



# MINUTES

## Ordinary Council Meeting

---

**6.00pm Tuesday 22 October 2019**

**VENUE:**  
**Linton Customer Service Centre**  
**Council Chambers**  
**68 Sussex Street, Linton**

NEXT ORDINARY COUNCIL MEETING  
6.00pm Wednesday 6 November 2019

Copies of Golden Plains Shire Council's Agendas & Minutes  
Can be obtained online at [www.goldenplains.vic.gov.au](http://www.goldenplains.vic.gov.au)

**Order Of Business**

<b>1</b>	<b>Opening Declaration</b> .....	<b>3</b>
<b>2</b>	<b>Acknowledgement of Country</b> .....	<b>3</b>
<b>3</b>	<b>Apologies and Leave of Absence</b> .....	<b>3</b>
<b>4</b>	<b>Confirmation of Minutes</b> .....	<b>3</b>
<b>5</b>	<b>Declaration of Conflict of Interest</b> .....	<b>3</b>
<b>6</b>	<b>Public Question Time</b> .....	<b>3</b>
<b>7</b>	<b>Business Reports for Decision</b> .....	<b>4</b>
7.1	Delegates Report - 25 September 2019 to 21 October 2019.....	4
7.2	Assembly of Councillors .....	4
7.3	Compliance Report in accordance with planning enforcement policy 10.1.....	5
7.4	Planning Application P18-224 - Buildings and works associated with existing Industry and alteration to the hours of operation.....	6
7.5	Planning Application P19-043 for a plant nursery at 9 Baglin Street, Smythesdale .....	13
7.6	Permits to Burn by private persons (Schedule 13).....	14
7.7	Council Plan Implementation - Quarter One 2019/20 .....	14
7.8	Adoption of Amendment C85GPLA.....	15
7.9	State Government Rating Review - GPS Council Submission.....	16
7.10	Authorisation of Chief Executive Officer to Enter Limited Term Recycle Contract .....	17
7.11	GPSC-RFQ-07/2019 - Supply & Delivery of Bulk Fuel and Above Ground Self-Bunded Tanks.....	18
7.12	Instrument of Appointment and Authorisation - Planning and Environment Act 1987.....	19
7.13	Golden Plains Shire Council Annual Report 2018-19 .....	20
7.14	Councillor Expenses and Meeting Attendance Report - First Quarter ending 30 September 2019.....	20
7.15	Developing a Framework for the Management of Golden Plains Shire Civic Collection- Identification, Preservation, Interpretation and Access .....	21
<b>8</b>	<b>Notices of Motion</b> .....	<b>21</b>
	Nil	
<b>9</b>	<b>Petitions</b> .....	<b>21</b>
	Nil	
<b>10</b>	<b>Confidential Reports for Decision</b> .....	<b>21</b>
	Nil	

**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE LINTON CUSTOMER SERVICE CENTRE, COUNCIL CHAMBERS, 68 SUSSEX  
STREET, LINTON  
ON TUESDAY, 22 OCTOBER 2019 AT 6.00PM**

**PRESENT:** Cr Helena Kirby, Cr David Evans, Cr Joanne Gilbert, Cr Nathan Hansford, Cr Des Phelan, Cr Les Rowe, Cr Owen Sharkey (Mayor)

**IN ATTENDANCE:** Eric Braslis (CEO), Steven Sagona (Acting Director Assets and Amenity), Philippa O'Sullivan (Director Corporate Services), Lisa Letic (Director Community Services), Candice Robinson (Corporate Governance and Risk Coordinator), Tim Waller (Development Manager)

**1 OPENING DECLARATION**

We the Councillors of Golden Plains Shire declare that we will undertake, on every occasion, to carry out our duties in the best interest of the community and that our conduct shall maintain the standards of the code of good governance so that we may faithfully represent and uphold the trust placed in this Council by the people of Golden Plains Shire.

**2 ACKNOWLEDGEMENT OF COUNTRY**

Council acknowledge the traditional Wadawurrung owners of the land where we meet today. 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.

**3 APOLOGIES AND LEAVE OF ABSENCE**

Nil

**4 CONFIRMATION OF MINUTES**

**RESOLUTION**

Moved: Cr Nathan Hansford

Seconded: Cr Joanne Gilbert

That the minutes of the Ordinary Council Meeting held on 24 September 2019 and the Special Council Meeting held on 8 October 2019 be confirmed.

