



# Council Meeting Minutes

**Linton Customer Service Centre**

**Tuesday 22 August 2017  
4.00pm – 5.30pm**

## **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  
Greg Anders  
Jillian Evans  
Richard Trigg  
Mike Barrow  
Tim Waller  
David Greaves  
Sarah Fisher  
Felicity Bolitho  
Alicia te Wierik  
Helena Charles  
Peter O'Brien  
Petra Neilson (Minutes)

Chief Executive Officer  
Director Assets & Amenity  
Director Community Services  
Director Corporate Services  
Manager Executive Unit  
Development Manager  
Works Manager  
Planning Team Leader  
Team Leader Executive Unit  
Senior Strategic Planner  
Senior Economic Development Officer  
Town Planner  
Council Support Officer

### Gallery

Geoffrey Campbell  
Cameron Steele

## 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*.

Cr Helena Kirby declared an interest by being a party to the matter for report 4.4.2, clause 22.12 Amendment C76 – Golden Plains Municipal Strategic Statement and Local Planning Policy Framework Update. Cr Kirby declared she has a property in the historic overlay in Rokewood Township 57-61 Ferrars Street, Rokewood as an indirect interest but not conflicting to the matter.

#### **3.2. CONFIRMATION OF MINUTES**

*Moved Crs Hansford/Sharkey*

***That the Minutes of the Ordinary meeting of Council held 25 July 2017, as circulated, be confirmed.***

*Carried*

### 3.3. ASSEMBLIES OF COUNCILLORS

File: 02-03-004

#### 3.3.1 Council Briefing: Economic Development Strategy (25 July 2017)

Meeting type and name	Economic Development Strategy Briefing
Meeting date and time	2.30pm Tuesday 25 July 2017
Matters discussed	Economic Development and Tourism Strategy 2017-2021
Councillor information	1. Draft Economic Development and Tourism Strategy 2017-2021
Councillors	Cr Des Phelan Cr David Evans Cr Joanne Gilbert Cr Nathan Hansford Cr Helena Kirby Cr Les Rowe Cr Owen Sharkey
Apology	Nil
Staff	Rod Nicholls, CEO Greg Anders, Director Assets & Amenity Jillian Evans, Director Community Services Richard Trigg, Director Corporate Services Mike Barrow, Manager Economic Development Unit Felicity Bolitho, Executive Unit Team Leader Petra Neilson, Council Support Officer
Guests	Nil
Declarations of Interest	Nil

***Moved Crs Hansford/Rowe***

***That Council notes the record of assemblies of Councillors:***

***1. Economic Development Strategy Briefing (25 July 2017).***

***Carried***



### **3.4. ADVISORY COMMITTEES OF COUNCIL**

#### **3.4.1 Audit & Risk Committee**

No meeting held.

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

No meeting held.

## **4. REPORTS**

### **4.1. KEY RESULT AREA – CITIZEN & CUSTOMER SERVICE**

No report.

## 4.2. **KEY RESULT AREA – CIVIC LEADERSHIP**

### 4.2.1 Review of Council Policy 4.15: Protected Disclosure

Directorate	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: 34-03-001 and 02-03-005
Council Plan Link	Nil
Relevant Council Strategies	
Relevant Policies & Legislative Frameworks	Council Policy Manual
Attachments	1. Council Policy 4.15

#### ***Declarations of Interest: Councillors & Officers***

Richard Trigg, Director Corporate Services: In providing this advice as the senior manager, responsible manager and author, I have disclosable interests in this report.

#### ***Purpose***

The purpose of this report is to review and adopt Council Policy 4.15: Protected Disclosure.

#### ***Background***

Policy 4.15 – first adopted in 2013 and is due for review.

#### ***Discussion***

Policy 4.15 – This policy was introduced following the introduction of the *Protected Disclosure Act 2012*. It outlines the commitment by Golden Plains Shire Council to support the legislation, provides a summary of the key components of the Act and directs people to Council's Protected Disclosure Procedures document for further information.

The policy has served Council well in the past. It remains current and consistent with the legislation and as such, no amendments are required.

#### ***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 there are no economic, social and environmental implications.

#### ***Communications***

It is considered that a communication plan is not required.

#### ***Conclusion***

As there are no proposed changes to this policy, it is recommended that Council adopt Council Policy 4.15 in its current form which will be reviewed again in 5 years unless there is a need to amend earlier.

*Moved Crs Evans/Kirby*

***That Council adopts Council Policy 4.15: Protected Disclosure, as presented.***

*Carried*

### 4.3. KEY RESULT AREA – ECONOMIC DEVELOPMENT

#### 4.3.1 New Council Policy: Plastic Wise

Directorate	Chief Executive
Unit	Executive Unit
Senior Manager	Mike Barrow, Manager Executive Unit
Responsible Manager	Mike Barrow, Manager Executive Unit
Author	Mike Barrow, Manager Executive Unit
File References	EDMS files: 32-07-002 and 52-01-0212
Council Plan Link	Strategic Direction: Enhancing Local Economies We work with business, government and community partners to sustain a diverse, resilient, prosperous and socially responsible economy, through investment attraction, supporting local business, and tourism development.
Relevant Council Strategies	Economic Development Strategy 2013 - 2017
Relevant Policies & Legislative Frameworks	N/A
Attachments	2. Plastic Wise Policy

#### ***Declarations of Interest: Councillors & Officers***

Mike Barrow. In providing this advice as the senior manager and author I have no disclosable interests in this report.

#### ***Purpose***

The purpose of this report is to request that Council adopt a policy to reduce single plastic bag use at events in the Shire and to reduce plastic waste more generally.

#### ***Background***

At its 25 July meeting Council adopted the following motion:

#### ***"That Council***

- 1. Write to the Premier, State Environment Minister, local Legislative Council and local Legislative Assembly members of Parliament in support of a State-wide legislation banning plastic bags at the checkout, and;*
- 2. Receives a report from the Golden Plains Shire CEO regarding the feasibility of our Shire enacting Surf Coast Shire's 'plastic wise' policy. This policy imposes a ban on all disposable plastic producers at Council festivals and events."*

Council began investigations into community sentiment on the use of plastic bags at events in the Shire early in 2017. This was prompted by event patrons and Farmers Market stall holders who have been concerned about the proliferation of plastic waste in the Shire.

Plastic bags are an environmental problem for a number of reasons:

- Around 80 million plastic shopping bags end up as litter in Australia each year.
- It takes plastic bags up to 1,000 years to break down and, because they are lightweight and moisture resistant, they can travel long distances and cause environmental problems in many places.

- Plastic bags can be hazardous to wildlife, potentially entangling animals or being mistaken for food. The World Wide Fund for Nature estimates that over 100,000 whales, seals, turtles, and birds die every year as a result of plastic bags.
- On land, plastic bag litter can block drains, trap birds and kill livestock.
- Plastics are made from non-renewable natural resources such as crude oil, gas and coal.

### ***Discussion***

The governments of South Australia, Tasmania, Northern Territory and ACT have passed legislation banning the distribution of single use plastic bags. The Surf Coast Shire has a policy that commits Council to reducing or eliminating single use plastic at events and marketing in the Shire. Golden Plains Shire Council has the opportunity to reduce plastic waste in this Shire through a similar policy.

Council's community engagement on this issue took place through the 'Have Your Say' web page. There was significant interest in the topic with 55 responses. 49 out of 55 (89%) support a Council policy to reduce plastic waste and eliminate the use of single use plastic bags. 17 out of 55 (31%) would bring their own bags or expect re-usable bags to be provided.

A policy initiative to encourage use or re-use and recyclable bags at Shire events would align Council's efforts in recent years to reduce landfill and encourage recycling. As a result of Council's decision in December 2014 to change from weekly to fortnightly waste collection, and weekly recycling there has been a major reduction in waste to landfill, increased recycling and cost savings for ratepayers.

An initiative such as this would also align with the Golden Plains Environment Strategy 2014-2019 that aims to focus on actions Council can undertake to make a difference locally and in doing so, contribute to addressing sustainability issues on a broader scale.

If adopted this policy supports the views and efforts of many local residents who want to reduce the unsightly litter caused by single use plastic items and the effects of plastic pollution on landfills, waterway and marine environments.

A six month period is proposed for event organisers from the approval date of the policy to transition to the new expectations.

### ***Community Engagement***

A community engagement process undertaken through 'Have Your Say' indicates strong support for a policy to reduce plastic bag waste.

### ***Financial & Risk Management Implications***

There are no financial or risk implications in this specific report.

### ***Economic, Social & Environmental Implications***

There are no specific economic implications in this report however the social and environmental implications are significant. Reduction in plastic bag use is an important step in reducing waste to landfill and will address other environmental problems listed above.

### ***Communications***

The communications plan will include:

- Social Media and the Golden Plains Gazette to advise the community about the policy and the reasons for its implementation.
- Integrate the new policy requirements into the events application process so organisers are aware of and agree to requirements early in the planning stage of their event.
- Launch this initiative at the Golden Plains Farmers' Market (GPFM) with the free provision of GPFM branded reusable bags. These material bags have been purchased previously as promotional items and could easily be distributed through stallholders.

- Develop an information sheet outlining the policy and offering advice on its implementation including alternatives to single use plastic bags and other plastic items.

***Conclusion***

It has been widely recognised that single use plastic bags is a significant environmental waste problem both in Australia and overseas. While many of the issues facing Golden Plains Shire have global implications, Council can make a difference locally on this issue by adopting a policy covering festivals and events in the Shire that bans single use plastic bags and discourages the use of other disposable plastic material.

