access to lots from the Midland Highway, therefore facilitating their removal.

▪ ***Provision of a fire access track linking the proposed subdivision with the Midland Highway for the use of emergency vehicles only. Access control to be designed and managed to the satisfaction of the responsible authority and VicRoads.***

A 16 metre fire access track linking the subdivision to the Midland Highway is incorporated in the overall subdivision plan. Fire track access and control will be designed and determined in consultation with Council and VicRoads at the planning permit stage where it can be considered more comprehensively.

▪ ***An archaeological survey, which will locate, record and assess Aboriginal sites and post – settlement places and objects of cultural and historical significance on the subject land. A qualified Archaeologist must conduct the survey and the recommendations of the survey will guide the subdivision design and layout of the development and set out the management practices required to preserve, protect and enhance the identified sites. The Archaeological Survey is to be completed to the satisfaction of the responsible authority.***

An archaeological survey completed by TerraCulture in August 2012 advises the subject area is not within an area of cultural heritage sensitivity therefore the mandatory preparation of a CHMP under the Aboriginal Heritage Act 2006 is not required.

The report notes the remnants of several dry stone walls on the subject land that reflect the rural history of the area. A heritage overlay does not apply to the subject land.

▪ ***A plan identifying building & effluent envelopes for each lot to be created. Building envelopes must have a setback of at least 10 metres from street frontages and 5 metres to all other boundaries.***

The Development Plan at attachment 5 identifies building envelopes with the appropriate setbacks in accordance with the requirements. This plan also stipulates a minimum area required for the effluent field relative to a 3 or 4 bedroom dwelling. The detail of this restriction will be further considered at the planning permit stage.

- **A Landscaping Plan including the location and species of proposed vegetation. Proposed species are to be of local provenance.**

A Landscape Plan was prepared by Mexted Rimmer Associates Pty Ltd in November 2016 and is provided at attachment 2. The Plan identifies a range of plant species and location. The landscape plan has been reviewed by Council's Natural Resources Officer and is considered appropriate.

- **The staging and anticipated timing of development.**

It is proposed to develop the land in 5 stages. The first stage will comprise of 13 lots and the Drainage Reserve, second stage eight lots, third stage thirteen lots, fourth stage nine lots, and fifth stage six lots. The timing of each stage is dependent on take up rates within the Bannockburn Township.

- **A Land Capability Assessment undertaken in accordance with EPA Publication 746.1 Land Capability Assessment for Onsite Domestic Wastewater Management 2003 which demonstrates that wastewater can be treated and retained within each proposed allotment of the subdivision successfully.**

A Land Capability Assessment was prepared by Geotesta for Intrax Consulting Engineers for Lot A, 1659 and 1669 Midland Highway, Bannockburn in 10 February 2016. The report indicates all three sites have only a fair capability for on-site effluent disposal with a moderate associated environmental risk. The minimum required subsurface irrigation area for a 3 bedroom dwelling is 385m² and a 4 bedroom dwelling is 480m². The Development Plan illustrates that each lot has considerable area to accommodate the management of wastewater.

- **A preliminary environmental assessment undertaken to the satisfaction of the responsible authority that demonstrates that the land is not contaminated. If this assessment is not to the satisfaction of the responsible authority, then a Statement of Environmental Audit will be required.**

Phase 1 Environmental Site Assessment was prepared by Landserv Environment in December 2012. The report indicates no visual or olfactory evidence of contamination associated with any of the potential contaminants of concern.

Community Engagement

A formal consultation process is not required.

Where the subdivision application is in accordance with the Development Plan under Clause 43.04-2 an application is exempt from the notice requirements under Section 52(1) (a), (b) and (d) and the review rights of Section 82 (1) (VCAT) of the Planning and Environment Act 1987.

Financial & Risk Management Implications

The approval of the Development Plan will facilitate a 57 lot subdivision on the site which will go through a separate planning permit approval process. It is considered that there will be no financial implications beyond what is reasonably expected.

Economic, Social & Environmental Implications

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

Communications

It is considered that a communication plan is not required

Conclusion

The Development Plan is in accordance with the Golden Plains Planning Scheme including the SPPF, LPPF and DPO10 Schedule. The applicant is required to obtain a planning permit for the proposed subdivision which allows for some scope to seek further detail at that stage of the process. Therefore, the Development Plan is recommended for approval.

Moved Crs Hansford/Evans

That Council approve the Development Plan for Lot A PS347684, CA 12A SEC 22, Lot 1 PS313731 (1659), Lot 1 TP918332 (1669) Midland Highway, Bannockburn, Parish of Gheringhap be as provided at Attachment 6 to this report.

Carried

3.5.4 Northern Settlement Strategy

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director Assets and Amenity
Responsible Manager	Tim Waller, Development Manager
Responsible Team Leader	Laura Wilks, Planning Team Leader
Author	Angela Vary, Strategic Planner
File References	EDMS File: 60-06-030
Council Plan Link	N/A
Relevant Council Strategies	Golden Plains Planning Scheme
Overlays	N/A
Relevant Legislation	Planning and Environment Act 1987
Attachments	7. Project Steering Committee Terms of Reference

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.

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

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

Purpose

This report seeks the nomination of two council representatives to participate in the Northern Settlement Strategy Project Steering Committee following vacancies created as a result of the 2016 Council election.

The Northern Settlement Strategy is a document to guide future strategic land use planning decisions in the north of Golden Plains Shire. It is envisaged that once complete the strategy will provide a link between the State Planning Policy Framework, Central Highlands Regional Growth Plan, Local Planning Policies and Structure Plans.

Background

A project steering committee was established in 2015. At its 2 May 2015 meeting Council nominated Cr's Des Phelan, Bill McArthur and Greg Vaughan to participate as Council representatives on the project steering committee. Subsequently, the result of the 2016 Council election has created two vacancies.

Discussion

An internal Technical Reference Group (TRG) was formed to oversee the operation and development of the project. The TRG is comprised of the Development Manager, Planning Team Leader and Strategic Planners.

The project Steering Committee at its 2 November 2015 meeting adopted an operational Terms of Reference. (Attachment 7).

It is expected that between now and the proposed completion of the strategy the Steering Committee will convene two (2) or a maximum of three (3) times to discuss the issues paper findings, subsequent implementation plan and recommendations and to sign off on the draft settlement strategy.

Community Engagement

A formal consultation process is not required.

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, environmental or social implications.

Communications

It is considered that a communication plan is not required.

Conclusion

The development of a Northern Settlement Strategy will ultimately provide a suite of recommendations to direct and influence future growth in the north of the Shire.

Moved Crs Hansford/Rowe

That Council nominate Crs Gilbert and Kirby as Councillor representatives to participate as members of the Northern Settlement Strategy Project Steering Committee.

Carried

3.5.5 Application to Amend Planning Permit P853A for a Quarry at 180 Lower Plains Road, Lethbridge

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director Assets and Amenity
Responsible Manager	Tim Waller, Development Manager
Responsible Team Leader	Laura Wilks, Planning Team Leader
Author	Peter O'Brien, Town Planner
File References	Planning application P853B
Relevant Policies & Legislative Frameworks	Golden Plains Planning Scheme
Proposal Summary	Amend planning permit P853A to allow materials recycling (recycling of concrete, bricks and rock) and amend plans to include screening plant and stockpiles
Land Address	180 Lower Plains Road, Lethbridge
Applicant	North Altona Rock Blasting Co Pty Ltd
Zone & Overlay Summary	Farming Zone (FZ) No overlays
Attachments	8. P853A Current planning permit 9. P853A Copy of application to amend permit and plans 10. P853A Locality map 11. P853A EPA referral response 12. P853A Copy of 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.

Laura Wilks: 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 P853A for a quarry at 180 Lower Plains Road, Lethbridge. The application has been referred to the Planning Committee for determination because there are objections to the application. This report provides a background to the application, a summary of the relevant planning considerations and an officer recommendation.

Background

Planning permit P853 was originally issued by Council on 10 June 1993. The permit allows the use and development of the land for a quarry. An amended permit was issued by Council on 8 October 2014. The amended permit made changes to the permit conditions to allow an increase to stockpile heights. A copy of the current permit is provided as Attachment 9.

Proposal

The application proposes to amend planning permit P853A as follows:

- Amend the permit preamble ('what the permit allows') to allow materials recycling (recycling of concrete, bricks and rock).
- Amend plans to include additional screening plant and stockpiles

The purpose of the proposed changes is to allow the quarry to make various crushed stone products using recycled materials. These products are used in the construction of roads and pavements. The application estimates approximately 33,000 tonnes of recycled materials will be brought to the site annually which will generate an additional 9 trucks per day (average). A copy of the application to amend the permit is provided at Attachment 10.

Site Description

The subject land is situated at 180 Lower Plains Road, Lethbridge and is formally known as Lots 1 and 2 on Title Plan 908783P (refer to Attachment 11 – locality map). The site is located on the northern side of Lower Plains Road, adjacent to the Geelong-Ballarat railway line and approximately 3.4 kilometres north of the Lethbridge town centre. The site contains an operating quarry. The subject land and surrounding land is in a Farming Zone and is used for a mixture of agricultural activities and rural residential purposes.

History

The application to amend the permit was received by Council on 26 November 2015 and a preliminary assessment of the application was undertaken. Further information was requested on 23 February 2016 and the requested information was received on 20 June. The application was referred to the EPA under Section 55 of the *Planning & Environment Act 1987*. The EPA is a determining referral authority for an application for materials recycling. The EPA had no objection to the issue of a permit subject to conditions being placed on the permit. A copy of the EPA's referral response is provided as Attachment 11. The application was internally referred to Council's Works Engineer regarding vehicle access and traffic who had no objection to the issue of a permit.

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 14 adjoining and neighbouring landowners and occupiers and by placing a sign at the site.

Summary of Objections

As a result of the public notice two objections were received. A copy of the objections is provided as Attachment 13. A third objection was originally received however this objection was later withdrawn as a result of a consultation meeting. One of the objectors is concerned that the proposed changes will result in increased dust, noise and traffic. The other objector has particular concerns regarding the operating hours of the quarry and rock blasting.

Golden Plains Planning Scheme

State Planning Policy Framework (SPPF)

Clause 13.04-1 Noise abatement

This policy aims to assist the control of noise effects on sensitive land uses and ensure that community amenity is not reduced by using land use separation techniques as appropriate to the land use functions and character of the area. The EPA publication *Noise from Industry in Regional Victoria (NIRV)* (October 2011) provides recommended maximum noise levels for commercial, industrial and trade premises. The recommended levels provide different degrees of amenity protection in different land use zones and for different times of the day (day, evening and night).

Clause 13.04-2 Air quality

The objective of this policy is to assist the protection and improvement of air quality. The policy seeks to ensure, wherever possible, that there is suitable separation between land uses that reduce amenity and sensitive land uses. Planning must consider the *Recommended separation distances for industrial residual air emissions* (March 2013) in assessing the separation between land uses that reduce amenity and sensitive land uses. These guidelines do not specify a separation distance for materials recycling, rather each proposal should be considered on a 'case by case' basis.

Clause 14.03 Resource exploration and extraction

The objective of the State policy for resource exploration and extraction is to encourage exploration and extraction of natural resources in accordance with acceptable environmental standards and to provide a planning approval process that is consistent with the relevant legislation.

Clause 17.02-2 Design of industrial development

This policy seeks to provide adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards.

Local Planning Policy Framework (LPPF)

Clause 21.02 Municipal Strategic Statement (MSS) – Vision and Strategic Framework

The vision to guide planning and development in the Shire is, among other things, to provide an economically, environmentally and socially sustainable future, to respect the environment, and to support the orderly and proper planning of land use and development. The vision is to be achieved, in part, through sustainable management and protection of natural resources and by facilitating productive agricultural, forestry and mining activities and protecting rural areas.