**CARRIED**

**5 DECLARATION OF CONFLICT OF INTEREST**

Cr Joanne Gilbert declared a indirect conflict of interest in Item 7.4 Planning Application P18-224 - Buildings and works associated with existing Industry and alteration to the hours of operation under Section 78 of the Local Government Act 1989 - close association. The nature of the interest being Cr Joanne Gilbert is related to the owner. Cr Joanne Gilbert left the meeting at 6.14pm and returned at 6.44pm. Cr Joanne Gilbert was absent whilst this matter was being discussed and considered.

**6 PUBLIC QUESTION TIME**

Nil

## **7 BUSINESS REPORTS FOR DECISION**

### **7.1 DELEGATES REPORT - 25 SEPTEMBER 2019 TO 21 OCTOBER 2019**

#### **CR OWEN SHARKEY**

3 October	Councillor Briefing Meeting
5 October	Goldsworthy Reserve Athletics Track opening
7 October	Gender Equity Forum 2.0
8 October	Special Council Meeting
10 October	Harwood Andrews Annual Law Breakfast
11 October	Golden Plains Shire Business Networking Event
13 October	Waste Strategy Consultation
15 October	Councillor Briefing Meeting
15 – 17 October	G21 Board Canberra Delegation
18 October	MAV State Council Meeting

All other Councillors gave a verbal update on their attendances of various Council and community functions over the month.

#### **RESOLUTION**

Moved: Cr Des Phelan  
Seconded: Cr David Evans

That Council receive and note the Delegates Report – 25 September 2019 to 21 October 2019.

**CARRIED**

### **7.2 ASSEMBLY 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 25 September 2019 to 21 October 2019.

#### **RESOLUTION**

Moved: Cr Nathan Hansford  
Seconded: Cr David Evans

That Council notes the Assembly of Councillors Records from 25 September 2019 to 21 October 2019 as attached.

**CARRIED**

**7.3 COMPLIANCE REPORT IN ACCORDANCE WITH PLANNING ENFORCEMENT POLICY 10.1**

**EXECUTIVE SUMMARY**

This report seeks to provide Councillors with a summary of recent compliance inspections undertaken in accordance with Council Policy 10.1

The report describes trends in non-compliance and identifies areas where community education initiatives could achieve higher rates of compliance.

**RESOLUTION**

Moved: Cr David Evans

Seconded: Cr Helena Kirby

That Council receive and note the Compliance Inspections Report for the year 2019 and acknowledge that it satisfies the requirements of Council Policy 10.1.

**CARRIED**

Cr Joanne Gilbert declared a indirect conflict of interest in Item 7.4 Planning Application P18-224 - Buildings and works associated with existing Industry and alteration to the hours of operation under Section 78 of the Local Government Act 1989 - close association. The nature of the interest being Cr Joanne Gilbert is related to the owner.

Cr Joanne Gilbert left the meeting at 6.14pm.

**7.4 PLANNING APPLICATION P18-224 - BUILDINGS AND WORKS ASSOCIATED WITH EXISTING INDUSTRY AND ALTERATION TO THE HOURS OF OPERATION.**

## EXECUTIVE SUMMARY

This report relates to a planning permit application for the development of land for buildings and works associated with existing Industry and alteration to the hours of operation at 5110 Colac-Ballarat Road, Cambrian Hill.

The site contains the existing Porter Plant business which has been operating from this site for in excess of 10 years. Refer to the Background section of this report and Attachment 1 for more detail.

This application has been re-referred to the Council meeting following deferral at the June 2019 Council meeting.

Following the deferral, the applicant lodged amended information as per Section 57A (7)(b) of the *Planning and Environment Act 1987*. This amended application information was circulated to the objectors along with a letter of explanation. The amendments to the application are described as follows:

- Removal of the workshop
- Amended proposed hours of operation:

### **From existing permit (approved 2002):**

#### Office and associated car park:

6:00am to 9:00pm Monday to Saturday

9:00am to 4:00pm Sunday

#### Balance of the site used for the use and development:

7:00 am to 7:00pm Monday to Saturday

- Monday to Saturday
- Sundays

### **Proposed (August 2018):**

- Monday to Saturday 5am-9pm
- Sundays 9am-5pm

### **Amended Proposed (July 2019):**

- Monday to Saturday 6am-8pm
- Sundays 9am-3pm

The other buildings and works proposed via this application remain unchanged. These are summarised as:

- Extension of the existing office
- Additional car parking
- Earthworks

Refer to Attachment 1 for full details.