***Moved Crs Hansford/Evans***

***That Council adopt the Plastic Wise Policy as amended.***

***Carried***

#### 4.3.2 Economic Development & Tourism Strategy 2017-2021

Directorate	Chief Executive
Unit	Executive Unit
Senior Manager	Mike Barrow, Manager Executive Unit
Responsible Manager	Mike Barrow, Manager Executive Unit
Author	Felicity Bolitho, Team Leader Executive Unit
File References	EDMS file: 52-01-0609
Council Plan Link	Strategic Direction: Enhancing Local Economies We work with business, government and community partners to sustain a diverse, resilient, prosperous and socially responsible economy, through investment attraction, supporting local business, and tourism development.
Relevant Council Strategies	Economic Development Strategy 2013 - 2017
Relevant Policies & Legislative Frameworks	Council Plan 2017-2021
Attachments	3. Draft Economic Development and Tourism Strategy 2017-2021

#### ***Declarations of Interest: Councillors & Officers***

Mike Barrow. In providing this advice as the senior manager I have no disclosable interests in this report.

Felicity Bolitho. In providing this advice as the author I have no disclosable interests in this report.

#### ***Purpose***

The purpose of this report is to present Council with the Draft Economic Development and Tourism Strategy 2017 – 2021 recommending that the draft strategy be released for public consultation for a period of four weeks.

#### ***Background***

Over the past four years Council's economic development activities were guided by the Economic Development Strategy 2013 – 2017. As this strategy expired, Council developed a new strategy to guide economic development and tourism development activities over the next four years.

In developing the Strategy, Council has undertaken an assessment of the current and future needs of business and industry within Golden Plains Shire. This involved conducting a range of stakeholder engagement activities; through online surveys, workshops and interviews with key Council staff from Council's planning, economic development, environment and tourism teams.

The development also utilised pertinent community feedback from the Council Plan 2017-21 and Community Engagement Strategy engagement listening posts. Council has directly contributed to the new strategy through workshoping key issues in the Councillor Induction process and through the development of the Council Plan 2017-2021. The Economic Development Strategy is directly related to Strategic Direction "Enhancing Local Economies". Council was also briefed on the new strategy in July 2017.

Supplementary and supportive research included a comprehensive literature review which included internal reports, market research, regional strategies and a range of external publications and are included in the draft strategy's Part B - Research and Findings.



### ***Discussion***

Development of the draft strategy highlighted a number of key findings. Stakeholders believe Golden Plains Shire's proximity to regional centres and markets was a significant strength along with the region's land affordability, which appeals to both new residents and investors. Feedback acknowledged that the Shire has a very strong agricultural industry but also benefits from a diverse range of quality, boutique enterprises making their home in Golden Plains. Of the key challenges facing the municipality, mention was made of service and infrastructure provision as high on the list with all stakeholders; lack of reliable telecommunications, power supply as well as access to water, sewerage, public transport, roads and education were all noted. The other key challenge highlighted was the need for more support of local business; both through the promotion of businesses to encourage visitation and sales of products and services, and also for the business owners through training and support services.

As a result of a comprehensive review and analysis of the findings, the draft strategy encompasses five key pillars which are identified as significant in the delivery of the economic development and tourism functions of Council. Each pillar represents a strategic goal, a series of priorities and the methods Council will use to determine success in this area. The key pillars identified are:

1. Investment attraction
2. Business support
3. Tourism development
4. Lobbying and advocacy
5. Partnerships

A resourced Action Plan; representing the programs and activities that will be undertaken with respect to each pillar, in each of the four years, is included in the draft strategy.

### ***Community Engagement***

While the draft Economic Development and Tourism Strategy 2017-21 is the result of a consultation and engagement process, it is recommended that a further period of consultation and review would be appropriate to enable those who were engaged in the process to review the final strategy and those who did not have the opportunity to be involved, to also provide input before the final draft is recommended to Council for adoption.

### ***Financial & Risk Management Implications***

As this draft strategy was developed in-house, there was no requirement for an additional Council contribution to development costs. The draft strategy's in-house development has, however, highlighted that producing such a document using Council resources does place additional pressure on staff time and capacity.

The Action Plan included in the draft strategy comprises activities that are considered core business and expected to be provided for within the respective annual operating budget for each of the four years of the draft strategy. Actions that would require additional funding or would be contingent on other contributions have not been included.

### ***Economic, Social & Environmental Implications***

The economic, social and environmental implications are explained in the Strategy.

### ***Communications***

The public exhibition of the draft strategy will be promoted at two listening posts (Bannockburn and Smythesdale), advertised, published in the Economic Development Quarterly e-newsletter and posted on Council's website and social media accounts Facebook and Twitter. The draft strategy will be available as a web link and in hard copy at all customer service centres.

### ***Conclusion***

The draft Economic Development and Tourism Strategy 2017-2021 aims to provide a comprehensive and contemporary approach to meeting the economic development and tourism needs of Golden Plains Shire residents, business owners and key stakeholders both within and external to the Shire.

*Moved Crs Evans/Hansford*

***That Council resolves to release the draft Economic Development and Tourism Strategy 2017-2021, for a period of four weeks with a final draft strategy to be presented to Council for adoption at the October 2017 Council meeting.***

*Carried*

#### 4.4. **KEY RESULT AREA – ENVIRONMENT & LAND USE PLANNING**

##### 4.4.1 **Planning Application P16-338 for a Dwelling at Crown Allotment 36, Taylor Road, Meredith**

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director Assets and Amenity
Responsible Manager	Tim Waller, Development Manager
Responsible Team Leader	Sarah Fisher, Planning Team Leader
Author	Peter O'Brien, Town Planner
File References	Planning Application P16-338
Relevant Policies & Legislative Frameworks	Golden Plains Planning Scheme
Proposal Summary	Dwelling
Land Address	Crown Allotment 36 Parish of Meredith (Taylor Road, Meredith)
Applicant	Thanh Thai
Zone & Overlay Summary	<ul style="list-style-type: none"> <li>▪ Farming Zone (FZ)</li> <li>▪ Part Environmental Significance Overlay – Schedule 3 (ESO3)</li> <li>▪ Part Land Subject to Inundation Overlay (LSIO)</li> </ul>
Attachments	<ul style="list-style-type: none"> <li>4. P16-338 Copy of application and plans</li> <li>5. P16-338 Locality map</li> <li>6. P16-338 Draft suite of conditions</li> </ul>

#### ***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.

Sarah Fisher: 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 the planning permit application for a dwelling at Crown Allotment 36 Taylor Road, Meredith which was presented to Council at the July Ordinary meeting. Council deferred determination of the application to the August Ordinary meeting.

#### ***Proposal***

The application proposes the use and development of the land for a dwelling (refer to Attachment 5 – copy of application and plans). The dwelling is proposed to be located at the front of the property with a setback distance of 30m from the Taylor Road boundary and 87m from the north-western property boundary. The proposed dwelling is a single storey residence containing three bedrooms, living and meals areas, and amenities. The external materials of the dwelling consist of weatherboard walls and colourbond roofing.

The report submitted with the application states that the owner wishes to reside on the property in order to save transportation costs, enjoy a country lifestyle and establish an olive farm. The proposed olive farm will consist of between 6,000 to 6,500 trees. No information was submitted with the application regarding the capacity of the land to sustain the proposed olive farm, including whether the soil and climatic conditions are appropriate.

### ***Site Description***

The subject land is situated on Taylor Road, Meredith and is formally described as Crown Allotment 36 Parish of Meredith. The site is located in a farming area approximately 500 metres south of the Meredith township boundary (refer to Attachment 6 – locality map). The total area of the site is approximately 9.2 hectares. The site is vacant and contains existing sheds and two dams. The site runs longways between Taylor Road and Coolebarghurk Creek which forms the rear boundary. The site is generally flat however the rear of the site falls to the creek. The land is mostly cleared with and contains pasture. Access to the site is from Taylor Road which is an all-weather gravel road managed by Council. The surrounding area is predominately used for farming purposes with the exception of dwellings on the two adjoining lots.

### ***History***

The application was received by Council on 19 December 2016 and a preliminary assessment of the application was undertaken. There are no referral authorities specified in the planning scheme for an application of this type.

### ***Communications***

Notice of the application was given in accordance with Section 52(1)(a) and (d) of the *Planning and Environment Act 1987*. Notice was sent by mail to 4 neighbouring owners and occupiers. There were no objections received to the application.

### ***Golden Plains Planning Scheme***

#### **State Planning Policy Framework (SPPF)**

##### **Clause 11.07-2 Peri-urban areas**

The policy for Peri-urban areas (Clause 11.07-2) seeks to manage growth in peri-urban areas to protect and enhance their identified valued attributes such as landscapes and agricultural activities. This policy includes strategies to strengthen and enhance the character and identities of towns, prevent dispersed settlement and establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets.

##### **Clause 11.08 Central Highlands**

The policy for agricultural productivity (Clause 11.08-8) aims to support long-term agricultural productivity by identifying land for primary production and protecting key agricultural assets from incompatible uses. The Central Highlands Regional Growth Plan (Clause 11.08-10) identifies the site within a designated broad acre cropping and grazing area.

##### **Clause 14.01-1 Protection of agricultural land**

The objective of this policy is to protect productive farmland which is of strategic significance in the local or regional context. The policy seeks to ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land and limit new housing development in rural areas by directing housing growth into existing settlements and discouraging development of isolated small lots in the rural zones from use for single dwellings. Factors to be considered for a proposal to develop agricultural land include the impacts of the proposed development on the continuation of primary production on adjacent land, with particular regard to land values.

