



# MINUTES

## Council Meeting

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**6.00pm Tuesday 26 November 2024**

**VENUE:**  
**The Well**  
**19 Heales Street, Smythesdale**

NEXT COUNCIL MEETING  
6.00pm Tuesday 17 December 2024

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**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL  
COUNCIL MEETING  
HELD AT THE THE WELL, 19 HEALES STREET, SMYTHESDALE  
ON TUESDAY, 26 NOVEMBER 2024 AT 6.00PM**

**PRESENT:** Mayor Sarah Hayden, Cr Helena Kirby, Cr Owen Sharkey, Cr Brett Cunningham, Cr Lachlan Glen, Cr Des Phelan, Cr Emma Robbins

**IN ATTENDANCE:** Lynnere Gray (Director Corporate Services), Shane Walden (CEO), Emma Wheatland (Acting Director Community, Planning & Growth), Molly Willmott (Coordinator Governance & Risk)

## **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**

Phil Josipovic (Director Infrastructure and Environment).

## **4 CONFIRMATION OF MINUTES**

### **RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Lachlan Glen

That the minutes of the Ordinary Council Meeting held on 22 October 2024 be confirmed.

**CARRIED**

## **5 DECLARATION OF CONFLICT OF INTEREST**

Nil

## 6 PUBLIC QUESTION TIME

The following public question was submitted by Elizabeth Gillespie.

### Question 1

*The G21 is a Geelong Region Alliance aligned with City of Greater Geelong, Borough of Queenscliffe, Colac Otway Shire, Surf Coast Shire and Golden Plains Shire. In the G21 Financial Report for the year ended 30th of June 2024, there was a large contribution of ratepayers money from Council. G21 focuses on Geelong region. Even Council's 'Summary of Personal Interests Returns' shows a saturation of people in Council living around the Geelong area. How are ratepayers in Smythesdale, Scarsdale, Ross Creek, Linton, Haddon, Smythes Creek and surrounding area's ever going to benefit from the G21?*

### Answer

The following response was provided by Shane Walden, Chief Executive Officer.

*The Golden Plains Shire communities are supported by government and other agencies based out of Geelong and Ballarat. G21 (focusing on southern area) and the Greater Ballarat Alliance of Council's (Northern Area) are bodies that pool advocacy and other resources across their regions to optimise the efforts in resolving and promoting regional issues.*

*Recent strategies completed include G21 INTEGRATED TRANSPORT STRATEGY that includes acknowledgement of the Bannockburn Growth Area future needs. Specific initiatives include, Duplication of Midland Hwy between Bannockburn and Geelong and activation of the Living Moorabool Trail.*

*The Greater Ballarat Alliance of Council's has a greater focus on the Golden Plain region including Smythesdale, Scarsdale, Ross Creek, Linton, Haddon, Smythes Creek and surrounds. Currently there is a strategic transport planning activity underway that includes the northern part of the municipality.*

*Membership in these representative groups provide the Golden Plains with access to state and federal politicians and forums that we would not be able to access as a single municipality. This enables not only discussions on G21 and GBAC initiatives, this also enables specific discussions on Golden Plains issues.*

The following public question was submitted by Elizabeth Gillespie.

### Question 2

*I am a parent and full-time carer of an adult son with Autism and is Non-Verbal, which is a debilitating disability. On the 19th of November 2024 Council announced on their website that an event will take place to celebrate International Day of People with Disability 2024 and hosted in the Bannockburn Cultural Centre on Tuesday 3rd of December 2024.*

*On Councils website it states 'Council strives to enhance accessibility and inclusivity, enabling people with disabilities and other access challenges to fully engage with Council and benefit from Council's services.*

*For Council to strive to enhance accessibility and inclusivity, will Council organise an event on Tuesday the 3rd of December 2024, to benefit all those with disabilities and limited mobility, to celebrate their day by having something out this way, instead of making the long trip to Bannockburn?*

### **Answer**

The following response was provided by Emma Wheatland, Acting Director Community, Planning and Growth.