The three (3) objections to the application remain. Objector concerns have been summarised as:

- Noise and amenity impacts
- Strategic context and history of non-compliance
- Traffic impacts

The application has been referred to Council as the officer recommendation is refusal and there are objections to the application; this recommendation is unchanged from the original recommendation presented at the June 2019 Council meeting.

### **Speakers:**

1. Mark Sprague (Objector)
2. Fiona Pearse (Objector)
3. Sean O'Keefe (Applicant)





**MOTION**

Moved: Cr David Evans

Seconded: Cr Nathan Hansford

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for the development of the land for buildings and works associated with existing Industry at 5110 Colac-Ballararat Road, Cambrian Hill, subject to the following conditions:

**General**

- 1 This permit will expire if one of the following circumstances applies:  
The development is not started within two years of the date of this permit;  
The development is not completed within two years of the date of starting.  
The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.
- 2 Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsibility 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 (3) copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - a) Noise abating landscaping works to be undertaken to the satisfaction of the responsible authority.The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
- 3 Prior to the commencement of operations the existing septic tank system must be altered or replaced. The alteration or replacement works must be in accordance with the recommendations of the land capability assessment report number 11618K written by Provincial Geotechnical Pty Ltd dated 12 December 2018 and to the satisfaction of the responsible authority. Any installation or alteration of a septic tank system requires a permit to install/alter a septic tank system from Council prior to works commencing. If the existing system is to be altered an application must be supported by a recent service report and an inspection report from a licensed plumber. The report must demonstrate that the system is functioning adequately and does not require replacement.
- 4 That the development arising from this permit shall be so designed and constructed so as to minimise erosion, pollution of watercourses and generally harmonise with the existing environment to the satisfaction of the responsible authority.
- 5 That all disturbed surfaces on the land resulting from the buildings and works authorised or required by this permit shall be revegetated and stabilised to the satisfaction of the responsible authority so as to prevent any erosion or siltation either on or adjacent to the land.
- 5 That the external cladding of the walls of the building(s), shall be non-reflective and either colourbond material or brick. Colours shall be either a muted shade of green and/ or brown, or other colours approved in writing by the responsible authority. All paintwork shall be maintained to the satisfaction of the responsible authority.
- 6 That the building(s) shall be clad with new material.
- 7 The development must be conducted to the satisfaction of the responsible authority so that the amenity of the area is not detrimentally affected by the development, through the:
  - (a) Transport of materials, goods or commodities to and from the land;
  - (b) Appearance of any buildings, works or materials;
  - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) Presence of vermin.
- 8 Prior to the commencement of use the area set aside for parking of vehicles and access lanes as shown on the endorsed plans must be:
  - a) Surfaced with an all-weather surface to the satisfaction of the Responsible Authority;
  - b) Constructed and completed to the satisfaction of the Responsible Authority;
  - c) Drained in accordance with an approved drainage plan to the satisfaction of the responsible authority;

- d) Line-marked to indicate each car space and all access lanes to the satisfaction of the responsible authority;
  - e) Provided with signage directing drivers to the areas set aside for car parking and appropriate direction of travel. Such signs are to be located and maintained to the satisfaction of the responsible authority.
  - f) Constructed, drained and maintained in a continuously useable condition to the satisfaction of the responsible authority.
- 9 That all external lighting shall be fitted with suitable baffles or otherwise directed to prevent the emission of light outside the perimeter of the subject land to the satisfaction of the responsible authority.
- 10 That the areas of the subject land not occupied by buildings shall be maintained in a clean and tidy condition to the satisfaction of the responsible authority and no manufacturing processes shall take place outside the building.
- 11 Parking areas and access lanes must be kept available for the designated purposes at all times.
- 12 The shed may only operate between the following hours:  
6.00am — 8.00 pm Monday to Saturday  
9.00am — 3.00pm Sunday
- 13 There shall be no storage and/ or processing of dangerous goods on the site as defined in the Dangerous Goods Act 1985 and the Dangerous Goods (Prescribed List) Regulations 1986.
- 14 Before the development starts a landscape plan must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:  
a survey of all existing vegetation and natural features.  
a schedule of all proposed trees, shrubs and ground cover, which will include the location, number and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surfacing materials.
- 15 That the area set aside for landscaping on the endorsed plan shall be planted with suitable trees and shrubs for the purposes of screening the development. The landscaping shall be undertaken within 2 months of the practical completion of the buildings and works hereby permitted, and shall include the installation of an irrigation system. The landscaping and irrigation system shall thereafter be maintained in good condition to the satisfaction of the responsible authority.  
That a water tank be installed on site and attached to the new storage shed.

