



# **MINUTES**

## **Ordinary Council Meeting**

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**6.00pm Tuesday 23 April 2019**

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

NEXT ORDINARY COUNCIL MEETING  
6.00pm Tuesday 28 May 2019

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**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE LINTON CUSTOMER SERVICE CENTRE, COUNCIL CHAMBERS, 68 SUSSEX  
STREET, LINTON  
ON TUESDAY, 23 APRIL 2019 AT 6.00PM**

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

**IN ATTENDANCE:** CEO Eric Braslis, Director Assets and Amenity Greg Anders, Director Community Service Lisa Letic, Director Corporate Services Philippa O'Sullivan, Corporate Governance Coordinator Candice Holloway

**1 OPENING DECLARATION**

The Mayor read the Opening Declaration.

**2 ACKNOWLEDGEMENT OF COUNTRY**

The Mayor acknowledged the Traditional Custodians of the land and paid his respects to elders both past and present.

**3 APOLOGIES AND LEAVE OF ABSENCE**

Cr Helena Kirby

**4 CONFIRMATION OF MINUTES**

**RESOLUTION**

Moved: Cr Nathan Hansford

Seconded: Cr David Evans

That the minutes of the Ordinary Council Meeting held on 26 March 2019 be confirmed.

**CARRIED**

**5 DECLARATION OF CONFLICT OF INTEREST**

Nil.

## **6 BUSINESS REPORTS FOR DECISION**

### **6.1 DELEGATES REPORT - 26 MARCH 2019 TO 22 APRIL 2019**

The Delegates Report – 26 March 2019 to 22 April 2019 to be verbally provided at the meeting.

#### **Cr Joanne Gilbert**

31 March      Garibaldi Hall Incorporated Annual General Meeting – Cr Joanne Gilbert acknowledged the members of the community who rallied together to cut firewood for the family of an unwell committee member.

#### **Cr David Evans**

4 April      Winchelsea Old Shire Hall and Tea Rooms Public Meeting

8 April      G21 Environment Pillar Meeting

## 6.2 COUNCIL PLAN - ANNUAL REVIEW FEEDBACK

### EXECUTIVE SUMMARY

The Council Plan 2017-21 is the key document setting out Council's strategic direction. The *Local Government Act 1989* (the Act) requires that at least once each financial year Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan.

During February, March and April 2019, community engagement was undertaken to ensure that Council's review of the Council Plan is appropriately informed. The engagement process included consultation with the community, staff and Councillors via a survey. Feedback was received from 12 community members, four Councillors and 73 council staff members. Feedback was generally positive with no specific gaps or issues identified.

The Local Government Act requires that a formal consultation process under section 223 of the Act be undertaken when changes to the strategic directions, key performance indicators or measures of success in a Council Plan are proposed (refer S. 125 (9)). In this case, however, no such amendments are considered necessary and therefore a section 223 consultation process is not required.

### RESOLUTION

Moved: Cr Des Phelan

Seconded: Cr Joanne Gilbert

That Council:

1. Receive the feedback on the Council Plan, noting that no significant changes are required to the strategic directions, key performance indicators or measures of success.
2. Acknowledge that the Council Plan is therefore not required to be formally re-exhibited under Section 223 of the *Local Government Act 1999*.
3. Note that the updated Council Plan (2019) including the Municipal Public Health and Wellbeing Plan and the Strategic Resource Plan will be presented to Council at its June meeting for adoption.

**CARRIED**

### **6.3 PREPARATION OF 2019-20 DRAFT BUDGET - ENDORSE FOR EXHIBITION**

#### **EXECUTIVE SUMMARY**

The 2019-20 Draft Budget is appended to this report and includes a detailed list of the capital works program. The proposed fees and charges are provided in attachment two. The 2019/20 draft budget been prepared based on the adopted principles within the 2017-2021 Council Plan and Strategic Resource Plan, however, some of the longer term assumptions have been altered to better reflect the current environment and known future changes.