##### **Clause 16.02-1 Rural residential development**

This policy aims to identify land suitable for rural residential development to avoid or significantly reduce adverse economic, social and environmental impacts. This is to be achieved in part by discouraging development of isolated small lots in rural zones from use for rural living or other incompatible uses, minimising or avoiding property servicing costs carried by local and State governments and by encouraging consolidation of existing isolated small lots in rural zones.

## Local Planning Policy Framework (LPPF)

### Clause 21 Municipal Strategic Statement (MSS)

According to the Municipal Profile (Clause 21.01) the main use of land in the shire is for primary production including grazing and broad acre cropping. Agricultural industries generate approximately \$44 million worth of product and 14% of the workforce is employed in primary industry.

Clause 21.01-7 identifies managing residential growth, economic growth and maintaining and encouraging viable agricultural industries as major issues affecting the Shire's land use planning and development. The policy states that the Shire contains a relatively large number of small townships and that Council seeks to focus residential development within the boundaries of these townships. It is recognised that there is pressure for development outside these townships particularly for hobby farm development therefore the urban-rural interface needs to be managed appropriately. The policy also recognises that the Shire relies on the strength of its grazing and cropping industries as its economic base therefore it is vitally important to maintain a viable agricultural sector.

The vision for the Shire contained in Clause 21.02 includes, among other things, recognising a prosperous agricultural industry. This will be achieved in part by focusing urban development into existing townships, sustainable management and protection of natural resources, facilitating productive agricultural activities, and protecting rural areas.

Town structure plans have been prepared for most settlements and establish a basis for future strategic planning decisions in each town. The Meredith Structure Plan, which is a reference document to the planning scheme, encourages infill residential development and strategically planned new development. The Structure Plan seeks to protect residential amenity as well as the ongoing farming activities of the surrounding district. This will be achieved by providing a strong town boundary to ensure an appropriate buffer between residential and farming activities. The subject land is located approximately 500 metres south of the township boundary shown on the Structure Plan (Figure 21.02-2H).

The Settlement policy (Clause 21.03) states that the Shire is characterised by a number of small towns located in the midst of productive agricultural areas and the maintenance of a clear distinction between urban and rural areas is essential to continued agriculture. The policy contains strategies which seek to direct residential development to township areas provided with water, sewerage and social infrastructure, establish an urban edge to all settlements by using zoning to provide a clear urban growth boundary, and protect land in agricultural production from adjoining uses and development inconsistent with normal farming practices.

The Agriculture policy (Clause 21.05-2) emphasises the economic importance of agricultural industries to the Shire however this is potentially threatened by the fragmentation of land for non-agricultural purposes, including rural residential development and conflict between sensitive uses and agricultural practices. The policy aims to ensure that agricultural land is protected and used as an economically valuable resource and to maintain farm size to allow for viable agriculture. This will be achieved by ensuring that the use and development of rural land is both compatible and complementary to agricultural activities and by avoiding the fragmentation of land for non-agricultural purposes, including rural residential development.

### Rural land use strategy

The Golden Plains Rural Land Use Strategy was adopted by Council in 2008 and is a reference document to the planning scheme. The strategy is designed to guide future land use and development across the Shire's rural areas. The strategy recognises the existence of inappropriate subdivisions containing small lots located in broad acre farming areas. These areas have limited access to social and physical infrastructure that would be required for residential development. The strategy states that although these lots can be sold individually no provision should be made for their development. The strategy recognises that the loss of agricultural land through conversion of land to rural living is a significant issue and that these changes have caused the inflation of rural land values thereby preventing farmers from purchasing land for agriculture.

## **Zone and overlay provisions**

### **Farming Zone**

The site and surrounding area is in a Farming Zone. The purpose of the Farming Zone is, among other things, to provide for the use of land for agriculture, to encourage the retention of productive agricultural land and to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture. The schedule to the Farming Zone specifies that a permit is required for a dwelling where the lot area is less than 100 hectares.

Before deciding on an application Council must consider, among other things, the decision guidelines for dwellings which are as follows:

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

### **Environmental Significance Overlay – Schedule 3 and Land Subject to Inundation Overlay**

The site is partly affected by an Environmental Significance Overlay – Schedule 3 (ESO3) and Land Subject to Inundation Overlay (LSIO) however the proposed dwelling is not located within these overlays. Therefore a permit is not required under these overlays and the provisions of these overlays do not apply.

## **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*

The proposed dwelling is not considered to satisfy the relevant policies and decision guidelines contained within the Golden Plains Planning Scheme. An assessment against the relevant provisions of the planning scheme is provided as follows:

### **History**

A planning permit was previously issued for a dwelling on the subject land on 21 September 2004. This permit was never acted on and it expired on 21 September 2006. The planning scheme policies and zone controls applying to rural land are much stricter now against residential development than what they were 13 years ago when the permit was issued. The State Government introduced new rural zones in 2004 in order to provide greater protection of agricultural land and to discourage ad hoc and incompatible use and development. As a result the zoning of the subject land was changed from the Rural Zone (RUZ) to the much stricter Farming Zone which was strongly focussed on protecting and promoting farming and discouraged non-farm dwellings and land uses not related to farming. In 2008 Council developed the Rural Land Use Strategy to review the strategic land use position of Council in relation to its rural areas and to assist Council in effectively implementing the new rural zones. The Rural Land Use Strategy identified the critical importance of protecting agricultural land and recommended that the Farming Zone be applied to most of the Shire's rural land including the subject land. The Rural Land Use Strategy also recognises that there are many small lots in predominately broad acre farming areas however these lots should not be developed for rural residential purposes simply because they are small lots and not individually able to sustain a traditional farming enterprise.

### **State and local planning policies**

The State and Local Planning Policy Frameworks and Rural Land Use Strategy recognise the importance of agriculture to State and local economies and aim to avoid the loss of productive agricultural land. The policies referred to in this report seek to direct residential development to existing townships and discourage the development of isolated small lots in rural areas for single dwellings. Residential development should be contained within existing townships to avoid conflict between agricultural and non-agricultural uses and maximise use of existing infrastructure. The subject land is located outside the Meredith township boundary and any residential development in this area will further increase servicing costs to Council including physical services such as road maintenance and garbage collection. The approval of this application would also set an undesirable precedent which may lead to the development of other small lots in the surrounding area and result in the loss of valuable farmland.

### **Farming Zone**

The decision guidelines of the Farming Zone sets out the matters that must be considered before deciding on an application for a dwelling. The matters relevant to this application are addressed as follows:

#### **Whether the dwelling will result in the loss or fragmentation of productive agricultural land.**

The planning scheme seeks to maintain viable farm sizes and sets a minimum lot size of 100 hectares in the Farming Zone. The subject land has an area of only 9.2 hectares and based on the proposed agricultural activities the need for a dwelling is questionable. The application provides no information to demonstrate that the subject land has the capacity to sustain the proposed olive farm or whether an olive farm is a viable proposal. Furthermore the application does not reasonably explain why the owner would need to reside on the property on a permanent basis in order to manage the proposed olive farm. It is inevitable that due to the unviable size of the lot that the land will at some stage be used for rural residential purposes or become a hobby farm which will mean that the land will be lost for productive agricultural purposes.

#### **Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.**

The use of the land for a dwelling is considered to be inappropriate because it is inconsistent with agricultural uses in the surrounding area and may result in land use conflicts that constrain 'as of right' agricultural uses on nearby land. With the exception of the two adjoining lots which contain dwellings, the surrounding area contains larger farming properties which are used for agricultural activities such as broad acre cropping and grazing. The



use of the land for a dwelling has the potential to result in conflicts with nearby agricultural uses and hinder existing farming operations.

**The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.** The site is one of many similar small lots located in the surrounding farming area. In the Taylor Road area to the south-east of the Meredith township boundary there are approximately a dozen small lots and only two of these lots contain dwellings. Most of the small vacant lots are contained in larger farming parcels however the lots could be individually sold for potentially life-style development.. The approval of a dwelling on such a small lot would set an undesirable precedent which would lead to pressure for residential development of surrounding small lots, the inflation of land values preventing farmers purchasing land for agriculture and resulting in the loss of productive agricultural land. The development of dwellings to the south of Meredith may also encroach into areas containing existing poultry farms and the Food Production Precinct which is identified for intensive agriculture.

### **VCAT reviews**

VCAT has consistently refused applications for dwellings on small lots in the Farming Zone where the dwelling is not directly related to an agricultural use (see *Parry v Moorabool SC* [2015] VCAT 1570). Where dwelling approvals have been granted by VCAT there have been clear reasons established regarding the need for a dwelling based on the agricultural use and the context of the site. One such example within our Shire was *Parkin v Golden Plains SC* [2016] VCAT 1391 where Senior Member Hewet cited the following reasons as the basis for his decision to allow a dwelling on a small lot in the Farming Zone:

1. That the dwelling was necessary for the establishment of the proposed agricultural use. VCAT was persuaded that the applicant had the capacity to operate the use including having extensive experience in the industry, that a residential presence was required for operational purposes and that evidence was provided showing that there would be a financial return from the intended use.
2. That the property was located in an area that had assumed a rural residential character. The site was one of many small lots in the area and that the majority of these lots contained a dwelling.

