



MINUTES

Ordinary Council Meeting

6.00pm Tuesday 27 November 2018

VENUE:
Bannockburn Shire Hall
Council Chambers
12 High Street, Bannockburn

NEXT ORDINARY COUNCIL MEETING
6.00pm Tuesday 18 December 2018

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Order Of Business

1	Opening Declaration.....	3
2	Acknowledgement of Country	3
3	Apologies and Leave of Absence	3
4	Confirmation of Minutes.....	3
5	Declaration of Conflict of Interest.....	3
6	Business Reports for Decision	4
6.1	Planning application P17-071 - Stone extraction (sand quarry), 223 Maude-She Oaks Road, She Oaks	4
6.2	Planning Application P18-080 - Development of land for Racing dog keeping and training, 2874 Midland Hwy, Lethbridge.....	5
6.5	Planning Application P18-077 - Variation of restrictive covenant AE002849S, 158 Tarraford Way, Batesford	6
6.3	Planning Application P18-085 - The development of land for a five (5) lot subdivision. Spratlings Rd, Ross Creek.....	7
6.4	Planning Application P18-113 - For the development of land for a dwelling, Plant Nursery, shed and earthworks associated with a dam, 394 Lacys Rd, Ross Creek	8
6.6	Planning Application P18-193 - For the use of land for a shop (pharmacy), 29 High St, Inverleigh.....	9
6.7	Inverleigh Streetscape Draft Master Plan	10
6.8	Sons of the West (SOTW) Program Review	11
6.9	GPS-RFT20-2018 - Supply of Motor Graders x 2 - Awarding of Tender	11
6.10	GPS-RFT25/2018 Design & Construct Smythesdale Regional Skate Park Upgrade - Awarding of Tender	12
6.11	Gender Equity	12
6.12	Quarterly Finance Report	13
6.13	Councillor Expenses Report - 3 months ended 30 September 2018.....	13
6.14	Assembly of Councillors	13
6.15	Delegates Report - 24 October 2018 to 26 November 2018.....	14
7	Notices of Motion.....	14
	Nil	
8	Petitions	14
	Nil	
9	Confidential Items.....	15

**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE BANNOCKBURN SHIRE HALL, COUNCIL CHAMBERS, 12 HIGH STREET,
BANNOCKBURN
ON TUESDAY, 27 NOVEMBER 2018 AT 6.00PM**

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

IN ATTENDANCE: Eric Braslis (CEO), Richard Trigg (Director Corporate Services), Greg Anders (Director Assets and Amenity), Patti Wenn (Acting Director Community Services)

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

Nil

4 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Des Phelan

That the minutes of the Ordinary Council Meeting held on 23 October 2018 and the Special Council Meeting held on 7 November 2018 be confirmed.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Mayor Cr Owen Sharkey declared for report 6.2 Planning Application P18-080 - Development of land for Racing dog keeping and training, 2874 Midland Highway, Lethbridge that due to a conflicting duty he has an indirect interest.

Mayor Cr Owen Sharkey declared for report 6.5 Planning Application P18-077 – Variation of restrictive covenant AE002849S, 153 Tarraford Way, Batesford that due to living in a neighbouring property he has a direct interest.

Cr Des Phelan declared for report 6.3 Planning Application P18-085 – The development of land for a five (5) lot subdivision, Spratlings Road, Ross Creek that due to a close association he has an indirect interest.

6 BUSINESS REPORTS FOR DECISION

6.1 PLANNING APPLICATION P17-071 - STONE EXTRACTION (SAND QUARRY), 223 MAUDE-SHE OAKS ROAD, SHE OAKS

EXECUTIVE SUMMARY

This report relates to a planning permit application for the use and development of land for stone extraction (sand quarry) and roadside native vegetation removal at Lot 1 in Title Plan 855273F, 223 Maude-She Oaks Road, She Oaks. This report provides a background to the application and a summary of the relevant planning considerations.

SUSPENSION OF STANDING ORDERS

Moved: Cr Les Rowe

Seconded: Cr Joanne Gilbert

A motion was moved that Council suspend standing orders.

CARRIED

John Kempers (objector) addressed the Council.

