



# **MINUTES**

## **Council Meeting**

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**6.00pm Tuesday 21 December 2021**

**VENUE:**  
**Golden Plains Civic Centre**  
**Council Chambers**  
**2 Pope Street, Bannockburn**

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NEXT COUNCIL MEETING  
6.00pm Tuesday 22 February 2022

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**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL  
COUNCIL MEETING  
HELD AT THE GOLDEN PLAINS CIVIC CENTRE, COUNCIL CHAMBERS, 2 POPE STREET,  
BANNOCKBURN  
ON TUESDAY, 21 DECEMBER 2021 AT 6.00PM**

**PRESENT:** Cr Helena Kirby (Deputy Mayor), Cr Les Rowe, Cr Owen Sharkey, Cr Brett Cunningham, Cr Gavin Gamble (Mayor), Cr Ian Getsom, Cr Clayton Whitfield

**IN ATTENDANCE:** Eric Braslis (CEO), Phil Josipovic (Director Infrastructure and Development), Philippa O'Sullivan (Director Corporate Services), Steven Sagona (Director Community Services), Rosie Wright (Acting Coordinator Governance and Risk)

The Mayor made the following statement:

*"Good evening. I'd like to formally welcome everyone, including members of the gallery and press to this Council Meeting. My name is Cr. Gavin Gamble and I am the Mayor at the Golden Plains Shire Council.*

*Tonight this Council Meeting is taking place within the Council Chambers at the Golden Plains Shire Council Civic Centre in Bannockburn, and is open to the public.*

*As Chair of the Meeting I give my consent for this Council meeting to be streamed live to the public, in accordance with Section 14 of Council's Governance Rules 2021. I have the discretion and authority to at any time, direct the termination or interruption of the live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of the debate is considered misleading, defamatory or potentially inappropriate to be published."*

## **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**

Golden Plains Shire spans the Traditional lands of the Wadawurrung and Eastern Maar people. We acknowledge them as the Traditional Owners and Custodians. Council pays its respects to Wadawurrung Elders past, present and emerging. Council also respects Eastern Maar Elders past, present and emerging.

Council extends that respect to all Aboriginal and Torres Strait Islander People who are part of the Golden Plains Shire.

## **3 APOLOGIES AND LEAVE OF ABSENCE**

Nil



#### **4 CONFIRMATION OF MINUTES**

##### **RESOLUTION**

Moved: Cr Helena Kirby  
Seconded: Cr Brett Cunningham

That the minutes of the Ordinary Council Meeting held on 23 November 2021 be confirmed.

**CARRIED**

#### **5 DECLARATION OF CONFLICT OF INTEREST**

Cr Owen Sharkey declared a general conflict of interest in item 7.2 under Section 127 of the Local Government Act 2020. The nature of the interest being that Cr Owen Sharkey's place of work has had dealings in this matter. Cr Owen Sharkey was absent whilst this matter was being discussed and considered.

#### **6 PUBLIC QUESTION TIME**

Nil

##### **RESOLUTION**

Moved: Cr Ian Getsom  
Seconded: Cr Les Rowe

That the item listed at 7.9 on the agenda, being the Rating Strategy Propositions Paper Submissions, be considered after the item listed as 7.1, Delegates Report.

**CARRIED**

## **7 BUSINESS REPORTS FOR DECISION**

### **7.1 DELEGATES REPORT**

#### **RESOLUTION**

Moved: Cr Clayton Whitfield  
Seconded: Cr Brett Cunningham

That Council receive and note the Delegates Report – 23 November 2021 to 20 December 2021.

**CARRIED**

### **7.9 RATING STRATEGY PROPOSITIONS PAPER SUBMISSIONS**

#### **Speakers**

1. Stephen Condon
2. Stewart Hamilton
3. Cameron Steele
4. David Evans
5. Charles Everist
6. Russell Coad
7. Jane Huybens

#### **EXECUTIVE SUMMARY**

The Local Government Act 2020 allows the revenue and rating strategy to be reviewed and Council have been considering different rating options since August 2021 with the aim to develop a rating strategy where the financial burden is shared equitably amongst ratepayers.

Over the past four months a series of workshops were held with Councillors with a total of 22 scenarios modelled by Mach2 Consulting during this process. A propositions paper was developed and placed on public exhibition which included 2 scenarios for consideration.

Submissions from the public were invited with a closing date of 15 December 2021 with a total of 45 submissions received.