#### Dust Management Plan

- 16 Prior to the commencement of the approved development a dust management plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. Three copies of the plan must be submitted. The plan must include:  
(a) Details as to how dust will be monitored and managed on site.  
(b) Contingency measures to deal with any elevated dust conditions.
- 17 Any failure to meet the standards of the State Management Policy (Air Quality Management) must be brought to the attention of the Environment Protection Authority and actions specified by that Authority to bring the use into compliance must be carried out to the satisfaction of the responsible authority.

#### Noise Management Plan

- 18 Prior to the commencement of the approved development a noise management plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be prepared by an acoustic consultant or noise expert and must demonstrate how the operation of the business will comply with the EPA 'Noise from Industry in Regional Victoria' guidelines, publication 1411, dated October 2011.

#### Works Conditions

- 19 No polluted and/or sediment laden runoff is to be discharged directly or indirectly into drains or watercourses.

- 20 Roadways, parking areas, storage areas and vacant land must be maintained to avoid dust nuisance to surrounding land to the satisfaction of the responsible authority.
- 21 Heavy Vehicle ingress and egress from the site must only occur from Colac – Ballarat Road. No heavy vehicle access is permitted from any other roads which abut the subject site. All heavy vehicles are specifically prohibited from using Glassons Road to ingress and egress from the site unless otherwise approved in writing by the responsible authority.
- 22 Before the development commences the permit holder must upgrade Glassons Road from the intersection with Colac-Ballararat Road to a position five metres past proposed drive entry access to subject site. Upgrade shall including minimum 6.2m seal, 1.5m gravel shoulders both sides, intersection treatment and full depth pavement to the satisfaction of the responsible authority.
- 23 Before the development commences provide vehicle access point from Glassons Road in accordance with Infrastructure Design Manual Standard Drawing SD 255.
- 24 Prior to the occupation of the development approved by this permit all stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge by underground piped or open drains to the satisfaction of the Responsible Authority. No effluent or polluted water of any type may be allowed to enter the Waterways and/or Council's stormwater drainage system.
- 25 Prior to approval of Construction Plan a Pavement Investigation and Design Report for Glassons Road upgrade must be submitted to and approved by the responsible authority. All geotechnical testing must be undertaken by a NATA registered testing laboratory.
- 26 Before any construction works associated with the development start, detailed construction plans, drainage computations and specifications to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. Construction plans shall be to Golden Plains Shire standards and specifications as detailed in current Infrastructure Design Manual (IDM).
- 27 Before any construction works associated with the development starts a Construction Management Plan shall be submitted to and approved by the responsible authority. The plan must outline how issues such as runoff, mud on roads, dust generation and erosion and sediment control will be managed, on site, during the construction phase. Details of a contact person/site manger must also be provided, so that this person can be easily contacted should any issues arise. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the responsible authority. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise runoff, mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the responsible authority. Dust suppression must be is undertaken in the form of constant water spraying or other natural based proprietary dust suppressant to ensure that dust caused by vehicles moving along the adjacent and/or within the site does not cause a nuisance to surrounding properties to the satisfaction of the responsible authority. Management measures are to be in accordance with EPA guidelines for Environment Management, "Doing It Right On Subdivisions" Publication 960, September 2004.
- 28 Before the development commences, a Traffic Management Plan must be prepared to the satisfaction of the Responsible Authority. When approved by the Responsible Authority, the Traffic Management Plan must be endorsed and then form part of the permit. The Traffic management Plan must include, but not necessarily limited to:
- I. Details of briefings given to all employees, drivers and subcontractors about the Traffic Management Plan and enforcement of its requirements, including a recording system of when such briefings are given and to whom.
  - II. Heavy Vehicle ingress and egress from the site must only occur from Colac – Ballarat Road. No heavy vehicle access is permitted from any other roads which abut the subject site.
  - III. Car spaces, access lanes and delivery areas must be kept available for these purposes at all times.
  - IV. Operating Hours.
- CCMA conditions
- 29 The finished floor level of any new building or building extension must be no lower than 376.9 to Australian Height Datum (AHD) (300mm above the floor level).