RESUMPTION OF STANDING ORDERS

Moved: Cr Nathan Hansford

Seconded: Cr Des Phelan

A motion was moved that Council resume standing orders.

CARRIED

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr David Evans

That Council resolves to issue a Notice of Decision to Refuse to Grant a Permit for the use and development of land for stone extraction (sand quarry) and roadside native vegetation removal at 223 Maude-She Oaks Road, She Oaks (Lot 1 on Title Plan 855273F) on the following grounds:

1. The proposal will have a detrimental effect on the amenity of the area, including dust, noise, heavy transport, lighting and visual impact.
2. The proposal is not compatible with the local policy for Tourism (Clause 21.05-4) which seeks to locate and support tourism in the Moorabool Valley.
3. The proposed truck route and access to the land does not meet traffic safety standards and presents an unacceptable risk to public safety.
4. The proposal is not supported by the local policies for Biodiversity (21.03-1) and Catchment Management and Waterways (21.03-5) and the Golden Plains Shire Environment Strategy because it will result in the degradation of watercourses, spread of weeds and fungus, and adverse impacts on native flora and fauna.

CARRIED

6.2 PLANNING APPLICATION P18-080 - DEVELOPMENT OF LAND FOR RACING DOG KEEPING AND TRAINING, 2874 MIDLAND HWY, LETHBRIDGE

EXECUTIVE SUMMARY

This report relates to a planning permit application which proposes the Use and development of the land for Racing dog keeping and Racing dog training (5 greyhounds) at 2874 Midland Highway, Lethbridge. This report provides the background to the application, a summary of the relevant planning considerations and an officer recommendation which supports the issue of a planning permit.

Mayor Cr Owen Sharkey left the meeting due to a declared indirect conflict of interest.

Cr Joanne Gilbert commenced to chair the meeting.

SUSPENSION OF STANDING ORDERS

Moved: Cr Des Phelan

Seconded: Cr Nathan Hansford

A motion was moved that Council suspend standing orders.

CARRIED

Alison Wellington (objector) addressed the Council.

RESUMPTION OF STANDING ORDERS

Moved: Cr David Evans

Seconded: Cr Nathan Hansford

A motion was moved that Council resume standing orders.

RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Permit for the use and Development of the land for racing dog keeping and racing dog training (5 greyhounds) at 2874 Midland Highway, Lethbridge (Lot 1 on Plan of Subdivision PS603667, Parish of Wabdallah), with conditions as shown on Attachment 1.

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr Les Rowe

That P18/080 be deferred and brought back to the December Council meeting.

CARRIED

6.5 PLANNING APPLICATION P18-077 - VARIATION OF RESTRICTIVE COVENANT AE002849S, 158 TARRAFORD WAY, BATESFORD**EXECUTIVE SUMMARY**

This report relates to a planning permit application which proposes to vary the registered restrictive covenant AE002849S, to allow two dwellings on the land at 158 Tarraford Way, 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 AE002849S over 158 Tarraford Way, Batesford to allow two dwellings on the Lot, with the conditions shown on the attachment to this report

CARRIED

Mayor Cr Owen Sharkey returned to the meeting and resumed the chair.

6.3 PLANNING APPLICATION P18-085 - THE DEVELOPMENT OF LAND FOR A FIVE (5) LOT SUBDIVISION. SPRATLINGS RD, ROSS CREEK

EXECUTIVE SUMMARY

This report relates to a planning permit application for the development of land for a five lot subdivision (re-subdivision of existing lots) and use and development of a dwelling and shed on proposed lots 1 to 4 at Lots 1, 2, 3, 9, 10 & 11 on Title Plan 892942C Parish of Smythesdale (Spratlings Road, Ross Creek). This report provides a background to the application and a summary of the relevant planning considerations.

Cr Des Phelan left the meeting due to a declared indirect conflict of interest.

SUSPENSION OF STANDING ORDERS

Moved: Cr Joanne Gilbert

Seconded: Cr Les Rowe

A motion was moved that Council suspend standing orders.

CARRIED

Barry Browning (applicant) addressed the Council.