The application before Council fails on both of these counts. Firstly, the applicant has clearly stated that his intention is to live on the property for lifestyle purposes and the application lacks information demonstrating that a dwelling is reasonably required for the proposed agricultural use. Secondly, the site is in an area that is predominately used for broad acre farming purposes. The site is one of 15 similar size lots along Taylor Road to the south and east of the Meredith township and only two of these lots (the lots adjoining the subject land) contain a dwelling. One of these dwellings was built in 2003 and the other dates back to 1995.

### **Impact of approval**

Council has maintained a clear and consistent approach to its assessment of applications for dwellings within the Farming Zone by refusing those that are not reasonably required for an agricultural use. Officers are of the opinion that the proposed use is not a genuine farming proposal and the approval of this application would set an undesirable precedent and lead to a proliferation of dwellings in the area. This would result in the following impacts:

- The loss of productive agricultural land through the inflation of land values thereby preventing farmers from purchasing land for agricultural use.
- Introducing impediments to the establishment of agricultural industries which require substantial buffers and creating land use conflicts between existing farm operations and dwellings that are not related to agriculture.
- Increasing the demand for services and infrastructure away from existing townships which will increase costs to Council.



### ***Cultural Heritage Implications***

It is considered there are no cultural heritage implications.

### ***Financial & Risk Management Implications***

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

### ***Economic, Social & Environmental Implications***

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

### ***Conclusion***

The application is not considered to satisfy the provisions of the planning scheme including State and Local Planning Policies relating to Agriculture, the Rural Land Use Strategy and the decision guidelines of the Farming Zone. The use of the land for a dwelling has the potential to lead to a proliferation of dwellings in the area, affect the operation of nearby agricultural uses and result in the loss of productive agricultural land. It is therefore recommended that the application be refused.

Whilst the officers remain very strongly of the view that this application should be refused, we have attached the suite of conditions that the officers believe should be attached to the planning permit in the event that Council, against the consistent advice of its planning officers, determines that a planning permit should be issued for the proposed development.

### ***Moved Crs Hansford/Kirby***

***That Council resolves to issue a Notice of Decision to Refuse to Grant a Permit for the use and development of a dwelling at Crown Allotment 36 Taylor Road, Meredith for the following reasons:***

- 1. The proposal is inconsistent with the State Planning Policy Framework (Clauses 11.07-2, 11.08, 14.01-1 & 16.02-1) which aims to protect productive agricultural land and minimise or avoid property servicing costs carried by local and State governments by directing housing to existing settlements and discouraging the development of small lots in rural areas for dwellings.***
- 2. The proposal is contrary to the Local Planning Policy Framework in particular Clauses 21.02 (Meredith Structure Plan), 21.03, 21.05-2 and the Rural Land Use Strategy which seek to protect agricultural land, by discouraging use and development that is inconsistent with agricultural activities and by containing residential development within existing town boundaries.***
- 3. The proposal does not satisfy the provisions of the Farming Zone, because it does not adequately justify the need for a dwelling based on the agricultural activities proposed to be conducted on the land and has the potential to lead to a proliferation of dwellings in the area, affect the operation of nearby agricultural uses and result in the loss of productive agricultural land.***

***Carried***

It is recorded that Cr Helena Kirby declared an indirect interest as she is party to the matter. Cr Kirby is associated to the historic overlay in Rokewood Township 57-61 Ferrars Street, Rokewood but this is not conflicting to the matter. Cr Kirby did not leave the chamber.

#### 4.4.2 Amendment C76 – Golden Plains Municipal Strategic Statement & Local Planning Policy Framework Update

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director Assets and Amenity
Responsible Manager	Tim Waller, Development Manager
Responsible Team Leader	Sarah Fisher, Planning Team Leader
Author	Alicia te Wierik, Senior Strategic Planner
File References	EDMS file: 60-02-076
Council Plan Link	Managing the Natural and Built Environment
Relevant Council Strategies	We work to promote, conserve, enhance and protect the natural environment and ensure that growth and change in the built environment is managed for the benefit of all our community.
Overlays	N/A
Relevant Legislation	Planning and Environment Act 1987
Attachments	<ul style="list-style-type: none"> <li>7. Amendment C76</li> <li>8. Submissions to Amendment C76</li> <li>9. Amended version of MSS and LPPF to accommodate submissions</li> <li>10. Confirmation from submitters that concerns have been addressed.</li> </ul>

#### *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.

Sarah Fisher: 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 consider submissions to Planning Scheme Amendment C76 which seeks to replace the existing Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement (MSS) with a new LPPF.

Amendment C76 is required to ensure current Council policy is reflected in the LPPF and that duplicitous and unnecessary material that doesn't contribute to land use decision making is removed.

The amendment is required to provide Golden Plains Shire and its community with a contemporary LPPF and planning scheme which aligns with the State Planning Policy Framework (SPPF).

The LPPF is revised to implement the *Golden Plains Shire Local Planning Policy Framework Review – Background, Issues and Review Report, July 2016*.

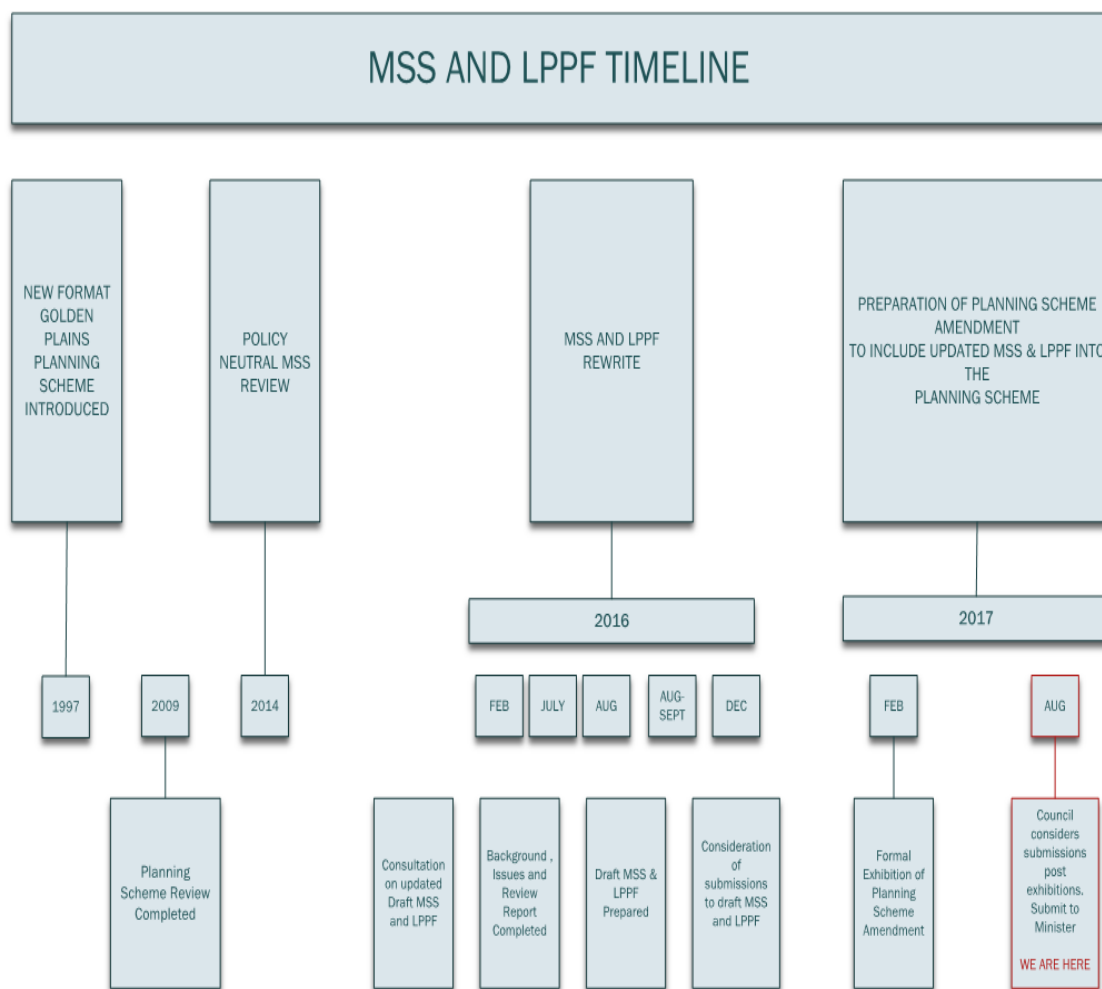
A copy of Amendment C76 is provided at Attachment 9.

## Background

Council adopted the updated MSS and LPPF in December 2016 and sought authorisation from the Minister for Planning, to proceed with Amendment C76 to include the updated MSS and LPPF into the Golden Plains Planning Scheme.

The MSS and LPPF were 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.



## Proposal

Amendment C76 was exhibited in accordance with Section 19 of the *Planning and Environment Act 1987*, from 13 May 2017 until 3 July 2017.

Notice was provided in the Geelong Advertiser and Ballarat Courier on Saturday 13 May 2017 and the Government Gazette on the 18 May 2017. Letters were sent to Ministers and referral authorities in accordance with the Planning and Environment Act 1987.

Six (6) submissions were received in relation to Amendment C76. The submissions have been summarised and considered with a recommended response provided. Submissions are provided at Attachment 8.

**Submission No. 1**  
**Department of Economic Development, Jobs, Transport and Resources**

**Summary of Submission:**

The Department of Economic Development, Jobs, Transport and Resources (DEDJTR) considers the MSS as a well-considered, aspirational framework for the future development of the municipality.