- 31 Unless otherwise agreed in writing with the responsible authority and the Corangamite Catchment Management Authority the proposed development must not reduce the available flood storage on the site up to and including the 1% AEP flood event.

DELWP conditions

- 32 No polluted or sediment land runoff is to be discharged directly or indirectly into the Crown land.
- 33 No vehicle or machinery access, or material storage, is allowed via the adjoining Crown land.
- 34 No structures are to encroach upon any adjoining Crown land;
- 35 No effluent or run-off is to be discharged onto Crown land;
- 36 Crown land is not to be utilized as defendable space to satisfy a Bushfire or Wildfire Management Overlay (BMO or WMO);
- 37 Crown land is not to be utilized as an easement or as legal access; and
- 38 Crown land is not to be used for temporary access or storage associated with the proposal.

Note: Works within Road Reserve Permit Required

A works within road reserve permit must be obtained from the responsible authority prior to the carrying out of any vehicle crossing works.

Note: Building Approval Required

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

Note: Works on Waterways Permit Required

A works on waterways permit must be obtained from the Corangamite Catchment Management Authority prior to the carrying out of any works on waterways.

Works Department will not consent to commencement of use until such time as the applicant contact provides satisfactory evidence of compliance with the above conditions.

Note: All sewerage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act, 1970, and to the satisfaction of the responsible authority. All effluent shall be disposed of within the curtilage of the land and sufficient area shall be kept available for the purpose of effluent disposal to the satisfaction of the responsible authority. No effluent shall drain directly or indirectly onto any adjoining property, street or watercourse.

**EQUAL**

The Mayor used his casting vote against the motion.

**LOST**

**RESOLUTION**

Moved: Cr Des Phelan

Seconded: Cr Les Rowe

That Council resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit for the development of the land for buildings and works associated with existing Industry and alteration to the hours of operation at 5110 Colac-Ballarat Road, Cambrian Hill, for the following reasons:

1. The proposal is not consistent with the purpose of the Rural Activity Zone Schedule 1;
2. The proposal is not consistent with the decision guidelines of the Rural Activity Zone;
3. The proposal has no strategic support for the expansion of industrial development on the site;
4. There is no strategic justification of an alternative zone to be applied to this site and there is no existing policy which supports industrial development in this location.

**EQUAL**

The Mayor used his casting vote for the motion.

**CARRIED**

Cr Joanne Gilbert returned to the meeting at 6.44pm.

## **7.5 PLANNING APPLICATION P19-043 FOR A PLANT NURSERY AT 9 BAGLIN STREET, SMYTHESDALE**

### **EXECUTIVE SUMMARY**

This report relates to a planning permit application for the use and development of the land for a plant nursery at 9 Baglin Street, Smythesdale. The application has been referred to the Council Meeting for determination because there is an objection to the application.

The site is located within the Rural Living Zone, a plant nursery is a section 2 use requiring a planning permit. The application was advertised to adjoining properties, and a sign placed on site. One objection was received. Matters of concern raised via the objection relate to traffic conditions and impact on the road, privacy, safety of animals and possible theft.

The application was referred to Council's Works department for consideration. Works did not object to the proposal.

The application proposes to utilise an existing outbuilding and to construct additional shades and hot houses. The application proposes to utilise a small area of the site which equates to approximately 283m<sup>2</sup> of the 1.7ha site. Given the scale of the proposal it is envisaged that visitation will be short term and there will be minimal impact on the surrounding area.

Conditions have been recommended which place restrictions on the hours of operation and the staff numbers. Any future expansion would require further approval.

### **Speakers:**

1. Stuart Warren (Objector)
2. Ronald Gray (also on behalf of Karen Gray) (Applicant)

### **RESOLUTION**

Moved: Cr David Evans  
Seconded: Cr Nathan Hansford

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for the use and development of the land for a plant nursery at 9 Baglin Street, Smythesdale subject to the conditions attached to this report.