The MSS includes town structure plans that have been prepared for most settlements and establish a basis for future strategic planning decisions in each town. The subject land is located outside the township area shown in the Lethbridge Town Structure Plan. The Structure Plan identifies Lower Plains Road as a preferred heavy vehicle route to the Midland Highway.

Clause 21.05-3 Industry

The local policy for industry seeks to support sustainable value adding industries and service industries, particularly those which relate to the agricultural base, forestry and natural resources.

Farming Zone

The site and surrounding area is in a Farming Zone (FZ). The purpose of the Farming Zone is, among other things, to provide for the use of land for agriculture, to ensure that non-agricultural uses do not adversely affect the use of land for agriculture, and to encourage the retention of employment and population to support rural communities. Materials recycling is a "Section 2 – permit required" use in the Farming Zone.

Before deciding on an application to use and develop land, Council must consider the decision guidelines contained in the Farming Zone, which include the following matters:

- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- Whether the use or development will permanently remove land from agricultural production and the potential to limit the operation and expansion of adjoining and nearby agricultural uses.
- Whether the use and development will require traffic management measures.

Particular provisions

Clause 52.09 Stone extraction and extractive industry interest areas

The purpose of this clause is, among other things, to ensure that use and development of land for stone extraction does not adversely affect the environment or amenity of the area during or after extraction.

Clause 52.10 Uses with adverse amenity potential

The purpose of this clause is to define those types of industries which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood. The clause does not contain a specific threshold distance for materials recycling – the threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored. The EPA is a determining referral authority for an application for materials recycling.

General provisions

The decision guidelines contained in Clause 65 of the planning scheme require Council to consider the following matters, as appropriate:

- 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.

Discussion

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 (MSS), Farming Zone and Clause 65 of the Victoria Planning Provisions. The proposal satisfies State policies related to noise abatement and air quality because there are adequate separation distances to neighbouring sensitive uses and dust control measures have been implemented under the existing permit. It is considered that the use of the land for materials recycling will not impact surrounding uses if conditions are placed on the permit restricting the volume of material that may be stored on site and the hours of operation. The application is supported by the Local Policy for Industry which encourages value adding industries related to natural resources.

Issues raised by objectors

Noise, dust and traffic

Concerns have been raised that the proposed changes will result in increased dust, noise and traffic. There are existing permit conditions related to dust control and a dust management plan has been approved by Council. Dust control measures include water spray systems for the proposed crushing plant, screens and conveyors and a dedicated water cart for use on haulage roads and other ground surfaces.

In relation to noise the EPA publication Noise from Industry in Regional Victoria (NIRV) specifies recommended maximum noise levels for different times of the day. The recommended levels provide a higher degree of protection for the evening, night, weekends and public holidays. Whilst Council cannot place new restrictions on the existing quarry operations, restricting the operating hours of the material recycling to daytime hours will ensure that the amenity of surrounding residents is protected during the evening, at night and on weekends. The daytime hours specified in NIRV are 7am to 6pm Monday to Friday and 7am to 1pm Saturdays.

The application estimates that the proposed materials recycling operations will generate an additional 9 trucks per day. Council's Works Engineer has advised that the existing road network is adequate for the likely traffic increase however a cap should be placed on the permit restricting the volume of recycled materials that may be stored on the site. Lower Plains Road was in fact fully constructed and widened by the quarry operator as a condition of the original permit and now forms part of a heavy vehicle route to poultry farms to the west of Lethbridge.

Hours of operation and rock blasting

One of the objectors has raised concerns regarding the hours of operation of the existing quarry and has claimed that rock blasting has been carried out at night. Whilst the existing permit does not restrict the operating hours of the quarry a condition of the permit specifies that blasting using explosives must occur at a standard time agreed to by Council and the Inspector of Mines (DEDJTR). Council has no evidence that blasting has been undertaken at night which would be a major breach of planning and safety regulations. All blasting has been undertaken during daylight hours in consultation with neighbouring landowners and the relevant authorities.

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 that 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 satisfies the provisions of the State and Local Planning Policy Frameworks, the Farming Zone and the decision guidelines of the Planning Scheme (Clause 65). The proposed use has adequate separation distances to neighbouring dwellings and the placement of conditions on the permit restricting the volume of material that may be stored on site and the hours of operation will ensure that the proposed use has no impact on the amenity of surrounding residents and does not cause material detriment to any person.

Moved Crs Hansford/Kirby

That Council suspend standing orders to hear a submission from Paul Galea.

Carried

It is recorded that Council suspended Standing Orders at 5.13pm.

Mr Galea addressed the committee between 5.13pm and 5.17pm.

Moved Crs Evans/Sharkey

That Council resume Standing Orders.

Carried

It is recorded that Council resumed Standing orders at 5.17pm.

Moved Crs Hansford/Kirby

That Council resolves to issue a Notice of Decision to amend Planning Permit P1853A for a quarry at 180 Lower Plains Road, Lethbridge, for the following amendments being made to the permit:

- **Amend the permit preamble ('what the permit allows') to allow materials recycling (recycling of concrete, bricks and rock).**
- **Amend the plans endorsed under the permit to include additional screening plant and stockpiles.**
- **The following additional conditions being added to the permit:**
 - a. **The use of the land for materials recycling must operate only between the hours of 7am to 6pm Monday to Friday and 7am to 1pm Saturdays.**
 - b. **No more than 20,000 tonnes of unprocessed recycled materials must be stored on the site at any one time.**

EPA CONDITIONS

- c. **Nuisance dust must not be discharged beyond the boundaries of the premises.**
- d. **Water spray systems must be installed and maintained at the stockpiles of material, the access roads, loading and unloading area and screening plant.**
- e. **The stockpile of material must be maintained at a suitable height so that no dust is emitted from the stockpiles beyond the boundary of the premises.**
- f. **The applicant must limit the scale of, or cease operations which emit dust if insufficient dust suppression measures (eg, water) are available.**
- g. **Access roads, subject to regular traffic, must be provided with appropriate surface treatment.**
- h. **Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.**
- i. **Noisy equipment must be fitted with appropriate noise silencers /enclosures.**
- j. **Sediment traps or similar, must be installed to prevent the transportation of sediment to the stormwater system**
- k. **Stormwater contaminated with waste oil, grease, chemicals, leachate or sediments must not be discharged beyond the boundary of the premises and be collected and disposed of off-site by an EPA approved contractor or sent to sewer under a Trade Waste Agreement.**
- l. **The applicant must ensure that vehicles leaving the site have clay and soil removed from their wheels before entering public roads.**
- m. **A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, in accordance with the EPA Publication 347 Bunding Guidelines 1992 or as amended.**
- n. **All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled.**

- o. Prescribed industrial wastes, including asbestos, as defined by the Environment Protection (Industrial Waste Resource) Regulations 2009, must not be accepted at the premises.***

Carried

3.5.6 Council Policy 6.2 – Vegetation on Road Reserves

Directorate	Assets and Amenity
Unit	Development Works
Senior Manager	Greg Anders, Director Assets and Amenity
Responsible Manager	David Greaves, Works Manager
Author	Greg Anders, Director Assets and Amenity
File References	EDMS files: 02-03-005, 54-01-001, 58-06-001
Council Plan Link	Environment and Land Use Planning: Encourage and facilitate sustainable land use and development and protect and enhance the natural environment.
Relevant Council Strategies	<ul style="list-style-type: none"> ▪ Environment Strategy (2011-2016) ▪ Council Plan 2013-2017
Relevant Policies & Legislative Frameworks	<ul style="list-style-type: none"> ▪ <i>Environment Protection and Biodiversity Conservation Act 1999</i>; ▪ <i>Flora and Fauna Guarantee Act 1988</i>; ▪ <i>Planning and Environment Act 1987</i>; and ▪ Biodiversity Conservation Strategy 2013
Attachments	<ul style="list-style-type: none"> 13. Council Policy 6.2 – Vegetation on Roadsides 14. Confidential: Golden Plains Shire Council Roadside Environmental Management Plan and supporting Roadside 15. Confidential: Environmental Code of Practice Handbook

Declarations of Interest: Councillors & Officers

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

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

Purpose

This report presents to Council the information which supports the proposal that Council discontinue Policy 6.2 – Vegetation on Road Reserves and, accordingly, remove this Policy from Council's Policy Manual.

Background

Council Policy 6.2 – Vegetation on Road Reserves was first adopted by Council on 30 June 1994. The purpose of the Policy was to control the cropping and levelling, and planting and removal of vegetation on roadsides. The Policy was last reviewed on 23 July 2009.

Over the course of the many years that have passed since the Policy was first introduced there have been many and significant changes to the broad range of legislation (Federal and State) impacting on the preservation and protection of native vegetation on roadsides in the State of Victoria. The most significant of these is the *Environment Protection and Biodiversity Conservation Act 1989*.

In responding to the many changes relating to native vegetation preservation and protection, Council prepared – and recently commenced implementation of – the Golden Plains Shire Council Roadside Environmental Management Plan and the supporting Roadside Environmental Code of Practice Handbook.

These documents provide the framework for protection of the environmental assets on roadsides within the municipality from inappropriate management and operational practices and therefore significantly reduce the risks of Council breaching Federal and State environmental legislation. They provide guidance on how Council manages its own activities and those of members of the public (including contractors) who wish to undertake works on Council-managed road reserves.

Discussion

Council adoption of the Roadside Environmental Management Plan and Roadside Environmental Code of Practice has effectively rendered as superfluous Council Policy 6.2 – Vegetation on Road Reserves. The scope of the Environmental Management Plan is all encompassing – it reflects contemporary approaches and practices in vegetation management and is consistent with current Federal and State legislation.

The Golden Plains Shire Council Roadside Environmental Management Plan provides a very broad range of information, guidance and direction in the following areas:

- Council's role in roadside environmental management
- General principles for the protection of conservation values
- Guidelines for:
 - roadside activities
 - cultural and recreational issues
 - farming and associated issues
 - asset management issues
 - vegetation management
- Plan implementation

Community Engagement

A formal consultation process was not required.

Financial & Risk Management Implications

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

Economic, Social & Environmental Implications

It is considered there are no economic or social implications associated with the Officer's recommendation.

Communications

It is considered that a communication plan is not required as a consequence of the proposed discontinuance of Council Policy 6.2.

Conclusion

The Golden Plains Shire Council Roadside Environmental Management Plan (the Plan) and Roadside Environmental Code of Practice seek to protect environmental assets on roadsides from inappropriate management and reduce Council's risk in breaching Federal and State environmental legislation. Furthermore, they provide guidance on how Council manages its own activities and those of the public who wish to undertake works on Council-managed road reserves.

The Plan and the supporting Code of Practice reflect contemporary practices in regard to the protection and preservation of native vegetation on roadsides and they are consistent with the current Federal and State legislative framework. The Plan and Code of Practice update and significantly broaden the range and scope of Council Policy 6.2. Consequently, it is now appropriate for Council to discontinue Policy 6.2 – Vegetation on Road Reserves.

Moved Crs Gilbert/Kirby

That Council, having recently prepared and commenced implementation of the Golden Plains Shire Council Roadside Environmental Management Plan and supporting Roadside Environmental Code of Practice, now resolves to discontinue Council Policy 6.2 – Vegetation on Road Reserves.

Carried

3.5.7 Review of Local Laws No 2 General Public Amenity – Review of public submissions

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director of Assets and Amenity
Responsible Manager	Tim Waller, Development Manager
Author	Tim Waller, Development Manager
File References	N/A
Council Plan Link	Environment & land Use Planning: Encourage and facilitate sustainable land use and development and protect and enhance the natural environment.
Relevant Council Strategies	N/A
Relevant Policies & Legislative Frameworks	<ul style="list-style-type: none"> ▪ Local Government Act 1989 ▪ Local Law No. 2 – General Public Amenity
Attachments	<ul style="list-style-type: none"> 16. Draft local law – General Public Amenity 17. Copies of submissions 18. Proposed Presented “Dogs on Leash” areas 19. Proposed Presented “Dogs on Leash” areas aerials

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 and author, I have no disclosable interests in this report.

