

# AGENDA

# **Council Meeting**

# 6.00pm Tuesday 19 November 2024

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

NEXT COUNCIL MEETING 6.00pm Tuesday 26 November 2024

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

# **Code of Conduct Principles**

#### WORKING TOGETHER

We Councillors will:

- acknowledge and respect that a diversity of opinion exists among us;
- recognise that each of us has different life experience, knowledge and values, and that all of these contribute collectively to our discussions;
- behave with courtesy towards each other, Council officers and our citizens;
- conform to the policy and precedents that guide the conduct of meetings;
- attend punctually and participate in all relevant meetings, workshops and briefings;
- share reasonably in the representation, ceremonial and hosting tasks of the full Council; and
- honour the majority decisions made by the Council, irrespective of our own position, and explain these decisions frankly to the community, once made.

#### **BEHAVING WITH INTEGRITY**

We Councillors will:

- identify our financial and personal interest, or potential interest, in any matter that comes before the Council;
- be honest and truthful;
- comply with laws and the regulations deriving there from;
- respect Council property and be frugal in its use, where allowed;
- avoid using our position for personal gain or to achieve advantage over others or to obtain preferential treatment;
- be sympathetic to the legitimate concerns of our citizens;
- act impartially when making decisions and have due regard to the needs of the community as a whole, rather than that of narrow vested interest; and
- acknowledge the role of Council officers in providing advice to us and in implementing Council decisions.

#### MAKING COMPETENT DECISIONS

We Councillors will:

- without diminishing the short term focus, approach decisions with due regard to the long term needs of the municipality;
- form policies with regard to the needs of the entire Shire;
- direct our attentions to the strategic and statutory needs of the municipality rather than short term, transient, operational issues;
- seek to fully inform ourselves on the issues before Council before making a decision;
- take all reasonable steps to improve our knowledge of matters relevant to our municipal duties; and
- use and respect the professional knowledge of Council officers and other advisers to Council.

# Membership

# Councillors

Cr Lachlan Glen Cr Sarah Hayden Cr Des Phelan Cr Brett Cunningham Cr Emma Robbins Cr Helena Kirby Cr Owen Sharkey

# Officers

Shane Walden, Chief Executive Officer Phil Josipovic, Director Infrastructure and Environment Lynnere Gray, Director Corporate Services Emma Wheatland, Acting Director Community, Planning and Growth

# Members of the Gallery

Welcome to a Golden Plains Shire Council meeting and thank you for joining us.

#### MEETING PROCEDURES

The procedures for this Council meeting are provided in Council's Governance Rules. A copy of the Governance Rules can be found on Council's <u>website</u>.

#### MEETING FACILITIES

Council meetings are generally held at:

- Golden Plains Shire Council Civic Centre (2 Pope Street, Bannockburn)
- The Well, Smythesdale (19 Heales Street, Smythesdale)

#### **EXPECTATIONS OF THE GALLERY**

Council meetings are decision-making forums and it is important that they are open to the community to attend and view proceedings. Community members may participate in Council meetings in accordance with Chapter 2, Division 7 of the Governance Rules.

At each meeting, there is an opportunity for members of the public to ask questions of the Council. Questions must be submitted to Council no later than 10:00am on the day of the meeting in order to be asked at the meeting.

Members of the public present at Council meetings must remain silent during the proceedings except when specifically invited to address the meeting. Mobile devices are permitted for silent use but must not be used for recording, talking or any usage that generates noise, unless permission is granted by the Chairperson of the meeting.

The Chairperson of the meeting may remove a person from the meeting if the person continues to interject or gesticulate offensively after being asked to desist. The Chairperson may cause the removal of any object or material that is deemed by them to be objectionable or disrespectful.

The Chairperson may call a break in a meeting for either a short time or to resume another day if the behaviour at the Council table or in the gallery is significantly disrupting the meeting.

#### **RECORDING OF MEETINGS**

Council meetings are recorded and streamed live on the internet. Recordings are archived and available on Council's <u>Youtube page</u>.

All care is taken to maintain your privacy however as a visitor in the public gallery, your presence may be recorded.