**CARRIED**

## **7.6 PERMITS TO BURN BY PRIVATE PERSONS (SCHEDULE 13)**

### **EXECUTIVE SUMMARY**

This report seeks a determination that Council cease issuing Schedule 13 Permits to Burn by Private Persons because of the inherent risks associated with burning during the Fire Danger Period. In October 2018, Council resolved to cease issuing Schedule 13 Permits to Burn however assisted CFA during a transition period. CFA have informed Council that they have the capacity to issue permits without Council assistance. At the October 2019 Municipal Emergency Management Planning Committee Meeting, the Committee resolved to recommend that Council cease issuing Permits to Burn and remove all references to the issuing of Schedule 13 Permits to Burn from the Municipal Fire Management Plan and handing control over to the CFA.

### **RESOLUTION**

Moved: Cr Des Phelan

Seconded: Cr Nathan Hansford

That Council;

1. Discontinue the issuing of Schedule 13 Permits to Burn by Private Persons.
2. Remove references to Council issuing Schedule 13 Permits to Burn from the Municipal Fire Management Plan and relevant appendices.
3. Revoke Council Policy 9.2 – Permits to Burn by Private Persons (Schedule 13).

**CARRIED**

## **7.7 COUNCIL PLAN IMPLEMENTATION - QUARTER ONE 2019/20**

### **EXECUTIVE SUMMARY**

The purpose of this report is to update Council on the progress made in completing the 2019-20 actions contained in the Council Plan 2017-2021.

### **RESOLUTION**

Moved: Cr David Evans

Seconded: Cr Des Phelan

That Council:

1. Note the revised reporting format.
2. Note the report and achievements attained in the implementation of the actions contained in the Council Plan 2017-2021 for the first quarter ending September 2019.

**CARRIED**

## 7.8 ADOPTION OF AMENDMENT C85GPLA

### EXECUTIVE SUMMARY

The Northern Settlement Strategy (NSS) introduces a framework to connect the objectives of State Planning Policy with Council's township structure planning process. The NSS brings together detailed studies considering township profiles, land supply analysis and economic modelling. The strategy balances the aspirations of residents from across the north of the Shire with the findings from a detailed background report. Amendment C85gpla incorporated the key directions from the Strategy into the Golden Plains Planning Scheme.

### RESOLUTION

Moved: Cr Joanne Gilbert

Seconded: Cr Des Phelan

That Council:

1. Adopt the changes to the Northern Settlement Strategy including the Background and Issues Report as detailed in the Consultation section of this report.
2. Adopt Amendment C85gpla (Attachment 1), which amends Clause 21.02 (Settlement) and sub Clause 21.07-4 (North West Area).
3. Request the Minister for Planning to approve Amendment C85gpla in accordance with section 31 of the *Planning and Environment Act 1987*.

**CARRIED**

## **7.9 STATE GOVERNMENT RATING REVIEW - GPS COUNCIL SUBMISSION**

### **EXECUTIVE SUMMARY**

In 2018, the Victorian Government committed to a review of the Local Government rating system in recognition that the time for a full review of such an important system was due. In turn, the Government has appointed a Ministerial Panel to lead the work and to make independent recommendations to Government on an optimal rating system. The Panel is required to complete a report, with recommendations to the Minister for Local Government by 31 March 2020.

As part of this review, State Government are providing a range of ways for people to provide their views on the rating system. This includes:

- The release of a discussion paper as provided in Attachment 2 which aims to stimulate thinking and ideas from all stakeholders of the system and provides the opportunity for the public to actively participate in the rating processes available for input;
- The Panel is visiting cities and towns around the state from August to October to meet with stakeholders, councils, community groups and individuals to listen to and consider their views on local government rating; and
- The request for written submissions on the current rating system and consideration of future options.

The wide range of consultation avenues is to enable the broadest possible engagement with the review of the local government rating system.

Golden Plains Shire Council welcomes this opportunity to provide input into the rating review process and has drafted its submission as provided in Attachment 1.

In addition, Golden Plain Shire's Mayor, Cr Sharkey, Councillor Evans and senior officer of the Council actively engaged with the Ministerial Panel at the session held in Geelong.

### **RESOLUTION**

Moved: Cr Nathan Hansford

Seconded: Cr David Evans

That Council:

1. Note the opportunity to provide a formal submission to the State Government's review of Victoria's local government rating system until 1 November 2019.
2. Note and endorse Golden Plains Shire Council's submission to the State Government's review of Victoria's local government rating system.

