

Agenda

Special Council Meeting for Hearing
Submissions

Tuesday, 12 January 2021

To be held via Video Conference
(Zoom)

Commencing at 6:00pm

Council:

Cr Libby Stapleton (Mayor)
Cr Gary Allen
Cr Paul Barker
Cr Mike Bodsworth
Cr Kate Gazzard
Cr Rose Hodge
Cr Liz Pattison
Cr Adrian Schonfelder
Cr Heather Wellington

AGENDA FOR THE SPECIAL COUNCIL MEETING FOR HEARING SUBMISSIONS
TO BE HELD VIA VIDEO CONFERENCE (ZOOM)
ON TUESDAY 12 JANUARY 2021 AT 6:00PM

APOLOGIES:

CONFLICTS OF INTEREST:

Note to Councillors and Officers

Declaration of Interest

In accordance with Section 130 of the Local Government Act 2020 (the Act), there is an obligation to declare a conflict of interest in certain situations including matters being considered by Council.

A conflict of interest can be a general conflict of interest under section 127 of the Act, or a material conflict of interest under section 128 of the Act.

A Councillor, a non-Councillor member of a delegated committee or member of Council staff has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner contrary to their public duty.

A Councillor, a non-Councillor member of a delegated committee or member of Council staff has a material conflict of interest in respect of a matter if they or another affected person (as defined in section 128(3)) would gain a benefit or suffer a loss depending on the outcome of the matter.

Please note that some general exemptions apply and are set out in section 129 of the Act.

Disclosure of Interest

A Councillor must make full disclosure of a conflict of interest by either advising Council at the meeting immediately before the matter is considered at the meeting, or advising the Chief Executive Officer in writing prior to the meeting. While the matter is being considered or any vote taken, the Councillor with the conflict of interest must leave the room and notify the Chairperson that they are doing so. This notification must include the nature of the conflict and whether the interest is a general or material conflict of interest.

A Council officer must disclose the conflict of interest when providing information and before the information is considered.

Councillors and Council staff will also be required to complete a conflict of interest declaration form.

BUSINESS:

1. PLANNING MATTERS..... 4

1.1 *19/0110 - 1440 Inverleigh Winchelsea Road Inverleigh - Use and Development for Intensive Animal Production (Sheep Production and Dairy)..... 4*

1. PLANNING MATTERS

1.1 19/0110 - 1440 Inverleigh Winchelsea Road Inverleigh - Use and Development for Intensive Animal Production (Sheep Production and Dairy)

Author's Title: Principal Statutory Planner
Department: Statutory Planning
Division: Environment & Development

General Manager: Ransce Salan
File No: 19/0110
Trim No: IC21/3

Appendix:

1. Order of Speakers (D21/2361)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Yes

No

Reason: Nil

Status:

Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):

Yes

No

Reason: Nil

Purpose

The purpose of this report is to hear submissions relating to Planning Permit Application 19/0110 – 1440 Inverleigh - Winchelsea Road, Inverleigh – Use and Development for Intensive Animal Production (Sheep Production and Dairy).

Summary

An application was lodged in October 2019 relating to use and development for intensive animal production (sheep production and dairy). The application was publicly exhibited in accordance with the *Planning and Environment Act 1987* (the Act) and 99 submissions have been received.

Council has previously heard from submitters on 18 February 2020. Following that meeting, further information was submitted by the permit applicant in relation to Q-fever management, composting and water use. This information was publicly exhibited.

Summary of Proposal

The use and development is proposed for 1440 Inverleigh-Winchelsea Road, Inverleigh, a property of 255ha.

Key elements of the proposal are:

- A maximum of 14,140 sheep at any one time comprised of 6000 lactating ewes, 4560 dry ewes and replacement ewes and 3580 lambs
- Three ewe housing sheds of 246m x 40m (9840m² per shed) each with an equivalent adjacent area of outdoor yard
- Two lamb rearing sheds of 50m x 24m (1200m² per shed)
- Rotary dairy shed of 50m x 44m (2200m²)
- For stage 1, an open air lamb feedlot of 100m x 175m, which will be removed with stage 2
- 65ML of runoff dams
- 150m x 130m (1.95ha) composting pad
- Milk from this proposal will be dried at a facility in Geelong without any processing on site.

Summary of Submissions

A total number of 99 submissions were received (as of 4 January 2021) including 96 objections (one subsequently withdrawn), two in support and one submission which can be considered neutral.