# **Order Of Business**

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# 1 OPENING DECLARATION

As Councillors of Golden Plains Shire, the Council declares that it will undertake, on every occasion, to carry out its duties in the best interest of the community and that its conduct shall maintain the standards of the code of good governance so that it 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

# 4 BUSINESS REPORTS FOR DECISION

## 4.1 DETERMINATION OF LENGTH OF TERM

File Number:

| Author:      | Lynnere Gray, Director Corporate Services |
|--------------|---|
| Authoriser:  | Lynnere Gray, Director Corporate Services |
| Attachments: | Nil                                       |

#### RECOMMENDATION

That Council resolves that the term of Mayor and, if the position has been established, Deputy Mayor for 2024/25 will be for a period of one (1) year until the next Scheduled Council Meeting for the Mayoral Elections in November 2025.

#### EXECUTIVE SUMMARY

This recommendation is to confirm the length of term of the Mayor and, if one is elected, Deputy Mayor for the period 2024/25. Under the *Local Government Act 2020* (the Act) Council may elect a Mayor and Deputy Mayor for a term of either one (1) or two (2) years.

#### BACKGROUND

Section 26 (3) of the Act provides that the Council must determine by resolution whether the Mayor is to be elected for a term of one (1) or two (2) years. Section 27 of the Act states that section 26 of the Act also applies to the election of a Deputy Mayor.

Golden Plains Shire Council's Governance Rules provide at sub-rule 3.3 that the term of a Deputy Mayor is identical to the term of the Mayor as resolved by the Council.

#### DISCUSSION

It has historically been Council's practice to elect the Mayor and Deputy Mayor for a one (1) year term. As there is no restriction on a Mayor or Deputy Mayor being elected for further terms, if the term of Mayor is determined to be one year, there is no restriction on the incumbent Mayor being further elected for a second (or further) year(s).

### **REPORTING AND COMPLIANCE STATEMENTS**

| Implications   | Applicable to this Report |
|--|---------------------------|
| Governance Principles  | Yes                       |
| (Consideration of the Governance Principles under s.9 of LGA 2020)       |                           |
| Policy/Relevant Law  | Yes                       |
| (Consideration of the Governance Principles under s.9 of LGA 2020)       |                           |
| Environmental/Sustainability Implications                                | No                        |
| (Consideration of the Governance Principles under s.9 of LGA 2020)       |                           |
| Community Engagement   | No                        |
| (Consideration of Community Engagement Principles under s.56 LGA 2020)   |                           |
| Public Transparency  | No                        |
| (Consideration of Public Transparency Principles under s.58 of LGA 2020) |                           |
| Strategies and Plans   | No                        |

| (Consideration of Strategic Planning Principles under s.89 of LGA 2020)    |     |
|--|-----|
| Financial Management   | No  |
| (Consideration of Financial Management Principles under s.101 of LGA 2020) |     |
| Service Performance  | No  |
| (Consideration of Service Performance Principles under s.106 of LGA 2020)  |     |
| Risk Assessment  | No  |
| Communication  | Yes |
| Human Rights Charter   | Yes |
| Gender Equality  | No  |
| (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)     |     |

The Mayor and, if Council determines to establish the office of Deputy Mayor, will play a significant role in achieving the overarching governance principles in s9 of the LGA 2020.

#### POLICY/RELEVANT LAW

Local Government Act 2020

Governance Rules

#### COMMUNICATION

The minutes and livestream of the Council Meeting, noting the decision, will be published on the Golden Plains Shire website. The Mayor has communication responsibilities as the principal spokesperson for the Council.

#### HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

#### OPTIONS

Option 1 - That Council resolves that the term of Mayor and Deputy Mayor, if the position has been established, Deputy Mayor for 2024/25 will be elected for a term of one (1) year until the next scheduled Council Meeting for Mayoral elections in November 2025.

Traditionally the Golden Plains Shire Council has resolved for the Mayoral position to be for a one (1) year term.

Option 2 – That Council determines that the Mayor and Deputy Mayor, if the position of Deputy Mayor has been established, for 2024/25 be elected for a term of two (2) years until the scheduled Council Meeting for Mayoral elections in November 2026.

This option may be considered by Council.

#### CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest with regard to this matter.

#### CONCLUSION

Council is required to decide on the term of the Mayor and (if established) Deputy Mayor for 2024/25. The position of Mayor can be for one (1) or two (2) years at the discretion of Council.

# 4.2 ELECTION OF MAYOR

File Number:

| Author:      | Lynnere Gray, Director Corporate Services |
|--------------|---|
| Authoriser:  | Lynnere Gray, Director Corporate Services |
| Attachments: | 1. Mayoral Election process flowchart     |

### RECOMMENDATION

That Council elects the Mayor of the Golden Plains Shire Council for the 2024/25 term.