*The Bannockburn event is the only International Day of People With Disability event that Council is hosting this year however, we are open to partnering with community groups who may wish to deliver an event on International Day of People with Disability in 2025 at other locations. If transport is a barrier for community members to attend the Bannockburn event, please reach out to Council's Community Inclusion Team on 5220 7111 no later than Thursday 28th of November. They will aim to help find solutions and minimise barriers. More details about this event can be found on the council website and registrations can be made through Eventbrite or by calling the Community Inclusion Team on the number provided.*

*The following public question was submitted by Cameron Steele.*

### **Question 4**

*People for A Living Moorabool note the recent sale of a partitioned block of just 1012m<sup>2</sup> in size in the unsewered township of Meredith last month. (<https://www.realestate.com.au/sold/property-residential+land-vic-meredith-203772804>)*

*The 2023 Golden Plains Domestic Wastewater Management Plan (DWMP) details:*

- a 5-fold increase in complaints about neighbouring septic systems, primarily in reference to smaller lots in Meredith*
- a 2017 study concluding "that the water quality of Coolebarghurk Creek was at a level that precluded recreation, aesthetic enjoyment, stock watering, irrigation and impacted aquatic ecosystems" due to it passing through Meredith.*
- a designation of properties or developments less than 4,000m<sup>2</sup> as "high risk" in terms of capacity to handle wastewater.*
- a recommendation that development of existing small lots is to be restricted to where the generation of wastewater can be minimised through the restriction of house size (number of bedrooms) or greywater reuse and to soils with a greater permeability than Category 6.*

*What is the Council doing to curtail housing development on unsuitable lots within Meredith until a reticulated sewerage system can be implemented for the township?*

**Answer**

The following response was provided by Emma Wheatland, Acting Director Community, Planning and Growth.

*Before development, blocks such as this require an application to install an Onsite Wastewater Management System (OWMS), this is accompanied by a Land Capability Assessment (LCA).*

*A LCA is a report, prepared by a suitably qualified person, which is needed to determine the type of treatment system and the area of land that is required in order to dispose of the waste water created by a dwelling.*

*A Land Capability Assessment will demonstrate if the site can support sustainably managing the wastewater likely to be generated by the proposed dwelling on site, within the allotment boundaries.*

*The Land Capability Assessment also stipulates an ongoing management program that must be implemented to ensure that the health and environmental impacts of on-site wastewater management are minimised.*

The following public question was submitted by Cameron Steele.

**Question 4**

*What does the Council see are its responsibilities under the Victorian General Environmental Duty which is described as a quote "positive duty to proactively identify and manage environmental risk", particularly with regard to the health of Coolebarghurk Creek, a tributary of the Moorabool River?*

**Answer**

The following response was provided by Emma Wheatland, Acting Director Community, Planning and Growth.

*It is the land owner's responsibility to maintain their OWMS to the installer's specifications as well as requirements contained in the LCA.*

*When Council becomes aware of a failing OWMS, notices are issued to the land owner pursuant to the Public Health and Wellbeing Act as well as Council's Local Law No. 1 - General Public Amenity. Once issued, the landowner is required to engage a plumber and rectify any matters relating to their failing OWMS.*

*The General Environmental Duty applies to the person generating the waste (i.e the land owner), not to the Council (unless Council owns the facility).*

*Council works with the Corangamite Catchment Management Authority (lead agency for integrated catchment management) and EPA regarding the health of the Coolebarghurk Creek.*

*We have a responsibility for minimising waste from the stormwater entering the waterway. We also have a responsibility to support regulation of domestic waste water management. We do this by requiring a Land Capability Assessment for sites such as listed in the previous answer.*

## 7 BUSINESS REPORTS FOR DECISION

### 7.1 COUNCIL COMMITTEE DELEGATES 2024-2025

#### EXECUTIVE SUMMARY

To determine the appointment of Councillors and officers to various internal and external organisations and committees for 2025.