#### **RESOLUTION**

Moved: Cr Helena Kirby  
Seconded: Cr Brett Cunningham

That council:

1. Receive and note the public submissions relating to the rating strategy propositions paper
2. Hear the submissions from those requesting to address council in support of their submission lodged

**CARRIED**

## **7.2 P21227 17 O'CONNOR ROAD, LETHBRIDGE (2 LOT SUBDIVISION)**

Cr Owen Sharkey declared a general conflict of interest in item 7.2 under Section 127 of the Local Government Act 2020. The nature of the interest being that Cr Owen Sharkey's place of work has had dealings in this matter. Cr Owen Sharkey left the meeting at 7:26pm and returned at 7:31pm. Cr Owen Sharkey was absent whilst this matter was being discussed and considered.

At 7:26pm, Cr Owen Sharkey left the meeting

### **EXECUTIVE SUMMARY**

This report relates to a planning permit application for the development of land for the purposes of a two (2) lot subdivision at 17 O'Connor Road, Lethbridge. The report provides a background to the application and a summary of the relevant planning considerations.

The application has been referred to the Council Meeting for determination because an officer of the Statutory Planning team has a financial interest in the subject site. There are no objections to the application. The Councillors have been provided with a full copy of the application for consideration prior to deciding.

The issue of a Planning Permit is recommended, subject to the conditions attached to this report.

### **RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Clayton Whitfield

That Council resolves to issue a Planning Permit for a two (2) lot subdivision at 17 O'Connor Road, Lethbridge subject to the conditions attached to this report.

**CARRIED**

At 7:31pm, Cr Owen Sharkey returned to the meeting.

## **7.3 AMENDMENT C92GPLA TEESDALE STRUCTURE PLAN - PLANNING PANEL OUTCOME**

### **EXECUTIVE SUMMARY**

This report outlines the recommendations from the Planning Panel relevant to Amendment C92gpla and proposes an approach and justification for adopting the amendment.

### **RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Helena Kirby

That Council:

1. Adopts Amendment C92gpla in accordance with Attachment 1 to this report.
2. Adopts the modified Teesdale Structure Plan in accordance with attachment 2 to this report.
3. Requests the Minister for Planning approve Amendment C92gpla in accordance with Section 31 (1) of the Planning and Environment Act 1987.

**CARRIED**



## 7.4 AMENDMENT CXX - REMOVAL OF PLANNING PERMIT TRIGGERS FOR OUTBUILDINGS IN LDRZ AND RLZ

### EXECUTIVE SUMMARY

The purpose of these changes is to remove the triggers requiring planning permits for outbuildings (sheds) larger than 120 square meters on land in the RLZ and the LDRZ. The amendment is required to remove a low impact matter from the Golden Plains Planning Scheme, which will allow for resources to be directed to more significant applications and improve timeframes.

### RESOLUTION

Moved: Cr Owen Sharkey  
Seconded: Cr Clayton Whitfield

That Council:

1. Authorise the preparation and exhibition of an amendment to the Golden Plains Planning Scheme to remove the triggers requiring planning permits for outbuildings (sheds) larger than 120 square meters on land in the Rural Living Zone (RLZ) and the Low Density Residential Zone (LDRZ).
2. If no objections are received through the exhibition process, that Council:
  - a. Adopts the Amendment as exhibited which removes the triggers requiring planning permits for outbuildings (sheds) larger than 120 square metres on land in the Rural Living Zone (RLZ) and the Low Density Residential Zone (LDRZ); and
  - b. Requests the Minister for Planning to approve the Amendment in accordance with section 31 of the Planning and Environment Act 1987.

**CARRIED**

## 7.5 PLANNING SCHEME AMENDMENT C91GPLA - GENERAL AMENDMENT

### EXECUTIVE SUMMARY

Amendment C91gpla has been through a public exhibition process and no objections (1 submission received from EPA) were received. This report recommends the adoption of the amendment before submitting the amendment to the Minister for Planning for Approval.

### RESOLUTION

Moved: Cr Clayton Whitfield  
Seconded: Cr Brett Cunningham

That Council:

1. Adopts Amendment C91gpla, which corrects a number of zoning and overlay anomalies, removes redundant overlays and schedules, rezones land for public authorities, improves the clarity/legibility of maps in the Planning Scheme, extends an expiry date for certain local policies, modifies zoning and overlay schedules.
2. Requests the Minister for Planning to approve Amendment C91gpla in accordance with section 31 of the *Planning and Environment Act 1987*.
3. Authorise the removal of the site known as PC337580 Cemetery Road, Inverleigh from C91gpla prior to submitting the amendment for approval in accordance with recommendation 2, unless VicTrack can respond to the EPAs submission to C91gpla by January 4, 2022 in a manner deemed satisfactory by the Manager Development and Regulatory Services.