# EXECUTIVE SUMMARY

In accordance with Golden Plains Shire Council's Governance Rules, nominations for the position of Mayor were required to be submitted in writing to the Chief Executive Officer by 5pm on Thursday 14 November 2024. The election of the Mayor shall take place in accordance with the process under the Governance Rules and the *Local Government Act* 2020 (the Act).

#### BACKGROUND

The election of the Mayor is undertaken in accordance with Golden Plains Shire Council's Governance Rules and Section 26 and 27 of the Act. The Chief Executive Officer will chair the meeting until the completion of the election of a Mayor.

#### DISCUSSION

Golden Plains Shire Council's Governance Rules requires nominations for the Mayor to be provided in writing to the Chief Executive Officer no later than a date and time to be fixed by the Chief Executive Officer. Nominations must be accepted by the Councillor nominated at the Council meeting. No seconder is required. The election shall be by a show of hands and conducted in accordance with Chapter 2, Division 1 of the Governance Rules.

Prior to voting, each Candidate may speak for up to five (5) minutes, in the order in which their nominations were received. The candidate speech must not address matters outside the power of the Council, be derogatory, or be prejudicial to any person or the Council. No questions or debate is permitted following the candidate speeches except for the purposes of clarification.

Upon being elected, the Mayor may make a ceremonial speech for up to ten minutes. The purpose of the ceremonial Mayoral speech is to outline the priorities for the year ahead based on the adopted Council plan. The Mayoral speech may not address matters outside the powers of the Council, be derogatory, or be prejudicial to any person or the Council.

If, after following the procedures in sub-rule 5.8 of the Governance Rules, no candidate receives an absolute majority of the votes, the Chief Executive Officer will seek to resolve to conduct a new election at a meeting to be held at 6pm the following day.

## **REPORTING AND COMPLIANCE STATEMENTS**

| Implications   | Applicable to this Report |
|--|---------------------------|
| Governance Principles  | Yes                       |
| (Consideration of the Governance Principles under s.9 of LGA 2020) |                           |
| Policy/Relevant Law  | Yes                       |
| (Consideration of the Governance Principles under s.9 of LGA 2020) |                           |
| Environmental/Sustainability Implications                          | No                        |

| (Consideration of the Governance Principles under s.9 of LGA 2020)         |     |
|--|-----|
| Community Engagement   | No  |
| (Consideration of Community Engagement Principles under s.56 LGA 2020)     |     |
| Public Transparency  | No  |
| (Consideration of Public Transparency Principles under s.58 of LGA 2020)   |     |
| Strategies and Plans   | No  |
| (Consideration of Strategic Planning Principles under s.89 of LGA 2020)    |     |
| Financial Management   | No  |
| (Consideration of Financial Management Principles under s.101 of LGA 2020) |     |
| Service Performance  | No  |
| (Consideration of Service Performance Principles under s.106 of LGA 2020)  |     |
| Risk Assessment  | Yes |
| Communication  | Yes |
| Human Rights Charter   | Yes |
| Gender Equality  | No  |
| (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)     |     |

The Mayor will play a significant role in achieving the overarching governance principles in s9 of the LGA 2020.

# POLICY/RELEVANT LAW

The following policies and law are applicable to this agenda item:

Local Government Act 2020

Governance Rules

#### **RISK ASSESSMENT**

Failure to elect a Mayor will result in Council being non-compliant with the Act.

#### COMMUNICATION

The minutes of the Council Meeting, noting the elected Mayor, will be published on the Golden Plains Shire website. The vote cast by each Councillor will be included in the minutes.

The elected Mayor has communication responsibilities as the principal spokesperson for the Council.

#### HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

#### **OPTIONS**

Option 1 – That Council elect a Mayor.

This option is recommended by officers as it is a requirement of the Act.

Option 2 – That Council defers the election of a Mayor.

This option is not recommended by officers.

# CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest with regard to this matter.

# CONCLUSION

Council must elect a Mayor for the 2024/25 term. The election shall take place in accordance with the process under the Golden Plains Shire Council's Governance Rules and the Act.

#### 4.3 POSITION OF DEPUTY MAYOR

File Number:

| Author:      | Lynnere Gray, Director Corporate Services |
|--------------|---|
| Authoriser:  | Shane Walden, Chief Executive Officer     |
| Attachments: | Nil                                       |

#### RECOMMENDATION

That Council determine to establish the position of Deputy Mayor for the coming term.

