



MINUTES

Council Meeting

6.00pm Tuesday 27 July 2021

VENUE:
Virtual Meeting

NEXT COUNCIL MEETING
6.00pm Tuesday 24 August 2021

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, 27 JULY 2021 AT 6.00PM**

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

IN ATTENDANCE: Eric Braslis (CEO), Phil Josipovic (Director Infrastructure and Development), Philippa O'Sullivan (Director Corporate Services), Lisa Letic (Director Community Services), Annmaree Bowey (Coordinator Governance and Risk), Rosie Wright (Governance and Legal Services Specialist)

The Mayor made the following statement:

"Welcome everyone, my name is Cr Helena Kirby and I am the Mayor at the Golden Plains Shire Council. Tonight this Council Meeting is taking place virtually and being presented in a different way, via livestream.

The public are encouraged to watch virtual meetings through live streaming which is available on Council's website and YouTube page.

As Chair of the Meeting I give my consent for this open Council meeting to be, recorded and published online, in accordance with Section 14 of Council's Governance Rules of 2020.

The stream will stop at the conclusion of the meeting.

Should technical issues prevent the continuation of the stream, every effort will be made to bring the stream back online as soon as possible.

A recording will be made available on Council's website following the meeting.

I will now run through the procedures to ensure the meeting runs as smoothly as possible.

In accordance with Requirement 1 of the Ministers Good Practice Guideline, I will address each Councillor individually to confirm the following:

- they can hear the proceedings;*
- they can see other Councillors in attendance;*
- they can be seen by other Councillors; and*
- they can be heard when speaking.*

If a Councillor is unable to confirm that they can hear and see the proceedings, or if they cannot be seen or heard, they will be recorded as absent in the Minutes and be ineligible to vote on Agenda items.

I will now confirm that all Councillors can be seen and heard:

- Deputy Mayor, Cr Ian Getsom, can you please confirm that I can be seen and heard?
Cr Ian Getsom: Yes Madam Mayor, I can see and hear you.*
- Deputy Mayor, Cr Ian Getsom, can you please now confirm that you can hear and see other Councillors?
Cr Ian Getsom: I can see everybody Madam Mayor.*

- *Cr Brett Cunningham, can you please confirm that you can hear and see other Councillors?*
Cr Brett Cunningham: Good Evening Madam Mayor I can confirm that I can see and also hear my fellow Councillors.
- *Cr Gavin Gamble, can you please confirm that you can hear and see other Councillors?*
Cr Gavin Gamble: Thank-you Mayor, yes I can see and hear the other Councillors.
- *Cr Les Rowe, can you please confirm that you can hear and see other Councillors?*
Cr Les Rowe: Yes Madam Mayor, I can see and hear yourself and the fellow Councillors.
- *Cr Owen Sharkey, can you please confirm that you can hear and see other Councillors?*
Cr Owen Sharkey: Thank-you very much Madam Mayor, yes I can see and hear all other Councillors.
- *Cr Clayton Whitfield, can you please confirm that you can hear and see other Councillors?*
Cr Clayton Whitfield: Thanks Madam Mayor, I can see and hear all Councillors.

If any Councillor drops out during the meeting, they will be recorded as having left the meeting at that time and the meeting will continue as normal.

If a Councillor re-joins the meeting, I will in accordance with Requirement 1 of the Ministers Good Practice Guideline again ask the Councillor to confirm that they can hear the proceedings, see others in attendance and can be heard. Upon this confirmation it will be recorded in the minutes that the Councillor re-joined the meeting.

Councillors, if you would like to move or second a motion, please raise your hand in a manner that can be clearly seen on your computers camera.

Councillors, when voting on a matter, please also raise your hand either for or against the motion in a manner that can be clearly seen on your computers camera. Please leave your hand raised until I have declared the motion as being carried or lost.

If you wish to speak to an item during debate, please also raise your hand in a manner that can be clearly seen on your computers camera and leave your hand raised until I have asked you to speak. This will allow me, as the Mayor, to manage the debate accordingly.

When you are not speaking please ensure you are on mute.

Thank you."

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 people. We acknowledge them as the Traditional Owners and Custodians. Council pays its respects to Wadawurrung Elders past, present and emerging. Council also respects Eastern Maar Elders past, present and emerging.

Council extends that respect to all Aboriginal and Torres Strait Islander People who are part of the Golden Plains Shire.

3 APOLOGIES AND LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr Ian Getsom

Seconded: Cr Brett Cunningham

That the minutes of the Ordinary Council Meeting held on 29 June 2021 be confirmed.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Nil

6 PUBLIC QUESTION TIME

Nil

7 BUSINESS REPORTS FOR DECISION

7.1 DELEGATES REPORT - 29 JUNE 2021 TO 26 JULY 2021

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Clayton Whitfield

That Council receive and note the Delegates Report – 29 June 2021 to 26 July 2021.