**CARRIED**

## 7.6 ADOPTION OF DOMESTIC ANIMAL MANAGEMENT PLAN 2022-2025

### EXECUTIVE SUMMARY

Councils are required to develop and review a Domestic Animal Management Plan (DAMP) every four years pursuant to the *Domestic Animals Act 1994*. The DAMP is required to be submitted to the Department of Jobs, Precincts and Regions (DJPR) by the end of 2021. The scope of the Plan is limited to domestic dogs and cats. A survey was posted online relating to domestic animals and Council received 327 responses, the results of the survey have assisted the development of the plan.

At the October 2021 meeting, Council endorsed the Draft DAMP for public exhibition. In the three weeks to 17 November 2021, Council received four submissions to the draft.

### RESOLUTION

Moved: Cr Helena Kirby  
Seconded: Cr Brett Cunningham

That Council:

1. Note that the Draft Domestic Animal Management Plan 2022-2025 was exhibited in accordance with Council's previous direction.
2. Note that four (4) submissions were received in response to the exhibition of the Draft Domestic Animal Management Plan 2022-2025.
3. Note that submissions have been considered in the preparation of the final Domestic Animal Management Plan 2022-2025.
4. Adopt the Domestic Animal Management Plan 2022-2025.
5. Provide the Department of Jobs, Precincts and Regions a copy of the Domestic Animal Management Plan 2022-2025.
6. Write to submitters advising of Council's decision.

**CARRIED**



## **7.7 GOLDEN PLAINS SHIRE RABBIT MANAGEMENT STRATEGY 2021-2031 AND RABBIT MANAGEMENT PLAN 2021-2031**

### **EXECUTIVE SUMMARY**

The Rabbit Management Strategy 2021-2031 and Rabbit Management Plan 2021-2031 have been developed by Council's Environment and Sustainability Team to provide direction for Council's rabbit management program for the next 10 years.

The Rabbit Management Strategy 2021-2031 is a strategic plan that sets out Council's vision and goals regarding the management of rabbits on Council land and across the broader community. Developed in line with industry best practice and research, the Draft Strategy provides historical and legislative context and background information regarding rabbit biology and ecology.

The Rabbit Management Plan 2021-2031 details the actions Council will take over the next 10 years to deliver on the vision and goals of the Rabbit Management Strategy. The Plan provides background on best practice rabbit management methodologies and illustrates Council's current rabbit management program.

Following a period of public exhibition during October 2021, three public submissions were received. Council also received feedback from neighbouring Councils and the Victorian Rabbit Action Network. The submissions have been considered and minor changes made where required.

It is recommended that the Strategy and Management Plan be adopted by Council.

### **RESOLUTION**

Moved: Cr Les Rowe

Seconded: Cr Brett Cunningham

That Council:

1. Notes that the draft Golden Plains Shire Rabbit Management Strategy 2021-2031 and Rabbit Management Plan 2021-2031 have been publicly exhibited with 3 submissions received
2. Adopts the Golden Plains Shire Rabbit Management Strategy 2021-2031 and adopts the Golden Plains Shire Rabbit Management Plan 2021-2031

**CARRIED**

## 7.8 COUNCILLOR ENGAGEMENT 2022

### EXECUTIVE SUMMARY

Reflecting the clear commitment of the Golden Plains Shire councillor group, a successful program of councillor engagement was undertaken in 2021, the first year of the council term.

In 2022, a feature of the second year of Council will be advocacy for the Federal and State Government elections. To balance this commitment, a program of councillor engagement centred on in-person and online Councillor Conversations Posts and the popular Coffee with your Councillors initiative is recommended. Councillors have committed to early engagement on the 2022/23 Council Budget and the proposed engagement program for this year includes the Budget consultation.

### RESOLUTION

Moved: Cr Owen Sharkey

Seconded: Cr Les Rowe

In Favour: Crs Les Rowe, Owen Sharkey, Brett Cunningham, Gavin Gamble, Ian Getsom and Clayton Whitfield

Against: Cr Helena Kirby

That Council:

1. Acknowledge the success of the Councillor Engagement 2021 program.
2. Endorse the Councillor Engagement 2022 program as outlined within the report.
3. Writes to the community group of Batesford and the ratepaying group to inform them that Councillors will be happy to attend a conversation post organised by them.
4. Invite community groups to write and request Councillors attend a group meeting in 2022.