Specific comments include:

The Department has requested an update to Figure 21.07-3(A) (Map of South East Area) and some additional wording to be inserted at Clause 21.06 (Transport and Infrastructure); Clause 21.07-3 (South East Area) and Clause 21.07-6 (Gheringhap).

**Direction:**

The requested changes and insertions are relatively minor and include reference to connectivity, cycle and shared paths, citing existing policy guidelines and referral requirements.

In some instances, the proposed changes duplicate existing requirements of the scheme. In these cases, the relevant clause has been identified to DEDJTR to demonstrate that the matter is covered elsewhere.

In another case, it has been suggested that reference to the Batesford and Lovely Banks Growth Areas identified in City of Greater Geelong be included in the South East Area Policy at Clause 21.07-3. Inclusion of the South East Area policy was the result of significant strategic work which was exhibited and considered by the public, Council and a planning panel in 2011, before the new Geelong areas were identified. It is outside the scope of this project to form a strategic response to these growth areas. Rather, Council could consider undertaking Further Strategic Work to update the South East Area policy to include reference to the Northern and Western Geelong Growth Areas.

The Department has advised that it has no objection to the proposed responses provided by officers in the table below.

Clause and page	Submission from DEDJTR	Suggested response from Council officers
21.06-1 (page 1)	Objective 1: This item should include connectivity of walking and cycling routes to connect with public transport <i>and activity centres such as shops, sports centres and to the town centres within the region.</i>	Objective 1 – To ensure the transport network supports economic opportunities.  This objective relates to the regional network of higher order transport infrastructure (like freight, intercity train services, highways) to support economic development.  The second Objective 1 (should read Objective 2) : <ul style="list-style-type: none"><li>To encourage the development and use of sustainable forms of transport, could include an additional strategy:</li></ul> Strategy 1.4 (should read 2.4) <ul style="list-style-type: none"><li>Support the creation of walking and cycling routes to connect with public transport stops <i>and activity centres such as shops, sports centres and to town centres.</i></li></ul> DEDJTR's suggested wording to be incorporated into the Clause at Clause 21.06-1 (Strategy 2.4) is supported.

Clause and page	Submission from DEDJTR	Suggested response from Council officers
21.07-3 (page 11)	Figure 21.07-3A. Consider updating this map. The Geelong Ring Road is shown dashed in green colour and in the wrong location. The road is built.	Figure 21.07-3A be updated to show the correct location and name of the Geelong Ring Road.
21.07-3 (page 12)	Modify the second bullet to specify the growth areas as Batesford and Lovely Banks because of the role the Midland Highway and Hamilton Highways play in servicing the area.	<p>Clause 21.07-3 refers to local policy that has been created from the Review of the south east area of Golden Plains Shire is 2007.</p> <p>The Batesford and Lovely Banks growth areas were not considered at the time of this policy work and there is no strategic response from Golden Plains to these growth areas as yet.</p> <p>As such, there is no strategic justification for the inclusion of any policy direction from Golden Plains to these growth areas as yet.</p> <p>This will be considered for future strategic work in this area and a subsequent future review of the MSS and LPPF.</p>
21.07-3 (page 22)	Fourth bullet point from the bottom of the page: Include the provision of cycle paths and crossing for cycle paths in addition to what is already mentioned for pedestrians.	A new Inverleigh Structure Plan is currently being prepared. When completed, this policy will be updated to reflect current strategies. In the meantime, we can include reference to 'cycle' but it may be better to have input into the new structure plan for Inverleigh to ensure cycling is considered as part of the shared network of trails.
21.07-3 (page 23)	First paragraph. Include: "...to lots from the Hamilton Highway and must refer proposals to VicRoads as the responsible authority for declared arterial roads"	<p>This is already required in the planning scheme. Pursuant to Clause 66.03 Referral of permit applications under other State Standard provisions: an application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a PAO if the Roads Corporation is the acquiring authority for the land, subject to exemptions specified in the clause, must be referred to the Roads Corporation.</p> <p>One of the key purposes of reviewing and updating the MSS and LPPF is to remove duplication of requirements, as such, it's not necessary to include this requirement again at 21.07-3.</p>
21.07-3 (page 23)	Under Further Strategic Work, third bullet point: consider replacing <i>walking trail</i> with <i>shared path</i>	Change to suggested wording – <i>shared path</i>

Clause and page	Submission from DEDJTR	Suggested response from Council officers
21.07-3 (page 24)	Fourth bullet point. Consider including a suggestion to refer proposals for new roads to VicRoads, especially if the new road is likely to be performing an arterial road function and likely to be transferred to VicRoads for management.	This suggestions is covered in other parts of the Golden Plains Planning Scheme, namely the Particular Provisions and General Provisions. See in particular at: Clause 52.29 the views of the relevant road authority are required when considering applications to create or alter a road in a Road Zone, Category 1 and subdivide land adjacent to a road in a Road Zone, Category 1; and Pursuant to Clause 66.03 Referral of permit applications under other State Standard provisions: an application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a PAO if the Roads Corporation is the acquiring authority for the land, subject to exemptions specified in the clause, must be referred to the Roads Corporation.
21.07-6 (page 27)	Objective 3, Strategy 3.1: consider including text on providing cycling infrastructure.	At Clause 56.06 of the Particular Provisions of the Golden Plains Planning Scheme the Access and Mobility Management provisions require an application for subdivision to include a plan of the layout of the neighbourhood that meets the objectives of Clause 56.06-2 Walking and cycling network.
21.07-6 (page 27)	Policy Guidelines: Include Road Safety as a criteria	Include suggested wording.

## Submission No. 2 Environment Protection Authority

### Summary of Submission:

The Environment Protection Authority (EPA) has provided comments on:

1. Waste Management, specifically landfill management issues including odour, gas migration, encroachment into buffers and allocation of land for specific waste. The EPA suggests specific reference to waste management be included in the MSS.
2. Separation Distances, and providing specific objectives and strategies in the MSS to ensure the maintenance of environmental buffers between residential and industrial uses.
3. Intensive Animal Industries and the current work by the Animal Industries Advisory Committee which could be noted as further strategic work in the LPPF/MSS.
4. Contaminated Land, being specifically included as an issue within the LPPF/MSS, in particular objectives and strategies to ensure that potentially contaminated land is suitable for its future intended use or development.
5. Stormwater Management, in particular, including reference to *Urban Stormwater Best Practice Environmental Management Guidelines* CSIRO, May 2006, to ensure water quality in maintained in an area.

**Direction:**

The MSS and LPPF update has been designed to avoid duplication of State Planning Policy. The Municipal Strategic Statement and Local Planning Policies have been edited and has been carefully drafted to ensure text is limited to providing policy and guidance only where there are particular local circumstances requiring specific direction of more detail than the State Planning Policy provisions provide.

Issue	Submission from EPA	Suggested response from Council officers
1.	Waste Management, specifically landfill management issues including odour, gas migration, encroachment into buffers and allocation of land for specific waste. The EPA suggests specific reference to waste management be included in the MSS.	<p>Clause 19.03-5 Waste and resource recovery provides State Planning Policy regarding waste management. Specific strategies include:</p> <p><i>‘Ensure future waste and resource recovery infrastructure needs are identified and planning for to safely and sustainably manage all waste and maximise opportunities for resource recovery.</i></p> <p><i>Protect waste and resource recovery infrastructure against encroachment from incompatible land uses by ensuring buffer areas are defined, protected and maintained.</i></p> <p><i>Ensure waste and resource recovery facilities are sited, designed, built and operated so as to minimise impacts on surrounding communities and environment.’</i></p> <p>This clause in the State Planning Policy Framework covers issue No. 1 raised by the EPA.</p>
2.	Separation Distances, and providing specific objectives and strategies in the MSS to ensure the maintenance of environmental buffers between residential and industrial uses.	<p><i>At Clause 17.02 Industry, the State Planning Policy Framework strategies include:</i></p> <p><i>Identify land for industrial development in urban growth areas where:</i></p> <ul style="list-style-type: none"> <li><i>• Appropriate buffer areas can be provided between the proposed industrial land nearby sensitive land uses.</i></li> </ul> <p><i>Protect industrial activity in industrial zones from the encroachment of unplanned commercial, residential and other sensitive uses which would adversely affect industry viability.</i></p> <p>This clause in the State Planning Policy Framework covers issue No. 2 raised by the EPA.</p>
3.	Intensive Animal Industries and the current work by the Animal Industries Advisory Committee which could be noted as further strategic work in the LPPF/MSS.	<p>In relation to the EPA’s issue No. 3, Further Strategic Work identified in the MSS and LPPF should refer to work intended to be undertaken by Council. The work of the Animal Industries Advisory Committee was commissioned by the State Government, rather than Council and as such should not be referenced in the Local Planning Policy Framework. Certainly findings of the Advisory committee may be considered by Council when their work is completed.</p>



Issue	Submission from EPA	Suggested response from Council officers
4.	Contaminated Land, being specifically included as an issue within the LPPF/MSS, in particular objectives and strategies to ensure that potentially contaminated land is suitable for its future intended use or development.	The matter relating to contaminated land is addressed in State Planning Policy at Clause 13.03-1, specifically 'Use of contaminated and potentially contaminated land'.
5.	Stormwater Management, in particular, including reference to Urban Stormwater Best Practice Environmental Management Guidelines CSIRO, May 2006, to ensure water quality is maintained in an area.	In relation to the 5th matter raised by EPA, it is noted that the policy guidelines of Clause 19.03-3 Stormwater of the State Planning Policy Framework refer to the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999) (as updated). There is no need to duplicate this reference as reference in the State section is sufficient to ensure consideration is given to this matter.