Purpose

This report presents Council with copies of submissions received to the draft Local Law – General Public Amenity. At the September 2016 Ordinary meeting of Council it was resolved to place the draft Local Law on public notice in accordance with the requirements of Section 119 of the Local Government Act 1989. Submitters to the proposed local law have been invited to address Council in support of written submissions. This report contains background information regarding the preparation of the draft Local Law, a description of the public notification process and a summary of the submissions received.

In conclusion this report recommends that Council takes into consideration the matters raised in the submissions at the Ordinary meeting to be held on 24 January 2017. Any proposed amendment to the draft local law as a result of submissions will be considered with the presentation of a further report proposed to be presented to Council. The current Local Law No. 2 ceases to be in operation on the 24 January 2017 and therefore it is intended that the new Local Law will be finalised and adopted and as soon as practicable.

Background

Council’s current Local Law No. 2 came into operation on the 25 January 2007. Pursuant to Section 122 of the Local Government Act 1989 Local Law No. 2 ceases to be operational on 24 January 2017.

Under section 111 of the *Local Government Act 1989*, a Council has powers to make local laws for or with respect to any act, matter or thing under which the Council has a function or power in accordance with the following general limitations:

- The local law must relate to a power or function Council has under legislation;
- A local law must not be inconsistent with any Act or regulation;
- If a planning scheme is in force in the municipal district of a Council, the Council must not make a local law that duplicates or is inconsistent with the planning scheme;
- A Council must have regard to any guidelines made by the Minister under section 111A of the *Local Government Act 1989* when making local laws; and
- A Council must comply with any prescribed details relating to the preparation and content of local laws when making local laws.

Council's Assets and Amenity directorate began internal workshops on drafting the new local law in February 2016. To date, several workshops have been conducted involving the Environment Services, Works, Planning, Local Laws and Environmental Health teams as the main internal users of the current Local Law No. 2. The workshops identified any current local law inefficiencies, areas of concern and potential solutions, as guided by current local laws in use at municipalities with similar characteristics to Golden Plains Shire.

In addition to the internal workshops, Harwood Andrews Solicitors were engaged to undertake a review and assessment of Council's draft Local Law No. 2 (General Public Amenity). At the Council workshop held on the 23 August 2016 Councillors were presented with a second draft of the revised Local Law No. 2. A number of issues were identified as requiring further attention prior to public notification. These issues related to animal keeping restrictions and shipping container permit requirements. Changes were incorporated into the draft local law and Council then resolved to give notice of its intention to make Local Law No2 – General Public Amenity pursuant to sections 119 and 223 of the *Local Government Act 1989*.

Public Notice

Section 119 of the *Local Government Act 1989* provides:

- 1) *Before a Council makes a Local Law it must comply with the following procedure.*
- 2) *The Council must give a notice in the Government Gazette and a public notice stating –*
 - a) *The purpose and general purport of the proposed Local Law*
 - b) *That a copy of the proposed Local Law can be obtained from the Council office*
 - c) *That any person affected by the proposed Local Law may make a submission relating to the proposed Local Law under section 223.*

Public notification commenced on the 15 October 2016 with notices placed in the Courier and Geelong Advertiser newspapers. A notice was also placed in the Victorian Government Gazette and on the Golden Plains Shire website. Copies of the explanatory report and the draft Local Law were made available at the Customer Service Centres in Bannockburn and Linton.

Submissions

Following public notification Council received eleven (11) submissions to the draft Local Law. A summary of submissions is provided below:

Submission 1. Kelly Forward, 39 Scotland Court

Summary

This submission raises concerns regarding the use of shipping containers on private land. More specifically Kelly's submission addresses concerns regarding visual amenity impacts, conflict with existing standards / restrictions for legitimate domestic storage buildings and compliance with relevant engineering standards ensuring a safe built environment.

Officer's response

This submission is supportive of new restrictions being included in the local law on the use of shipping containers for domestic storage. The concerns raised within Kelly's submission are consistent with complaints received by the Development Unit on a weekly basis. The proposed Local Law seeks to introduce a basic framework for the consideration of future shipping container storage proposals.

Submission 2. Bill MacNeill, Smythesdale Progress Association, C/ Smythesdale Post Office

Summary

The Smythesdale Progress Association has lodged a submission which provides support for the provisions in the draft local law pertaining to designated camping areas. The Association submits that the Smythesdale Gardens should be considered as a location for formal camping designation.

Officer's response

The Smythesdale Progress Association has had much success over many years providing a well serviced, attractive and clean destination for travellers passing through the Smythesdale township. There are a number of management issues that would need to be considered and resolved before a formal agreement could be entered into regarding the ongoing management of the Smythesdale Gardens as a designated camping location in accordance with the Local Law. The draft Local Law is however written in a way that would not preclude any such agreement to be executed at a future time.

Submission 3. John Coumans, 1669 Hamilton Highway, Murgheboluc

Summary

Mr Coumans's submission raises concerns regarding the justification for the various amendments to the existing Local Law 2. Mr Coumans has expressed concern regarding those provisions which provide authorised officers with discretion to determine an offence. Examples include unsightly provisions, stubble burning provisions and the definition of what constitutes a recreational vehicle.

Officer's response

The term 'motorised recreational vehicle' is defined in the preliminary chapters of the draft Local Law. Within Part 2 of the draft Local Law reference is made to 'recreational vehicle'. The draft document will be amended to ensure clarity in definitions and consistency in the use of terms throughout the provisions.

It is considered that Mr Couman's concerns regarding the decision making powers of authorised officers are unfounded. The existing Local Law No.2 contains powers regulating issues such as unsightly land and camping on private land. The establishment of an offence under a Local Law requires the gathering of evidence through a process of investigation. Alleged offenders have the right to seek an independent review of the process behind infringements relating to alleged offences.

Submission 4. Stephen and Sue Higgs, 350 Steiglitz-She Oaks Road, Sheoaks

Summary

Mr and Mrs Higgs have written in support of those draft Local Law provisions that address the use of recreational vehicles on private property.

Officer's response

Whilst generally supportive of the proposed provisions the Higgs suggest a reduction in permissible hours of recreational motor vehicle use on weekdays. They suggest that 7:00pm would be a more appropriate cut-off curfew time for motorised recreational vehicle use. In determining the appropriate curfew time officers had made reference to a range of relevant considerations including other rural noise guidelines, sunset curfew times. The proposed times are considered to strike a balance between the ability of landowners to utilise motorbikes in a rural living landscape and the protection of amenity for others.

Submission 5. Alex and Amanda Hyatt, 56 South-East Road, Sheoaks

Summary

The Hyatts moved to the Shire in pursuit of a quiet rural lifestyle and the opportunity to contribute to the local arts community. The Hyatts are currently impacted by the use of motorbikes on adjoining private land. The Hyatts support the 'thoughtful and intelligent' changes proposed to the draft local law and would like Council to consider further clarification around requirements for mufflers to be fitted to motorised recreational vehicles.

Officer's response

Officers are investigating concerns raised by the residents of Steiglitz regarding ongoing impacts associated with motorbike use on private land. The proposed provisions regarding the fitting of mufflers to motorbikes and motorised recreational vehicles are considered to be adequate.

Submission 6. John and Sherryn Tantua, 29 South-East Road, Sheoaks

Summary

The Tantuas have lodged a submission in support of the proposed draft Local Law provisions relating to restrictions on motorbike use on private land. The Tantuas acknowledge the rights of other land owners to enjoy the use of motorbikes on private land however submit that there is a need for controls on noise level emitted and the length of time bikes are ridden.

Officer's response

See previous comments.

Submission 7. Russell and Kerrin Foster, 35 Hendersons Road, Smythes Creek

Summary

The Foster have concerns regarding activities on an adjoining property. Concerns relate to unlawful storage of car bodies, the construction of rally tracks and the use of dirt bikes. The Fosters are supportive of the proposed Local Law provisions in the hope that they will assist Council in responding to their complaints.

Officer's response

The storage of car bodies on private land frequently results in unsightly complaints or complaints regarding fire danger and the presence of vermin. The determination of what constitutes unsightly land considers a range of elements outlined under Part 2 of the draft Local Law. See previous comments regarding motorbike use on private land.

Submission 8. Peter Stray and Elissa Ashton-Smith, 79 Strong Road, Sheoaks

Summary

Peter Stray and Elissa Ashton-Smith have lodged a submission strongly supporting the draft provisions regarding the use of motorbikes and recreational vehicles on private land. Peter and Elissa implore Council to ensure consistency in the enforcement of the draft provisions.

Officer's response

See previous comments regarding motorbike use on private land.

Submission 9. Keith Damen, 15 Hendersons Road, 15 Henderson Road, Smythes Creek

Summary

Keith Damen has lodged a submission detailing on-going amenity impacts associated with activities on an adjoining property. Mr Damen's submission is supportive of Local Law provisions that would improve Council's ability to respond to complaints regarding unsightly properties, the storage of car bodies and the use of motorbikes on private land.

Officer's response

See previous comments.

Submission 10. Cameron Steele, 109 Kelly Road, Bannockburn

Summary

Mr Steele has lodged a submission regarding the proposed 'restraint of dogs in a public place' provisions. More specifically Mr Steele submits that the provisions are too onerous and 'contrary to the values and lifestyle of our semi-rural Shire'. Mr Steele suggest that the provisions could be amended to identify 'dog on lead locations'. The Council is encouraged to consider fenced 'off lead' areas for dogs not yet fully trained.

Officer's response

Mr Steele's comments regarding the restrictions requiring dogs on leashes outside of designated locations have been carefully considered. The intent of the draft local law provisions was to prevent instances where dogs off the lead have been involved in attacks on other pets, livestock and in the most alarming circumstances, on humans. Council's Domestic Animal Management Plans details a trend of increasing dog attacks across the Shire. The proposed Local Law represents an instrument to direct 'off the lead' dog walking on public land to locations where potential risks can be minimised.

In response to the concerns raised in Mr Steel's submission the officers are now proposing that the Local Law should identify prescribed "dog on leash" areas and that these restrictions be limited only to the more heavily populated public places in the larger towns in the municipality. The areas proposed to be prescribed as "dog on leash" are shown on the attached plans.

Submission 11. Anonymous submitter, Address details unknown

Summary

This submission provides support for further restrictions regarding the use of motorbikes and motorised recreational vehicles on private land.

Officer's response

See previous comments regarding motorised recreational vehicle use.

Discussion

In addition to the formal submissions received in accordance with this public notification process, Council has received other feedback which this report will also respond to.

The majority of provisions contained with the proposed draft Local Law are consistent with other Local Laws adopted by rural and regional Shires throughout the State of Victoria. In comparison to neighbouring and nearby authorities Golden Plains Shire has very few enforcements matters appearing before VCAT or the Courts each year. Legal proceeding statistics suggest that as an authority Golden Plains Shire has had much success in the mediation of compliance matters and is not heavy handed in the application of Local Laws. One of the stated objectives of the draft Local Law is to provide a safe and healthy environment in which the residents of the Shire are provided with an opportunity to enjoy a quality of life that enhances their well-being. The draft provisions have been developed in the interests of achieving the overarching objectives.

A response is provided to the issues raised regarding provisions related to camping on freehold land, storage on freehold land, shipping containers, dogs on leashes, roadside training and livestock on roads.