The budget seeks to maintain and improve services and infrastructure as well as deliver projects and services that are valued by our community, delivering these within the 2.50% rate cap increase mandated by the State Government. This year, the creation of the draft budget was based on a number of new principles:

- No increases in operational expenditure beyond a CPI increase of 2.5%;
- All new initiatives / projects / programs have been evaluated against organisational priorities; and
- All savings to be redirected to asset maintenance or renewal.

As a result, the key indicators of the 2019-20 draft budget are:

- Total operating revenue of \$44.5m
  - Rate revenue modelled on pre-valuations with a 2.5% average rate cap increase which is in accordance with the State Government rate cap legislation;
  - The waste service charge is set at full cost recovery noting that the increase is in line with the rate cap of 2.5%.
  - Existing fees and charges have been increased with CPI or market levels.
- Operating Expenditure of \$42.1m to continue to deliver services to the Golden Plains community with an increased focus on infrastructure maintenance.
- Operating surplus \$2.4 million.
- Underlying deficit of \$2.3 million.
- Cash inflow from operations of \$12.6 million.
- Total Capital Works investment of \$18.7 million of which asset renewal makes up 23%, capital upgrade 57% and new assets of 20%. The GPCCC budget of \$4.5m relates to refurbishing the existing building and is therefore treated as capital upgrade.

This year, rates will be based on new 2019 valuations with rate increases varying across the differential rating categories and individual properties. There can be a misunderstanding that as properties are revalued, council receives additional revenue. However, this is not the case, but instead the total revenue is re-distributed across all properties in the shire. Total income from rates can only be increased by the 2.5% rate cap. As such, as property values increase, the rate in the dollar will decrease.

In an effort to make this system fairer, Council proposes to decrease the amount received from total rate revenue (which is distributed using property values) and increase the revenue raised from the fixed municipal charge from \$225 to \$300. This approach aims to highlight that all rate payers will contribute to a base charge for council services and less revenue will be contributed from a property valuation based rating system.

Council makes two further distinctions within the property value component of rates based on the purpose for which the property is used and whether it is located within a defined geographic growth area.

Council's Rating Strategy ensures that the financial burden is shared equitably amongst ratepayers, whilst generating sufficient revenue to meet the increasing demands of future infrastructure and service needs of the Shire.

As indicated above, the 2019/20 draft budget has resulted in an adjusted underlying result of \$2.2m deficit noting that this is below the Council's financial sustainability threshold of zero. However, when preparing the 2019/20 budget a key objective was to increase the standard of infrastructure assets to meet the increasing demands of our growing population and ensure adequate services are maintained across the shire. As a result, this has impacted the financial position for 2019/20, but as these levels of expenditure reduce in future years coupled with a forecast in revenue from external sources such as the Berrybank windfarm, the long term financial sustainability of council is not impacted.

## **RESOLUTION**

Moved: Cr David Evans

Seconded: Cr Nathan Hansford

That Council:

1. In accordance with section 127 of the Local Government Act 1989, place the draft 2019-20 Annual Budget on public exhibition and that:
  - a. The Chief Executive Officer be authorised to:
    - (i) Give public notice of this, in accordance with Section 129 and 223 of the Local Government Act 1989; and
    - (ii) Make available for public inspection the draft 2019-20 budget.
  - b. Council consider any submissions on any proposal (or proposals) contained in the draft 2019-20 Annual Budget, made in accordance with Section 129 and 223 of the Local Government Act 1989 at a Council Meeting to be held Tuesday 11 June 2019.
  - c. Council consider a notice of motion to adopt such 2019-20 Annual Budget at the Council meeting to be held on Tuesday 25 June 2019.
2. Endorse the draft 2019-20 schedule of fees and charges for adoption at the Council meeting to be held on Tuesday 25 June 2019.