The issues raised by objectors are summarised in the following table. In summarising the issues similar concerns have been grouped together.

Issue	No. of submissions on issue
Contribution to global warming through animal methane emissions, inconsistent with	12

1.1 19/0110 - 1440 Inverleigh Winchelsea Road Inverleigh - Use and Development for Intensive Animal Production (Sheep Production and Dairy)

declaration of climate emergency	
Level of water use - inappropriate use of limited resource, impact on Barwon River level, impact on town water supply and other users of reticulated water	39
Diversions of food resources, inefficient form of protein production	3
Disease transmission including Q-fever	35
Contribution to antibiotic resistance	3
Animal welfare including space available per animal, infrequent cleaning out of bedding and faeces, removal of progeny from mothers, animal health impacts, disease susceptibility – In-principle/moral opposition to intensive animal husbandry	71
Noise from animals – amphitheatre effect of topography	2
Devaluation of property	2
Traffic impact on condition and safety of Gnarwarre Road	3
Increased traffic on Inverleigh-Winchelsea Road	1
Odour and dust emissions	24
Environmental impact on waterways – effluent discharge, nutrient loads	29
Human health impacts from consumption of sheep milk products – high fat content	1
Lack of consultation	6
No net community benefit	2
Possible impact on biodynamic certification of nearby farm	1
Clearing of native grass	1

Objections have been received from 91 individuals, three organisations (special interest community groups) and one petition of 146 signatures which was received and noted at the 10 December 2019 Ordinary Council meeting. One of the submissions from an organisation was accompanied by 10,882 signatories but it does not meet the definition of a Joint Letter or Petition as defined by Local Law No. 2 of 2019 – Council Meeting Procedures & Common Seal, as the signatories do not provide physical addresses. Council is able to consider this submission as an objection.

Of the objections which provided a residential address, it is estimated that 35 are from within 10km of the proposed facility with the majority of these from Inverleigh. It is noted that there is no provision within the Act which alters the consideration that must be given to an objection based on separation from the application site with s.60(c) directing that the responsible authority must consider *“all objections and other submissions which it has received”*.

The grounds in favour of granting a permit raised by supporting submissions are summarised as:

Ground	No. of submissions raising this ground
Meets minimum welfare requirements	2
Composting of wastes and on-farm use will improve soils and increase yield	1
Providing for employment	1
Supporting agriculture in region by purchasing grain, straw, hay	1
Economic contribution – local economy and export	2

1.1 19/0110 - 1440 Inverleigh Winchelsea Road Inverleigh - Use and Development for Intensive Animal Production (Sheep Production and Dairy)

Fits with Surf Coast Shire Hinterland Strategy for intensive animal husbandry to locate in this area	1
Policy support to grow agriculture	1
Operator currently shows high level, best practice, animal husbandry	1

The neutral submission received from the Golden Plains Shire Council Mayor, re-states concerns expressed by Inverleigh community members to the Mayor and Councillors of Golden Plains Shire, but does not itself object to the granting of a permit. The submission requests that due consideration be given to the concerns of objectors.

The issues raised in the submissions will be considered in detail in a report to be presented to the 23 February 2021 Council meeting.

Recommendation

That Council receives and notes the submissions relating to Planning Permit Application 19/0110 and forwards to Council for consideration.

1.1 19/0110 - 1440 Inverleigh Winchelsea Road Inverleigh - Use and Development for Intensive Animal Production (Sheep Production and Dairy)

APPENDIX 1 ORDER OF SPEAKERS



**Special Council Meeting for Hearing Submissions
Tuesday 12 January 2021 – 6:00pm
Via Video Conference (Zoom)**

Purpose: Planning Permit 19/0110 - Use and development for Intensive Animal Production (Sheep Production and Dairy) - 1440 Inverleigh-Winchelsea Road Inverleigh

ORDER OF SPEAKERS

Item	Name
1.	Trevor Hodson
2.	Geoff Oliver on behalf of June and Isobel Oliver
3.	Katrine Larsen
4.	Andrea Bolton
5.	Christine Windle
6.	Dr Kaye Rodden on behalf of Friends of Barwon
7.	Leanne Wilson (Manager Development & Regulatory Services) on behalf of Mayor Cr Owen Sharkey for the Golden Plains Shire Council
8.	Andy Meddick MP
9.	Bruce McDonald
10.	Margaret Carney
11.	Meaghan Hughes
12.	Pam Ahern
13.	Ian Farren (Applicant)