The restriction of a cumulative total of 60 days in a calendar year to camp on private land is a feature of our current Local Law and it is considered to be more than reasonable as a regulatory control. Legitimate camping on private land is rarely the source of complaints received by Council. Camping is often the stated excuse for the permanent and unlawful occupation of structures without appropriate building approvals. Following the release of the recommendations from the Black Saturday Royal Commission Council undertook a range of compliance measures to create a safer built environment for all residents and ratepayers. One important project was the identification of sheds and other basic structures located within bushfire prone locations where individuals were alleged to reside. Many of the permanent tenants of 'at risk' structures claimed to be camping.

Domestic storage on vacant land is another issue with a significant history of complaints and associated regulatory compliance actions. The Golden Plains Shire Planning Scheme makes a distinction between the use of land for domestic or agricultural storage purposes. On farming zoned properties supporting a legitimate farming enterprise agricultural storage is typically considered to be an 'as of right' activity. Owners of vacant land (i.e. land with no lawful domestic occupation) not utilised for the purposes of agriculture must obtain planning approval for the use of land for a store. Our Investigations Officer spends a considerable amount of time investigating complaints related to unlawful storage on private land. Typically complaints to Council address issues regarding fire danger, the presence of snakes and vermin, noxious weeds and the matter of unsightly appearance.

For the reasons previously addressed in this report the proposed decision framework for the assessment of new shipping container permits is considered to be a reasonable approach to an issue which presents in many complaints received by Council. A system that details suggested decision guidelines without the need for a permit could not be enforced.

Roadside trading is an area which requires a degree of regulation. Signage should be considered against guidelines to protect the safety of motorists and the amenity of rural landscapes. Food Act considerations are there to ensure basic standards of food handling. The location of roadside trading activities also has potential to have significant amenity impacts as a result of traffic, noise or emissions. The sale of motor vehicles is a separate matter which presents its own unique issues. For-sale signs in the window of a car at the front of a house might not be an issue for an individual selling a car, however it is likely to be highly offensive to the property owner on the corner with five vehicles lined up on their nature strip.

With regards to the provisions concerning livestock movement on roads, officers acknowledge that the legal structure of the Local Law may be difficult to interpret. The provisions are required to capture a complex issue and where appropriate allow discretion for an authorised officer to consider specific matters in determining whether or not a permit should issue for a particular activity.

In summary the public notification process has identified that there is significant support for the regulatory structure afforded by the draft Local Law. A number of the submissions indicate support for the provisions relating to issues such as greater control on the use of motorised recreational vehicles on private land and domestic storage within shipping containers.

In responding to two of the submissions, regarding the consistent use of terminology to describe recreational vehicles, officers propose to make minor changes to the definitions section of Part 1 and a heading contained within Part 2.

In considering submissions to the draft Local Law Council must consider the impact of changes made to the document placed on public notification. The guidelines for Local Laws manual produced by the State Government suggests that minor changes can be incorporated with little consequence to the approval process. However if the change has any substance Council will need to consider whether:

- The purpose and general purport remain accurately stated in the public notice.
- The Local Law remains essentially the same as that advertised and made available.

Council needs to consider whether any proposed amendment for the Local Law could prompt a community group to want to make a submission. If so, Council would need to commence the public notice process again to afford that opportunity.

Community Engagement

A formal consultation process developed in accordance with the requirements of the Local Government Act 1989 has been undertaken.

Financial & Risk Management Implications

Financial implications associated with the implementation of the draft Local Law have been considered. The implementation of the draft provisions can be accommodated within current operating budgets.

It is considered that there are no risk management implications.

Economic, Social & Environmental Implications

Economic implications associated with the public notification process have been considered and can be appropriately met within existing operating budgets.

It is considered that the draft local laws serve to protect the environmental values and objectives of Council.

Communications

A basic communications plan has been prepared.

Conclusion

The public notification process has revealed strong community support for the draft local law. It is important to review the key objectives of the document and to consider the justification for the provisions contained within. Local laws are not written to restrict the rights of law-abiding citizens but rather to afford a safe and healthy environment for all residents. A number of changes are proposed to be incorporated into the draft Local Law by officers in response to submissions. The Councillors are presented with submissions to consider the concerns raised by residents and ratepayers.

Moved Crs Hansford/Gilbert

That Council suspend standing orders to hear a submission from Alex Hyatt.

Carried

It is recorded that Council suspended Standing Orders at 5.36pm.

Mr Hyatt addressed the committee between 5.36pm and 5.44pm.

Moved Crs Hansford/Sharkey

That Council resume Standing Orders.

Carried

It is recorded that Council resumed Standing Orders at 5.44pm.

Moved Crs Kirby/Gilbert

That, subject to any further amendment, Council adopts Local Law No. 2 - General Public Amenity at its Ordinary meeting on 24 January 2017.

Carried

4. REPORTS

4.1 KEY RESULT AREA – CIVIC LEADERSHIP

4.1.1 Confidential: 2017 Australia Day Awards

This report will be heard at item 7.5.1 as it contains confidential information.

4.2 KEY RESULT AREA – CITIZEN & CUSTOMER SERVICE

4.2.1 Road Re-naming: Archie Lane to Waterview Way, Bannockburn

Department	Corporate Services
Unit	Corporate Services
Senior Manager	Richard Trigg, Director Corporate Services
Responsible Manager	Richard Trigg, Director Corporate Services
Author	Richard Trigg, Director Corporate Services
File References	EDMS file: 35-01-001
Council Plan Link	
Relevant Council Strategies	
Relevant Policies & Legislative Frameworks	
Attachments	20. Map of Archie Lane

Declarations of Interest: Councillors & Officers

Richard Trigg: In providing this advice as the senior manager, responsible manager and author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to propose an alternative name for Archie Lane, Bannockburn. This has come about due to confusion with Archer Way, (also in Bannockburn) for visitors and emergency services.

Background

Geographic Names is the mandatory naming authority in Victoria for Features, Localities and Roads. All names and re-namings must be sent to Geographic Names for verification against their strict guidelines.

To ensure that all requirements are met, an 'in principle submission' is provided to Geographic Names to ascertain if they will accept this name before the Council process begins.

Discussion

Representation was received from the Bannockburn Unit of the State Emergency Service (SES) early in 2016 to alter the name of Archie Lane, due to the confusion being created for emergency vehicles when called to incidents in the Bannockburn area.

Archie Lane is located in the Willowbrae Estate and runs off Willowbrae Way. It appears on Plan of Subdivision PS 640282 with a reserve on PS613371. Archer Way is located a few kilometres away from Archie Lane in the Chargrove Estate.

Following the representation to rename Archie Lane, an 'in principle' submission was made to Geographic Names Victoria to ascertain if the name chosen by the Developer, would be accepted.

The name 'Max Lane' was submitted and subsequently rejected by Geographic Names Victoria as there was no link to Max (being the nickname of the Developer's grandfather who lived in Anakie) with Bannockburn.

Another 'in principle' submission was submitted with the name Waterview Lane and this now has an 'in principle' acceptance by Geographic Names, therefore the Council process can commence.

Community Engagement

The name Waterview Lane has been supplied by the developer. Letters will be posted to the two residents and one land owner of the land in Archie Way informing them of the need to alter the name. A public notice will be placed in the Geelong Advertiser and The Courier to enable any submissions to be provided regarding this name change.

Financial and Risk Management Implications

The financial implications will be minimal and can be accommodated within existing budgets. It is considered that there are no risk management implications

Economic, Social and Environmental Implications

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

Communications

If this recommendation is adopted by Council, a public notice will be placed in newspapers circulating in the Shire detailing Council's intention to name this road and inviting submissions, along with letters posted to the three land owners on Archie Lane.

Conclusion

Due to the similarity of the names Archie Lane and Archer Way, both in Bannockburn, there is a need to alter the name of one of these. As Archie Lane has the least residents, it was decided to amend this name to Waterview Lane.

Moved Crs Hansford/Evans

That Council:

- 1. Advertise its intention to rename Archie Lane to Waterview Lane, and***
- 2. Consider any submissions received following the advertised period, and if no objections received, proceed with the gazettal process.***

Carried

4.3 KEY RESULT AREA – ECONOMIC DEVELOPMENT

No report.

4.4 KEY RESULT AREA – FINANCIAL MANAGEMENT

4.4.1 Valuation Best Practice - General Revaluation of Rateable Properties

Department	Corporate Services
Unit	Corporate Services
Senior Manager	Richard Trigg, Director Corporate Services
Responsible Manager	Richard Trigg, Director Corporate Services
Author	Richard Trigg, Director Corporate Services
File References	EDMS file: 01-01-002
Council Plan Link	1.5.1.4 Review Rating (Revenue) Strategy
Relevant Council Strategies	Rating (Revenue) Strategy
Relevant Policies & Legislative Frameworks	<ul style="list-style-type: none"> ▪ Local Government Act 1989 ▪ Valuation of Land Act 1960
Attachments	Nil

Declarations of Interest: Councillors & Officers

Richard Trigg: In providing this advice as the senior manager, the responsible manager and the author I have no disclosable interests in this report.

Purpose

The purpose of this report is to ensure Council undertakes a general revaluation of all rateable properties within the Shire based on levels of valuation as at 1 January 2018.

Background

Valuation Best Practice (Victorian Government Policy supported by legislation) requires Council to conduct a general revaluation of all rateable properties within the Shire based on levels of valuation as at 1 January 2018 to be returned by the 31 March 2018 for use in the 2018-19 and 2019-20 financial years.

Opteon (Victoria) will return the revaluation in accordance with its existing contract with Council.

Discussion

With Valuation Best Practice and common practice of Golden Plains Shire Council, Council makes the determination 12 months prior to the valuation date of 1 January 2018.

Community Engagement

A formal consultation process is not required.

Financial & Risk Management Implications

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

Economic, Social & Environmental Implications

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

Communications

Section 6 of the *Valuation of Land Act 1960* requires Council to notify the Valuer-General and other rating authorities interested in the valuation of land within Golden Plains Shire, of its intention to carry out a general revaluation. These authorities include the State Revenue Office,

Colac Otway Shire, City of Greater Geelong, Surf Coast Shire, Moorabool Shire, Pyrenees Shire, Corangamite Shire and the City of Ballarat.

Conclusion

The notification is a legal requirement and best practice requires that notification to be given twelve months prior to the intended revaluation.

Moved Crs Rowe/Gilbert

- 1. That Council cause a General Revaluation of all rateable properties within the Golden Plains Shire to be returned by 31 March 2018 in accordance with the Valuation of Land Act 1960.***
- 2. That Council give written notice to the Valuer-General and other interested authorities within the meaning of Section 2 of the Valuation of Land Act 1960 of its decision to cause a General Revaluation to be made of all rateable properties within the Golden Plains Shire.***

Carried

4.4.2 Quarterly Budget Report – 3 Months Ended 30 September 2016

Directorate	Corporate Services
Unit	Finance
Senior Manager	Richard Trigg, Director Corporate Services
Responsible Manager	Jason Clissold, Finance Manager
Author	Jason Clissold, Finance Manager
File References	EDMS file: 40-01-010
Council Plan Link	Implement Strategic Resource Plan
Relevant Council Strategies	Strategic Resource Plan Annual Budget
Relevant Policies & Legislative Frameworks	<ul style="list-style-type: none"> ▪ Local Government Act 1989 ▪ Local Government Amendment (Fair Go Rates) Act 2015 ▪ Local Government (Planning and Reporting) Regulations 2014
Attachments	21. Quarterly Budget Report – 3 Months Ended 30 September 2016

Declarations of Interest: Councillors & Officers

Richard Trigg: In providing this advice as the senior manager, I advise that I have no disclosable interests in this report.

Jason Clissold: In providing this advice as the responsible manager and author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to present the Quarterly Budget Report – 3 Months Ended 30 September 2016 to Council for adoption.

Background

Section 138 of the Local Government Act 1989 requires a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date be presented to Council at least every 3 months.