RESUMPTION OF STANDING ORDERS

Moved: Cr Les Rowe

Seconded: Cr Nathan Hansford

A motion was moved that Council resume standing orders.

CARRIED

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Joanne Gilbert

That Council resolve to issue a Notice of Decision to Grant a Permit for the development of land for a five lot subdivision (re-subdivision of existing lots) and use and development of a dwelling and shed on proposed Lots 1 to 4 at Lots 1, 2, 3, 9, 10 & 11 on Title Plan 892942C (Spratlings Road, Ross Creek), subject to the conditions contained in the attachment to this report.

CARRIED

Cr Des Phelan returned to the meeting.

6.4 PLANNING APPLICATION P18-113 - FOR THE DEVELOPMENT OF LAND FOR A DWELLING, PLANT NURSERY, SHED AND EARTHWORKS ASSOCIATED WITH A DAM, 394 LACYS RD, ROSS CREEK

EXECUTIVE SUMMARY

This report relates to a planning permit application (P18-113), which seeks approval for the use and development of a dwelling, plant nursery, shed and earthworks associated with a dam on vacant land, at Crown Allotment 78, 394 Lacys Road, Ross Creek.

SUSPENSION OF STANDING ORDERS

Moved: Cr David Evans

Seconded: Cr Joanne Gilbert

A motion was moved that Council suspend standing orders.

Sorin Mocan (Applicant) addressed the Council

RESUMPTION OF STANDING ORDERS

Moved: Cr Les Rowe

Seconded: Cr Helena Kirby

A motion was moved that Council resume standing orders.

CARRIED

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Joanne Gilbert

That Council resolve to issue a Notice of Decision to Grant a Planning Permit for the use and Development of the land for a dwelling, plant nursery, shed and earthworks associated with a dam at Crown Allotment 78, 394 Lacys Road, Ross Creek, with the conditions as shown on Attachment 1.

CARRIED

6.6 PLANNING APPLICATION P18-193 - FOR THE USE OF LAND FOR A SHOP (PHARMACY), 29 HIGH ST, INVERLEIGH**EXECUTIVE SUMMARY**

This report relates to a planning permit application for the use of the land for a shop (pharmacy), reduction of car-parking requirements and the development and display of business identification signage at CA 4, Section 5, Parish of Doroq, 29 High Street, Inverleigh. This report provides a background to the application and a summary of the relevant planning considerations and recommended conditions to the permit

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr David Evans

That Council resolve to issue a Notice of Decision to Grant a planning permit for the use of the land for a Shop (Pharmacy), reduction of car-parking requirements and the development and display of business identification signage at 29 High Street, Inverleigh. *Refer to Attachment 1*

CARRIED

6.7 INVERLEIGH STREETSCAPE DRAFT MASTER PLAN

EXECUTIVE SUMMARY

The proposed Inverleigh Streetscape Master Plan will benefit the community by:

1. Enhancing pedestrian accessibility and safety, with particular benefits for older persons, school aged children and people with mobility challenges.
2. Supporting social life in the community by providing spaces that are more attractive and comfortable for people to stay, rest and interact.
3. Supporting local traders by providing improved environment for alfresco dining.
4. Providing more opportunities for streetscape beautification, furniture, landscaping and vehicle parking.

SUSPENSION OF STANDING ORDERS

Moved: Cr Les Rowe

Seconded: Cr Helena Kirby

A motion was moved that Council suspend standing orders.

CARRIED

Phil Jacobson (Objector) addressed the Council.

David Andueza (Objector) addressed the Council.

RESUMPTION OF STANDING ORDERS

Moved: Cr Des Phelan

Seconded: Cr Nathan Hansford

A motion was moved that Council resume standing orders.

CARRIED

RECOMMENDATION

That Council:

1. Notes the petition received in response to the Draft Inverleigh Streetscape Master Plan.
2. Adopts the introduction in High Street Inverleigh of one-way service roads in the final Draft of the Inverleigh Streetscape Master Plan that will be presented to Council for approval.
3. Notifies the petition submitter of the decision to transition the traffic flow in the High Street Inverleigh Service Roads from "two-way" to "one-way".