#### **EXECUTIVE SUMMARY**

This item is to resolve a decision on the establishment of the position of Deputy Mayor for 2024/25. Section 20A(1) of the Local Government Act 2020 (the Act) provides that a Council may establish an office of Deputy Mayor, noting this is not compulsory.

#### BACKGROUND

Section 20A(1) of the Act provides that a Council may establish an office of Deputy Mayor. It is not compulsory but is up to the Council to determine whether to establish the position for the following year. Under section 21, the role of the Deputy Mayor is to perform the role and exercise the powers of the Mayor if the elected Mayor is unable or incapable of performing the role at any time. If Council determines not to establish the office of Deputy Mayor for 2024/25, an Acting Mayor may be appointed to perform the role of Mayor if the elected Mayor is unavailable.

#### DISCUSSION

Council has determined to appoint a Deputy Mayor each year since 2018, until 2023. Officers have reviewed data from the 2022 Mayoral Elections which indicated that 70 of the 79 Councils in Victoria had elected Deputy Mayors. Due to the recent Election Period this information is not available across all Councils for 2023.

#### **REPORTING AND COMPLIANCE STATEMENTS**

| Governance Principles<br>(Consideration of the Governance Principles under s.9 of LGA 2020)<br>Policy/Relevant Law<br>(Consideration of the Governance Principles under s.9 of LGA 2020) | Yes |
|--|-----|
| Policy/Relevant Law<br>(Consideration of the Governance Principles under s.9 of LGA 2020)  | Yes |
| (Consideration of the Governance Principles under s.9 of LGA 2020)   | Yes |
|  |     |
|  |     |
| Environmental/Sustainability Implications  | No  |
| (Consideration of the Governance Principles under s.9 of LGA 2020)   |     |
| Community Engagement   | No  |
| (Consideration of Community Engagement Principles under s.56 LGA 2020)   |     |
| Public Transparency  | No  |
| (Consideration of Public Transparency Principles under s.58 of LGA 2020)   |     |
| Strategies and Plans   | No  |
| (Consideration of Strategic Planning Principles under s.89 of LGA 2020)  |     |
| Financial Management   | No  |
| (Consideration of Financial Management Principles under s.101 of LGA 2020)   |     |

| Service Performance   | No  |
|---|-----|
| (Consideration of Service Performance Principles under s.106 of LGA 2020) |     |
| Risk Assessment   | No  |
| Communication   | Yes |
| Human Rights Charter  | Yes |
| Gender Equality   | No  |
| (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)    |     |

If Council determines to establish the office of Deputy Mayor, the Deputy Mayor will play a significant role in achieving the overarching governance principles in s9 of the LGA 2020.

#### POLICY/RELEVANT LAW

The following policy and or Law applies to this report:

Local Government Act 2020

Governance Rules

#### COMMUNICATION

The minutes and livestream of the Council Meeting, noting the decision, will be published on the Golden Plains Shire website.

#### HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

#### OPTIONS

Option 1 – That Council determines to establish the position of Deputy Mayor for the 2024/25 year.

This option is the recent practice at Council.

<u>Option 2 – That Council determines not to establish the position of Deputy Mayor for the 2024/25</u> year.

Officers do not recommend this option as the volume of events, meetings and community engagements and Council business is not sustainable for one person, especially if the mayor has other responsibilities outside of Council (eg work or family commitments).

#### CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest with regard to this matter.

### CONCLUSION

Council must determine whether to establish the position of Deputy Mayor for 2024/25. A Deputy Mayor has been elected each year since 2018, until 2023.

#### 4.4 ELECTION OF DEPUTY MAYOR

File Number:

| Author:      | Lynnere Gray, Director Corporate Services |
|--------------|---|
| Authoriser:  | Lynnere Gray, Director Corporate Services |
| Attachments: | Nil                                       |

#### RECOMMENDATION

That Council elects the Deputy Mayor of the Golden Plains Shire Council for 2024/25.

#### **EXECUTIVE SUMMARY**

In accordance with Golden Plains Shire Council's Governance Rules, nominations for the position of Deputy Mayor were required to be submitted in writing to the Chief Executive Officer by 5pm on Thursday 14 November 2024. The election shall take place in accordance with the process under the Governance Rules and the *Local Government Act* 2020 (the Act).

