



# MINUTES

## Council Meeting

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**6.00pm Tuesday 22 August 2023**

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

NEXT COUNCIL MEETING  
6.00pm Tuesday 26 September 2023

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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, 22 AUGUST 2023 AT 6.00PM**

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

**ABSENT:** Cr Les Rowe

**IN ATTENDANCE:** Eric Braslis (CEO), Phil Josipovic (Director Infrastructure and Environment), Emma Wheatland (Acting Director Community Services), Lynne Gray (Director Corporate Services), Rosie Wright (Coordinator Governance and Risk)

## **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.

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**

Nil

## **4 CONFIRMATION OF MINUTES**

### **RESOLUTION**

Moved: Cr Helena Kirby

Seconded: Cr Gavin Gamble

That the minutes of the scheduled Council Meeting held on 25 July 2023 be confirmed, and the confidential minutes of the scheduled Council meeting held on 25 July 2023, which remain confidential in accordance with section 3(1)(h) of the Local Government Act 2020, be confirmed.

**CARRIED**

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

Nil

**PROCEDURAL MOTION**

Moved: Cr Clayton Whitfield

Seconded: Cr Gavin Gamble

That Public Question Time be moved to after item 7 to allow for the Citizenship Ceremony.

**CARRIED**

**7 CITIZENSHIP CEREMONY**

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

At 6.31pm Cr Ian Getsom joined the meeting virtually.

**6 PUBLIC QUESTION TIME**

The Mayor made the following statement:

*Public question time runs for 30 minutes prior to consideration of the formal Agenda by Council. We consider questions received with notice from the public.*

*I will call each person who has submitted a question with notice forward. Please come up to the chair and ask your question, as it was submitted.*

*I note that question time is not an opportunity to make general statements or enter into a debate with Council or officers.*

The following public question was read by Annie Cranby and answer provided by Emma Wheatland, Acting Director Community, Planning and Growth.

**Question**

*How many objections to a planning permit are considered a pre-requisite for the conducting of a special public meeting held by Council to address the concerns held by those objectors?*

**Answer**

*Rule 35 of the Governance Rules provides procedures for the hearing of submissions on planning matters. Council may call an unscheduled meeting in accordance with rule 20. In relation to hearing submissions on any matter, it may be necessary to hold an unscheduled meeting if it is considered unreasonable to hear the submissions within the Council meeting time limit, as Council meetings may not continue past 11.00pm.*

The following public question was read by Diane Roberts and answer provided by Emma Wheatland, Acting Director Community, Planning and Growth.

**Question**

*Looking at the Councils website you actively promote intensive agriculture. In light of current understanding of how detrimental intensive animal agriculture is to the environment and to the health of the surrounding community and its role in climate change, why are you still continuing to promote what is a profitable industry just for a few but a disastrous one for the wider community?*

**Answer**

*Animal production is a permissible use in the Farming Zone. An application for these uses is required to be assessed on balance with the relevant provisions of the planning scheme and relevant Codes of Practice which may be applicable to the specified animal industry. Assessments in relation to off site amenity impacts are considered as part of the decision making process together with the views of the Department of Agriculture.*

The following public question was read by Diane Roberts and answer provided by Emma Wheatland, Acting Director Community, Planning and Growth.

### **Question**

*How was the decision made to promote intensive animal agriculture for Golden Plains Shire? Was all the community involved, having all the information on the severely negative aspects of this industry on which they could make an informed choice?*

### **Answer**

*Golden Plains Shire Council received funding from the Victorian Department of Sustainability and Environment to undertake an Area Improvement Program pilot study to investigate the creation of specific areas for intensive agricultural industries in the Shire. In terms of the development of the "Developing Suitable Areas for Intensive Agricultural Industries in the Golden Plains Shire" report, dated 2004, the consultation process included:*

- *Thirty key stakeholder interviews at the commencement of the project.*
- *The establishment of a Stakeholder Advisory Group comprising: infrastructure providers, Barwon Water, Central Highlands Water, Powercor, VicRoads, Golden Plains Shire environment agencies, Corangamite Catchment Management Authority, Environment Protection Authority, Department of Sustainability and Environment, intensive animal industries, Bartters, Western Plains Pork, VFF Chicken, individual pig and poultry breeders, and community representatives.*
- *Four workshops and discussion meetings with the stakeholder advisory group were held to confirm identified issues and scoping of project, give feedback on possible solutions, and review costs of development from an industry perspective (with a sub group of the SAG).*
- *Letters to all landholders in identified areas outlining the project and seeking feedback.*
- *Face to face meetings with over 25% of landholders.*

The following public question was read by Beth Glover and answer provided by Phil Josipovic, Director Infrastructure and Environment.

