



MINUTES

Council Meeting

6.00pm Tuesday 23 April 2024

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

NEXT COUNCIL MEETING
6.00pm Tuesday 28 May 2024

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
COUNCIL MEETING
HELD AT THE GOLDEN PLAINS CIVIC CENTRE, COUNCIL CHAMBERS, 2 POPE STREET,
BANNOCKBURN
ON TUESDAY, 23 APRIL 2024 AT 6.00PM**

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

IN ATTENDANCE: Eric Braslis (CEO), Phil Josipovic (Director Infrastructure and Development), Leanne Wilson (Acting Director Community, Planning & Growth), Lynnere Gray (Director Corporate Services), Martin Walmsley (Governance & Risk Advisor) and Lauren Richardson (Governance & Risk Specialist)

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

4 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Clayton Whitfield

That the minutes of the Ordinary Council Meeting held on 26 March 2024 be confirmed.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Cr Cunningham declared a general conflict of interest in relation to questions posed in Public Question Time (Item 7) – Bannockburn Recreation Precinct (Dardel Drive) under Section 127 of the Local Government Act 2020. The nature of the interest being that Cr Cunningham has a family member who lives in the area and is an objector to the proposed project.

6 PUBLIC QUESTION TIME

Nil

7 BUSINESS REPORTS FOR DECISION

7.1 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.

MANDATORY BOARDS / COMMITTEES / MEETINGS

- Audit Committee
- G21 - Board of Directors
- Ballarat Regional Alliance of Councils
- Peri Urban Group of Rural Councils
- CEO Review Committee
- Municipal Association of Victoria
- Geelong Regional Library Corporation
- Tourism Greater Geelong and the Bellarine Board
- Golden Plains Emergency Management Committee
- Council Meeting, Strategic Briefing, Councillor Briefing and Portfolio Meetings

COMMUNITY ENGAGEMENT / EVENTS

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Gavin Gamble

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

CARRIED

7.2 2024/25 DRAFT BUDGET - ENDORSE FOR EXHIBITION

EXECUTIVE SUMMARY

The 2024/25 Draft Budget has been prepared in accordance with the requirements of the *Local Government Act 2020*. The budget seeks to achieve the actions and activities set out in the Council Plan by balancing the demand for services and infrastructure with the community's capacity to pay.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Clayton Whitfield

That Council:

1. In accordance with section 94 of the *Local Government Act 2020*, place the 2024/25 Draft Annual Budget on public exhibition.
2. Authorise the Chief Executive Officer to give public notice and make available for public inspection the 2024/25 Draft Budget.
3. Invite submissions and feedback on the 2024/25 Draft Budget in accordance with Council's Community Engagement Policy until 9am Monday 20 May 2024.
4. Invite submissions and feedback on the composition of proposed rates and charges included in the Draft 2024/25 Budget in accordance with Council's Community Engagement Policy until 9am on Monday 20 May 2024.
5. Consider any submissions at a Special Meeting of Council to be held on Tuesday 4 June 2024.
6. Endorse, subject to changes, the 2024/25 Draft Budget after consideration of all submissions, and notify and place on public notice its intention to adopt the 2024/25 Annual Budget at a Council meeting to be held on Tuesday 25 June 2024.

CARRIED

7.3 COMBINED PLANNING SCHEME AMENDMENT C98GPLA AND PLANNING PERMIT P21334 FOR LAND IN INVERLEIGH

EXECUTIVE SUMMARY

This report provides a background to the amendment and a summary of the relevant planning considerations and referral agency advice. Councillors have also been provided with a copy of the application and accompanying technical reports (Attachment 1), the formal amendment documents (Attachment 2) and draft planning permit conditions and plans (Attachment 3).