#### BACKGROUND

If the Council has determined to establish the office of Deputy Mayor for the 2024/25 year, the election of the Deputy Mayor is to be undertaken in accordance with Golden Plains Shire Council's Governance Rules and Section 26 and 27 of the Act.

#### DISCUSSION

Golden Plains Shire Council's Governance Rules requires nominations for the Deputy Mayor to be provided in writing to the Chief Executive Officer no later than a date and time to be fixed by the Chief Executive Officer. Nominations must be accepted by the Councillor nominated at the Council meeting. No seconder is required. The election shall be by a show of hands and conducted in accordance with Chapter 2, Division 1 of the Governance Rules.

Prior to voting, each Candidate may speak for up to five (5) minutes, in the order in which their nominations were received. The candidate speech must not address matters outside the power of the Council, be derogatory, or be prejudicial to any person or the Council. No questions or debate is permitted following the candidate speeches except for the purposes of clarification.

The newly elected Mayor will take the Chair for the election of the Deputy Mayor. The newly elected Mayor is not eligible to be elected to the office of Deputy Mayor and any nomination of the Councillor elected Mayor for the position of Deputy Mayor will be deemed to be withdrawn.

#### **REPORTING AND COMPLIANCE STATEMENTS**

| Implications   | Applicable to this Report |
|--|---------------------------|
| Governance Principles  | Yes                       |
| (Consideration of the Governance Principles under s.9 of LGA 2020)     |                           |
| Policy/Relevant Law  | Yes                       |
| (Consideration of the Governance Principles under s.9 of LGA 2020)     |                           |
| Environmental/Sustainability Implications                              | No                        |
| (Consideration of the Governance Principles under s.9 of LGA 2020)     |                           |
| Community Engagement   | No                        |
| (Consideration of Community Engagement Principles under s.56 LGA 2020) |                           |

| Public Transparency  | No  |
|--|-----|
| (Consideration of Public Transparency Principles under s.58 of LGA 2020)   |     |
| Strategies and Plans   | No  |
| (Consideration of Strategic Planning Principles under s.89 of LGA 2020)    |     |
| Financial Management   | No  |
| (Consideration of Financial Management Principles under s.101 of LGA 2020) |     |
| Service Performance  | No  |
| (Consideration of Service Performance Principles under s.106 of LGA 2020)  |     |
| Risk Assessment  | No  |
| Communication  | Yes |
| Human Rights Charter   | Yes |
| Gender Equality  | No  |
| (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)     |     |

The Deputy Mayor will play a significant role in supporting the achievement the overarching governance principles in sec 9 of the LGA 2020.

#### POLICY/RELEVANT LAW

The following policies and law are applicable to this agenda item:

Local Government Act 2020

Governance Rules

## COMMUNICATION

The minutes of the Council Meeting, noting the decision, will be published on the Golden Plains Shire website.

#### HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

#### OPTIONS

Option 1 – To elect a Deputy Mayor

This option is recommended by officers.

Option 2 – To defer the decision on the election of a Deputy Mayor

This option is not recommended by officers.

#### CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest with regard to this matter.

# CONCLUSION

If the Council has determined to establish the office of Deputy Mayor for the 2024/25 year, the election shall take place in accordance with the process under the Golden Plains Shire Council's Governance Rules and the *Local Government Act 2020.* 

#### 4.5 OATH OR AFFIRMATION OF OFFICE

**File Number:** 

| Author:      | Lynnere Gray, Director Corporate Services |   |  |
|--------------|---|---|--|
| Authoriser:  | Shane Walden, Chief Executive Officer     |   |  |
| Attachments: | 1.  | Oaths and Affirmations - 12 November 2024 |  |

#### RECOMMENDATION

That Council receive the signed oath/affirmation taken by the Councillors named below on Tuesday, 12 November 2024;

Cr Lachlan Glen

Cr Sarah Hayden

Cr Des Phelan

Cr Brett Cunningham

Cr Emma Robbins

Cr Helena Kirby

Cr Owen Sharkey

#### **EXECUTIVE SUMMARY**

This report seeks Council receive the signed oath/affirmation taken by all Councillors elected to the Golden Plains Shire Council following the 2024 Council Elections.

#### BACKGROUND

Section 30 of the Local Government Act 2020 (the Act) provides the requirements for the oath or affirmation or office. Section 30(2)(c) requires the oath or affirmation of office to be recorded in the minutes of the Council, whether or not the oath or affirmation was taken at a Council meeting.

