



MINUTES

Council Meeting

6.00pm Tuesday 28 May 2024

VENUE:
The Well
19 Heales Street, Smythesdale

NEXT COUNCIL MEETING
6.00pm Tuesday 4 June 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 THE WELL, 19 HEALES STREET, SMYTHESDALE
ON TUESDAY, 28 MAY 2024 AT 6.00PM**

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

IN ATTENDANCE: Michael Tudball (CEO), Phil Josipovic (Director Infrastructure and Environment), Lynnere Gray (Director Corporate Services), Martin Walmsley (Governance & Risk Advisor), Jodie Cowland (Coordinator Governance & Risk)

APOLOGY: Cr Clayton Whitfield

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

Apology: Cr Clayton Whitfield.

RESOLUTION

Moved: Cr Gavin Gamble

Seconded: Cr Les Rowe

Cr Gavin Gamble requested a leave of absence from the Council meeting to be held on 6th June 2024.

CARRIED

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Helena Kirby

Cr Les Rowe requested a leave of absence from the 28th June 2024 to 17th July 2024, dates inclusive.

CARRIED

4 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr Ian Getsom
Seconded: Cr Gavin Gamble

That the minutes of the Ordinary Council Meeting held on 23 April 2024 be confirmed.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Cr Cunningham declared a general conflict of interest in relation to item 7.2 - 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

The following public question was submitted by Paul Stefanovic and read by Elizabeth Gillespie:

Question 1

My household has made multiple reports of motorbike riding by neighbours. As a consequence, Council commissioned a Noise Report from an Acoustics expert [The First Report] Council received and considered that First Report. That First Report provided support for our ongoing complaint about excessive noise. However, Council, for reasons best known to Council, was dissatisfied with that First Report and commissioned a Second Report from another Acoustics expert. Council notified us and advised that... 'Due to a number of factual and legal errors, including assessing the noise against incorrect standards, Council officers were concerned about the accuracy of the report. To address the officers' concerns, Council engaged [Redacted company name] to peer review the [Redacted company name] report'...

My Question to Council is:

Did Council convey to the First Report author at any time about their concerns of the First Report in order to give the First Report author the opportunity of a 'Right of Reply?'

Answer

The following response was provided by Phil Josipovic, Director Infrastructure and Environment:

Yes. Council did convey the dissatisfaction with the author of the first report on multiple occasions.

The following public question was submitted by Paul Stefanovic and read by Elizabeth Gillespie:

Question 2

If Council didn't give the First Report author a right of reply, then what was Council's reason for not doing so?

Answer

The following response was provided by Phil Josipovic, Director Infrastructure and Environment:

As previously mentioned, we did provide the author with our reasons.

The following public question was submitted by Elizabeth Gillespie:

Question 3

Council is adopting a new Disability Action Plan for 2025-2029

Council states – ...The purpose of the Disability Action Plan is to set out actions to help local governments reduce and remove barriers for people with a disability to foster a more accessible and inclusive community.

My question is –

Does the Disability Action Plan also include someone with a diagnosis of Autism?

Answer

The following response was provided by Lynne Gray, Director Corporate Services:

Response

In line with the Victorian State Disability Action Plan, both the current Active Ageing and Inclusion Plan 2020-2024 and the in development draft Disability Action Plan 2025-2029 encompass the needs of our community, which includes disabilities.

The following public question was submitted by Elizabeth Gillespie:

Question 4

Council is adopting a new Disability Action Plan for 2025-2029. Council states; 'Council has been consulting the community through community workshops and the Active, Ageing and Inclusion Advisory Committee throughout March. Community members are also encouraged to contribute to the development of the Disability Action Plan through a Have Your Say survey. Council aims to ensure the plan aligns with community aspirations and the needs of people with disability and their families within Golden Plains Shire...

My question is -

I am a full-time carer and parent to an Autistic adult who is non-verbal and requires 24/7 special needs. Unfortunately, I was never made aware of this Community Workshop or the Active, Ageing and Inclusion Advisory Committee. I don't have time, energy, or motivation to trawl through the Council website on the off chance that there might be something disability related that might help my son. But I would still like to have my say. Is it too late?

Answer

The following response was provided by Lynne Gray, Director Corporate Services:

Response

The 'Have Your Say' consultation for the Disability Action Plan 2025-2029 has concluded. The responses from the 'Have Your Say' consultation have been reviewed and are being used to help with the development of the draft Disability Action Plan. The draft Disability Action Plan will go to a future Council meeting for approval to be made available for public exhibition and will provide the next opportunity for community feedback..

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 Gavin Gamble

Seconded: Cr Helena Kirby

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

CARRIED

PROCEDURAL MOTION

RESOLUTION

Moved: Cr Brett Cunningham

Seconded: Cr Helena Kirby

That Cr Gavin Gamble assume the role of temporary Chair for item 7.2 Bannockburn Recreation Precinct (Dardel Drive) – Update

CARRIED

At 6.25pm, Cr Brett Cunningham left the meeting.