This report relates to Planning Scheme Amendment C98gpla for rezoning to Low Density Residential Zone, application of the Design and Development Overlay Schedule 5 (DDO5) and Development Plan Overlay Schedule 18 (DPO18), combined with planning permit application P21334, a Staged Multi-Lot Subdivision, Native Vegetation Removal, Subdivision adjoining a Transport Zone 2 – Principal Road and creation of Easements. The combined amendment and planning permit application requires a resolution of Council to prepare and exhibit C98gpla and associated planning permit subject to authorisation by the Minister for Planning.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Helena Kirby

That Council

1. Supports the preparation and exhibition of Planning Scheme Amendment C98gpla to the Golden Plains Planning Scheme to rezone the land known as 60 Terrier Road and 9 Mahers Road, Inverleigh from Farming Zone to Low Density Residential Zone, apply the Design and Development Overlay Schedule 5 and Development Plan Overlay Schedule 18;
2. Considers the application for a planning permit for a staged multi-lot subdivision, creation of easements, creation and alteration of access to a Road Zone Category 1, subdivision adjacent to a Road Zone and removal of native vegetation concurrently with the preparation of the Amendment, in accordance with the provisions of section 96A of the *Planning and Environment Act 1987*; **with amended conditions outlined below**

Amend conditions:

- 9/ The plan of subdivision submitted for certification under the ~~subdivision for the certification under the~~ Subdivision Act 1988 must be referred to the relevant authority in accordance with section 8 of the Act.
- 10/ The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, ~~sewerage facilities and~~ electricity ~~services and gas (where it is proposed to be connected) services~~ to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- 16/ Prior to Statement of Compliance ~~of the relevant stage~~— ~~e~~Existing septic tank systems at 9 Mahers Road and 60 Terrier Road Inverleigh will need to be altered so compliant with current standards, or potentially upgraded to secondary treatment (if either existing system is located on a newly created lot <8000m² in size).
- 34/ Prior to the issue of statement of compliance the owner of the land must enter into an agreement with the responsible authority made pursuant to section 173 of the Planning and Environment Act 1987, and make application to the Registrar of Titles to have the agreement registered on title to the land under Section 181 of the Act, which provides for the following:
 - a) The owners of any lots must maintain swale drains within their respective property in a functional condition to serve the purpose for which they were intended in perpetuity.

- b) For any new dwelling to be erected on any lot created the owner of that land must provide a rainwater tank for the collection and re-use of roof collected stormwater for toilet flushing and garden irrigation and for the dwelling to be plumbed accordingly (in accordance with the Stormwater Management Plan and Drainage Design)
- ~~e) The owner of the land must, for any new dwelling to be erected on any lot created must be provided with a rainwater tank for the collection and re-use of roof collected stormwater for toilet flushing and garden irrigation and for the dwelling to be plumbed accordingly (in accordance with the Stormwater Management Plan and Drainage Design)~~

Balance of condition 34 remains unchanged.

- ~~35/ Prior to certification~~ Statement of Compliance under the Subdivision Act 1988, application must be made to the Registrar of Titles to register the section 173 agreement on the title to the land under section 181 of the Act. The owner/operator under this permit must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement.
- 65/ Prior to the Certification of any stage which intersects the 1% AEP floodplain (as modified by cut and fill plans required by condition 64 above), allowable building envelopes must be clearly shown on all lots which intersect the 1% AEP floodplain. The envelopes themselves must not intersect the 1% AEP floodplain (as modified by cut and fill plans required by condition ~~643~~ above) ~~with the exception of lot 58~~. The restriction included on the Plan of Subdivision must include the following wording or wording with the same effect: This restriction must not be altered or removed without the consent of the Floodplain Management Authority.
- ~~68/ Except for the access required for the new Lot 58,~~ Any all-existing vehicular access to Hamilton Highway must be removed, and all new allotments within the subdivision must have vehicular access from local roads.

and

3. Requests the Minister for Planning to authorise the preparation and exhibition of Amendment C98gpla and planning permit P21334.

A division was called by Cr. Kirby.

