



MINUTES

Ordinary Council Meeting

6.00pm Tuesday 26 May 2020

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

NEXT ORDINARY COUNCIL MEETING
6.00pm Tuesday 23 June 2020

Copies of Golden Plains Shire Council's Agendas & Minutes
Can be obtained online at www.goldenplains.vic.gov.au

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**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE GOLDEN PLAINS CIVIC CENTRE, COUNCIL CHAMBERS, 6 POPE STREET,
BANNOCKBURN
ON TUESDAY, 26 MAY 2020 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), Phil Josipovic (Director Infrastructure and Development), Philippa O'Sullivan (Director Corporate Services), Lisa Letic (Director Community Services)

Cr Owen Sharkey (Mayor) read the following statement:

Welcome everyone tonight to this Council Meeting which in light of the current Coronavirus situation, is being presented in a different way.

As Chair of the Meeting I give my consent for this open Council meeting to be streamed live, recorded and published online, in accordance with Section 27 of Council's Local Law No. 1 of 2019.

Myself as the Chair and/or the CEO, 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 debate is considered misleading, defamatory or potentially inappropriate to be published.

The stream will stop prior to the closed section of the meeting and will recommence for the conclusion of the meeting.

The public is able to view the meeting online via Council's youtube.com, search 'Golden Plains Shire Council'. The direct link is also available on our website at www.goldenplains.vic.gov.au.

Should technical issues prevent the continuation of the stream a recording will be made available on our website.

Those in attendance in person tonight, are advised to practice social distancing and the hygiene recommendations of the Department of Health and Human Services.

Any questions submitted for Public Question Time will not be read out at tonight's meeting, with all questions to receive a written response.

Thank you.

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 Des Phelan

That the minutes of the Ordinary Council Meeting held on 28 April 2020 be confirmed.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Nil

6 PUBLIC QUESTION TIME

Nil

7 BUSINESS REPORTS FOR DECISION

7.1 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 29 April 2020 to 25 May 2020.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Les Rowe

That Council notes the Assembly of Councillors Record from 29 April 2020 to 25 May 2020 as attached.

CARRIED

7.2 DELEGATES REPORT - 28 APRIL 2020 TO 25 MAY 2020**Cr Owen Sharkey**

28 April	Council Meeting
29 April	VLGA Connect Open Forum virtual meeting
30 April	G21 Economic Development Pillar virtual meeting
1 May	Leadership Learnings Webinar
6 May	Teleconference with Senator Sarah Henderson
11 May	Virtual meeting with Matt High, Director Meredith and Golden Plains Music Festivals
12 May	Audit & Risk Committee virtual meeting
14 May	Virtual meeting with Tom Boyd, Former Western Bulldogs Premiership Player and Headspace Ambassador
18 May	Virtual meeting with Lydia Lassila, 5 x Winter Olympian and 2010 Gold Medalist
19 May	Councillor Briefing virtual meeting

Cr David Evans

28 April	Council Meeting
1 May	Rural and Peri Urban Advisory Board virtual meeting
8 May	G21 Planning & Services Pillar virtual meeting
18 May	G21 Environment Pillar virtual meeting
19 May	Councillor Briefing virtual meeting

Cr Les Rowe

28 April	Council Meeting
5 May	GPS Municipal Fire Management Planning Committee virtual meeting
12 May	Audit & Risk Committee virtual meeting
18 May	G21 Environment Pillar virtual meeting
19 May	Councillor Briefing virtual meeting

Cr Helena Kirby

28 April	Council Meeting
5 May	GPS Municipal Fire Management Planning Committee virtual meeting
7 May	Community Vision Engagement virtual meeting
19 May	Councillor Briefing virtual meeting

Cr Nathan Hansford

28 April	Council Meeting
1 May	MAV Board virtual meeting
5 May	GPS Municipal Fire Management Planning Committee virtual meeting
19 May	Councillor Briefing virtual meeting
22 May	MAV Human Services Committee meeting

Cr Des Phelan

28 April	Council Meeting
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Cr Joanne Gilbert

28 April	Council Meeting
1 May	Leadership Learnings Webinar
19 May	Councillor Briefing virtual meeting

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr Joanne Gilbert

That Council receive and note the Delegates Report – 28 April 2020 to 25 May 2020.

CARRIED

7.3 P02-102A - 3140 MIDLAND HIGHWAY, LETHBRIDGE (AMEND PERMIT FOR EXPANSION OF PIGGERY)

EXECUTIVE SUMMARY

This report relates to an application to amend Planning Permit P02-102 for a piggery expansion at 3140 Midland Highway, Lethbridge. The application has been referred to the Council Meeting for determination because there are objections to the application. This report provides a background to the application and a summary of the relevant planning considerations. The Councillors have been provided with a full copy of the application and objections for consideration prior to making a decision.