**CARRIED 6/1**

## 7.10 COUNCIL MEETING DATE UPDATE - JUNE 2022

### EXECUTIVE SUMMARY

Council adopted the schedule for the 2022 scheduled Council meetings on 16 November 2021. In the approved schedule, the June meeting was scheduled for the third Tuesday of the month, being Tuesday 21 June 2022. This was due to the 2021 National General Assembly (NGA) of Local Government in Canberra being held on the 4<sup>th</sup> week of June 2021, and Council meetings were adjusted accordingly to allow our Mayor to attend.

The 2022 NGA of Local Government has since been confirmed to be in the 3<sup>rd</sup> week of June 2022, removing the requirement for the Council meeting to be held in the 3<sup>rd</sup> week and allowing it to remain in the 4<sup>th</sup> week, being Tuesday 28 June 2022.

Section 12.4 of Golden Plains Shire Council's Governance Rules states that Council by resolution, may change the date, time and place of any Council meeting and must provide reasonable notice of the change to the public. Therefore, it is recommended that Council resolve to move the council meeting from Tuesday 21 June 2022 to Tuesday 28 June 2022.

### RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Brett Cunningham

That Council approve changing the June 2022 Council meeting date from Tuesday, 21 June 2022 to Tuesday 28 June 2022 to remain on the 4<sup>th</sup> Tuesday of the month.



**CARRIED****SUSPENSION OF STANDING ORDERS****RESOLUTION**

Moved: Cr Helena Kirby  
Seconded: Cr Les Rowe

A motion was moved that Council suspend standing orders at 8.16pm to take a break.

**CARRIED****RESUMPTION OF STANDING ORDERS****RESOLUTION**

Moved: Cr Helena Kirby  
Seconded: Cr Les Rowe

A motion was moved that Council resume standing orders at 8.21pm.

**CARRIED****8 NOTICES OF MOTION****8.1 NOTICE OF MOTION - PROVIDE A BRIEFING DAY REPORT ON THE REQUIREMENTS OF AN AMALGAMATION OF COUNCILS**

I, Councillor Owen Sharkey, give notice that at the next Ordinary Meeting of Council being held on 21 December 2021, I intend to move the following motion:-

**RESOLUTION**

Moved: Cr Owen Sharkey  
Seconded: Cr Les Rowe

In Favour: Crs Les Rowe and Owen Sharkey

Against: Crs Helena Kirby, Brett Cunningham, Gavin Gamble, Ian Getsom and Clayton Whitfield

That Council officers provide a briefing day report in the first quarter of 2022 on the process, and legislative requirements involved in an amalgamation of Councils.

**LOST 2/5**

At 8:43pm Mayor Cr Gavin Gamble vacated the chair to address his Notice of Motion, Item 8.2.

Cr Helena Kirby, Deputy Mayor assumed the chair.

**8.2 NOTICE OF MOTION - COUNCIL TO CONDUCT A SURVEY IN FEBRUARY/ MARCH TO ASSES COMMUNITY VIEWS ON AUSTRALIA DAY**

I, Councillor Gavin Gamble, give notice that at the next Ordinary Meeting of Council be held on 21 December 2021, I intend to move the following motion:-



**MOTION**

That Council conduct a survey in February/ March to assess community views on Australia Day, 26 January and the role Golden Plains Shire should have in supporting Australia Day if at all; recognising the Australia Day citizenship ceremony is a Federal Government requirement.

Questions asked to include, but not limited to:

- Should Australia Day remain on 26 Jan or be moved to an alternative date?
- Should Council Community Awards be awarded on 26 January?
- Should Council fund and or support community events on this day?

A report on the survey results is to be presented to council for the 26 April 2022 council meeting.

**WITHDRAWN**

At 8:46 pm, Mayor Cr Gavin Gamble resumed the chair.

**9 PETITIONS**

Nil

**10 CONFIDENTIAL REPORTS FOR DECISION****RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Les Rowe

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66 of the Local Government Act 2020:

**10.1 P11143B & P11144A 168, 174 & 225 Lynch Road, Maude (Amendment to permits for extractive industry)**

This matter is considered to be confidential under Section 3(1) - k of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information prescribed by the regulations to be confidential information for the purposes of this definition.

**10.2 Golden Plains Shire Council Community Awards 2021**

This matter is considered to be confidential under Section 3(1) - h of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

**CARRIED**

**RESOLUTION**

Moved: Cr Les Rowe

Seconded: Cr Brett Cunningham

That Council moves out of Closed Council into Open Council.

**CARRIED**

**The Meeting closed at 9.03pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 22 February 2022.**

  
.....  
**CHAIRPERSON**

