



Council Meeting Minutes

Tuesday 27 March 2018

6.00pm

Bannockburn Shire Hall

Order of Business

1.	APOLOGIES	3
2.	DECLARATIONS, MINUTES & ASSEMBLIES	3
2.1	DECLARATIONS OF INTEREST.....	3
2.2	CONFIRMATION OF MINUTES.....	3
2.3	ASSEMBLIES OF COUNCILLORS	3
3.	PRESENTATIONS	4
3.1	Citizen Recognition.....	4
4.	REPORTS	4
4.1	Review Council Policy 10.3 Timber Plantations Setback.....	4
4.2	Review of Council Policy 4.7: Condolences – Councillors & Former Councillors	5
4.3	Review of Council Policy 4.11: Display of Australian National Flag.....	5
4.4	Review of Council Policy 7.1: Smoking in Council Facilities and Vehicles	6
4.5	Councillors Expenses Report: 1 July – 31 December 2017	6
4.6	Old Batesford Cemetery Management Plan 2018 – Endorse to Exhibit	6
4.7	Planning Application P17-217 for a dwelling and shed at Lot 1 Title Plan 352919L Glenelg Highway, Linton.....	7
4.8	Planning Application P16-331; Development of the Land for Telecommunications Facility, at 2699 Midland Highway, Lethbridge.....	9
4.9	Planning Application P14-206 for a dwelling at Lot 1 of Plan of Subdivision 135627, Sutherland Street, Teesdale.....	11
4.10	Sons of the West Program	11
4.11	Community Engagement Strategy (2016-2020) Progress Report September 2016 – December 2017	12
4.12	Contract GPS-RFT2/2018: Provision of Concreting Services.....	12
5.	NOTICES OF MOTION	13
5.1	Council Position Regarding the Upgrading of the Midland Highway Between Bannockburn and the Princess Freeway Geelong	13
6.	PETITIONS - Nil	14
7.	OTHER BUSINESS	14
7.1	Mayor's Report	14
7.2	MUNICIPAL ASSOCIATION OF VICTORIA (MAV) REPORT	14
7.3	COUNCILLOR REPORTS	14
7.4	IN CAMERA MEETING	15
8.	CLOSE OF MEETING	15

1. APOLOGIES

Nil

2. DECLARATIONS, MINUTES & ASSEMBLIES

2.1 DECLARATIONS OF INTEREST

Cr Owen Sharkey declared a direct interest for report 4.9 Planning Application P14-206 for a dwelling at Lot 1 of Plan of Subdivision 135627, Sutherland Street, Teesdale as a family member is the owner of the land.

2.2 CONFIRMATION OF MINUTES

RESOLUTION

Moved : Cr Des Phelan
Seconded: Cr Nathan Hansford

That the Minutes of the Ordinary meeting of Council held 27 February 2018, as circulated, be confirmed.

CARRIED

2.3 ASSEMBLIES OF COUNCILLORS

EXECUTIVE SUMMARY

To present Council with written records of Assembly of Councillors in accordance with section 80A of the Local Government Act 1989 from 28 February to 26 March 2018 as attached.

RESOLUTION

Moved: Cr Joanne Gilbert
Seconded: Cr David Evans

That Council notes the Assembly of Councillors records from 28 February to 26 March 2018 as attached.

CARRIED

3. PRESENTATIONS

3.1 Citizen Recognition

Golden Plains Shire is proud to recognise the fantastic achievements and contributions made by young people in the community. We are fortunate today to present a Citizen Recognition Award, which includes a certificate of recognition and a grant of \$250 to Meah Sharkey.

Meah Sharkey is being recognised for her achievement in sport.

- *She is 12 years old and lives in Batesford.*
- She has been fencing for nearly three years.
- Meah competed in her first state competition on 17 July 2016 where she won gold for the U11 and she competed in her first nation competition on 23 November 2017
- Meah has most recently travelled to Adelaide to represent Victoria in the U13s.