### **Question**

*My first question is about the new development on Common Road, Inverleigh, opposite the Inverleigh Conservation Reserve. The reduction in speed is appreciated along this road, the clay coloured concrete footpaths are a sensitive touch and the housing interesting. I can understand the appeal of buying into this area, people being attracted to the rural views. There is a group of volunteers who work tirelessly weeding, removing rubbish, protecting rare plants, and educating the community about wildflowers and birds in this area. For this unique ecosystem to survive it needs the best conditions for things to thrive. The flora, fauna and insects need a dark sky to continue the normal life cycle. Artificial light interferes with the normal rhythm of life and critical at this time of the year. Will Council please tell the developer to turn off those lights on that road? The rest of Common Road actually manages without street lights, just opposite the reserve.*

### **Answer**

*Street lighting at the intersection of Common Road and Eucalypt Road has been installed to meet the traffic safety requirements in accordance with VicRoads guidelines and Council's Infrastructure*

*Design Manual, as well as the relevant Australian Standards. Other lighting in the estate has been provided to meet minimal requirements such as at intersections, traffic control devices, and changes in road alignment where line of sight might be impaired. Turning the lights off could increase safety and security risks for traffic and pedestrians in the area. Lighting is designed to be suitable for purpose and is not considered excessive at this stage and therefore turning the lights off is not supported by officers at this stage.*

The following public question was read by Beth Glover and answer provided by Emma Wheatland, Acting Director Community, Planning and Growth.

### **Question**

*Following up from a question at the July Council meeting regarding the Bannockburn Shopping Centre. I do not know who purchased the section of road at the end of Burns Street, Woolworths or the developer, but the resulting mess needs to be addressed ASAP. It is an eyesore and the remaining small businesses must be suffering, given the loss of the only butcher in Bannockburn. So my question is, could the Council speak to the appropriate parties and request a quick resolution? Or other mediation to sort this out with a time limit imposed and bring back the heart and soul of Bannockburn.*

### **Answer**

*As responded to at last month's Council meeting, Burns Street was partially closed and sold prior to the approval of the development of the shopping centre. The shopping centre, once completed, will provide vehicle access to carparking via Burns Street. Appreciating that the first stage of the development has been completed, our understanding is that stage 2 is likely to commence before the end of the year.*

## **8 BUSINESS REPORTS FOR DECISION**

### **8.1 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 Gavin Gamble

Seconded: Cr Helena Kirby

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

**CARRIED**

## 8.2 BERRYBANK WIND FARM COMMUNITY GRANTS 2023

### EXECUTIVE SUMMARY

Council's Chief Executive Officer has approved the funding of the above noted six community projects, proposed by a variety of community groups through the Berrybank Wind Farm Community Grants 2023 program.

Council received 14 applications during June 2023 requesting \$302,829 in funding. The six successful applications will be supported by a total contribution of \$115,264 from Berrybank Development Pty Ltd (Berrybank) over the next three years as follows:

- FY23-24: \$76,740
- FY24-25: \$26,374
- FY25-26: \$12,150

The six projects will deliver a combined total project value of \$406,937. Some of the key community benefits across the six projects are:

- Promoting increased physical activity and social connection and bringing communities together
- Enhancing accessibility and improving safety of community spaces

This was a highly competitive round as the total amount requested was over \$160,000 for FY23-24 where the available funding was \$78,000.

### RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Clayton Whitfield

That Council note and acknowledge the approved Berrybank Wind Farm Community Grants 2023 for the value of \$76,740 to the following recipients:

- Shelford Duck Race - '*Shelford Duck Race*' - \$10,100 (total for multi-year funding over 3 years)
- Maude She Oaks & Steiglitz Community Planning Group - '*Bunjil Lookout Community Gathering*' - \$13,800 (total for multi-year funding over 3 years)
- Shelford Public Hall Reserve Committee of Management Inc. - '*Shelford Public Hall Rejuvenation Project*' - \$49,751 (total for multi-year funding over 2 years)
- Cape Clear Recreation Reserve - '*Valentines Bush Dance and Winter Solstice Bonfire*' - \$15,850 (total of for multi-year funding over 3 years)
- Inverleigh Bowls Club Inc. - '*Greens Lighting Upgrade*' - \$15,763
- Inverleigh Sporting Complex - '*Spectator Shelter*' - \$10,000

**CARRIED**

### **8.3 COUNCIL PLAN 2021-2025 IMPLEMENTATION - QUARTER FOUR**

#### **EXECUTIVE SUMMARY**

To update Council on the progress made in implementing Year 2, Quarter 4 actions of the Council Plan 2021-2025.