Council has completed three months of the 2016-17 financial year. The attached budget report has been prepared on an operating basis and includes the following:

- Income Statement;
- Balance Sheet;
- Statement of Cash Flows;
- Statement of Capital Works; and
- Key Result Areas.

Each of the above statements show the original budget together with the current forecast and the actual results for the three month period July 2016 to September 2016.

The report was tabled at the 22 November Audit and Risk committee for review and discussion. The Committee recommended that the report be adopted by Council.

Discussion

The Senior Management Team has met to review the quarterly results. They are satisfied that the overall surplus remains consistent with the original budget and maintains Council's sustainable financial position, as depicted in its Strategic Resource Plan.

The current forecast projects a surplus of \$5.8m for the year ending 30 June 2017 compared to the original surplus of \$5.2m. This positive movement is primarily due to:

- \$1.6m in capital grants and contributions forecast to be received in 2016-17, that were not received in 2015-16 due to the timing of capital projects.
- \$1m of expenditure rolled forward from 2015-16, to complete funded projects/programs.

It must be noted that this forecast result assumes that all projects and services are fully expended by 30 June 2017, which is often not the case. Further detail is provided in the attached budget report.

The 'Adjusted Underlying Result', which removes any non-recurrent grants used to fund capital expenditure, non-monetary asset contributions and other contributions to fund capital expenditure from the result, is forecast to be a deficit of \$260k, compared to a budget surplus of \$498k. This formula is prescribed within the Local Government (Planning and Reporting) Regulations 2014.

This decrease in the 'Adjusted Underlying Result' does not represent a permanent impact on Council's financial position as the variance is primarily due to the timing of 2015-16 project/programs. I.e. projects that were budgeted for in 2015-16 are now forecast to be delivered in 2016-17.

Total expenditure in the Statement of Capital Works is forecast to be \$15.8m compared to the original budget of \$12.3m. This increase of \$3.5m is due to projects rolled forward from 2015-16.

Community Engagement

A formal consultation process was not required.

Financial & Risk Management Implications

The financial implications are explained within this agenda and the attached budget report.

It is considered that there are no risk management implications.

Economic, Social & Environmental Implications

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

Communications

It is considered that a communication plan is not required.

Conclusion

Financial controls and regular monitoring by officers should ensure that the current forecast remains consistent with the original budget adopted by Council, after allowing for roll forwards and budget reallocations.

The financial results detailed in the attached budget report remain consistent with the objectives adopted in Council's Strategic Resource Plan and meet the principles of sound financial management as required under Section 136 of the Local Government Act.

Moved Crs Kirby/Rowe

That Council adopts the Quarterly Budget Report for the 3 Months Ended 30 September 2016.

Carried

4.5 KEY RESULT AREA – HUMAN SUPPORT SERVICES

No report.

4.6 KEY RESULT AREA – RECREATION & COMMUNITY DEVELOPMENT

4.6.1 Review of Council Policy 5.1 – Community Grants Program

Department	Community Services
Unit	Recreation
Senior Manager	Jill Evans, Director Community Services
Responsible Manager	Louisa White, Community Development Manager
Author(s)	Louisa White, Community Development Manager
File References	EDMS file: 80-04-002
Council Plan Link	Implement the Recreation Strategy
Relevant Council Strategies	Recreation Strategy
Relevant Policies & Legislative Frameworks	Council Policy 5.1 – Community Grants Program
Attachments	22. Council Policy 5.1 – Community Grants Program 23. Previous Council Policy 5.1 – Community Grants Program

Declarations of Interest: Councillors & Officers

Jill Evans: In providing this advice as the senior manager, I advise that I have no disclosable interest in this report.

Louisa White: In providing this advice as the responsible manager and author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to review Council Policy 5.1 – Council Grants Program

Background

This policy was last reviewed and amended in December 2013 and is now due for review.

Discussion

The Council policy has been reviewed and has changed from the previous policy to reflect Council's current practice. The policy is based on research from other Council grant policies, recommendations from the White Ribbon Group and to reflect the feedback from Councillors and the community.

The Program sits within the Council's vision for the Golden Plains Shire which provides the framework for the goals of the program and the priorities for funding.

The policy includes:

1. Council's commitment to providing the community with funding;
2. Priorities for funding; and
3. The funding framework

Community Engagement

Community feedback is sought each year as part of the application process. Further feedback is received as part of the community grant workshops.

Financial & Risk Management Implications

The funding for the community grants program is determined by Councillors at the annual budget workshops.

The community grants program enables communities and Council to work in partnership to meet community needs, maximising resources and achieving more together than Council could alone.

It is considered that there are no risk management implications.

Economic, Social and Environmental Implications

The Shire provides grants to community organisations to enhance the wellbeing and quality of life of Golden Plains Shire residents.

The program:

- Encourages and assists common interest groups to take an active involvement in the life of their community for the overall benefit of that community and its members;
- Helps communities to help themselves to become stronger and more economically, environmentally and socially sustainable;
- Increases leadership and other civic skills within communities so as to enhance the capacity of those communities to address local issues and challenges and to build vibrant, healthy places; and it
- Develops a sense of community spirit, pride, ownership and identity within communities.

It is considered that there are no environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

The Community Grants Program aims to enable community groups to further meet the needs of the wider community in a partnership relationship with Council. The Program sits within the Council's vision for the Golden Plains Shire which provides the framework for the goals of the program and the priorities for funding.

The policy reflects current practice in the allocation of community grants and

- Outlines Council's commitment to providing the community with funding;
- Provides the broad framework which guides the grant administration and assessment process;
- Ensures that the administration and assessment of all Council grant applications are transparent, equitable, inclusive and understood by the community; and
- Identifies the acquittal and evaluation requirements to ensure Council and funding recipients remain appropriately accountable

Moved Crs Hansford/Gilbert

That Council adopts Policy 5.1 – Community Grants Program as attached.

Carried

4.7 KEY RESULT AREA – ROADS & STREETS INFRASTRUCTURE

4.7.1 Contract: GPS-T14/2016 – McPhillips Road & Victor Street Bannockburn Roadworks – Stage 1A

Directorate	Assets and Amenity
Unit	Works
Senior Manager	Greg Anders, Director Assets & Amenity
Responsible Manager	David Greaves, Works Manager
Author	Tony Talevski, Team Leader Roads & Waste
File References	EDMC file: 39-119-001 Contract Number: GPS-T14/2016
Council Plan Link	To maintain and enhance the road network at a level that adequately satisfies transportation needs
Relevant Council Strategies	Road Strategy
Relevant Policies & Legislative Frameworks	N/A
Attachments	24. Confidential Attachment: GPST14 2016

Declarations of Interest: Councillors & Officers

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

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

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

Purpose

This report seeks Council approval to the awarding of a tender for reconstruction of McPhillips Road and Victor Street Bannockburn (\$800,000) - Stage 1A.

Background

The costs of this reconstruction program provided for are in the 2016-17 budget. This is to be 100% funded via the Federal Government's Roads to Recovery program.

This project has attracted high priority status because of the significant increase in traffic volumes associated with the High Street intersection works and further increases which will occur following commencement and completion of the new shopping complex.

Construction works include:

- Kerb & channel
- Underground drainage
- New pavement and shoulder widening
- Footpath along Victor Street and McPhillips Road

The specification invited tenders for all civil works required to complete the scope of works as defined in the construction drawings and the schedules of quantities. The proposed works are highlighted blue in the following locality plan.



LOCALITY PLAN
 NOT TO SCALE



As the purchase exceeds the \$150,000 (incl. GST) threshold detailed in Council's Procurement Policy it must be undertaken by way of public tender.

This tender process was conducted by public tender.

Tenders were received from the following:

No.	Tenderers
1	Draper's Civil Contracting
2	Enoch Civil Group
3	Lake and Land
4	Patash and Civil (Group) Pty Ltd

Further detail on pricing is included in the confidential attachment.

Discussion

Tender Evaluation

The Tender Evaluation Panel (TEP) was formed by the following personnel:

1. Greg Anders – Director Asset and Amenity
2. Jason Clissold – Finance Manager
3. Tony Talevski – Team Leader Roads and Waste

Chairperson: Julie Brown – Contract and Procurement Officer

Tenders were rated using the following criteria and weightings

A	Compulsory Criteria	Weighting
	OH & S	Pass/Fail
	Insurance	Pass/Fail
B	Qualitative Assessment	
	Capability – Project Delivery	20%
	Capability – Experience & past performance	20%
C	Quantitative Assessment	
	Pricing	60%

Scoring

The tender evaluation panel conducted a thorough evaluation of all tenders. The evaluation panel determined a consensus for each weighted criteria to allow an evaluation score out of 100 for each tender.

As per Table 2 in the confidential attachment, the tender submitted by Drapers Civil Contracting Pty Ltd is the preferred tenderer as it has the highest ranking of all submitted tenders and is therefore considered to provide Best Value to Council.

Community Engagement

A formal consultation process was not required.

Financial & Risk Management Implications

Please note that the tendered prices are GST inclusive. The following figures relating to the budget are GST **exclusive**.

The 2016-17 budget provides for the project as follows:

Available Funding		
	9007171	\$800,000
	Total Excluding GST	\$800,000
Anticipated Expenditure (excluding GST)		
	Contract	\$718,253.00
	Schedule of Rates	As detailed
	Provisional Sums (as allowed in contract price)	\$80,690.00
	Total Tender Price	\$798,943.00
	GST (10%)	79,894.30
	Total Including GST	\$878,837.30

The tendered price from Draper's Civil Contracting Pty Ltd of \$878,837.30 (Inc GST) is within the available budget for this project.

Risk Management Implications

It is considered that there are no risk management implications.

Economic, Social & Environmental Implications

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

Communications

It is considered that a communication plan is not required.

Conclusion

Based on the tender information received and the detailed assessment by the tender evaluation panel Draper's Civil Contracting Pty Ltd was deemed to provide Best Value to Council with a weighted score of 96/100.

Moved Crs Hansford/Rowe

That Council resolves to award Contract GPS-T14/2016, for the reconstruction of McPhillips Road and Victor Street Bannockburn, Stage 1A, to Draper's Civil Contracting Pty Ltd for the tendered amount of \$878,837.30 (including GST).

Carried

4.7.2 Contract GPS-T13/2016: Supply & Delivery of One 10 Cubic Metre Forward Control Tandem Tip Truck P353 & Super Dog Trailer P346

Directorate	Assets and Amenity
Unit	Works
Senior Manager	Greg Anders, Director Assets and Amenity
Responsible Manager	Greg Anders, Director Assets and Amenity
Author	Keryn Sosinski, Fleet Services Coordinator
File References	<ul style="list-style-type: none"> ▪ EDMS file: 39-118-001 ▪ Contract Number: GPS-T13/2016
Council Plan Link	Financial Management, 10-Year Financial Plan
Relevant Council Strategies	<ul style="list-style-type: none"> ▪ Strategic Planning Framework: Financial Management Annual Budget. ▪ Road Strategy
Relevant Policies & Legislative Frameworks	<ul style="list-style-type: none"> ▪ Local Government Act 1989 ▪ Procurement Policy
Attachments	25. Confidential attachment GPS-T13/2016

Declarations of Interest: Councillors & Officers

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

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

Purpose

This report seeks Council approval to the awarding of a tender for the supply and delivery of one tip truck and one super dog trailer, as replacements for one of the existing tip trucks and super dog trailers in Council's plant fleet.

Background

The existing tipper truck, an Isuzu (P353), and super dog trailer (P346) are major items of plant which are utilised for the annual road construction and maintenance programs. Replacement of the tip truck and super dog trailer is in accordance with Council's Plant Replacement Schedule. The costs of replacing the tip truck and super dog trailer are included in the 2016-17 budget.

As the purchase exceeds the \$150,000 (incl. GST) threshold detailed in Council's Procurement Policy it must be undertaken by way of public tender.