Following consideration of the EPA's submission, Council officers responded to the EPA and outlined the clauses within the State Planning Policy Framework which covered the matters raised by the EPA. In response, the EPA advised that it has no objections given the consideration and information provided by Council.

No changes are required to the MSS or LPPF given these matters are all sufficiently covered by the State Planning Policy Framework.

The EPA has advised that it has acknowledged that Council has considered their comments and has no objections to the further information provided by Council.

### **Submission No. 3 Corangamite Catchment Management Authority**

#### **Summary of Submission:**

The Corangamite Catchment Management Authority (CCMA) are satisfied with the recommended changes to the Local Planning Policy Framework and support the Council in the updating of their policy in relation to Environment, Natural Resource and Floodplain Management.

#### **Direction:**

No action required, as the CCMA supports the Amendment and has not requested any changes.

### **Submission No. 4 Country Fire Authority**

#### **Summary of Submission:**

The Country Fire Authority (CFA) has requested a change to the proposed Amendment, specifically, the CFA proposes that:

1. Objective 1 of Clause 21.03-4 (Bushfire) be rewritten to remove the term balancing primacy of human life with the conservation of significant vegetation, and focus solely on bushfire risk to human life.
2. Strategy 1.1 of Clause 21.03-4 (Bushfire) be reworded to make it clearer that it is about rezoning that leads to higher density development or puts more people in areas at high risk of bushfire.



**Direction:**

The CFA submission reflects State Planning Policy on Bushfire at Clause 13.05-1, which requires the prioritisation of human life over other policy considerations in planning and decision making in areas at risk of bushfire.

It is not the intention of the local planning policy to compromise the State Planning Policy requiring the prioritising of human life. Rather, the local planning policy seeks to include direction for decision making in the local context where as well as considering human life, areas of significant vegetation are also taken into account when considering planning matters relating to Bushfire.

In response to the CFA's submission, it is proposed that within the Context and issues test of Clause 21.03-4 Bushfire, that the following text be included:

*The SPPF includes detailed policy in relation to bushfire planning and strategies which clearly prioritise the protection of human life over other policy considerations. At a local level, Golden Plains has also identified vegetation conservation as a lower, but still important, priority in bushfire prone areas. The SPPF must be considered prior to the application of the local policy.*

Furthermore, it is suggested that Objective 1 be changed from:

(Existing) Objective 1: ~~To balance the primacy of human life with the conservation of significant vegetation.~~

To read:

(Suggested) Objective 1: To avoid development in bushfire prone areas that contain significant vegetation.

Insert the following strategy into Strategy 1.1:

Avoid rezoning of land that allows for settlement in areas of high bushfire risk where significant vegetation will be compromised.

The CFA has considered the suggested changes and has no objection to the amendment if the changes identified above are made, as well as changing the word "Balancing" to "Considering" within the Context and Issues section of Clause 21.03 Environment and Natural Resources to read as follows:

The environment is a key factor influencing the economy, lifestyle and recreational choices in the Shire.

Key challenges facing the Shire include:

At the second dot point:

- ~~Balancing~~ *Considering* native vegetation conservation with development pressures, land use change and protecting people from wildfire.

See Attachment 10 for letter from CFA which confirms CFA is happy with the suggested changes.

It is recommended that the changes drafted in response to the comments made by CFA are made to the LPPF to ensure that while it is consistent with State Planning Policy and gives full effect to addressing the objectives and strategies to address the State Planning Policy on Bushfire, it also provides for consideration of significant vegetation which is a local Planning policy priority.

**Submission No. 5**  
**Department of Environment, land, Water and Planning**

**Summary of Submission:**

The Department of Environment, Land, Water and Planning (DELWP) supports the proposed amendment.

**Direction:**

No action required.

**Submission No. 6**  
**Central Highlands Water**

**Summary of Submission**

In general, Central Highlands Water (CHW) is supportive of the draft amendment in its current form, but makes the following comments:

Strategic Framework Plan (Smythesdale)

A portion of the land identified for future residential zoning at Smythesdale is outside the current sewerage district and there are no current plans to provide sewerage to these areas. CHW is open to discuss options for the land at the appropriate time.

Terms and conditions for the supply of water and sewerage to the former Yellowglen winery site have not been agreed to. Further assessment will need to be undertaken when a firm proposal is submitted by the developer. The further assessment of Smythesdale, including the YellowGlen site, may involve CHW developing a long term servicing strategy for Smythesdale, potentially incorporating integrated water cycle management principles, in conjunction with Council.

Scarsdale and Linton

CHW notes at Clause 21.0-6-2 it states 'Scarsdale and Linton will be seweraged by the Central Highlands Water Authority when the towns achieve population thresholds.' It is further noted that Council's Domestic Wastewater Management Plan (2015) has recognised that there is insufficient existing development and or development pressure to be advocating for sewerage at this time for these townships.

In respect of new potential sewerage schemes, there is a gaining emphasis within the water industry and regulators that before new centralised reticulated sewerage systems are installed that the option to retain existing arrangements be more extensively explored.

**Direction:**

The comments from Central Highlands Water in relation to the Smythesdale Structure Plan and modification of Council policy towards sewerage of Scarsdale and Linton are acknowledged.

With regards to the residential and sewerage district alignment at Smythesdale, this would be a matter for the next Smythesdale Structure Plan when it is reviewed. The residential areas, including Yellowglen were identified in consultation with Central Highlands Water but were determined before the sewerage scheme was finalised.

Reviewing the Smythesdale Structure Plan is outside the scope of this Amendment, however the comments of Central Highlands Water seeking to be involved in developing a long term servicing strategy for Smythesdale incorporating water cycle management principles will be welcomed at the time of the Smythesdale Structure Plan review.

The Northern Settlement Strategy currently being undertaken by Council will likely provide direction in terms of timing and scope for the future planning of Smythesdale.

In the meantime, Council will continue to work with Central Highlands Water for supply of water and sewerage to particular residential developments in Smythesdale, including the Yellowglen site.

With regards to Central Highlands Water's comments regarding Scarsdale and Linton, Council's Domestic Waste Water Management Plan, 2015 provides specific direction in relation to these towns:

### ***Linton***

*Council officers indicate that the town has less development pressure than the other unsewered towns. Linton is considered to be lower priority for reticulated sewerage than Inverleigh or Meredith, although this conclusion should be reviewed in the next DWMP.*

### ***Scarsdale***

*While the old part of Scarsdale contains an area of relatively dense existing systems, there are too few houses to justify sewerage. This conclusion should be reviewed in the next DWMP once audit results are available.*

The updated MSS and LPPF is designed to be concise and remove duplicity, so rather than repeat the information from the Domestic Wastewater Management Plan, 2015, the DWMP is referenced in Clause 21.06-2 as a policy guideline when considering applications for development. For clarity, it is suggested that the following sentence be removed from the same clause, so that the contents of the DWMP are relied upon in reference to Scarsdale and Linton:

- 'Scarsdale and Linton will be sewered by the Central Highlands Water Authority when the towns achieve population thresholds' from Clause 21.06-2 Development Infrastructure.

And replaced with:

- Central Highlands Water Authority will assess the need for sewerage in Scarsdale and Linton when development and growth has reached a stage where it is warranted.

Central Highlands Water has advised that it is agreeable to the approach regarding a future Smythesdale Structure Plan that will include involving Central Highlands Water in the development of an integrated water cycle management plan and note that, at that time, it may also be prudent to review the Structure Plan against the sewerage district.

Central Highlands Water accepts the offer to amend the state, as specified (above), relating to the need to sewer Scarsdale and Linton when development warrants such a review.

### ***Discussion***

The submissions from the various authorities can be accommodated with minor changes to the LPPF and MSS. These have been included together with a final edit for spelling and clarification to provide the final version of the updated MSS and LPPF for presentation to the Minister for Planning for approval.

It is considered that a Planning Panel will not be required, given the comments and suggestions made by the six (6) submissions can be accommodated with minor edits.

Copies of the advice from Department of Economic Development, Jobs, Transport and Resources, Environment Protection Authority, Central Highlands Water and Country Fire Authority are provided at Attachment 10 to confirm that all submissions have been addressed.

### ***Community Engagement***

The amendment was exhibited in accordance with the *Planning and Environment Act, 1987*. Six submissions were received, these have been provided at Attachment 8.

### ***Cultural Heritage Implications***

The protection of Cultural Heritage places is considered throughout the Golden Plains Planning Scheme. 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 amendment.

### ***Financial & Risk Management Implications***

By working with the submitters to address and accommodate their concerns within the updated MSS and LPPF, Council can avoid the need for a Panel Hearing, thereby also avoiding significant costs and time associated with presentation to a Panel.

Having a robust and up-to-date MSS and LPPF will have positive financial implications for Council by avoiding misinterpretation of Council policy and clearer direction for consideration of planning matters.

Risk implications have been mitigated by the adherence to the legislative requirements for undertaking planning scheme amendments in accordance with the *Planning and Environment Act 1987*.

### ***Economic, Social & Environmental Implications***

Advice and input has been included from local and state agencies to ensure economic, social and environmental implications are well considered and balanced to provide an appropriate strategic framework for decision making on land use planning and development matters.

### ***Communications***

The project has been advertised in the Golden Plains Gazette and on the Golden Plains Shire website. 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. A formal round of consultation also occurred as part of the Planning Scheme Amendment process which included Public Notices in the Government Gazette, the Geelong Advertiser and the Ballarat Courier.