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr David Evans

That Inverleigh Streetscape Draft Master Plan be deferred and brought back to the January Council meeting.

CARRIED

6.8 SONS OF THE WEST (SOTW) PROGRAM REVIEW

EXECUTIVE SUMMARY

The SOTW program has been delivered in Smythesdale for the past two years by Council in partnership with the Western Bulldogs Community Foundation and Sports Central.

At a recent 2019 planning discussion with the Western Bulldogs Community Foundation, Council were notified that the program costs will increase from \$10,000 in 2018 to \$25,000 in 2019. The cost increase has been attributed to rising operational costs for the Foundation and a decrease in government funding.

Further to this cost increase, Council received confirmation from the Buninyong and District Financial Services that they would not be sponsoring the program again after two years of support.

Given the substantial increase in funding required to deliver the project and with no foreseeable external funding to offset costs, it is recommended Council withdraw support for the SOTW program and explore a Council developed initiative using local partners to fill this void

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Nathan Hansford

That Council explore an alternate initiative to the Sons of the West (SOTW) program in order to support health and physical activity outcomes across the Shire.

CARRIED

6.9 GPS-RFT20-2018 - SUPPLY OF MOTOR GRADERS X 2 - AWARDING OF TENDER

EXECUTIVE SUMMARY

This tender is part of Councils long term plant and equipment replacement program. The existing graders (12+ years old); Caterpillar 12H's, are used to maintain Councils gravel road network and sealed roads (road shoulders) as well as construction associated with the renewal and upgrading of the road network. Replacement of the graders is in accordance with Council's Plant Replacement Schedule.

RECOMMENDATION

That Council award contract GPS-RFT20-2018 to Hitachi Construction Machinery (Australia) Pty. Ltd. For the supply and delivery of two (2) John Deere 670GP Motor Graders for a total tendered price of \$777,900 excluding GST.

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Les Rowe

That GPS-RFT20-2018 - Supply of Motor Graders x 2 be deferred and brought back after the Asset Management Report is presented.

In Favour: Crs David Evans, Joanne Gilbert, Des Phelan and Les Rowe

Against: Crs Helena Kirby, Nathan Hansford and Owen Sharkey

CARRIED 4/3

6.10 GPS-RFT25/2018 DESIGN & CONSTRUCT SMYTHESDALE REGIONAL SKATE PARK UPGRADE - AWARDING OF TENDER

EXECUTIVE SUMMARY

Council approval is required for the awarding of a tender for an experienced contractor to undertake the design and construction of an upgrade to the skate park at Smythesdale Recreation Reserve, Smythesdale.

Works will include:

- Demolition of redundant skate features including two skate rails, two quarter pipes, one skate spine and one box jump
- Refurbishment of existing steel half pipe skin and replacement with a composite, fire proof, timber material
- Grinding back and minor crack repair of existing concrete slab
- Construction of extension to existing slab
- Installation of new skate features in existing and new slab. The new features are proposed to include a cantilevered steep bank, volcano, china bank, slappy kerb, ledge, round flat bar, two new quarter pipes and a new skate spine with moguls.
- Installation of bench seating, rubbish bin and drinking fountain under existing shelter

In general, the project will see the footprint of the skate precinct increased and will involve the introduction of new elements, as well as the refurbishment of some existing elements.

RESOLUTION

Moved: Cr Des Phelan

Seconded: Cr Helena Kirby

That Council award contract GPS-RFT25-2018 for the Design and Construction of Smythesdale Regional Skate Park Upgrade to Convic Pty. Ltd for the tendered sum of \$237,500.00 excluding GST.

CARRIED

6.11 GENDER EQUITY

EXECUTIVE SUMMARY

To provide Council with an overview of Golden Plains Shire Councils commitment to creating a safe, inclusive and respectful community by preventing violence against women with the implementation of our Gender Equity Group, our Leadership Statement and creating a Gender Equity Strategy 2018-2020.

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Des Phelan

That Council acknowledge the Golden Plains Shire's commitment to creating a safe, inclusive and respectful community by preventing violence against women with the implementation of our Gender Equity Group, our Leadership Statement and creating a Gender Equity Strategy 2018-2020.