The specification called for a Tandem Tip Truck and 13 cubic metre Super Dog Trailer, diesel powered vehicle, with power rating minimum of 305 kilowatts, enabling the vehicle to be registered for a maximum current gross carrying mass (GCM) of 26 tonne. Minimum torque should be no less than 1600 Nm.

This tender process was conducted utilising the MAV Procurement Plant, Machinery and Equipment contract. This contract was established in accordance with s.186 of the Local Government Act 1989.

The following three tenders were received.

No.	Tenderers
1	Ballarat Isuzu Trucks (Chris's Body Builders)
2	Ballarat Isuzu Trucks (Carli Engineering)
3	Winter and Taylor

Ballarat Isuzu submitted two tenders using two different body builders, Chris's Body Builders and Carli Engineering.

Further detail on pricing is included in the confidential attachment.

Tender Evaluation

The Tender Evaluation Panel (TEP) was formed by the following personnel:

1. Paul Thompson, Works Superintendent
2. Tony Talevski, Team Leader Roads and Waste

Chairperson: Keryn Sosinski, Fleet Services Technical Officer

All members declared that they did not have a conflict of interest.

Tenders were rated using the following criteria and weightings

A	Compulsory Criteria	Weighting
	OH & S	Pass/Fail
	Insurance	Pass/Fail
B	Qualitative Assessment	
	Compliance with specification	30%
	After Sales Support	10%
	Warranty	10%
C	Quantitative Assessment	
	Pricing	50%

Scoring

The tender evaluation panel conducted a thorough evaluation of all tenders. The evaluation panel determined a consensus score for each weighted criteria to allow an evaluation score out of 100 for each tender.

As summarised in Table 2 in the confidential attachment, the tender submitted by Ballarat Isuzu Trucks (Chris's Body Builders) is the preferred tenderer as it has the highest ranking of all submitted tenders and is therefore considered to provide Best Value to Council.

Community Engagement

A formal consultation process was not required.

Financial & Risk Management Implications

Please note that the tendered prices are GST inclusive. The following figures relating to the budget are GST **exclusive**.

The 2016-17 budget provides for the replacement of these two items of plant as follows:

Available funding (excl GST)		
	08063 Tandem Tipper (P353)	\$195,000.00
	08078 Super Dog Trailer (P346)	\$75,000.00
Total		\$270,000.00
Anticipated Expenditure (excl GST)		
	Contract	\$234,630.36
	Stamp Duty	\$6971.40
	Registration	\$3998.19
Total		\$245,599.95 Or \$269,062.99 (inc GST)

The tendered price from Ballarat Isuzu Trucks (Chris's Body Builders) of \$269,062.99 (Inc GST) is within the available budget for this purchase.

The items of plant being replaced will be sent to auction in accordance with Council's current practice.

Risk Management Implications

It is considered that there are no risk management implications.

Economic, Social & Environmental Implications

It is considered that there are no economical or social implications.

Disposal of waste products from servicing (oils, filters etc.) in accordance with sound environmental practices, is provided for through the servicing arrangements. It is considered that there are no other environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

Based on tender information received and subsequent detailed assessment, Ballarat Isuzu Trucks (Chris's Body Builders) was deemed to provide Best Value to Council with a weighted score of 90/100.

Moved Crs Hansford/Kirby

That Council resolves to award Contract GPS-T13/2016, for the supply and delivery of one 10 cubic metre Forward Control Tandem Tip Truck and one 13 cubic metre Super Dog Trailer, to Ballarat Isuzu Trucks (Utilising Chris's Body Builders for both tray bodies) for the tendered amount of \$269,062.99 (including GST).

Carried

4.7.3 Contract: GPS-T11/2016 – New or Demonstration Wheel Loader (diesel powered with power rating between 120 & 140 Kilowatts)

Directorate	Assets and Amenity
Unit	Assets and Amenity
Senior Manager	Greg Anders – Director Asset & Amenity
Responsible Manager	David Greaves – Works Manager
Author	Keryn Sosinski – Acting Fleet Technical Officer
File References	<ul style="list-style-type: none"> ▪ EDMS file: 39-107-001 ▪ Contract Number: GPS-T11/2016
Council Plan Link	Financial Management, 10-Year Financial Plan
Relevant Council Strategies	<ul style="list-style-type: none"> ▪ Strategic Planning Framework; Financial Management ▪ Annual Budget ▪ Road Strategy
Relevant Policies & Legislative Frameworks	<ul style="list-style-type: none"> ▪ Local Government Act 1989 ▪ Procurement Policy
Attachments	26. Confidential Attachment GPS-T11/2016

Declarations of Interest: Councillors & Officers

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

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

Purpose

This report seeks Council approval to the awarding of a tender for the supply and delivery of one new or demonstration Diesel Powered Wheel Loader, Diesel powered with Power rating between 120 and 140 kilowatts, as replacements for the existing Wheel Loader in Council's plant fleet.

Background

The existing wheel loader is a major item of plant utilised for the annual road construction and maintenance programs. Replacement of the wheel loader is in accordance with Council's Plant Replacement Schedule. The cost to replace the wheel loader is included in the 2016/17 budget.

As the purchase exceeds the \$150,000 (incl. GST) threshold detailed in Council's Procurement Policy it must be undertaken by way of public tender.

The specification called for a new or demonstration wheel loader, diesel powered with power rating between 120 and 140 kilowatts.

This tender process was conducted utilising the MAV Procurement Plant, Machinery and Equipment contract. This contract was established in accordance with s.186 of the Local Government Act 1989.

The officers are not recommending acceptance of the lowest tender because it does not deliver a best value outcome to Council. The confidential attachment provides more detailed information in regard to this matter.

Tenders were received from the following:

	Tenderer	Make/Model
1	Hitachi Construction Equipment Pty Ltd	ZW180-5
2	Hitachi Construction Equipment Pty Ltd	544-Z-Bar
3	CJD Equipment Pty Ltd	L70F
4	Hitachi Construction Equipment Pty Ltd	ZW220-5
5	Clark Equipment	Doosan DL300
6	JCB Construction Equipment	Not specified
7	William Adam	CAT 938K
8	Komatsu	WA2000PZ-6
9	CJD Equipment Pty Ltd	L90F
10	Komatsu	WA320PZ
11	Tutt Bryant Equipment Sales	Not specified
12	CJD Equipment Pty Ltd	SDLG LG946L

Discussion

Further detail on pricing is included in the confidential attachment.

Tender Evaluation

The Tender Evaluation Panel (TEP) was formed by the following personnel:

1. Tony Talevski, Team Leader Roads and Waste
2. Paul Thompson, Works Superintendent

Chairperson: Keryn Sosinski, Acting Fleet Technical Officer

Tenders were rated using the following criteria and weightings

A	Compulsory Criteria	Weighting
	OH & S	Pass/Fail
	Insurance	Pass/Fail
B	Qualitative Assessment	
	Compliance with specification	30%
	After Sales Service	10%
	Warranty	10%
C	Quantitative Assessment	
	Pricing	50%

Scoring

The tender evaluation panel conducted a thorough evaluation of all tenders. The evaluation panel determined a consensus for each weighted criteria to allow an evaluation score for each tender, out of 100.

Community Engagement

A formal consultation process was not required.

Financial & Risk Management Implications

Please note that the tendered prices are GST inclusive. The following figures relating to the budget are GST **exclusive**.

The 2016-17 budget provides for the replacement of this item of plant as follows:

Available funding (excl GST)	
8109 Caterpillar 928 4WD Loader P315	\$250,000
Total	\$250,000
Anticipated Expenditure (inc GST)	
Contract	\$241,505.00
Registration & Insurance	As determined by Vic Roads
Total	\$ 241,505.00

The tendered price from Hitachi Construction Equipment Pty Ltd is less than the available budget for this purchase.

The item of plant being replaced will be sold at auction in accordance with Council's current practice.

Risk Management Implications

It is considered that there are no risk management implications.

Economic, Social & Environmental Implications

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

Communications

It is considered that a communication plan is not required.

Conclusion

As per Table 2 of the confidential attachment, the tender submitted by Hitachi Construction Equipment Pty Ltd is the preferred tenderer as it has the highest ranking of all submitted tenders and is therefore considered to provide Best Value to Council.

Moved Crs Kirby/Hansford

That Council resolves to award Contract GPS-T11/2016, for the supply and delivery of one new diesel powered wheel loader, with power rating between 120 and 140 kilowatts to Hitachi Construction Equipment Pty Ltd (ZW180-5) for the tendered amount of \$241,505.00 (including GST).

Carried

4.8 KEY RESULT AREA – WASTE MANAGEMENT

No report.

5. NOTICES OF MOTION

5.1 OPPORTUNITIES FOR SHARED SERVICES BETWEEN SHIRES

File: 02-03-004

Cr David Evans

The following notice of motion was received from Cr David Evans on 25 November 2016.

'In light of the fact that at the MAV workshop we were informed of different shires co-operating in service delivery was already taking place in the state. We as a shire should investigate and see how it could be of benefit to Golden Plains Shire.

Examples of this are as follows:

Strathbogie Shire and Greater Shepparton Shire

Projects include graders without borders, joint legal services, procurement, organisation development and working together to establish a bridge asset management plan.

2015-2015 both Councils saved \$1.96m

2016-2017 expected savings of \$2.16m

Cr David Evans intends to do his own research regarding this and will produce examples for discussion. Councillors can then determine if it should be included in our Council Plan.'

Signed Cr David Evans

The Mayor, Cr Des Phelan, did not accept the Notice of Motion based on legal advice that the matters raised were operational and outside the powers of the Council to consider.

Officer's Response

Legal advice has confirmed that the matters raised around service delivery, graders without borders, joint legal services, procurement, organisation development and establishing a bridge asset management plan, are operational matters within the responsibility of the Chief Executive Officer, outside the powers of the Council and Council does not have the power to consider these matters.

Golden Plains Shire is committed to the principle of shared service delivery and Council should note that shared procurement arrangements and collaboration already exists in many areas. Golden Plains Shire partners with other municipalities with diverse approaches.

1. Graders without Borders

In September 2014, Shepparton and Strathbogie Councils launched the Goulburn Valley Regional Collaborative Alliance initiative. The media reports claimed that the Alliance would achieve real savings across both Councils by sharing services and resources wherever possible. The first collaborative project was 'Graders without Borders'.

Strathbogie Shire Council have advised that:

- Graders used only on maintenance grading in adjoining Council areas by agreement
- Supposed to work on a time for time basis, but there is no documentation recording the allocation of time spent under the Alliance agreement
- The benefits have not been quantified or proven
- Considered by some to be a public promotion exercise without any real financial or resourcing benefit to either Council
- Not being properly administered because of time and resources required

Additionally, given that Council's fleet of four graders are fully utilised on Council's local road network, it would not be practical for Council to allow its graders to be working in adjoining shires.

2. Bridge Asset Management Plan

Golden Plains Shire has a bridge management plan (register) which provides details for each structure in regard to age, span, width and type of construction.

Golden Plains Shire maintains 138 major bridge structures, comprising bridges with major timber components, reinforced concrete bridges, large concrete culverts and large steel culverts. The bridges are an integral part of Council's local road network.

The most recent Moloney Bridge Condition Survey Report 2013 states that the bridges have a replacement value of \$33,535,441 and an annual depreciation of \$350,439. The bridges are maintained through periodic (renewal and rehabilitation) and routine (repair) maintenance. The Moloney Bridge Survey concluded that the bridge assets are in a relatively poor overall condition largely due to the age profile of the structures.

The Moloney bridge asset inspection program identified that there are currently 16 bridges that will most likely require major rehabilitation or renewal over the next 10 years. Council allocates \$100,000 each year for routine bridge maintenance and has been allocating \$150,000 each year for periodic bridge rehabilitation. Moloney has recommended that Council gives consideration to increasing its annual allocation for periodic bridge rehabilitation from \$150,000 to \$489,000.