In Favour: Crs Gavin Gamble, Helena Kirby, Owen Sharkey, Brett Cunningham, Ian Getsom and Clayton Whitfield

Against: Nil

CARRIED

7.4 FAIR ACCESS POLICY - ENDORSE FOR EXHIBITION

EXECUTIVE SUMMARY

The Fair Access Policy Roadmap is an Australia first policy that aims to give women and girls better and fairer access to community sports infrastructure. It has been developed by the Office for Women in Sport and Recreation (in partnership with VicHealth and Sport & Recreation Victoria) as part of the 'Change Our Game' initiative to level the playing field for girls and women in sport and active recreation.

The policy requires all Victorian local government authorities (LGAs) to have in place a gender equitable access and use policy (or equivalent) for community sporting facilities by 1 July 2024 to remain eligible for State Government community sports infrastructure funding.

A further requirement is that Councils also undertake an action plan to support the promotion and implementation of Fair Access, including with community stakeholders such as Committees of Management, clubs, sporting associations and facility user groups.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Clayton Whitfield

That Council:

1. Endorse the attached draft 'Fair Access Policy' for public exhibition.
2. Note that a further report will be presented in June 2024 following the community exhibition process.

CARRIED

7.5 PUBLIC INTEREST DISCLOSURE POLICY

EXECUTIVE SUMMARY

The Public Interest Disclosure Policy was adopted by Council in December 2019 and is due for review. The review and refresh of this Policy is presented to Council for adoption. The changes proposed to this policy are primarily in relation to removal of duplications and updated contact and responsibility information.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Helena Kirby

That Council adopt the updated Public Interest Disclosure Policy as attached.

CARRIED

7.6 COUNCILLOR EXPENSES AND MEETING ATTENDANCE REPORT - QUARTER 3

EXECUTIVE SUMMARY

The report provides a record of expenditure made on behalf of Councillors in the performance of their duties for Quarter 3 of 2023/24. 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 Clayton Whitfield

That Council note the contents of the Councillor Expenses and attendance report for Quarter 3 2023/24.

CARRIED

8 NOTICES OF MOTION

Nil

9 PETITIONS

9.1 PETITION - OVER 55 LIFESTYLE VILLAGE

EXECUTIVE SUMMARY

A petition was submitted to Council on 26 March 2024. The petition seeks Council's support in encouraging a Developer to build an Over 55 Lifestyle Village in the Bannockburn area.

This petition has been received and is submitted to the Council in accordance with rule 37 of the Governance Rules.

RESOLUTION

Moved: Cr Helena Kirby
Seconded: Cr Gavin Gamble

That Council:

1. Receive the petition in relation to an Over 55 Lifestyle Village
2. Refer the petition to the Chief Executive Officer for consideration and response.

CARRIED

9.2 PETITION - LINTON COMMUNITY HUB

EXECUTIVE SUMMARY

A petition was submitted to Council on 26 March 2024. The petition relates to the ongoing community support of the Linton Community Hub. The petition contained 278 signatures.

This petition has been received and is submitted to the Council in accordance with rule 37 of the Governance Rules.

RESOLUTION

Moved: Cr Owen Sharkey

Seconded: Cr Ian Getsom

That Council:

1. Receive the petition in relation to Linton Community Hub.
2. Refer the petition to the Chief Executive Officer for consideration and response.

CARRIED

10 CONFIDENTIAL REPORTS FOR DECISION

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Helena Kirby

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66 of the Local Government Act 2020:

10.1 Chief Executive Officer 2022/23 Performance Appraisal

This matter is considered to be confidential under Section 3(1) - f 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 personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

10.2 Appointment of Interim CEO and Recruitment Consultancy

This matter is considered to be confidential under Section 3(1) - f 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 personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

CARRIED

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Gavin Gamble

That Council reopens the Council meeting to the public at 8.22pm .

CARRIED

The Meeting closed at 8:25pm.

The minutes of this meeting were confirmed at the Council Meeting held on 28 May 2024.

DocuSigned by:
Brett Cunningham
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CHAIRPERSON