

# MINUTES

## Council Meeting

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**6.00pm Tuesday 27 September 2022**

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

NEXT COUNCIL MEETING  
6.00pm Tuesday 25 October 2022

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)

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**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL  
COUNCIL MEETING  
HELD AT THE GOLDEN PLAINS CIVIC CENTRE, COUNCIL CHAMBER, 2 POPE STREET,  
BANNOCKBURN  
ON TUESDAY, 27 SEPTEMBER 2022 AT 6.00PM**

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

**IN ATTENDANCE:** Eric Braslis (CEO), Phil Josipovic (Director Infrastructure and Environment), Fiona Rae (Acting Director Corporate Services), Steven Sagona (Director Community, Planning and Growth), Rosie Wright (Coordinator Governance and Risk), Sophie Brown (Governance and Legal Services Specialist)

**APOLOGIES:** Cr Les Rowe

## **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 Peoples.

Council acknowledges them as the Traditional Owners and Custodians and pays its respects to both Wadawurrung and Eastern Maar Elders past, present and emerging.

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

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

Cr Les Rowe is an apology for this Council meeting.

## **4 CONFIRMATION OF MINUTES**

### **RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Helena Kirby

That Council confirms the minutes and confidential minutes, which remain confidential in accordance with section 3(1)(h) of the Local Government Act 2020, of the scheduled Council meeting held on 23 August 2022.

**CARRIED**

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

Nil

**6 PUBLIC QUESTION TIME**

Nil

**7 BUSINESS REPORTS FOR DECISION****7.1 CITIZEN RECOGNITION AWARD**

Golden Plains Shire Council 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 to Darcy McClelland who is being recognised for his achievement in sport.

- Darcy is 16 years old, lives in Bannockburn and has been fencing for about 8 years. Darcy was selected and competed for Australia in the World Cadet Championships in April 2022.
- Darcy also won two silver and two gold medals at the Oceania and Australian National Cadet Championships in July 2022.

**7.2 CITIZENSHIP CEREMONY**

A formal Citizenship Ceremony will take place at the commencement of the Council Meeting.

Council would like to congratulate the following residents on their decision to become Australian Citizens:

- Joseph Heaphey who is from the United States and resides in Teesdale
- Richard Kinsey who is from the United Kingdom and resides in Bannockburn
- Sureerat Vassallo who is from Thailand and resides in Cape Clear
- Linjong Wishart who is from Thailand and resides in Inverleigh
- Kurt, Jennifer, Tayla and Kade Beckley who are from South Africa and reside in Bannockburn
- Dishank, Maithili, Arya, Aryan and Misha Ghadge who are from India and reside in Bannockburn
- Jose Arcos Gomez, Sheyla Guerrero Chilingua and Eithan Arcos Guerrero who are from Ecuador and reside in Bannockburn
- William and Hollie Hilsdon who are from the United Kingdom and reside in Shelford.

Mohamed Hussain and Samiyah Ifran who are from Sri Lanka and reside in Bannockburn were absent for the ceremony.

### **7.3 DELEGATES REPORT & INFORMAL MEETINGS OF COUNCILLORS RECORDS**

#### **EXECUTIVE SUMMARY**

At each Council meeting, Councillors have the opportunity to update their colleagues and the community about attendances at various Delegated Boards/Committees/Meetings that they attended on behalf of the Council and can acknowledge significant community events or Council functions / engagement opportunities that they have attended over the past month. This report contains records of informal meetings of Councillors as defined under Rule 1 of Chapter 5 of Council's Governance Rules.

#### **RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Ian Getsom

That Council receive and note the Delegates Report and Informal Meetings of Councillors for the past month.

**CARRIED**

### **7.4 COUNCIL MEETING DATE UPDATE - NOVEMBER 2022**

#### **EXECUTIVE SUMMARY**

Council adopted the schedule for the 2022 scheduled Council meetings on 16 November 2021. In the approved schedule, the Mayoral Election meeting was scheduled for 17 November 2022. This was a typographical error, as 17 November 2022 is a Thursday, and the intended date was Tuesday 15 November 2022.