In regard to external funding, Council continues to take every opportunity that presents itself – primarily this is through the Federal Government's Bridges Renewal Program.

In 2016-17, Council is replacing the existing bridge over Mt Misery Creek on the Pitfield–Cressy Road with a new, twin cell crown unit structure. The existing structure has had a 15 tonne load limit applied to it because of its overall poor structure condition. The road provides access to the Werneth grain storage facility and is a strategic heavy vehicle transport route, primarily for agricultural vehicles. The total project cost is \$600,000 and \$300,000 of external funding has been secured from the Federal Government.

An application for funding will be submitted to the Federal Government shortly under the next round for replacement of Franklin Bridge at Scotsburn on the Scotchmans Lead Road. This will be a joint application with the City of Ballarat because the bridge is on the boundary between the two municipalities. The estimated total project cost is \$1.5 million, with each Council contributing \$375,000.

Council has recently engaged the services of consulting engineers to prepare the concept and alignment plans for a proposed new bridge (Coopers Bridge on the Meredith-Steiglitz Road). This bridge is in poor condition (identified in the Moloney Bridge Asset Report) and has a load limit. It is also a very narrow bridge on a poor alignment. There was a fatality at the site 2-3 years ago. The concept plans will enable Council staff to complete cost estimates to support an application for funds to the Federal Government under the Bridges Renewal Program, under the round which will open in late 2017.

3. Procurement

South West Regional Procurement Network (SWRPEN)

At present, the Regional Procurement Network consists of the following Councils: Ararat, Ballarat, Colac Otway, Corangamite, Geelong, Glenelg, Golden Plains, Hepburn, Moorabool, Moyne, Pyrenees, Queenscliff, Southern Grampians, Surf Coast and Warrnambool. Councils are represented by officers with each representative having a broad insight into the procurement requirements of their respective Council.

It is the intention of the SWRPEN to identify common ground for collaborative procurement projects however due to the vast geographical distances and varying contractual requirements, differing timeframes and unique differences relative to individual contracts, it has been difficult to identify new areas for co-operation. The theory of collaborative procurement is sound, but the

practicality of bringing together people, employed in various capacities across multiple Councils, is not an easy task.

The SWRPEN is currently working together to create common template tender documents for consistency across the region.

MAV Procurement

Several contracts have been executed for the provision of goods and services through the MAV procurement. Golden Plains Shire Council has elected to be party to several of these agreements including, ICT Professional Services, trucks, plant and machinery and microsoft software.

Whilst the MAV seeks to initiate contracts to offer 'best value', Council must be aware that each of these agreements attracts a brokerage fee which is passed to each Council upon signing to an agreement.

Procurement Australia (PA)

Procurement Australia and the MAV work within the same space and compete for 'market share'. Golden Plains Shire is party to the PA 'Small/Large Energy' contract which includes public lighting.

LEAP Program

Golden Plains Shire signed on to the MAV LEAP Program (an ongoing cost saving continuous improvement program) which collects procurement data from like organisations and enables comparative analysis. Council is able to clearly and quickly identify areas of substantial and aggregate spend across multiple activities and the wider vendor base.

Using LEAP information, Council has access to review data previously difficult to access. It is able to view procurement trends, patterns, aggregate spend and vendor analysis in a new light. There will be many opportunities to review, understand and perhaps even re-negotiate the terms and conditions for its purchases.

4. Procurement Lead activities with Works

CH001 Joint Bituminous Road Resurfacing Tender

This joint procurement exercise was conducted by the Ararat, Ballarat, Golden Plains, Hepburn and Pyrenees Councils. The contract was for a three year period with two one-year extension options, both of which were taken up. Collective savings were estimated at \$630k per annum (>\$3m over 5 years).

The documentation and process was duplicated on best practice principles to achieve savings for other regional Council groups throughout Victoria.

This contract is currently in the process of being re-tendered to commence 1 July 2017 with Moorabool Shire Council as an additional partner.

Feasibility of Biodiesel for Heavy Fleet Vehicles

Funding of \$60,000 was received from Local Government Victoria (LGV) for collaboration between Golden Plains, Hepburn and Pyrenees to conduct a feasibility study to investigate the cost/ benefit involved in the conversion of heavy fleet to biodiesel as a clean burning fuel alternative to reduce emissions and the carbon footprint.

The study recommended a capital outlay of \$104k on tank requirements at the 3 Council depots, a fuel management system, infrastructure and site access requirements.

Golden Plains Shire Council chose not to implement the recommendations as the capital outlay to replace existing diesel tanks could not be justified at the time. However, should applicable funding become available or when existing diesel tanks are due for replacement, biodiesel will be considered as an environmentally friendly option.

Waste Education Program

Ararat, Ballarat, Golden Plains and Pyrenees Councils successfully attained \$75k funding from Sustainability Victoria to develop a business case to reduce waste to landfill by improving the recycling rate by means of a public education and behaviour change program.

Due to value for money achieved in the business case phase, the group has been able to develop the material for the education program, instead of returning funds to Sustainability Victoria.

5. Organisational Development

In an organisational development capacity, Golden Plains continues to:

- Participate annually in the MAV's benchmarking of staff performance (turnover, absenteeism, etc.).
- Collaborate with other South West Region Councils to provide training sessions to staff (ie. Introduction to Local Government).
- Purchase insurance through a mutual trust arrangement with the MAV, reducing the time and the cost (by grouping assets and insuring across Councils).
- Participate in the State Government co-ordinated annual community satisfaction survey which delivers substantial cost savings (over engaging its own market research company).
- Participate in regional groups and forums in respect of customer service, risk management, human resources and industrial relations.

Golden Plains Shire has nominated to move to the MAV Work Cover Scheme which has the potential to deliver premium cost savings.

6. Aged and Disability

In an aged and disability capacity, Golden Plains continues to:

- Participate in the Aged and Disability Services Management meetings, where Central Highlands Council officers representative meet bi-monthly. The meetings provide professional development, policy direction updates and an opportunity to collaborate on shared projects.
- Participate in the Planned Activity Group (PAG) Network meetings, where Central Highlands PAG Co-ordinators meet bi-monthly. The meetings provide professional development, networking opportunities and an opportunity to collaborate on shared projects.
- Participate in the Local Assessment Network, where Assessment Officers from funded services (mostly Councils) in the Central Highlands region meet on a quarterly basis. The meetings provide professional development, updates on local initiatives and networking opportunities.

7. Children's Services

With regard to children's services, Golden Plains continues to participate in:

- MAV Early Years regional meetings and forums including:
 - Central enrolment
 - Child Safe Standards
 - Early Education Employees Agreement 2016
- Quarterly Early Learning Australia Association (ELAA) CEO, Cluster Manager Reference Group meetings, Regional Early Years Management forums, Grampians region and Children's and Youth Area Partnership (Central Highlands)
- Western Regional Family Day Care Network meetings and Community Childcare quarterly meetings

8. Maternal & Child Health

With regard to maternal and child health services, Golden Plains continues to participate in:

- MAV Co-ordinators meetings, 4-5 per year involving a number of Councils
- Geelong Hospital Continuity of Care meetings, 4 per year with Geelong and Surf Coast
- Baby Makes 3 program, sharing the cost of training with Ballarat

9. Community and Recreation Development

The Recreation Team has been working with a number of partners to help generate participation numbers within our facilities and the groups who use them as well as encourage people to get more active, more often.

From a local government perspective, through the G21 Sport and Recreation Pillar and the Health and Wellbeing Pillar, Council has worked collaboratively with the 5 local government areas represented to develop a regional physical activity strategy and is currently leading the development of a survey aimed at identifying barriers to increasing female participation and physical activity.

This work extends into other programs which Council is leading and receiving support from both Regional Sports Assemblies in our catchment, being Sports Central and Leisure Networks. This work focuses on volunteer training and facility audits in an attempt to remove barriers and build skills and knowledge which will assist in implementing and driving new participation opportunities and access for women to take on leadership roles within community sport and recreation groups.

The plan will deliver a coherent and clearly outlined strategy for the infrastructure spend required for road cycling, mountain biking, BMX, cyclocross, bike packing, and trail walking and adventure experiences for cycling and walking communities as well as for visitors from across the country and the world.

Working collaboratively with other Shires enables Council to have a strategic plan for a minimum contribution as opposed to what Council would have to spend if it developed this plan alone.

Golden Plains holds strong partnerships with Sport and Recreation Victoria and VicHealth as major funding bodies that support the work Council does both financially and through the provision of staff training opportunities.

Golden Plains Shire Council in conjunction with the Wimmera Development Association (WDA), plus ten other LGAs across the Grampian region, Parks Vic, Sport and Recreation Victoria and Regional Development Victoria, are working collaboratively to develop the Grampians Region Cycling and Trails Business and Masterplan.

10. Youth Services

Council's Youth Services team regularly works with Geelong, Surf Coast, Ballarat, Wyndham, Corangamite and Moorabool councils to share information in an effort to partner and avoid duplication. The Youth Services teams across the municipalities typically share information and promote one another's programs and services knowing that young people move freely across the LGAs.

11. Arts

G21 – Council is a member of the G21 Arts, Culture and Heritage Pillar and partners with the region's other Councils, arts organisations and community organisations to co-ordinate a regional approach to the arts. Golden Plains Shire contributes to a range of research, consultation and planning projects with G21 and contributes to the Geelong Arts Atlas, an online resource for artists and audiences. Arts Atlas provides an avenue for GPS artists to participate in and showcase their work at a regional level. Council's contribution for this is less than \$2,000 per annum, which gives a significant social return on investment and one which could not be matched by Council's investment alone.

Community Partners – Arts and Culture’s key focus is to partner with external community partners in order to leverage a greater arts investment in the Shire. Partners in this area range from smaller arts groups (e.g. BOP Arts Co-Op, Bannockburn Writers Group and historical societies) to schools – e.g. Bannockburn Primary School, who Council is currently partnering with on a story vending machine.

12. Environmental Services

Climate Resilient Communities of the Barwon South West (Phase 2 Priority Project Adaptation Plan)

Changes in the climate will not respect Council or organisational boundaries. In a strategic response to assess and minimise the vulnerability of Golden Plains to climate change, Council has entered into a partnership with neighbouring municipalities – Climate Resilient Communities (CRC). This regional partnership encompasses key regional stakeholders through the Climate Resilient Communities of the Barwon South West program. Members of this include the ten Councils of the Barwon South West, the Corangamite Catchment Management Authority (CCMA), Barwon Water, and Wannon Water.

Future Landscapes

This climate change adaptation project is helping Councils of the Central Highlands region to better understand the impacts of projected climate change on the region’s natural assets and to respond effectively to protect and improve agriculture and natural resources across the region. Five Councils have partnered in this project to produce Shire specific responses around climate impacts and opportunities for agricultural commodities (e.g. canola, rye grass, cool climate grapes etc).

13. Planning

Participation in Peri-Urban Group of Rural Councils

There are 7 member Councils collaborating in this group. Projects include the Peri-Urban Policy Statement, submissions to major industry planning reforms, and joint advocacy for funding to the region.

Participation in G21 Planning Pillar forum

This is an information sharing forum where discussions regarding major strategic projects, planning proposals, Regional Growth Plan implementation, etc. are progressed.

Regional Planners Forum

This forum shares information and resources for projects such as the Regional Floodplains Strategy. The forum works with partner Councils and the CCMA to deliver a regional plan to help mitigate the impacts of future flood events.

Contract Heritage Advisor

The contractor is engaged for advice on site specific development projects and has contracts with other Councils.