#### **RESOLUTION**

Moved: Cr Helena Kirby

Seconded: Cr Owen Sharkey

That Council note the implementation of the Year 2, Quarter 4 actions (1 April 2023 to 30 June 2023) of the Council Plan 2021-2025.

**CARRIED**

### **8.4 EXCISION OF SOUTH STEIGLITZ ROAD RESERVE FROM MINING EXPLORATION LICENCE**

#### **EXECUTIVE SUMMARY**

Council has been contacted by members of the Steiglitz and wider community asking that Council approach the Minister for Energy and Resources seeking to have the road reserve containing the South Steiglitz Road excised from a gold mining exploration licence held by New Hanover Exploration Pty Ltd to protect biodiversity and amenity. Due to the adjacent National Park and the refusal of adjacent land holders to allow exploratory drilling on their properties, the road reserve is the only location where exploratory drilling could be undertaken in the area which will have detrimental impacts on the environment and amenity of the area.

#### **RESOLUTION**

Moved: Cr Gavin Gamble

Seconded: Cr Clayton Whitfield

That Council writes to the Minister for Energy and Resources seeking the excision of the South Steiglitz Road from exploration licence EL6164 held by New Hanover Exploration Pty Ltd.

**CARRIED**

### **8.5 TENDER FOR MINOR CIVIL WORKS AND PLANT HIRE - PANEL OF SUPPLIERS**

#### **EXECUTIVE SUMMARY**

Council wishes to engage suitable qualified experienced provider/s for the provision of Minor Civil Works and Plant Hire services to deliver construction works across the Shire.

#### **RESOLUTION**

Moved: Cr Clayton Whitfield

Seconded: Cr Gavin Gamble

That Council:

1. Resolves to award the Contract RFT-06-2023 – Panel of Suppliers - Provision of Minor Civil Works and Plant Hire for a period of three (3) years with two (2) x one (1) year extensions for the rates provided to:
  - a. East Contractors



- b. Fulton Hogan Industries Pty Ltd
  - c. Total Plumbing-Solutions
  - d. Begbies Earthmoving
  - e. Patash And Civil Group Pty Ltd
  - f. Begbies Contracting
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

**CARRIED**

## **8.6 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 June 2023. A review of the instrument has now been completed and updated to reflect staffing changes that have occurred in the Community, Planning and Growth directorate.

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

### **RESOLUTION**

Moved: Cr Clayton Whitfield

Seconded: Cr Gavin Gamble

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 sign the instrument;
3. The instrument comes into force immediately upon being signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it; and
4. The previous instrument dated 27 June 2023 is revoked.

**CARRIED**

## **8.7 DRAFT ELECTION PERIOD POLICY**

### **EXECUTIVE SUMMARY**

Council must adopt an Election Period policy in accordance with section 69 of the Local Government Act 2020. The policy provides for the ways in which Council will operate to ensure fairness, transparency, and equity among candidates for Council elections.

Chapter 7 of Council's Governance Rules provide that the Election Period policy must be reviewed at least once in each Council term and no later than 12 months prior to the Election Period. As the Election Period policy forms part of Council's Governance Rules, a process of community engagement must be undertaken in order to update the policy.

### **RESOLUTION**

Moved: Cr Owen Sharkey

Seconded: Cr Helena Kirby

That Council:

1. Endorse the draft Election Period policy at attachment 1 for public exhibition.
2. Consider the policy for adoption at its September 2023 meeting.

**CARRIED**

## **8.8 COUNCILLOR EXPENSES AND MEETING ATTENDANCE REPORT - QUARTER FOUR ENDING 30 JUNE 2023**

### **EXECUTIVE SUMMARY**

The report provides a record of expenditure made on behalf of Councillors in the performance of their duties for quarter four of 2022/23. This report also includes quarterly updates on Councillor attendance at both scheduled and unscheduled meetings of Council, to provide transparency on Council decision making.

### **RESOLUTION**

Moved: Cr Owen Sharkey

Seconded: Cr Gavin Gamble

That Council note the contents of the Councillor Expenses and attendance report for quarter four of 2022/23 and total spend for financial year 2022/23.

**CARRIED**

## **9 NOTICES OF MOTION**

Nil

## **10 PETITIONS**

Nil

## **71 CONFIDENTIAL REPORTS FOR DECISION**

Nil

**The Meeting closed at 7.44pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 26 September 2023.**

DocuSigned by:  
*Brett Cunningham*  
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**CHAIRPERSON**