### ***Conclusion***

Amendment C76 updates the Local Planning Policy Framework, including the Municipal Strategic Statement of the Golden Plains Planning Scheme.

The Local Planning Policy Framework (LPPF) sets a local strategic policy context for a municipality. There are two parts to the LPPF:

1. The Municipal Strategic Statement (MSS);
2. Specific local planning policies

The Municipal Strategic Statement (MSS) is an active strategic planning tool. It is reviewed and added to periodically. The next review of the MSS is required one (1) year after the Council Plan is adopted.

The LPPF must be consistent with the State Planning Policy Framework (SPPF).

The Local Planning Policy Framework and MSS have been updated to ensure current Council policy is reflected in the LPPF. The revised LPPF implements the *Golden Plains Local Planning Policy Framework Review – Background, Issues and Review Report, July 2016*.

The updated LPPF was adopted by Council in December 2016 and has been exhibited in accordance with the Planning and Environment Act 1987. Six (6) submissions have been received, four (4) of which, requested changes to the amendment.

After considering a submission which requests a change to an amendment, the planning authority must:

- Change the amendment in the manner requested; or
- Refer the submission to a panel; or
- Abandon the amendment or part of the amendment.

Following discussions with the submitters seeking changes, it is considered that the amendment can be changed in the manner requested by the submissions. The requested changes are not considered onerous or in conflict with Council policy or intentions for the municipality.

An amended version of Amendment C76 has been prepared and provided at Attachment 9 to include the changes as requested by submissions and also includes minor edits for spelling corrections and clarification.

If Council agrees to the proposed changes as provided in Attachment 9, the amendment can be adopted by Council and then submitted to the Minister for Planning for approval.

*Moved Crs Hansford/Gilbert*

***That Council adopt Amendment C76 in the form of Attachment 9 and send to the Minister for Planning for approval in accordance with section 31(1) of the Planning and Environment Act 1987.***

*Carried*

#### 4.4.3 Review of Council Policy 10.5: (a) Temporary Residency & (b) Sheds in the Low Density Residential Zone & Rural Living Zone

Directorate	Assets and Amenity
Unit	Development
Senior Manager	Greg Anders, Director of Assets & Amenity
Responsible Manager	Tim Waller, Development Manager
Author	Tim Waller, Development Manager
File References	Not applicable
Council Plan Link	Key Result Area: Environment and Land Use Planning
Relevant Council Strategies	N/a
Relevant Policies & Legislative Frameworks	<ul style="list-style-type: none"> <li>▪ Planning and Environment Act 1987</li> <li>▪ Building Act 1993</li> </ul>
Attachments	<p>11. Current - Council Policy 10.5 Temporary Residency &amp; b) Sheds in the Low Density Residential Zone &amp; Rural Living Zone.</p> <p>12. Amended - Council Policy 10.5 Temporary Residency &amp; b) Sheds in the Low Density Residential Zone &amp; Rural Living Zone.</p>

#### *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 relates to the scheduled review of Council Policy 10.5 Temporary Residency & b) Sheds in the Low Density Residential Zone & Rural Living Zone. This policy seeks to assist Council to address risk and to improve safety within the built environment. The policy was developed following a comprehensive rewrite of Council's regulatory approach to the consideration of new building approvals. This work was closely related to Council's response to the recommendations from the 2009 Bushfire Royal Commission.

No significant changes to Council Policy 10.5 are proposed.

#### *Background*

Council Policy 10.5 was adopted in August 2012. This policy was developed following a comprehensive review of unlawfully occupied structures located on land subject to the Wildfire Management Overlay (replaced by the Bushfire Management Overlay). Investigations at the time revealed that there were a significant number of structures approved for domestic storage purposes that were being used for accommodation. In addition to the standard enforcement proceedings required to achieve compliance, officers sought to adopt a more proactive approach that would engage building surveyors in the regulatory approval chain.

The policy states that Council does not support or facilitate the unlawful establishment of sheds on vacant land or the temporary accommodation of sheds while a house is being constructed.

#### *Discussion*

Council Policy 10.5 requires evidence of a commitment to a dwelling development, such as foundation / footing construction, prior to the approval of a domestic storage shed. With the adoption of Council Policy 10.5 Council has made significant progress in tackling the legacy of non-compliant structures.

The adoption of this policy coincided with the removal of Council Policy 10.2 that contained provisions relating to shed construction in the Township, Low Density Residential & Rural Living Zones. The Council Policy 10.2 provisions were found to contradict both planning scheme requirements and the building regulations, effectively creating confusion in the community.

Since the adoption of Council Policy 10.5 officers have received fewer complaints regarding the illegal occupation of sheds. The local building inspectors and local shed construction companies have adapted to the policy requirements, which are now more consistent with neighbouring authorities.

### ***Community Engagement***

This policy review does not propose any significant change to the existing policy and therefore no formal consultation or engagement process is required.

The Development Unit regularly produce gazette articles regarding compliance actions related to the unlawful use or occupation of shed structures.

### ***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, social or environmental implications.

### ***Communications***

It is considered that a communication plan is not required.

### ***Conclusion***

The existing policy has been reviewed by Council's Investigations Officer and the Municipal Building Surveyor. Both officers agree that the current policy clearly articulates Council's objectives in combating the unlawful occupation of sheds. A minor change is proposed with the replacement of 'Certificate of Occupancy' with 'Occupancy Permit'.

### ***Moved Crs Hansford/Kirby***

***That Council adopts the amended Council Policy 10.5 (a) Temporary Residency and (b) Sheds in the Low Density Residential Zone & Rural Living Zone.***

***Carried***

## 4.5. KEY RESULT AREA – FINANCIAL MANAGEMENT

### 4.5.1 GPS-T11/2017 – Roadside Slashing, Guide Post Spraying, Vegetation Control & Township Contract Mowing

Directorate	Assets and Amenity
Unit	Works
Director	Greg Anders
Responsible Manager	David Greaves
Author	Dale Smithyman
File References	EDMS file: 39-139-001 Contract Number: GPS-T10/2017
Council Plan Link	
Relevant Council Strategies	
Relevant Policies & Legislative Frameworks	
Attachments	14. Confidential GPS-T11/2017 Roadside Slashing

#### *Declarations of Interest: Councillors & Officers*

Greg Anders: In providing this advice as the Director, 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.

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

#### *Purpose*

This report seeks Council approval for the awarding of a tender for Roadside Slashing, Guide Post Spraying, Vegetation Control and Township Contract Mowing.

#### *Background*

Council undertakes an annual program of slashing and mowing of grass on roadsides and reserves within the municipality in order to address fire hazard, road safety and amenity issues in the lead up to each summer season. These works complement ongoing mowing and slashing works undertaken by Council staff as per Council Policy 6.3 – Township Maintenance.

This tender seeks to engage a suitably qualified and equipped contractor to undertake:

Roadside slashing:	slashing of roadsides outside of township areas to address road safety and amenity and provide fire breaks as per Council's Municipal Fire Management Plan
Guide post spraying:	vegetation control around guide posts on specified roads to provide improved road safety.
Township maintenance:	slashing of roadsides and reserves within townships as specified under Service Levels 3 and 4 in Council policy to address amenity and fire hazards.

The Tender was divided up into separate portions reflecting the differing works required and the geographical layout of the municipality (i.e. north and south based works). This aimed to provide flexibility for tenderers who may only want to tender for particular works in particular areas and for Council in seeking the best value outcome.



The Tender was offered as a 3 year contract with two 1 year extensions. This will allow Council to readily extend or terminate the contract after 3 years while providing the successful contractor with secured engagement for 3 years provided contract conditions are met and the standard of works is consistently acceptable.

Tender documents encompassing the contract requirements and maps were released to the market on 10 July 2017. A Contractor Briefing was held on 18 July 2017 at the Bannockburn Cultural Centre with eight potential contractors attending. Submission of Tender Responses closed on 2 August 2017

### ***Tender Evaluation***

Eight Tenders were received as follows:

1. Amla Services
2. Ballarat Lawn & Mowing
3. Flare Resources
4. G&S Plantation Services
5. Jarooke Enterprises Pty Ltd
6. Maca Infrastructure Pty Ltd
7. TMC Enviro Trust
8. Wendair Pty Ltd

### ***Non-Conforming Tenders***

The tenders received from Wendair Pty Ltd and Flare Resources were deemed non-conforming due to the omission of tender response documents and supporting documentation. They were therefore not considered for further evaluation.

### ***Mandatory Requirements***

All other tenders met Council's mandatory requirements, which were:

- OH&S Questionnaire
- Risk Management Policy
- Quality Policy & Management System
- Environmental Policy & Management System

### ***Weighted Criteria***

The tenders were evaluated based on the following criteria:

Tender price .....	40%
Financial Capacity – Project Delivery .....	15%
Capability – Project Delivery (Experience) .....	20%
Capability – Environmental Management .....	10%
Capacity – Key Personnel .....	10%

Each of the weighting criteria were considered based on their relative importance in delivering an efficient and cost effective program to achieve the outcomes of the contract. In a budget constrained environment, the tender price was given the highest weighting. Other weighting criteria ensured that a contractor's experience with similar work and understanding of the requirements of this contract were considered, thereby aiming to have a well-informed, experienced and equipped contractor able to reliably carry out the works within the required timeframe.

The attached confidential report provides further details.

### ***Community Engagement***

A formal consultation process was not required.