This application was considered by Council at its March Ordinary Meeting where it was resolved to defer the matter pending further information on how effluent from the piggery is managed.

RECOMMENDATION

That Council resolves to issue a Notice of Decision to Amend Planning Permit P02-102 for an artificial insemination laboratory and 200 boar piggery at 3140 Midland Highway, Lethbridge subject to the amendments set out in the attachment to this report.

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Helena Kirby

That Council resolves to issue a Notice of Decision to Amend Planning Permit P02-102 for an artificial insemination laboratory and 400 boar piggery at 3140 Midland Highway, Lethbridge subject to the amendments set out in the attachment to this report with the following addition:

5 (d) Council compliance officer to have access to this log annually and to be a member of the audit group as defined in the original condition 11 dated 10 January 2005.

CARRIED

7.4 DEVELOPMENT CONTRIBUTIONS

EXECUTIVE SUMMARY

Development Contributions represent an important source of revenue for the provision of infrastructure required to support sustainable and healthy communities. Since the review of Council Policy 10.4 – Development Contributions in 2016, Council has collected \$4,500 for developments in Bannockburn, and \$1,500 for the rest of the municipality. Council has identified an opportunity to consider options for an amendment to the existing policy to better achieve infrastructure needs through developer contributions.

RESOLUTION

Moved: Cr Des Phelan

Seconded: Cr David Evans

That Council amend Council Policy 10.4, Development Contributions, to provide for a flat rate of collection of \$4,500 per lot for the entire municipality.

CARRIED

7.5 PROPOSED SALE OF COUNCIL OWNED LAND AT LOMANDRA DRIVE, TEESDALE EXECUTIVE SUMMARY

Council has issued a Planning Permit for the subdivision of Council owned land at Lomandra Drive, Teesdale. In addition to meeting the requirements of the *Planning and Environment Act* and the Golden Plains Planning Scheme in gaining a permit to create multiple lots, Council must comply with sections 189 and 223 of the *Local Government Act* prior to the sale of any Council owned land.

This report seeks Council approval to publish a public notice of its intention to sell land, and to seek public submissions as required by sections 189 and 223 of the *Local Government Act 1989* (the Act).

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr Helena Kirby

That Council:

1. In accordance with sections 189 and 223 of the *Local Government Act 1989*, publishes a public notice advising of its intention to sell Council owned land at Lomandra Drive, Teesdale after subdivision works have been completed, and seeks public submissions; and
2. Considers submissions and hears any submitters wishing to be heard at a future meeting of Council, prior to making a decision on the proposal.

CARRIED

7.6 PETITION TO PREVENT HEAVY HAULAGE TRUCKS FROM USING THE BRIDGES AND THE ROADS LEADING TO THE BRIDGES OF THE MOORABOOL VALLEY

EXECUTIVE SUMMARY

Council received the petition on 16 April 2020 which was formally presented to Council at its Ordinary Meeting on 28 April 2020. In accordance with Council's *Local Law No. 1 – Council Meeting Procedures & Common Seal* and the associated *Public Participation in Council Meetings Policy*, Council resolved to receive the petition and consider a report in response to the petition at its May Ordinary Meeting of Council. The petition, containing 68 signatures, states:

Petition summary and background

Summary

We are petitioning the Golden Plains Shire to remove non-local heavy haulage trucks from the roads namely, Perdrisat Rd, Maude – She Oaks Rd, Steiglitz -She Oaks Rd, Sharps Rd and Meredith Steiglitz Rd leading to the river crossings of Perdrisat Bridge, Sharps Crossing and Coopers Bridge in the Moorabool Valley. The use of these bridges by these trucks is an ongoing life-threatening risk to the residents of and visitors to our region.

Background

On the 26th Feb 2020, there was an extraordinary meeting of the Maude - She Oaks - Steiglitz Community Planning Group at the Maude Tennis Pavilion to discuss the life-threatening hazards to local traffic and the potential number of fatalities associated with heavy haulage trucks using the Golden Plains Shire roads and bridges in the Moorabool Valley. This meeting was well attended by both concerned residents and Councillors of the Golden Plains Shire.

Information from the working group of the She Oaks Community Group was presented. The information was derived from the attached document (endorsed with 68 signatures) and addressed the real potential for catastrophic accidents on the river crossings of the Moorabool Valley. Presented information included, a traffic survey, a hazard risk assessment and a recommendation to Council. The recommendation "The most effective and economic action (for minimising the potential of catastrophic accidents) is for Councillors to prevent heavy haulage trucks from using the roads leading to and from the Moorabool River crossings". This recommendation and a request to the Golden Plains Shire Council to use their "specific traffic management powers" Schedule 11, (Section 14) of the Local Government Act (1989) was unanimously supported.