#### DISCUSSION

Following the Victorian Electoral Commissions (VEC's) Election result announcement, successful candidates, the newly elected Councillors, took the oath/affirmation of office at a ceremony on Tuesday, 12 November 2024. As per the Act, the minutes of the next Council meeting must include each signed oath/affirmation.

#### **REPORTING AND COMPLIANCE STATEMENTS**

| Implications   | Applicable to this Report |
|--|---------------------------|
| Governance Principles  | Yes                       |
| (Consideration of the Governance Principles under s.9 of LGA 2020)     |                           |
| Policy/Relevant Law  | Yes                       |
| (Consideration of the Governance Principles under s.9 of LGA 2020)     |                           |
| Environmental/Sustainability Implications                              | No                        |
| (Consideration of the Governance Principles under s.9 of LGA 2020)     |                           |
| Community Engagement   | No                        |
| (Consideration of Community Engagement Principles under s.56 LGA 2020) |                           |

| Public Transparency  | Yes |
|--|-----|
| (Consideration of Public Transparency Principles under s.58 of LGA 2020)   |     |
| Strategies and Plans   | No  |
| (Consideration of Strategic Planning Principles under s.89 of LGA 2020)    |     |
| Financial Management   | No  |
| (Consideration of Financial Management Principles under s.101 of LGA 2020) |     |
| Service Performance  | No  |
| (Consideration of Service Performance Principles under s.106 of LGA 2020)  |     |
| Risk Assessment  | No  |
| Communication  | Yes |
| Human Rights Charter   | Yes |
| Gender Equality  | No  |
| (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)     |     |

In accordance with the Local Government Act 2020, the Oaths/Affirmations of Office must be included as a report to a Council meeting post the ceremony.

#### PUBLIC TRANSPARENCY

In accordance with the Local Government Act 2020, the Oaths/Affirmations are included in the papers for this Council meeting.

#### COMMUNICATION

As per the requirements of Sec 30(2)(c) of the *Local Government Act 2020*, the oath or affirmation of office will be recorded in the minutes of the Council meeting. This will be reflected in the minutes of this Council meeting.

#### HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

#### OPTIONS

Option 1 – That Council adopt the recommendation included in this report.

This option is recommended by officers in order to meet the requirements of Sec 30(2)(c) of the *Local Government Act 2020* in a timely manner.

Option 2 – That Council does not adopt the recommendation included in this report.

This option is not recommended by officers as this would not meet the requirements of Sec 30(2)(c) of the *Local Government Act 20*20 in a timely manner and the report would need to be reconsidered at a future meeting.

#### CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest in regard to this matter.

#### CONCLUSION

Council is required to receive and record the oath or affirmation of office taken by all elected Councillors.

# 4.6 ACKNOWLEDGEMENT OF FORMER COUNCILLORS

File Number:

| Author:      | Lynnere Gray, Director Corporate Services |  |
|--------------|---|--|
| Authoriser:  | Shane Walden, Chief Executive Officer     |  |
| Attachments: | Nil                                       |  |

#### RECOMMENDATION

That Council acknowledge and thank Les Rowe, Gavin Gamble, Clayton Whitfield, and Ian Getsom, for their service as Councillors on the previous term of Council.

#### EXECUTIVE SUMMARY

A number of Councillors from the 2020-2024 Council have not returned as members of the Council for the 2024-28 term and it is fitting to recognise their service to the community.

#### BACKGROUND

The previous term of Council held many challenges and opportunities, not least of which included the COVID19 pandemic response and introduction of the Local Government Act 2020. During the previous term all Councillors also oversaw the delivery of the largest program of capital works, planning for the residential growth around Bannockburn, farewelled a CEO (Eric Braslis) and welcomed a new one (Shane Walden).

All councillors dedicate their time and effort representing the interests of the community, reading lengthy reports and, as Council, making decisions that shape the towns and influence the lifestyles of the residents and businesses of the Golden Plains.

It is important to note the Councillors who have not returned and acknowledge their contribution to the previous Council term.

Les Rowe was originally elected to Council in 2016 and served two terms on Council. He was a strong advocate for the local agricultural industry and rural communities. Les is dedicated to improving the local road and bridge networks and Council's delivery of the Community Vision 2040.