#### RESOLUTION

Moved: Cr Emma Robbins

Seconded: Cr Owen Sharkey

1. That Council adopts the Appointment of Councillors to various internal and external organisations and committees for the 2024-2025 period as follows:

| Committee/Board or Membership Representative Position        | Delegate(s)                 | Proxy           |
|--|-----------------------------|-----------------|
| <b>Audit and Risk Committee</b>                              | Mayor Cr Hayden; Cr Sharkey | Not Applicable  |
| <b>Councillor Contracts Committee (Chair)</b>                | Cr Kirby                    | Not Applicable  |
| <b>Councillor Contracts Committee (Delegates)</b>            | Cr Glenn, Cr Robbins        | Not Applicable  |
| <b>Golden Plains Disability Advisory Committee</b>           | Cr Glenn                    | Mayor Cr Hayden |
| <b>CEO Employment &amp; Remuneration Committee</b>           | All                         | Not Applicable  |
| <b>Geelong Regional Library Corporation</b>                  | Cr Sharkey                  | Cr Robbins      |
| <b>G21 – Board of Directors</b>                              | Mayor Cr Hayden             | Not Applicable  |
| <b>Greater Ballarat Alliance of Councils</b>                 | Mayor Cr Hayden             | Cr Robbins      |
| <b>Peri Urban Group of Councils</b>                          | Mayor Cr Hayden             | Cr Sharkey      |
| <b>Municipal Association of Victoria</b>                     | Cr Phelan                   | Cr Robbins      |
| <b>Tourism Greater Geelong and Bellarine Board</b>           | Cr Cunningham               | Cr Glenn        |
| <b>Rural Councils Australia</b>                              | Cr Kirby                    | Cr Robbins      |
| <b>Geelong Heritage Centre Collection Advisory Committee</b> | Cr Cunningham               | Cr Kirby        |
| <b>G21 – Health and Wellbeing Pillar</b>                     | Mayor Cr Hayden             | Cr Cunningham   |
| <b>G21 – Culture and Economic Development Pillar</b>         | Cr Robbins                  | Cr Glenn        |
| <b>G21 – Sustainability Pillar</b>                           | Cr Robbins                  | Cr Kirby        |
| <b>G21 – Planning and Transport Pillar</b>                   | Cr Cunningham               | Cr Glenn        |

2. That a report be brought to Council on the following committees from the last term of Council:

- Ballarat Regional Landfill Monitoring Committee (Smythesdale);
- Golden Plains Municipal Fire Management Committee;
- Timber Towns; and
- Rural Financial Counselling Service – Regional Advisory Group.

**CARRIED**

## **7.2 AMPLITEL PTY LTD LEASE AGREEMENT FOR PUBLIC CONSULTATION**

### **EXECUTIVE SUMMARY**

Council officers have been developing a Heads of Agreement with Amplitel Pty Ltd, acting on behalf of Telstra, regarding the proposal to lease a portion of land located in the Meredith Council Works Depot. The proposed Lease will exceed 10 years and, as per the *Local Government Act 2020*, Council is required to undertake community consultation. Once the community consultation process is complete, Council approval is required to execute the Lease.

### **RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Des Phelan

That Council endorse the proposal by Amplitel Pty Ltd to lease a portion of land located within the boundary of the Golden Plains Shire Council Meredith Works Depot for a period of 30 years be presented for community consultation.

**CARRIED**

## **7.3 COUNCIL PLAN 2021-2025 IMPLEMENTATION - QUARTER 1 (2024-25)**

### **EXECUTIVE SUMMARY**

To update Council on the progress made in implementing Year 4, Quarter 1 actions of the Council Plan 2021-2025.