**CARRIED**

## **6.4 ADOPTION OF LOCAL LAW NO. 1 OF 2019 - COUNCIL MEETING PROCEDURES & COMMON SEAL**

### **EXECUTIVE SUMMARY**

In March 2019 Local Law No. 1 of 2019 – Council Meeting Procedures & Common Seal (local law) was publically exhibited in accordance with Section 119 and 223 of the Local Government Act 1989 (the Act), along with the supporting Council Policy 4.4 – Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) (policy).

Submissions from the public were invited via email, hardcopy mail or through Council's Have Your Say webpage, with a closing date of 7 April 2019.

3 public submissions were received, including 1 late submission. The issues raised in the submissions were considered in detail and minor changes are proposed, summarised in the report.

The local law and policy are now presented for final adoption. Once adopted, the statutory process for making a local law as described in Section 119 of the Act will be followed, with the local law and policy then coming into effect on 13 May 2019.

### **RESOLUTION**

Moved: Cr David Evans

Seconded: Cr Les Rowe

That Council:

1. Adopt the Local Law No. 1 of 2019 – Council Meeting Procedures & Common Seal (local law) (Attachment 1) to come into effect on 13 May 2019, in accordance with Section 119 of the Local Government Act 1989, subject to the following changes:
  - 1.1 Delete Clause 18.1.3:  
*'18.1.3 Be signed by another Councillor willing to second the motion for the purpose of debate at the meeting in which it will be considered. The motion at the meeting to be dealt with in accordance with clause 34; and'*
  - 1.2 Re-number clause 18.1.4 to 18.1.3.
2. Adopt the revised Council Policy 4.4 – Public Participation in Council Meetings (Question Time, Presentations & Submissions, Petitions & Joint Letters) (Attachment 2) to come into effect on 13 May 2019, with the local law

**CARRIED**



## **6.5 PLANNING APPLICATION P18-165 - VARIATION OF RESTRICTIVE COVENANT W659580N, 77 YORKSHIRE CLOSE, BATESFORD**

### **EXECUTIVE SUMMARY**

This report relates to planning permit application P18-165 which proposes to vary registered restrictive covenant W659580N, to allow two dwellings on the land at 77 Yorkshire Close, Batesford. This report provides a background to the application, a summary of the relevant planning considerations and an officer recommendation which supports the issue of a planning permit.

### **RESOLUTION**

Moved: Cr David Evans

Seconded: Cr Des Phelan

That Council issue a Notice of Decision to Grant a Planning Permit to vary restrictive covenant W659580N over 77 Yorkshire Close, Batesford to allow two dwellings on the Lot, with the proposed conditions listed in this report.

**CARRIED**

## **6.6 ADOPTION OF THE NORTHERN SETTLEMENT STRATEGY**

### **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. Developed over a three year period the Northern Settlement Strategy brings together detailed studies considering township profiles, land supply analysis and economic modelling. These supporting studies have provided a foundation for comprehensive and purposeful engagement. Community survey responses and public submissions have confirmed the legitimacy of study findings and populated the strategy with the aspirations of residents from across the north of the Shire. This report seeks Council's endorsement of the NSS and its accompanying Background and Issues Report. It is further recommended that Council authorise the preparation and exhibition of a planning scheme amendment to incorporate the NSS into the Golden Plains Planning Scheme.

### **RESOLUTION**

Moved: Cr Joanne Gilbert

Seconded: Cr David Evans

That Council:

1. Endorse the Northern Settlement Strategy including the Background and Issues report.
2. Authorise the preparation and exhibition of the planning scheme amendment which incorporates the Northern Settlement Strategy into the Golden Plains Planning Scheme.