Action petitioned for

We the undersigned request the Golden Plains Shire Council to use their "specific traffic management powers" as set out in Schedule 11, (Section 14) of the Local Government Act (1989) to prevent (non-local) heavy haulage trucks from using the roads and bridges over the Moorabool River as part of a short-cut route because of their potential life-threatening risks to our community. These bridges and roads are the Sharps Crossing Bridge, Perdrisat Road Bridge and Coopers Bridge with the associated roads of Sharps Road, Maude-She Oaks Road, Steiglitz-She Oaks Road, Perdrisat Road and the Meredith-Steiglitz Road. It is our expectation that this action does not preclude the use on these roads of farm machinery, emergency vehicles, buses or deliveries to properties in the area.

RECOMMENDATION

That Council:

1. Having considered the attached petition, does not exercise its powers under the Local Government Act 1989 (Clause 12 & 14 of Schedule 11).
2. Writes to Victoria Police and the National Heavy Vehicle Regulator to bring to their attention

the concerns raised by the Maude-She Oaks-Steiglitz community and request ongoing and regular inspection of this area in relation to heavy vehicle movements and road safety policing

3. Advocates to VicRoads via formal application for a speed reduction on the approaches to and on the bridges listed within the petition on the grounds of improved local road safety
4. Requests officers identify additional road warning signage that may provide a safety benefit on the approaches to the bridges listed within the petition
5. Responds to the lead Petitioner advising of the above decision

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Nathan Hansford

That Council:

1. Having considered the attached petition, does not exercise its powers under the Local Government Act 1989 (Clause 12 & 14 of Schedule 11).
2. Writes to Victoria Police and the National Heavy Vehicle Regulator to bring to their attention the concerns raised by the Maude-She Oaks-Steiglitz community and request ongoing and regular inspection of this area in relation to heavy vehicle movements and road safety policing.
3. Advocates to VicRoads via formal application for a speed reduction on the approaches to and on the bridges listed within the petition on the grounds of improved local road safety.
4. Requests officers identify additional road warning signage that may provide a safety benefit on the approaches to the bridges listed within the petition.
5. Responds to the lead Petitioner advising of the above decision and keeps them informed on any future correspondence received or actions to be implemented in relation to resolutions 2, 3 and 4 above
6. Write to the quarry operators advising of the concerns expressed by the community and the above decision.

CARRIED

Cr David Evans called for a division.

In Favour: Crs Joanne Gilbert, Nathan Hansford, Des Phelan, Les Rowe and Owen Sharkey

Against: Crs Helena Kirby and David Evans

The motion was **CARRIED 5/2**

7.7 REVIEW OF COUNCIL PLAN 2017-2021

EXECUTIVE SUMMARY

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.

This report details the existing Council Plan 2017-2021, including previous processes undertaken, the current status of the Plan and the legislative requirements of the Act in recommending that the Plan remain unchanged for the 2020/21 financial year.

RESOLUTION

Moved: Cr Joanne Gilbert

Seconded: Cr Nathan Hansford

That Council:

1. Note that the Council Plan 2017-2021 has been reviewed as to whether any adjustment is required in respect of the remaining period of the Council Plan.
2. Endorse the existing Council Plan 2017-2021, as adopted by Council on 25 June 2019, with minor administrative changes to reflect the current organisation structure.
3. Note that as there are no adjustments to legislative elements for the 2020/21 financial year are proposed, there is no requirement to undertake further consultation on the Council Plan 2017-2021 at this time.

CARRIED

7.8 ANNUAL ADOPTION OF PROCUREMENT POLICY**EXECUTIVE SUMMARY**

Council is committed to ensuring continuous improvement and strong compliance processes are in place for its procurement activities in order to achieve value for money and generate benefits for Council and its community.

The *Local Government Act 1989* requires that Council prepare and approve a Procurement Policy and review the Procurement Policy at least once in each financial year and amend it as necessary.

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr David Evans

That Council:

1. Note its obligations under section 186A(7) of the *Local Government Act 1989* (Vic) to review the current Procurement Policy at least once in each financial year and where necessary amend it.
2. Adopt the Procurement Policy noting that only a minor amendment was required due to the extensive review undertaken in 2019.
3. Make copies of the policy available to the public in accordance with Section 186A(8) of the *Local Government Act 1989*.

CARRIED

7.9 AUDIT & RISK COMMITTEE REPORT - 12 MAY 2020

EXECUTIVE SUMMARY

This report is being submitted to Council to provide a summary of business considered at the 12 May 2020 meeting of the Audit & Risk Committee.

RESOLUTION

Moved: Cr Les Rowe
Seconded: Cr Helena Kirby

That Council receive the Audit & Risk Committee report from the meeting of 12 May 2020.

CARRIED

8 NOTICES OF MOTION

Nil

9 PETITIONS

Nil

10 CONFIDENTIAL REPORTS FOR DECISION

Nil

The Meeting closed at 7.24pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 23 June 2020.

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CHAIRPERSON