### **RESOLUTION**

Moved: Cr Helena Kirby

Seconded: Cr Brett Cunningham

That Council note the implementation of the Year 4, Quarter 1 actions (1 July 2024 to 30 September 2024) of the Council Plan 2021-2025.

**CARRIED**



## 7.4 2024 LOCAL GOVERNMENT COMMUNITY SATISFACTION SURVEY

### EXECUTIVE SUMMARY

In accordance with the August 2024 Council meeting resolution, the 2024 Local Government Community Satisfaction Survey (CSS) report and results are presented to this Council meeting.

Each year, Local Government Victoria (LGV) coordinates a State-wide CSS process throughout Victorian local government areas. The survey presented the views of 400 municipalities during the 2023/24 financial year.

Council received the results in July 2024, with the full report (Attachment 1) provided and subsequently published on Council's website in accordance with the Council resolution of 23 July 2023.

### RESOLUTION

Moved: Cr Owen Sharkey

Seconded: Cr Lachlan Glen

That Council notes the 2024 Local Government Community Satisfaction Survey results, which were published on Council's website on 17 July 2024, in accordance with the 25 July 2023 Scheduled Council meeting resolution.

**CARRIED**

## 7.5 REVIEW OF INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING & ENVIRONMENT ACT 1987

### EXECUTIVE SUMMARY

The appointment of authorised officers under the *Planning and Environment Act 1987* (the Act) cannot be delegated and must be made through resolution of Council. The Instrument of Appointment and Authorisation (the Instrument) under the Act was last reviewed and adopted by Council in February 2024. A review of the instrument has now been completed and updated to remove staff members who have left Council.

It is recommended that Council consider the report and adopt the revised Instrument, as shown in Attachment 1.

### RESOLUTION

Moved: Cr Lachlan Glen

Seconded: Cr Brett Cunningham

In the exercise of the powers conferred by s147(4) of the *Planning and Environment Act 1987* and other legislation referred to in the attached Instrument of Appointment (the 'instrument'), Council resolves that:

1. The members of Council staff referred to in the Instrument as shown in Attachment 1 be appointed and authorised as set out in the instrument;
2. The Chief Executive Officer is authorised to sign the Instrument;
3. The Instrument comes into force immediately upon being signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it; and
4. The previous Instrument dated 26 March 2024 is revoked.

**CARRIED**

## **7.6 REVIEW OF AUDIT AND RISK COMMITTEE CHARTER**

### **EXECUTIVE SUMMARY**

Section 12 of the Audit and Risk Committee Charter states that, following annual review by the Audit and Risk Committee, a report will be provided to Council to recommend approval of the Charter.

In accordance with this section, the Audit and Risk Committee Charter was reviewed by the Committee at the Audit and Risk Committee meeting held on 8 October 2024. Minor administrative corrections were identified and have subsequently been made. The Charter is now recommended for Council consideration.

### **RESOLUTION**

Moved: Cr Owen Sharkey  
Seconded: Cr Brett Cunningham

That Council approves the Audit and Risk Committee Charter as recommended by the Audit and Risk Committee at the October 2024 Committee meeting.

**CARRIED**

## **7.7 AUDIT AND RISK COMMITTEE MEETING MINUTES - 8 OCTOBER 2024**

### **EXECUTIVE SUMMARY**

This report is being submitted to Council to provide a summary of business considered at the 8 October 2024 meeting of the Audit & Risk Committee. The unconfirmed Minutes are attached to this report for noting.

### **RESOLUTION**

Moved: Cr Owen Sharkey  
Seconded: Cr Brett Cunningham

That Council notes the unconfirmed Minutes from the Audit & Risk Committee meeting held on 8 October 2024.

**CARRIED**

## **8 NOTICES OF MOTION**

Nil

## **9 PETITIONS**

Nil

## **10 CONFIDENTIAL REPORTS FOR DECISION**

Nil

**The Meeting closed at 6.40pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 17 December 2024.**

Signed by:  
  
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**CHAIRPERSON**