14. Environmental Health

- Council shares an immunisation program provided by the City of Ballarat on a contractual basis. It is not financially feasible for Golden Plains to provide immunisation sessions.
- Council participates in the Environmental Health Professionals Australia (EHPA) Regional Group Networks.
- Food Sampling Surveys – Council shares and has access to regional and State wide surveys.
- Infectious Disease – Council shares and has access to incidents and notifications that cross municipal boundaries.
- Food Regulation (Streatrader) – Council shares and has access to registration and regulation of mobile food and temporary food premises that trade across municipal boundaries.

15. Building

Council has relief reciprocal arrangements with other municipalities for the Municipal Building Surveyor (MBS) to provide relief and assistance during periods when Golden Plains MBS is unavailable to attend urgent matters.

16. Compliance

Council participates in the Victorian Farmers Federation Chicken Care Program with 15 partner Councils. This forum focuses on broiler industry compliance matters and provides an avenue for information sharing between the partner Councils.

17. Community Protection

Councils shares the use of two pound facilities in Geelong and Ballarat. Officers attend regular meetings with other user Councils to discuss shared issues.

18. Finance

The Finance team has many collaborative relationships with other councils. These are generally regionally based and provide regular opportunities to share ideas and resources. Two of the main groups are:

Western Region Finance Group

- Ballarat City Council
- Brimbank City Council
- City of Greater Geelong
- Hobson's Bay City Council
- Hume City Council
- Melton Shire Council
- Moorabool Shire Council
- Wyndham City Council

South West Finance Group

- Ararat Rural City Council
- Colac Otway Shire Council
- Corangamite Shire Council
- Glenelg Shire Council
- Hindmarsh Shire Council
- Moyne Shire Council
- Northern Grampians Shire Council
- Borough of Queenscliffe
- Southern Grampians Shire Council
- Surf Coast Shire Council
- Warrnambool City Council
- West Wimmera Shire Council

In addition to these groups, Council has taken advantage of the MAV Local Government Funding Vehicle (LGFV), which has resulted in significant savings as a result of reduced interest rates on borrowings.

19. Information Communication Technology

Committee Member of MAV Technology

MAV Technology, formerly the Local Government Information Communications Technology (LGICT) Group, is a group of local government information technology (IT) practitioners who work together to improve outcomes for Victorian councils.

As the voice of IT for local government, MAV Technology works with state and federal government representatives to maximise opportunities for successful ICT project funding and delivery across all council business areas.

MAV Technology works closely with MAV Procurement to co-ordinate sector-wide contracts for the supply of system software, hardware, policy development and telecommunications solutions.

Regional ICT Manager Groups

Council is a member of the South West Region ICT Group and the Central Highlands Region ICT Group.

Co-ordinated Imagery Program – DELWP (Aerial Imagery)

Council partners with the following five LGAs to obtain aerial imagery at a significantly reduced cost:

- Melbourne Water
- Surf Coast Shire
- Moorabool Shire
- Ballarat Shire
- Barwon Water

Joint Procurement

Council has realised cost benefits from joint procurement for:

- VMWare licencing
- Microsoft Licencing
- ICT Policy Management
- Professional Services Panel

Involvement with MAV sector-wide approaches

These Digital Transformation projects include:

- Knowledge Centre
- Single view of the customer

Other ICT Collaborations

- Golden Plains has joint development with Moorabool on internet and mobile platform technologies.
- Golden Plains and Brimbank have collaborated on GIS and asset management projects and processes.

20. Project Apollo

Project Apollo was initiated by the CEOs of the five G21 Councils to explore opportunities for working together to improve service delivery efficiency. The following areas have been suggested for joint procurement.

Traffic Management

Due to the nature of the services to be provided, a collaborative procurement process may not deliver positive results. Traffic Management is a service utilised by all Councils at various points in time. The majority of companies providing these services are small to mid-size companies who are often stretched in providing services to Councils to which they are already contracted.

To extend these services across a broad range of Councils would stretch existing services to breaking point. As is often the case, traffic management services are often required at the same or similar timeframes, potentially causing 'bottleneck' type issues.

'Best Value' may well be achieved by allowing each Council to contract its traffic management services on an individual basis.

Legal Services

There may be some value in negotiating a 'broad' contract for the provision of legal services. There had been some discussion that the MAV may seek to establish a 'data bank', where legal opinion in relation to general Council matters could be accessed and obtained at little or no cost. There are a number of options that could be investigated.

It should, however, be remembered that the provision of legal services is currently exempt from State Government Regulation in respect of aggregate spend thresholds. As such, there is no legal or statutory requirement to enter into a competitive tendering arrangement for such services. The only advantage to Council would be an overall cost saving, assuming a cost saving could be achieved.

The disadvantage of this approach is the loss of independence critical in the provision of advice in matters concerning legal opinion. There is also the risk of losing the immediate and personalised nature of the relationship that Councils have built with law firms over many years.

Golden Plains Shire Suggestions

Golden Plains Shire has nominated the following for consideration through Project Apollo:

- A shared waste services contract, recognising that while each municipality will have its own requirements a combined contract could still deliver economies of scale.
- Fleet management, where combined purchasing power may deliver lower cost procurement and centralised management may reduce staffing resources required.
- Family Day Care, where there is the potential for delivery at lower cost through a regional private management contract.
- Immunisation, where the Grampians Region is currently exploring options in this area for regional service procurement.
- Road management and maintenance, where the Grampians Region is currently exploring options in this area for regional service procurement including a partnership with VicRoads.

Some other opportunities are not favoured by Golden Plains Shire where it is considered internal resources are better able to deliver. As a medium rural municipality, Council is not of a size to recognise economies of scale as a satisfactory return for the loss of internal resources with an immediate service delivery capability. In a shared arrangement, Council would still require these positions and therefore would be of no cost saving benefit.

21. Community First

Business improvement officers from Golden Plains, Surf Coast and Colac Otway Councils meet regularly to share information on opportunities for collaborative activity and methods of savings costs in service delivery. The three organisations are part of a national business improvement network that has assisted in developing the Service Review and Planning process, a key pillar of the Community First Continuous Improvement Program.

Community First is a program developed to foster collaboration, innovation and continuous improvement. It was designed as a community centred strategy to address increasing community pressure for Council to deliver products and services that are value-for-money. Community First provides a plan to help manage some of the challenges associated with the State Government's rate capping policy and a desire to keep rates low.

The name Community First was chosen to emphasise the importance of Council's role in serving the community. It also echoed the importance in LEAN management (a systematic method of elimination of waste) of the pull system of customer service that has a focus on customer demand rather than internal processes to push supply to the customer.

The strategic priorities of Community First are:

- Engagement of staff and community in influencing the processes of change
- Innovation through cultural change and sponsorship of new ideas
- Lean and Mean – process change to achieve efficiency and lower costs
- Service improvement through service planning and strategy reviews

Conclusion

Procurement, collaboration and shared services are operational matters within the responsibility of the Chief Executive Officer.

Council officers will continue to pursue opportunities that will provide benefit to Council in these areas.

6. PETITIONS

Nil

7. OTHER BUSINESS

7.1 MAYOR'S REPORT

Cr Des Phelan, Mayor
File: 02-03-003

The Mayor reported on a range of meetings and activities that he was engaged in over the past month.

Date	Details
25/11/16	G21 Board meeting
28/11/16	GPS volunteer celebration
1/12/16	Welcome event for New Mayors, Melbourne
16/12/16	Central Highlands Mayors and CEOs meeting

7.2 CHIEF EXECUTIVE OFFICER'S REPORT

Rod Nicholls, Chief Executive Officer
File: 02-03-004

Nil

7.3 MUNICIPAL ASSOCIATION OF VICTORIA (MAV) REPORT

Cr Nathan Hansford, MAV Delegate
File: 03-05-001

Council's MAV delegate, Cr Nathan Hansford, reported on a range of MAV information including:

- No meeting was held in December and the next meeting will be in February 2017.
- Nominations for MAV committees are due in by 20 January 2017.
- State Government is to provide 50% funding for school crossing supervisors.

7.4 COUNCILLOR REPORTS

Cr Nathan Hansford

- Geelong Regional Library Corp Board meeting where Cr Hansford was elected deputy chair.

Cr David Evans

- Mr Rod Nicholls, Chief Executive Officer, advised that a recent request under Freedom of Information could not be responded to as the application had not provided clear information about the document sought.
- Chaired Voice and Action meeting and BAGPRRA meeting.
- Teesdale Hall meeting.
- Mr Rod Nicholls, Chief Executive Officer, advised that the Meredith Newsletter Committee could apply for a community grant to assist with their publication.
- Listening posts.
- Shelford Primary school breakup.

7.5 IN CAMERA MEETING

7.5.1 Australia Day Awards

Moved Crs Rowe/Hansford

That Council, in accordance with Section 89(2)(h) of the Local Government Act 1989, close the meeting to members of the public to discuss a matter which the Council considers would prejudice the Council or any person.

Carried

It is recorded that Council moved in camera at 6.30pm.

Refer In Camera Council Minutes 6.30pm to 6.44pm for details.

Moved Crs Sharkey/Gilbert

That Council move into open meeting.

Carried

It is recorded that Council moved into open meeting at 6.44pm.

8 ATTACHMENTS

Attachment 1	Item 3.5.1	Submissions
Attachment 2	Item 3.5.1	Updated MSS and LPPF with changes following consultation.
Attachment 3	Item 3.5.2	Current Inverleigh Structure Plan Framework (2005)
Attachment 4	item 3.5.2	Current Staging Plan as per Inverleigh Structure Plan (2005)
Attachment 5	Item 3.5.3	Development and Landscape Plans
Attachment 6	Item 3.5.3	Development Plan Overlay – Schedule 10
Attachment 7	Item 3.5.4	Project Steering Committee Terms of Reference
Attachment 8	Item 3.5.5	P853A Current planning permit
Attachment 9	Item 3.5.5	P853A Copy of application to amend permit and plans
Attachment 10	Item 3.5.5	P853A Locality map
Attachment 11	item 3.5.5	P853A EPA referral response
Attachment 12	Item 3.5.5	P853A Copy of objections
Attachment 13	Item 3.5.6	Council Policy 6.2 – Vegetation on Roadsides
Attachment 14	Item 3.5.6	Confidential: Golden Plains Shire Council Roadside Environmental Management Plan
Attachment 15	Item 3.5.6	Confidential: Environmental Code of Practice Handbook
Attachment 16	Item 3.5.7	Draft Local Law – General Public Amenity
Attachment 17	Item 3.5.7	Copies of submissions
Attachment 18	Item 3.5.7	Proposed Presented “Dogs on Leash” areas
Attachment 19	Item 3.5.7	Proposed Presented “Dogs on leash” areas x 2
Attachment 20	Item 4.2.1	Map of Archie Lane
Attachment 21	Item 4.4.2	Quarterly Budget Report – 3 Months Ended 30 September 16
Attachment 22	Item 4.6.1	Council Policy 5.1 – Community Grants Program
Attachment 23	Item 4.6.1	Previous Council Policy 5.1 – Community Grants Program
Attachment 24	Item 4.7.1	Confidential Attachment: GPST14/ 2016 McPhillips Road and Victor Street Bannockburn Roadworks – Stage 1A
Attachment 25	Item 4.7.2	Confidential attachment GPS-T13/2016 Supply and Delivery of one 10 Cubic Metre Forward Control Tandem Tip Truck P353 and Super Dog Trailer P346
Attachment 26	Item 4.7.3	Confidential Attachment GPS-T11/2016 New or Demonstration Wheel Loader - diesel powered with power rating between 120 and 140 Kilowatts
Attachment 27	Item 7.5.1	Confidential Australia Day nominations

Attachments are available upon request.

9 CLOSE OF MEETING

The meeting closed at 6.45 pm.

10 CERTIFICATION

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

Confirmed, Mayor, Cr Des Phelan

Date

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