CARRIED

6.12 QUARTERLY FINANCE REPORT**EXECUTIVE SUMMARY**

As at 30 September 2018, the Income Statement shows total operating revenue of \$26.067m and total operating expenditure of \$9.877m which results in a year to date surplus of \$16.190m.

The forecast figures in the Statements reflect the original budget adopted by Council, adjusted for income and expenditure brought forward from last year and any known permanent variances.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr David Evans

That Council adopt the Quarterly Financial Report for the 3 Months ended 30 September 2018.

CARRIED

6.13 COUNCILLOR EXPENSES REPORT - 3 MONTHS ENDED 30 SEPTEMBER 2018**EXECUTIVE SUMMARY**

The report provides a record of expenditure made on behalf of Councillors in the performance of their duties over the first quarter of the 2018-19 financial year.

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Joanne Gilbert

That Council note the contents of the Councillor Expenses Report for the quarter ended 30 September 2018.

CARRIED

6.14 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 24 October 2018 to 27 November 2018.

RESOLUTION

Moved: Cr Des Phelan

Seconded: Cr Nathan Hansford

That Council notes the Assembly of Councillors Record from 24 October 2018 to 27 November 2018 as attached.

CARRIED

6.15 DELEGATES REPORT - 24 OCTOBER 2018 TO 26 NOVEMBER 2018

CR OWEN SHARKEY

24 October	Bannockburn Children's Week Celebration
25 October	Tourism Greater Geelong & Bellarine Annual General Meeting
26 October	A Taste Of Australia Event for Tourism Greater Geelong & Bellarine
30 October	Richard Riordan announcement
1 November	2018 Heroes Luncheon at the Geelong Football Club
7 November	Special Council Meeting
15 November	AGM – G21 Board Meeting
20 November	Councillor Briefing Meeting
21 November	Golden Plains Business Networking Event
23 November	Active Paths Launch
24 November	Conversation Post in Napoleons

Cr Helena Kirby

25 October	Unveiling of the Ballarat Mayoral Chains
30 October	Richard Riordan announcement
31 October	G21 Arts, Heritage & Culture Pillar meeting
7 November	Special Council Meeting
8 November	Launch of the Autonomous Vehicles at Lake Wendouree event
8 November	Disability – Access and Inclusion Advisory Committee
20 November	Councillor Briefing Meeting
21 November	Golden Plains Business Networking Event
24 November	Conversation Post in Napoleons

Cr David Evans

29 October	G21 Health and Wellbeing Pillar/ PCP Roundtable Executive Meeting
30 October	Richard Riordan announcement
7 November	Special Council Meeting
9 November	G21 Planning & Services Pillar meeting

Cr Joanne Gilbert

Would like to acknowledge the memorial service marking the 20th anniversary of five volunteer Geelong West firefighters who lost their lives in the 2 December 1998 Linton bushfire.

All other Councillors gave a verbal update on their attendances of various Council and community functions over the past month.

7 NOTICES OF MOTION

Nil

8 PETITIONS

Nil

9 CONFIDENTIAL ITEMS

RESOLUTION

Moved: Cr Les Rowe
Seconded: Cr David Evans

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 Bannockburn Children's Service 2019 Daily Child Care Fee

This matter is considered to be confidential under Section 89(2) - 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 Any other matter which the Council or special committee considers would prejudice the Council or any person.

CARRIED

RESOLUTION

Moved: Cr Nathan Hansford
Seconded: Cr Joanne Gilbert

That Council moves out of Closed Council into Open Council.

CARRIED

9.1 Bannockburn Children's Service 2019 Daily Child Care Fee

Council agreed that the resolution should no longer be deemed confidential with the report to remain confidential.

RESOLUTION

Moved: Cr Nathan Hansford
Seconded: Cr Helena Kirby

That Council retain the Community Child Care daily fee of \$123 per day and discounted weekly fee of \$565 for the Bannockburn Children's Service from 1 January 2019 to 30 June 2019.

CARRIED

The Meeting closed at 9.02pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 18 December 2018.

.....
Mayor Cr Owen Sharkey