4. REPORTS

4.1 Review Council Policy 10.3 Timber Plantations Setback

EXECUTIVE SUMMARY

To seek Council approval to revoke Council Policy 10.3 Timber Plantations Setback. This policy was adopted by Council in 2002 to protect the amenity of properties in rural living locations adjoining proposed timber production sites. This report describes the development of the policy, how it has been referred to in past decision making and in conclusion details why the policy is no longer required.

RESOLUTION

Moved: Cr Des Phelan
Seconded: Cr Joanne Gilbert

That Council resolves to revoke Council Policy 10.3 Timber Plantations Setback.

CARRIED

4.2 Review of Council Policy 4.7: Condolences – Councillors & Former Councillors

EXECUTIVE SUMMARY

To review and adopt Council Policy 4.7: Condolences – Councillors & Former Councillors.

RESOLUTION

Moved: Cr Owen Sharkey
Seconded: Cr Joanne Gilbert

Amendment

Moved: Cr David Evans
Seconded: Cr Les Rowe

That Policy 4.7 Condolences – Councillors and Former Councillors include previous Councillors and Councillors since amalgamation and what are the costs.

Motion was lost

Original motion was brought forward

That Council adopt Policy 4.7: Condolences – Councillors & Former Councillors as amended in the attachment.

CARRIED

4.3 Review of Council Policy 4.11: Display of Australian National Flag

EXECUTIVE SUMMARY

To review and adopt Council Policy 4.11: Display of Australian National Flag.

RESOLUTION

Moved: Cr Nathan Hansford
Seconded: Cr David Evans

That Council adopt Policy 4.11: Display of Australian National Flag without amendment as per the attachment.

CARRIED

4.4 Review of Council Policy 7.1: Smoking in Council Facilities and Vehicles

EXECUTIVE SUMMARY

To review and adopt Council Policy 7.1: Smoking in Council Facilities and Vehicles.

RESOLUTION

Moved: Cr Owen Sharkey
Seconded: Cr Nathan Hansford

That Council adopt Policy 7.1: Smoking in Council Facilities and Vehicles.

CARRIED

4.5 Councillors Expenses Report: 1 July – 31 December 2017

EXECUTIVE SUMMARY

To review Councillor's expenses on a regular basis.

RESOLUTION

Moved: Cr Joanne Gilbert
Seconded: Cr Nathan Hansford

That Council note the contents of the Councillor Expense Report as at 31 December 2017.

CARRIED

4.6 Old Batesford Cemetery Management Plan 2018 – Endorse to Exhibit

EXECUTIVE SUMMARY

To seek Council support to take the draft Old Batesford Cemetery Management Plan 2018 out on public exhibition.

RESOLUTION

Moved: Cr Owen Sharkey
Seconded: Cr Nathan Hansford

That Council endorse the draft Old Batesford Cemetery Management Plan 2018 for public exhibition and consultation.

CARRIED

4.7 Planning Application P17-217 for a dwelling and shed at Lot 1 Title Plan 352919L Glenelg Highway, Linton

EXECUTIVE SUMMARY

This report again presents to Council a planning permit application for a dwelling and shed at Lot 1 on Title Plan 352919L Glenelg Highway, Linton. The report was originally presented to the 23 January 2018 Ordinary Council meeting however Council deferred determination of the application to allow notice of the application to be given to the owners and occupiers of adjoining land.

Moved: Cr David Evans
Seconded: Cr Les Rowe

That Council suspend standing orders to hear a submission from Dr Corrina Vila.

It is recorded that Council suspended Standing Orders at 6.47pm.

CARRIED

Moved: Cr Nathan Hansford
Seconded: Cr Les Rowe

That Council resume Standing Orders.

It is recorded that Council resumed Standing Orders at 6.54pm.

CARRIED

RESOLUTION

That Council resolves to issue a Notice of Decision to Refuse to Grant a Permit for the use and development of a dwelling at Lot 1 Title Plan 352919L Glenelg Highway, Linton 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 21.01, 21.02, 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 the dwelling is not reasonably required for the proposed use of the land and the proposal 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.