Section 12.4 of Golden Plains Shire Council's Governance Rules states that Council may by resolution 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 Mayoral Election Council Meeting from Thursday 17 November 2022 to Tuesday 15 November 2022.

#### **RESOLUTION**

Moved: Cr Clayton Whitfield

Seconded: Cr Helena Kirby

That the Council Meeting to hold the Mayoral Election scheduled for Thursday 17 November 2022 be changed to Tuesday 15 November 2022.

**CARRIED**

## 7.5 SURPLUS COUNCIL LAND IN BATESFORD

### EXECUTIVE SUMMARY

Council owns a narrow strip of land in the Dog Rocks North Estate in Batesford which is unutilised for any Council or public purpose. The land appears best suited for sale. In order to commence the statutory process to sell, a planning permit needs to be obtained to remove the reserved status of the block, and Council is required to comply with section 114 of the Local Government Act 2020 which sets out the legislative process for the sale of Council land.

### MOTION

Moved: Cr Helena Kirby

Seconded: Cr Brett Cunningham

That Council:

1. Deems the land described as "Surplus Area" in the attachment to this report as surplus to Council's needs.
2. Obtain a planning permit to remove the reserved status on the block.
3. If successful in removing the reserved status of the block, in accordance with the requirements of section 114(2) of the Local Government Act 2020, publish notice of intention to sell the block at least 4 weeks prior to sale, and undertake a community engagement process in accordance with the community engagement policy.
4. In accordance with the requirements of section 114(2) of the Local Government Act 2020, obtain a valuation of the land not more than 6 months prior to sale or exchange.
5. Consider submissions and hear any submitters wishing to be heard at a future meeting of Council, prior to making a decision on the sale.

**The motion was LOST.**

### A division was called.

In Favour: Crs Gavin Gamble and Helena Kirby

Against: Crs Owen Sharkey, Brett Cunningham, Ian Getsom and Clayton Whitfield

**LOST 2/4**

### RESOLUTION

Moved: Cr Brett Cunningham

Seconded: Cr Ian Getsom

That Council defer this agenda item to the next Council meeting to allow further discussion and to gather further information.

**CARRIED**

## 7.6 REVIEW OF INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987

### EXECUTIVE SUMMARY

The appointment of authorised officers under the *Planning and Environment Act 1987* cannot be delegated and must be made through resolution of Council. The Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* was last reviewed and adopted by Council in August 2022. A review of that instrument has now been completed and updated to reflect organisational structure changes.

It is recommended that Council consider and adopt the revised Instrument, as shown at Attachment 1.

### RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Brett Cunningham

In the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987* and other legislation referred to in the attached Instrument of Appointment (the 'instrument'), Golden Plains Shire Council (Council) 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 Council's Governance Rules.
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 23 August 2022 is revoked.

**CARRIED**

## 7.7 TENDER - ARTHURS LANE BRIDGE REPLACEMENT

### RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Clayton Whitfield

### THAT COUNCIL:

1. Resolves to award Contract GPSC-RFT-19-2022 Arthurs Lane Bridge Replacement project to Ontrack Civil Earthworks Pty Ltd for the sum of \$443,716.77 exclusive of GST, and for the initial term of fourteen [14] weeks;
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of council.

**CARRIED**

## 8 NOTICES OF MOTION

Nil

**9 PETITIONS**

Nil

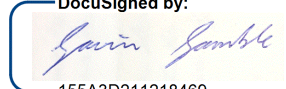
**10 CONFIDENTIAL REPORTS FOR DECISION**

Nil

The Meeting closed at 7.21pm.

The minutes of this meeting were confirmed at the Council Meeting held on 25 October 2022.

DocuSigned by:



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**CHAIRPERSON**