Les rotated as Portfolio Councillor across the Corporate Services Portfolio and Infrastructure & Environment Portfolio. He served on the Audit & Risk Committee on rotation during his terms and chaired the inaugural Councillor Contracts Committee. Les served as Council's representative on the Geelong Heritage Centre Collection Advisory Committee, Golden Plains Municipal Fire Management Planning Committee and the G21 Education & Training and Arts, Heritage & Culture Pillars at differing times throughout his terms.

Gavin Gamble was originally elected to Council in 2020. and served one term on Council. During this time, he was the Mayor for one (1) year and also Deputy Mayor for one (1) year. Gavin is passionate in pursuing action to address climate change, protecting the Shire's unique biodiversity, promoting responsible development and township enhancements, and advocating for provision of greater public and active transport options.

During his term, he rotated as Portfolio Councillor across the Community, Planning & Growth Portfolio, Corporate Service Portfolio and the former Infrastructure & Development Portfolio. He served as Council's representative on the Berrybank Wind Farm Community Engagement Committee, the G21 Sustainability Pillar, the G21 Arts, Culture and Heritage Advisory Panel at differing times throughout his term.

Clayton Whitfield was originally elected to Council in 2020 and served one term on Council. Clayton is passionate about improving Council's asset maintenance, budget efficiency, supporting youth in rural areas and community consultation. He identified balancing the Shire's population growth while maintaining rural appeal as an important challenge for Council.

During his term, Clayton rotated as Portfolio Councillor across the Infrastructure and Development Portfolio, Corporate Services Portfolio and the Community, Planning & Growth Portfolio. He also served one year on the Audit & Risk Committee. He served as Council's representative on the Municipal Association of Victoria's Emergency Management Committee, the G21 Planning and Services Pillar, the G21 Education Pillar and the Golden Plains Municipal Fire Management Planning Committee at differing times throughout his term.

Ian Getsom was originally elected to Council in 2020 and served one term on Council. He served one year as Deputy Mayor in 2020/21. He is passionate about boosting services across the many townships of the Shire and improving the vitality of its villages.

Ian was a member of the Community Services Portfolio and Infrastructure & Environment Portfolio. He served as Council's representative on Timber Towns, Ballarat Regional Landfill Monitoring Committee and the G21 Transport Pillar at differing times throughout his term.

# DISCUSSION

It is fitting to acknowledge the service to community of Les Rowe, Gavin Gamble, Clayton Whitfield and Ian Getsom. We thank them for their service and wish them all the best in their next endeavours.

# **REPORTING AND COMPLIANCE STATEMENTS**

| Implications   | Applicable to this Report |
|--|---------------------------|
| Governance Principles  | No                        |
| (Consideration of the Governance Principles under s.9 of LGA 2020)         |                           |
| Policy/Relevant Law  | No                        |
| (Consideration of the Governance Principles under s.9 of LGA 2020)         |                           |
| Environmental/Sustainability Implications                                  | No                        |
| (Consideration of the Governance Principles under s.9 of LGA 2020)         |                           |
| Community Engagement   | No                        |
| (Consideration of Community Engagement Principles under s.56 LGA 2020)     |                           |
| Public Transparency  | No                        |
| (Consideration of Public Transparency Principles under s.58 of LGA 2020)   |                           |
| Strategies and Plans   | No                        |
| (Consideration of Strategic Planning Principles under s.89 of LGA 2020)    |                           |
| Financial Management   | No                        |
| (Consideration of Financial Management Principles under s.101 of LGA 2020) |                           |
| Service Performance  | No                        |
| (Consideration of Service Performance Principles under s.106 of LGA 2020)  |                           |
| Risk Assessment  | No                        |
| Communication  | Yes                       |
| Human Rights Charter   | Yes                       |
| Gender Equality  | No                        |

(Gender Impact Assessment required by s.9 of Gender Equality Act 2020)

#### COMMUNICATION

This report is to acknowledge and thank the former Councillors for their service and is included in the Agenda for the November 2024 Council meeting and will be reflected in the Minutes of the Meeting. Both the Agenda and the Minutes will be made available on Council's website.

#### HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

#### OPTIONS

#### Option 1 – Acknowledge former Councillors

This option is recommended by officers as an appropriate way to recognise the service to the Golden Plains Shire community.

<u>Option 2 – Not acknowledge former Councillors</u>

This option is not recommended by officers.

#### CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

#### CONCLUSION

Given the multiple years of services to the community, it is fitting that Les Rowe, Gavin Gamble, Clayton Whitfield and Ian Getsom are acknowledged and thanked for their time as Councillors.