**CARRIED**

## **6.7 COUNCIL AUTHORISATION FOR VICTORIAN PLANNING AUTHORITY TO ACT AS PLANNING AUTHORITY - BANNOCKBURN**

### **EXECUTIVE SUMMARY**

This report requests Council's authorisation to appoint the Victorian Planning Authority (VPA) as the Planning Authority for two strategic planning projects and for future Precinct Structure Plans (PSP) proposing growth in Bannockburn. The first project titled the 'Bannockburn South West Precinct' was commenced in 2018 with VPA funding secured through the 'Streamlining Growth for the Regions Program'. The second project, currently listed in the strategic work plan, seeks to identify and provide for additional residential land supply in Bannockburn. Council's request to appoint the VPA recognises the significant demand for zoned residential land within the G21 region.

### **RESOLUTION**

Moved: Cr Nathan Hansford

Seconded: Cr David Evans

That Council;

1. Write to the Minister for Planning requesting that the Victorian Planning Authority be appointed Planning Authority for the completion of the Bannockburn South West Precinct, the Bannockburn Growth Framework and the associated Precinct Structure Plans that are nominated in the Bannockburn Growth Framework.
2. Request that appropriate funding be allocated to the Victorian Planning Authority for the completion of the above listed projects.

**CARRIED**

## **6.8 AMENDMENT TO VEGETATION PROTECTION CONTROLS AND ASSOCIATED MAPPING**

### **EXECUTIVE SUMMARY**

This report seeks authority to prepare and exhibit an amendment to the Golden Plains Planning Scheme, applying a new Vegetation Protection Overlay (VPO):

- To protect areas of significant vegetation.
- To ensure that development minimises loss of vegetation.
- To preserve existing trees and other vegetation.
- To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
- To maintain and enhance habitat and habitat corridors for indigenous fauna.
- To encourage the regeneration of native vegetation.

The existing VPO1 and VPO2 are redundant and do not trigger any planning permit applications, deleting them will remove unnecessary content from the Planning Scheme. The proposed new VPO1 and VPO2 seek to protect native vegetation along roadsides which are known to contain vegetation communities of very high conservation significance, and a status of endangered or vulnerable. The extent of the VPO is based on a comprehensive Roadside Vegetation Survey completed in 2014-2015. The controls seek to remedy an existing situation whereby some of the most significant vegetation in the Shire can be removed without a planning permit.

### **RESOLUTION**

Moved: Cr David Evans

Seconded: Cr Joanne Gilbert

That Council authorise the preparation and exhibition of an amendment to the Golden Plains Planning Scheme to:

- Remove the existing Vegetation Protection Overlay (VPO) Schedules 1 and 2 and associated mapping.
- Introduce new VPO1 and VPO2 Schedules.
- Apply the new VPO1 and VPO2 Schedules to selected roadsides in Golden Plains as described in this report.

**CARRIED**

## **6.9 VICTORIAN ELECTORAL COMMISSION (VEC) - PRELIMINARY REPORT ELECTORAL REPRESENTATION REVIEW**

### **EXECUTIVE SUMMARY**

The Victorian Electoral Commission (VEC) is legislated to undertake electoral representation reviews once every 12 years. The current representation review for Golden Plains Shire Council commenced on 30 January 2019.

The VEC have released the Preliminary Report Golden Plains Shire Council Representation Review - March 2019 (VEC Preliminary Report) (Attachment 1).

The VEC Preliminary Report includes three options, being:

- Option A (VEC preferred option):
  - Seven councillors;
  - Elected from an un-subdivided electoral structure.
- Option B (alternative option):
  - Seven councillors;
  - Elected from three wards;
  - Two two-councillor wards and one three-councillor ward.
- Option C (alternative option):
  - Eight Councillors;
  - Elected from three wards;
  - Two three-councillor wards and one two-councillor ward.

Any person or group, including the Council, can now make a submission to the VEC in response to the three options. Submissions must be received by the VEC by 24 April 2019.

### **RESOLUTION**

Moved: Cr David Evans

Seconded: Cr Des Phelan

That Council:

1. Note the Victorian Electoral Commission (VEC) Preliminary Report Golden Plains Shire Council Representation Review - March 2019 (Attachment 1).
2. Endorse a response submission to the VEC Preliminary Report supporting Option B for seven councillors elected from three wards, two-councillor wards and one three-councillor ward.