ALTERNATIVE RESOLUTION

Moved: Cr Les Rowe
Seconded: Cr David Evans

That Council resolves to issue Planning Permit P17-217 for the use and development of a dwelling and shed at Lot 1 TP352919, Glenelg Highway, Linton, subject to the following conditions:

Endorsed plans

1. **The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.**

Dwelling conditions

2. Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles to the satisfaction of the responsible authority.
3. The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) and Code of Practice – Onsite Wastewater Management under the Environment Protection Act 1970.
4. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes to the satisfaction of the responsible authority.
5. The dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

General

6. No human habitation of the shed is permitted.
7. The shed is for storage and other domestic purposes only.

Amenity

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

Mandatory BMO condition

9. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Land management plan

10. The use of the land must be in accordance with the Farm Management/Integrated Land Management Plan for Lot 1 TP352919, Glenelg Highway, Linton, prepared by NR Links, August 2017.

CFA condition

11. The Bushfire Management Plan (prepared by Natural Resource Link Pty Ltd, *Bushfire Management Report for Lot 1 TP352919 Glenelg Highway Linton – Appendix Seven*, dated August 2017) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

VicRoads condition

12. The crossover and driveway are to be constructed generally in accordance with VicRoads Standard Drawing 2066A – Typical rural driveway access to residential properties type C to the satisfaction of and at no costs to the Roads Corporation prior to the commencement of use.

Expiry

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

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six (6) months afterwards (or twelve (12) months after the permit expires for a request to extend time to complete the development).

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

Motion was put and carried

Division:

For: Crs Les Rowe, David Evans, Owen Sharkey and Helena Kirby

Against: Crs Joanne Gilbert, Nathan Hansford and Des Phelan

CARRIED

4.8 Planning Application P16-331; Development of the Land for Telecommunications Facility, at 2699 Midland Highway, Lethbridge

EXECUTIVE SUMMARY

This report relates to a planning permit application for the development of a telecommunications facility at 2699 Midland Highway, Lethbridge. The application has been referred to Council for determination as objections to the application have been received and no resolution found. The report provides background to the application, a summary of the relevant planning considerations and an officer recommendation.

Moved: Cr Nathan Hansford
Seconded: Cr David Evans

That Council suspend standing orders to hear a submission from David Hughes and Matt Evans.

CARRIED

It is recorded that Council suspended Standing Orders at 7.14pm.

Moved: Cr Des Phelan
Seconded: Cr Joanne Gilbert

That Council resume Standing Orders

CARRIED

It is recorded that Council resumed Standing Orders at 7.20pm

RESOLUTION

Moved: Cr Nathan Hansford
Seconded: Cr David Evans

That Council resolves to issue a Notice of Decision to Grant a Permit for the development of a telecommunications facility at Crown Allotment 25, Township of Lethbridge, Parish of Wabdallah (2699 Midland Highway, Lethbridge), subject to the following conditions:

- 1. Before the development starts, a landscaping plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:**
 - b) An additional row of trees along the northern perimeter of the compound consisting of a minimum of six trees with a height at maturity of 12m.**
 - c) The establishment of a row of semi-mature large shrubs around the perimeter of the compound to partially screen the development.**
- 2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.**
- 3. All telecommunications and power connections (where by means of cable) and associated infrastructure to the land must be underground to the satisfaction of the responsible authority.**
- 4. The landscaping works shown on the endorsed plans must be carried out and completed before the use commences and thereafter be maintained to the satisfaction of the responsible authority.**
- 5. The telecommunications facility must comply with Radiation Protection Standard – Maximum Exposure Level to Radiofrequency Fields – 3kHz to 300Ghz, ARPANSA, May 2002, or such other standard as is adopted from time to time by the Australian Communications Authority, to the satisfaction of the responsible authority.**

6. The development must be managed so that the amenity of the area is not detrimentally affected, through the:
- a) Transport of materials, goods, or commodities to and from the land;
 - b) Appearance of any building, works, or materials;
 - c) Emissions of noise, artificial light, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste product, grit or oil.
7. This permit will expire if one of the following circumstances applies:
- a) The development is not started within two years from the date of issue;
 - b) The development is not complete within four years of the date of this permit.