### ***Financial & Risk Management Implications***

The recommended tender of \$158,365.79 (including GST) is within the available budget for this procurement.

It is considered that there are no risk management implications.

### ***Economic, Social & Environmental Implications***

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

### ***Communications***

It is considered that a communication plan is not required.

### ***Conclusion***

Based on tender information obtained and detailed assessment of the tenders, the tender from TMC Enviro Trust was deemed to provide the Best Value to Council with a weighted score of 23.25 and is therefore the preferred tender.

### ***Recommendation***

***That Council resolves to award Contract GPS-T11/2017, for Roadside Slashing, Guide Post Spraying, Vegetation Control and Township Contract Mowing to TMC Enviro Trust for the tendered amount of \$158,365.79 including GST>***

### ***Moved Crs Hansford/Rowe***

***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 matters which the Council considers contractual matters.***

***Carried***

The time being 5.06pm Council moved into Closed Council.

### ***Moved Crs Hansford/Rowe***

***That Council moved into open meeting.***

***Carried***

It is recorded that Council moved into open meeting at 5.20 pm.

### ***Moved Crs Gilbert/Sharkey***

***That Council resolves to award Contract GPS-T11/2017 for Roadside Slashing, Guide Post Spraying, Vegetation Control and Township Contract Mowing to TMC Enviro Trust for the tendered amount of \$158,365.79 including GST.***

***Carried***

**4.6. KEY RESULT AREA – HUMAN SUPPORT SERVICES**

No report.

**4.7. KEY RESULT AREA – RECREATION & COMMUNITY DEVELOPMENT**

No report.

## 4.8. KEY RESULT AREA – ROADS & STREETS INFRASTRUCTURE

### 4.8.1 GPS-T9/2017 Bitumen Emulsion CR/60

Directorate	Assets and Amenity
Unit	Assets and Amenity Works
Senior Manager	Greg Anders, Director Assets & Amenity
Responsible Manager	David Greaves, Works Manager
Author	David Greaves, Works Manager
File References	<ul style="list-style-type: none"> <li>EDMS file: 39-138-001</li> <li>Contract Number - GPS-T9/2017</li> </ul>
Council Plan Link	Strategic direction: We work to promote, conserve, enhance and protect the natural environment and ensure that growth and change in the built environment is managed for the benefit of all of our community.
Relevant Council Strategies	Road Strategy
Relevant Policies & Legislative Frameworks	N/A
Attachments	15. GPS-T9/2017 Confidential tender evaluation score sheet

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

#### *Purpose*

This report seeks Council approval to the awarding of a tender for the supply of Bitumen Emulsion CR/60 for a period of three years with options for a further one year or two year extension.

#### *Background:*

As part of Council's yearly sealed road maintenance program; specifically patching and repair of potholes and road shoulder/edge failures Council currently uses between 80,000 – 90,000 litres of bituminous emulsion per annum. Generally bulk deliveries of 8,000 litres are sourced and stored in a made for purpose heated tank. Bituminous emulsion is a specialty product and only supplied by a few companies. Currently Council are charged \$1.03 per litre for this product delivered to site. It was determined that there was potential savings by going to the market for a medium term contract for the supply of this product.

The Tender called for the supply of Bitumen Emulsion CRS/60 in accordance with AS1160 in quantities and within timeframes as determined by Council.

The table below summarises the tenders that were received.

No.	Tenderers	Conforming (C) / Non-Conforming (NC)
1	Downer EDI Works	C
2	Fulton Hogan Pty. Ltd.	C
3	Sami Bitumen Technology	C

### *Discussion*

Further detail on pricing is included in the confidential attachment.

Tender Evaluation: The tenders received were assessed for compliancy. All three (3) submissions were successful in providing all required documentation relating to OHS, Insurances, Risk Management and Quality Control documentation.

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

1. David Greaves, Manager Works
2. Paul Thompson, Works Superintendent
3. Asanka Jayakody, Finance Team Leader

Chairperson: Julie Brown (Contract and Procurement Officer)

Tenders were rated using the following criteria and weightings:

<b>A</b>	<b>Compulsory Criteria</b>	<b>Weighting</b>
	OH & S	Pass
	Insurance	Pass
	Risk Management Policy	Pass
	Quality Policy & Management System	Pass
<b>B</b>	<b>Qualitative Assessment</b>	
	Capacity	30%
	Capability	30%
<b>C</b>	<b>Quantitative Assessment</b>	
	Pricing	40%

### *Scoring*

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

Downer EDI Works ..... 64.00  
 Fulton Hogan Pty. Ltd. .... 60.00  
 Sami Bitumen Technology ..... 83.00

Referee checks were conducted for Sami Bitumen Technology as they were the preferred supplier on completion of the scoring of the evaluation criteria stipulated in the tender documents. Two referees were contacted, both of Local Government background, in which both spoke highly of Sami Bitumen Technology and would have no hesitation in using their bitumen products for any future projects.

### *Community Engagement*

It is considered that a formal consultation process is not required.

### *Financial Implications*

<b>No.</b>	<b>Tenderers</b>	<b>Price A\$ per litre</b>
1	Downer EDI Works	\$0.921
2	Fulton Hogan Pty. Ltd.	\$1.020
3	Sami Bitumen Technology	\$0.803

There are no known financial implications in awarding this contract as the service is currently funded within existing budgets.

### *Risk Management Implications*

There are no known risk management implications to Council in awarding this contract.

***Economic, Social & Environmental Implications***

The project will provide for the following economic benefits:

There are potential savings in the order of \$100,000 over the life of the contract, dependant on usage.

***Conclusion***

The Tender Evaluation Panel conducted a thorough evaluation of the three (3) compliant tenders using the specified evaluation criteria resulting in referee checks being completed for the recommended tenderer.

Sami Bitumen Technology obtained positive feedback from all referees contacted with no hesitation in appointing them for further works.

***Moved Crs Hansford/Evans***

***That Council resolves to award Contract GPS-T9/2017 Bitumen Emulsion CR/60 supply contract to Sami Bitumen Technology for a period of three years with options for a further one year or two year extension.***

***Carried***

#### 4.9. **KEY RESULT AREA – WASTE MANAGEMENT**

No report.

## **5. NOTICES OF MOTION**

File: 02-03-004 &

Nil



## **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
27/7/17	Avalon Stakeholders function
28/7/17	G21 Board meeting
1/8/17	Sons of the West Men's Health Program Graduation
4/8/17	Tour Lethbridge Airport with Craig Lapsley Emergency Management Commissioner
10/8/17	Support Avalon meeting
10/8/17	Central Highlands CV Annual social event
11/8/17	Peri Urban Group of Rural Councils Mayors and CEOs Forum
11/8/17	Driving Economic Growth with Justin Hanney
13/8/17	Annual Vietnam Veterans Day Service
14/8/17	G21 Environment Pillar meeting
15/8/17	Golden Plains Business Networking Event
16/8/17	Country Women's Association Conference opening
18/8/17	Central Highlands CV Mayors and CEOs meeting
18/8/17	City of Ballarat Sports night
19/8/17	Inverleigh Sporting Complex Lighting turning of the first sod and Bannockburn Soccer pavilion project opening

### 7.2. 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:

- Annual valuations, and
- State Council is in October.

### 7.3. COUNCILLOR REPORTS

#### Cr David Evans

The Chief Executive Officer, advised that a response to a recent letter in the Geelong Advertiser on the Golden Plains Community and Civic Centre was based on the existing design. A master plan has also been developed internally.

## **7.4. IN CAMERA MEETING**

### **7.4.1 GPS-T11/2017 – Roadside Slashing, Guide Post Spraying, Vegetation Control & Township Contract Mowing (refer report 4.5.1)**

Refer In-Camera Council minutes 5.06pm to 5.20pm for details.

## **8. ATTACHMENTS**

Attachment 1	Item 4.2.1	Protected Disclosure Policy 4.15
Attachment 2	Item 4.3.1	Draft Plastic Wise Policy
Attachment 3	Item 4.3.2	Draft Economic Development and Tourism Strategy 2017-2021
Attachment 4	item 4.4.2	P16-338 Copy of application and plans
Attachment 5	Item 4.4.2	P16-338 Locality map
Attachment 6	Item 4.4.2	P16-338 Draft suite of conditions
Attachment 7	Item 4.4.3	Amendment C76
Attachment 8	Item 4.4.3	Submissions to Amendment C76
Attachment 9	Item 4.4.3	Amended version of MSS and LPPF to accommodate submissions
Attachment 10	Item 4.4.3	Confirmation from submitters that concerns have been addressed
Attachment 11	Item 4.4.4	Current - Council Policy 10.5 Temporary Residency & b) Sheds in the Low Density Residential Zone & Rural Living Zone.
Attachment 12	Item 4.4.4	Amended - Council Policy 10.5 Temporary Residency & b) Sheds in the Low Density Residential Zone & Rural Living Zone.
Attachment 13	Item 4.5.1	Confidential GPS-T11/2017 Roadside Slashing
Attachment 14	Item 4.8.1	Confidential GPS-T9/2017 Tender evaluation score sheet

Attachments are available upon request.

## 9. CLOSE OF MEETING

### *Next Ordinary Meeting*

The next Ordinary meeting of Council will be held on Tuesday 26 September 2017 at the Bannockburn Shire Hall. The meeting is open to the public.

### *Close of Meeting*

It is recorded that the meeting closed at 5.30pm.

## 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.

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**Confirmed, Mayor, Cr Des Phelan**

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**Date**

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