7.2 BANNOCKBURN RECREATION PRECINCT (DARDEL DRIVE) - UPDATE

EXECUTIVE SUMMARY

A petition was received and tabled at the Council meeting in February 2024 in relation to 3.5 hectares of Council owned land in the northern part of the Bannockburn Recreation Precinct that Council declared surplus to its needs, and which has since been rezoned to Neighbourhood Residential and a Planning Permit issued for a 51-lot residential subdivision.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Owen Sharkey

That Council:

1. Note the comments received through the Have Your Say engagement and the outcomes from the community drop-in session.
2. Advise the lead petitioner of the outcomes of the engagement.

CARRIED

At 6.36pm, Cr Brett Cunningham returned to the meeting and resumed as Chair.

7.3 QUARTER 3 FINANCE REPORT

EXECUTIVE SUMMARY

The Quarter 3 Finance Report outlines the financial results for the nine months ended 31 March 2024, together with a comparison to the revised budget adopted by Council (inclusive of carry forwards from 2022-23 and additional funding received to complete projects).

This report includes a summary of Council's financial performance and position for the 2023-24 year up to 31 March 2024, and an update on capital projects as at 31 March 2024. A high-level full year forecast is also included in the financial statements.

The Quarter 3 report was presented to the Audit and Risk Committee at its 14 May 2024 meeting.

RESOLUTION

Moved: Cr Owen Sharkey

Seconded: Cr Les Rowe

That Council note the Quarter 3 Finance Report for the 9 months ended 31 March 2024.

CARRIED

7.4 COUNCIL PLAN 2021-2025 IMPLEMENTATION - QUARTER 3

EXECUTIVE SUMMARY

To update Council on the progress made in implementing Year 3, Quarter 3 actions (1 January 2024 to 31 March 2024) of the Council Plan 2021-2025.

RESOLUTION

Moved: Cr Helena Kirby
Seconded: Cr Gavin Gamble

That Council note the implementation of the Year 3, Quarter 3 actions (1 January 2024 to 31 March 2024) of the Council Plan 2021-2025.

CARRIED

7.5 SPECIAL RATES AND CHARGES DRAFT POLICY

EXECUTIVE SUMMARY

Special Rates and Charges (SRC) is a funding model available to Councils for the recovery of costs, or part costs, from property owners who derive a benefit from Council works or services. Section 163 of the *Local Government Act 1989* (the Act) provides the legislative framework required to be undertaken for implementation of any SRC projects. A draft SRC policy has been developed and is recommended for Council endorsement for the purpose of public exhibition.

RESOLUTION

Moved: Cr Helena Kirby
Seconded: Cr Les Rowe

That Council:

1. Endorse the draft Special Rates and Charges Policy for public exhibition for a four-week period.
2. Note that a further report will be presented in July 2024 following the community exhibition process.

CARRIED

7.6 COMMUNITY VISION 2040 REFRESH - WHAT WE HEARD POST-CONSULTATION UPDATE

EXECUTIVE SUMMARY

The *Local Government Act 2020* requires that Council must develop or review the Community Vision in accordance with its deliberative engagement practices.

Council passed a Notice of Motion at the June 2023 Council Meeting to review the existing Community Vision 2040 prior to the new council being elected in 2024.

From January to March 2024, community members were invited to provide feedback on the Community Vision 2040.

Officers have captured the outcomes of the engagement in a Community Engagement Summary report (Attachment 1).

Through the engagement, only minor changes were recommended, with most respondents believing the Community Vision 2040 still reflects the needs and aspirations of the Golden Plains Shire community.

RESOLUTION

Moved: Cr Gavin Gamble

Seconded: Cr Helena Kirby

That Council:

1. Note that the community engagement for the Community Vision 2040 Refresh project has now concluded.
2. Review the attached What We Heard Engagement Summary Report and adopt recommended changes to update the Community Vision 2040 document.

CARRIED

8 NOTICES OF MOTION

Nil

9 PETITIONS

9.1 PETITION - LOCAL PUMP TRACKS AND BIKE PATHS IN HADDON

EXECUTIVE SUMMARY

A petition was submitted to Council on 3 May 2024. The petition seeks Council's support in the creation of local pump tracks in the Haddon 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 Ian Getsom

That Council:

1. Receive the petition in relation to local pump tracks and bike paths in Haddon; and
2. Refer the petition to the Chief Executive Officer for consideration and response.

CARRIED

9.2 PETITION - IMPROVE SAFETY AT BROWNS-SCARSDALE ROAD AND VICKI COURT INTERSECTION

EXECUTIVE SUMMARY

A petition was submitted to Council on 2 May 2024. The petition seeks Council's support for removal of vegetation back to the fence line south-west of the relevant intersection and installation of guide posts.

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

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Owen Sharkey

That Council:

1. Receive the petition in relation to the improvement of safety at Browns-Scarsdale Road and Vicki Court intersection; and
2. Refer the petition to the Chief Executive Officer for consideration and response.

CARRIED

10 CONFIDENTIAL REPORTS FOR DECISION

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Ian Getsom

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 Acquisition of Easement for Drainage Purposes

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 Helena Kirby
Seconded: Cr Gavin Gamble

That Council reopens the Council meeting to the public at 8.12pm and close the meeting.

CARRIED

The Meeting closed at 8.13pm.

The minutes of this meeting were confirmed at the Council Meeting held on 25 June 2024.

Signed by:
Brett Cunningham
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CHAIRPERSON