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

CARRIED

It is recorded that Cr Owen Sharkey declared a direct interest as he is related to a family member who is the owner of the land. Cr Sharkey left the chamber at 7.23pm.

4.9 Planning Application P14-206 for a dwelling at Lot 1 of Plan of Subdivision 135627, Sutherland Street, Teesdale

EXECUTIVE SUMMARY

This report relates to a planning permit application for a dwelling at Lot 1 on Plan of Subdivision 135627, Sutherland Street, Teesdale. The application has been referred to the Council Meeting for determination because officers are of the opinion that the application does not satisfy the provisions of the planning scheme and should be refused.

RESOLUTION

Moved: Cr Nathan Hansford
Seconded: Cr Des Phelan

That Council resolves to issue a Notice of Decision to Refuse to Grant a Permit for the development of a dwelling at Lot 1 on Plan of Subdivision 135627, Sutherland Street, Teesdale for the following reason:

- 1. The proposal fails to accord with the State & Local Planning Policy Frameworks, in particular Clauses 13.02 & 22.11, and the Land Subject to Inundation Overlay, because the flood risk associated with the proposed dwelling and access presents an unacceptable danger to the life, health and safety of the occupants of the dwelling and emergency services.**

CARRIED

Cr Sharkey returned to the chamber at 7.30pm.

4.10 Sons of the West Program

EXECUTIVE SUMMARY

To provide Council with an update on the "Sons of the West" program planned for 2018.

RESOLUTION

Moved: Cr David Evans
Seconded: Cr Des Phelan

That Council acknowledges the value of the Sons of the West program and the funding contribution from the Buninyong & District Bendigo Bank Community Enterprise.

CARRIED

4.11 Community Engagement Strategy (2016-2020) Progress Report September 2016 – December 2017

EXECUTIVE SUMMARY

To provide Councillors with an update on the implementation of the Community Engagement Strategy (2016-2020) (the Strategy) over its first 15 months (September 2016 – December 2017).

The report aims to:

- inform key stakeholders including Councillors, community members, and staff, about key achievements and areas for improvement;
- increase understanding across the organisation about what is working in our approach, and what may need to be changed to ensure Council achieves our objectives
- guide the priorities and actions in implementing the Strategy over the next 12 months.

RESOLUTION

Moved: Cr David Evans
Seconded: Cr Des Phelan

That Council endorse the Community Engagement Strategy (2016-2020) Progress Report for public exhibition and consultation.

CARRIED

4.12 Contract GPS-RFT2/2018: Provision of Concreting Services

EXECUTIVE SUMMARY

To seek Council endorsement for the awarding of Contract GPS-RFT2/2018 for the provision of concreting services. This contract will provide for concrete and associated construction work services over the next three year period.

RESOLUTION

Moved: Cr Nathan Hansford
Seconded: Cr David Evans

That Council resolves to award Contract GPS-RFT2/2018 for the Provision of Concreting Services to D & N Hope Construction & Concreting for the tendered schedules of rates.

CARRIED

5. NOTICES OF MOTION

5.1 Council Position Regarding the Upgrading of the Midland Highway Between Bannockburn and the Princess Freeway Geelong

Cr Owen Sharkey

Proposal

This motion pertains to the stance taken by Council regarding the proposed upgrading of the Midland Highway between Bannockburn and the Princes Freeway Geelong. Due to changes in the objectives contained in the current Council Plan, the proposer is of the opinion that the community is unclear as to Councils position regarding the various options proposed by both VicRoads and members of the community. The proposer wishes to declare a motion that Council supports the community and would not support an option which would result in the upgraded Midland Highway going through the Batesford Township.

Rationale

Golden Plains Shire staff are on record as having stated that they support option 4 of the VicRoads proposals, however, in making this declaration, Golden Plains Shire has not assessed alternative proposals made by several ratepayers and at least one Councillor. In as much that Golden Plains staff has declared their preference Cr Sharkey is of the opinion that this may not reflect the opinion of this Council. Cr Sharkey believes that our Council should declare its position so that ratepayers may understand that Council staff gave their input to VicRoads without the declared support of Councillors. Of significant concern is that our credibility, as a Council, is in question if we do not clarify our position.