**CARRIED**



## **7.10 AUTHORISATION OF CHIEF EXECUTIVE OFFICER TO ENTER LIMITED TERM RECYCLE CONTRACT**

### **EXECUTIVE SUMMARY**

On 25 July 2019, SKM Recycling advised Council that it would cease operations and no longer accept comingled recyclables from kerbside collections at its South Geelong Materials Recovery Facility (MRF). Since that time these materials have been directed to landfill at either Wyndham or Smythesdale. This is having an environmental, social and financial impact and does not align to Council Plan aim to “reduce the volume of waste going to landfill”. Officers have been working to find an alternative supplier for this service in conjunction with the other G21 Councils.

The State Government has recognised the predicament and 32 other Councils face with respect to their contracts with SKM and the Minister for Local Government has granted an exemption to Section 186 of the Local Government Act 1989. This exemption allows councils to enter contracts with alternative suppliers through direct negotiation for contracts that don't extend beyond 30 June 2021.

Confidential discussions have been held between alternative suppliers and officers of Golden Plains Shire Council and other G21 councils. Of all discussions, only two of these suppliers, are likely to be able to accommodate the needs of Golden Plains Shire. Only one will be able to accommodate the needs of all five councils.

Based on preliminary discussions it is expected that the contract will be greater than CEO delegation for the period ending 30 June 2021. Due to the urgency of finding an alternative to taking recyclables to landfill, it is recommended that Council authorise the CEO to enter these contracts on Council's behalf.

### **RESOLUTION**

Moved: Cr Helena Kirby

Seconded: Cr Nathan Hansford

That Council:

1. Delegates the Chief Executive Officer the power to award contracts for the receiving and processing of recyclable materials where they exceed the Chief Executive Officer's financial delegation of \$400,000 (incl. GST), where the contracts do not extend beyond 30 June 2021.
2. Authorises the Chief Executive Officer to enter into contracts for the receiving and processing of recyclable materials on Council's behalf, where the contracts do not extend beyond 30 June 2021.
3. Authorises the Chief Executive Officer to vary existing contracts for the collection and transportation of recyclable materials on Council's behalf, where the contracts do not extend beyond 30 June 2021.
4. Receives a report at the next practicable Council Meeting detailing the contracts awarded and the successful contractor.

**CARRIED**

**7.11 GPSC-RFQ-07/2019 - SUPPLY & DELIVERY OF BULK FUEL AND ABOVE GROUND SELF-BUNDED TANKS****EXECUTIVE SUMMARY**

This report informs Council of the recent procurement process for the establishment of a preferred supplier who is suitably qualified and experienced to supply Bulk Fuel management services in accordance with GPSC specification to our three maintenance depots located at Linton, Rokewood and Shelford and recommends awarding the contract to Maxi Tanker.

**RESOLUTION**

Moved: Cr Helena Kirby

Seconded: Cr Des Phelan

That Council:

1. Award contract GPSC-RFQ 17-2019, for the Provision of Supply & Delivery of Bulk Fuel and Above Ground Self Bunded Tanks to Maxi Tanker for the tendered schedule of rates for the initial contract term of three years with a two year extension option.
2. Delegate to the Chief Executive Officer or his delegate authority to execute the associated Contract on behalf of Council
3. Delegate to the Chief Executive Officer or his delegate authority to extend the GPSC-RFQ 17/2019, for the Provision of Supply & Delivery of Bulk Fuel and Above Ground Self Bunded Tanks contract at the end of the initial contract period for a further two years.

**CARRIED**

## **7.12 INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987**

### **EXECUTIVE SUMMARY**

It is necessary for Council to directly appoint persons as authorised officers for the purpose of enforcing the *Planning and Environment Act 1987*. By doing so, Council ensures that it has the capacity to investigate and enforce the Planning Scheme, planning permits, planning permit conditions, agreements made under section 173, enter sites, gather evidence or serve legal notices, etc. if required.

The Chief Executive Officer appoints the majority of authorised officers under section 224 of the *Local Government Act 1989*, in reliance of Council's delegation to the Chief Executive Officer. However, the appointment of authorised officers under the *Planning and Environment Act 1987* cannot be delegated and must be made through resolution of Council.

Council last review and adopted its Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* in June 2018. A review of that instrument has been undertaken and it is recommend that Council endorse the revised instrument (Attachment 1). This request results from staff changes.