**CARRIED**

## **6.10 RURAL COUNCILS TRANSFORMATION PROJECTS - LODGEMENT OF BUSINESS CASE 2**

### **EXECUTIVE SUMMARY**

As reported to the 26 March 2019 Council Meeting Golden Plains Shire Council is participating in three groupings of councils making application for funding under the Victorian Government Rural Councils Transformation Program (RCTP). An application for RCTP funding must meet the following criteria to be eligible for consideration:

- Submission of a joint business case by 31 March, 2019
- Each Council must pass an accompanying resolution committing to implement any business case, if approved for funding. The resolution must be lodged with Local Government Victoria (LGV) by 30 April, 2019.

Golden Plains Shire Council approved the submission of the G21 Regional Service Collaboration project public submission at its 26 March 2019 Council meeting. Appreciating that all business cases had to be lodged by 31 March, this has been done. However, a formal resolution of Council is still necessary, to acknowledge the submission of the remaining 2 applications and the accompanying business cases along with Councils commitment to their implementation should the applications be successful.

### **RESOLUTION**

Moved: Cr Des Phelan

Seconded: Cr Nathan Hansford

That Council:

1. Approves the submission of the Rural Council Transformation Project (RCTP) business case by Horsham Rural City Council on behalf of Golden Plains Shire Council (Attachment 1).
2. Approves implementation of the projects/initiatives within the submitted business case by Golden Plains Shire Council, subject to the application being approved for RCTP funding.]

**CARRIED**

## **6.11 NATIONAL GENERAL ASSEMBLY (NGA) OF LOCAL GOVERNMENT 2019 - MAYORAL ATTENDANCE**

### **EXECUTIVE SUMMARY**

Seek approval for Councillor Sharkey to attend the 2019 National General Assembly (NGA) of Local Government in Canberra from Sunday 16 to Wednesday 19 June, and request a written report following participation of the event.

### **RESOLUTION**

Moved: Cr Des Phelan

Seconded: Cr David Evans

That Council approve the attendance of the Mayor and Deputy Mayor at the National General Assembly of Local Government 2019 and the related expenditure.

**CARRIED**

## **6.12 COUNCIL PLAN IMPLEMENTATION - MARCH QUARTER 2019**

### **EXECUTIVE SUMMARY**

To update Council on the progress made to 31 March 2019, in completing the 2018-19 actions contained in the Council Plan 2017-2021.

### **RESOLUTION**

Moved: Cr Joanne Gilbert

Seconded: Cr Des Phelan

That Council note the report and progress made, as at 31 March 2019, in implementing actions contained in the Council Plan 2017-2021.

**CARRIED**

## **6.13 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 26 March 2019 to 22 April 2019.

### **RESOLUTION**

Moved: Cr Nathan Hansford

Seconded: Cr Joanne Gilbert

That Council notes the Assembly of Councillors Record from 26 March 2019 to 22 April 2019 as attached.

**CARRIED**

## **7 NOTICES OF MOTION**

Nil

## **8 PETITIONS**

Nil

## **9 CONFIDENTIAL ITEMS**

### **RESOLUTION**

Moved: Cr Nathan Hansford

Seconded: Cr Joanne Gilbert

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 89(2) of the Local Government Act 1989:

#### **9.1 Rural Councils Transformation Projects - Lodgement of Business Case 3**

This matter is considered to be confidential under Section 89(2) - d 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 contractual matters.

**CARRIED**

### **RESOLUTION**

Moved: Cr Joanne Gilbert

Seconded: Cr Nathan Hansford

That Council moves out of Closed Council into Open Council.

**CARRIED**

**The Meeting closed at 6.50pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 May 2019.**

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**MAYOR CR OWEN SHARKEY**