Cr Sharkey would like our Council to continue to be seen as a champion for our ratepayers, the environment and to urge VicRoads to abandon their options 1 and 1a both of which, if adopted, would adversely affect the lifestyle and wellbeing of those ratepayers living in Batesford.

RESOLUTION

Moved: Cr Owen Sharkey
Seconded: Cr David Evans

That Council:

1. **Record that Council does not support VicRoads options of duplicating the existing Midland Highway routing through the growing township of Batesford.**
2. **Record that Council's preferred position is that other routes be considered that provide axial corridors for the future growth zones of Batesford, Geelong and Golden Plains Shire Gheringhap employment precinct.**

Amendment

Moved: Cr Des Phelan
Seconded: Cr Nathan Hansford

That Council:

1. **Record that Council does not support VicRoads options of duplicating the existing Midland Highway routing through the growing township of Batesford.**

CARRIED

Division:
Against: Crs Gilbert, Rowe
For: Crs Evans, Hansford, Kirby, Phelan, Sharkey

6. PETITIONS - NIL

7. OTHER BUSINESS

7.1 Mayor's Report

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

Date	Details
28/2/18	G21 Arts, heritage and Culture Pillar meeting
1/3/18	Grampians Central West Waste and Resource Recovery Group Local Government Waste Forum
1/3/18	Golden Plains Arts Trail launch
2/3/18	Gayle Tierney meeting
2/3/18	International Women's Day luncheon
5/3/18	Voice FM interview
6/3/18	Wyndham City Council meeting
7/3/18	Visit to Surf Coast Shire
8/3/18	Press for Progress – International Womens Day
13/3/18	Central Highlands Regional Partnership meeting
14/3/18	Golden Plains Shire Business lunch
15/3/18	Committee for Ballarat Round Table dinner
16/3/18	Meredith Community Planning forum
17/3/18	Piggoreet, Golden Lake, Grant Trunk and Happy Valley Old Scholars' Reunion
18/3/18	CFA Thank you day for Volunteers and families
19/3/18	Voice FM interview
21/3/18	Catherine King meeting
22/3/18	Committee for Ballarat breakfast
22/3/18	Disability, Access and Inclusion Network meeting
23/3/18	Linton Primary School district Sports Association Athletic Sports

7.2 MUNICIPAL ASSOCIATION OF VICTORIA (MAV) REPORT

Cr Nathan Hansford, MAV Delegate

Council's MAV delegate, Cr Nathan Hansford, attended the MAV Emergency Management meeting.

7.3 COUNCILLOR REPORTS

Cr David Evans

- Community rubbish collection meeting
- Residents meeting regarding roads
- John Faine on radio regarding roads
- Query regarding the water tanks that were situated near the Bannockburn Cultural Centre – this item will be added to the April Councillor Briefing.

Cr Joanne Gilbert

- International Women;s Day
- Committee for Ballarat Round Table dinner

Cr Nathan Hansford

- Bannockburn Bowls Jack Attack

Cr Des Phelan

- Attended Timber Towns meeting on 14 March. This group is seeking to re-establish itself. Further information is to be circulated to all Councils. Membership fee is \$1,500.

Cr Les Rowe

- VFF meeting regarding road funding
- Concern regarding Tall Tree Road
- Noted that Lethbridge ratepayers are concerned with the increase in size of the piggery
- Environment Strategy is an important document
- Visited Batesford cemetery
- Noted that the Sutherland Creek local tennis club which has two teams and one is in the grand final

Cr Owen Sharkey:

- Golden Plains Arts Trail launch
- Wyndham City Council meeting
- Surf Coast Shire chambers and building
- Rubbish collection meeting with Bannockburn residents
- Business lunch in Inverleigh
- Greater Geelong and the Bellarine Tourism planning day
- CFA Thank You Day for Volunteers and Council listening post in Rokewood
- Golden Plains Arts Trail
- Batesford community meeting regarding highway options
- Batesford community meeting regarding the cemetery

7.4 IN CAMERA MEETING

Nil

8. CLOSE OF MEETING

It is recorded that the meeting closed at 8.33pm.