### **RESOLUTION**

Moved: Cr Nathan Hansford

Seconded: Cr David Evans

That Council in the exercise of the powers conferred by section 224 of the *Local Government Act 1989* and the legislation referred to in the attached Instrument of Appointment and Authorisation ('the instrument'), resolves that:

1. The members of Council staff referred to in the instrument as shown in Attachment 1 be appointed and authorised as set out in the instrument.
2. The Chief Executive Officer is authorised to execute the instrument by affixing the common seal in accordance with Local Law No. 1 of 2019 Council Meeting Procedures & Common Seal.
3. The instrument comes into force immediately upon execution and remains in force until Council determines to vary or revoke it.
4. The previous instrument dated 26 June 2018 is revoked.

**CARRIED**

## **7.13 GOLDEN PLAINS SHIRE COUNCIL ANNUAL REPORT 2018-19**

### **EXECUTIVE SUMMARY**

In accordance with the Local Government Act 1989 (the LGA), Council is to hold a publically advertised meeting to discuss the Annual report. As well as meeting this requirement, the Annual Report provides a good juncture to capture the highlights, successes, challenges and opportunities over the preceding twelve months.

The unqualified Audit opinions on the 2018-19 Performance Statement and 2018-19 Financial Statements appear in the document and disclose an overall surplus of \$6.3 million, an Adjusted Underlying Result of \$1.8 million and capital expenditure on assets of \$10.5 million.

The Annual Report is not only a documented account of our financial and organisational performance for the financial year, it is a valuable platform for Council to report to the State Government and the wider community on the challenges, highlights, achievements and opportunities of the previous year. It's also a forum to share the story of Golden Plains Shire with government officials and representatives, as well as interested stakeholders and residents.

The Annual Report 2018-19 shares the story of Council's major highlights and achievements from 1 July 2018 to 30 June 2019.

### **RESOLUTION**

Moved: Cr Des Phelan

Seconded: Cr Joanne Gilbert

That Council:

1. Acknowledge that the Golden Plains Shire Council 2018-19 Annual Report was submitted to the Minister for Local Government on 27 September 2019 in accordance with section 133(1) of the *Local Government Act 1989*.
2. Adopt the Golden Plains Shire Council 2018-19 Annual Report in accordance the *Local Government Act 1989*.

**CARRIED**

## **7.14 COUNCILLOR EXPENSES AND MEETING ATTENDANCE REPORT - FIRST QUARTER ENDING 30 SEPTEMBER 2019**

### **EXECUTIVE SUMMARY**

The report provides a record of expenditure made on behalf of Councillors in the performance of their duties for the first quarter of 2019/20. This report now also includes quarterly updates on Councillor attendance at Ordinary meetings of Council and Special meetings of Council.

Providing regular updates throughout the year on the Councillor attendance at meetings enables enhanced transparency rather than only one annual update as reported in Council's annual report.

### **RESOLUTION**

Moved: Cr Joanne Gilbert

Seconded: Cr Des Phelan

That Council note the contents of the Councillor Expenses and attendance Report for the first quarter of 2019/20 being the quarter ended 30 September 2019.

**CARRIED**

**7.15 DEVELOPING A FRAMEWORK FOR THE MANAGEMENT OF GOLDEN PLAINS SHIRE CIVIC COLLECTION- IDENTIFICATION, PRESERVATION, INTERPRETATION AND ACCESS**

**EXECUTIVE SUMMARY**

The purpose of this report is to establish a plan to ensure the future preservation, interpretation and access to Golden Plains Shire Civic Collections. The Collection is important for its value both as a corporate record and local historical significance.

The catalyst for this report has been the construction of the new Shire offices and subsequent relocation of Civic Collection items currently located in the Bannockburn Shire Chambers and offices. In consideration of the steps required for collection relocation, the need to develop a longer term plan for the Collections’ identification, sustainability, access and interpretation has been highlighted.

**RESOLUTION**

Moved: Cr Des Phelan  
 Seconded: Cr Nathan Hansford

That Council:

1. Agree to the development of a Civic Collections Policy incorporating procedures for collection management.
2. Adopt the concept of a collective community exhibition for the Bannockburn Council Chambers.
3. Agree to the re-housing of portions of the collection to community facilities ensuring that objects are accessible to the communities who value them most.

**CARRIED**

**8 NOTICES OF MOTION**

Nil

**9 PETITIONS**

Nil

**10 CONFIDENTIAL REPORTS FOR DECISION**

Nil

**The Meeting closed at 7.48pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 November 2019.**

.....  
**CHAIRPERSON**