CARRIED

7.2 P20288 - 18 KIRKWOOD DRIVE, SMYTHES CREEK (HOME BASED BUSINESS)

EXECUTIVE SUMMARY

This report relates to a planning permit application for a home based business (joinery) at 18 Kirkwood Drive, Smythes Creek. The application has been referred to the Council Meeting for determination because there is one objection from neighbouring landowners who have concerns regarding amenity impacts including noise and traffic. The report provides a background to the application and a summary of the relevant planning considerations. The Councillors have been provided with a full copy of the application and objection for consideration before making a decision.

The Mayor read a statement from Steven Rattle & Michael Tee (Objectors)

RESOLUTION

Moved: Cr Ian Getsom

Seconded: Cr Clayton Whitfield

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for the use of land for a home based business (joinery) at 18 Kirkwood Drive, Smythes Creek subject to the conditions attached to this report.

CARRIED

7.3 P20391 - 12 RUBY COURT, BANNOCKBURN (THREE LOT SUBDIVISION)**RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Clayton Whitfield

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for a Three (3) lot subdivision, subject to the recommended conditions attached to this report, with the following additional condition:

Prior to the certification of the plan, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:

1. The crossover to proposed Lot 3 to be relocated towards to the proposed northern boundary (between lot 2 and 3)

A division was called by Cr Brett Cunningham

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

Against: Nil

CARRIED 7/0

7.4 COUNCIL PLAN 2017-2021 IMPLEMENTATION - QUARTER FOUR**EXECUTIVE SUMMARY**

This report is to update Council on the progress made in completing the 2020-21 actions contained in the Council Plan 2017-2021.

RESOLUTION

Moved: Cr Brett Cunningham

Seconded: Cr Owen Sharkey

That Council note the report and achievements attained in the implementation of the actions contained in the Council Plan 2017-2021 for the fourth quarter from 1 April 2021 to 30 June 2021.

CARRIED

7.5 IN-PRINCIPLE PERFORMANCE STATEMENT AND IN-PRINCIPLE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

EXECUTIVE SUMMARY

Due to the tight timeline in approving the 'In Principle' Performance Statement and 'In Principle' Financial Statements following completion of the audit, it is necessary to delegate authority to the Audit and Risk Committee to approve the Statements and to authorise the two Councillor representatives of the Committee to certify them at the meeting scheduled for 14 September 2021.

The Performance Statement and Financial Statements can be approved 'In Principle', being approval of the statements subject to VAGO clearance and no material changes to the accounts are presented, which is consistent with the approach adopted in prior years and also by other Councils. Any material changes require approval from the Audit and Risk Committee.

RESOLUTION

Moved: Cr Brett Cunningham

Seconded: Cr Ian Getsom

That Council:

1. Delegate approval of the 'In Principle' Performance Statement and 'In Principle' Financial Statements to the Audit and Risk Committee with power to act in accordance with Section 99 of the *Local Government Act 2020* and consistent with Council election process.
2. Authorise the Mayor (or her deputy) and Cr Cunningham (or his delegate) to certify the Performance Statement and the Financial Statements on behalf of Council, in accordance with Section 99 of the *Local Government Act 2020*.

CARRIED

7.6 COVID-19 HARDSHIP ASSISTANCE AND RECOVERY PLAN

EXECUTIVE SUMMARY

As at 30 June 2021, \$85,186 of the \$100,000 Covid-19 hardship fund has been used to financially assist 141 ratepayers who were financially impacted by COVID-19 pandemic. This amount includes \$10,481 to waive environmental health permits and \$9,900 to waive the Meredith interpretative centre lease resulting in \$14,814 remaining in the fund.

With the continued impacts from the COVID-19 pandemic, Council will continue to offer assistance to customers in 2021-22 with \$50,000 allocated to the COVID-19 financial hardship policy and \$50,000 allocated to a COVID-19 recovery initiative.

RESOLUTION

Moved: Cr Owen Sharkey

Seconded: Cr Brett Cunningham

That Council:

1. Note and approve the revised version of the COVID-19 financial hardship policy to apply to the 2021-22 financial year.
2. Note the proposed approach for the COVID-19 recovery initiative to develop and issue an expression of interest seeking the delivery of targeted mental health services in the Golden Plains Shire.

CARRIED

7.7 STATUTORY PLANNING DELEGATIONS

EXECUTIVE SUMMARY

The aim of this report is to review and improve efficiency of the current delegations provided to officers in relation to making statutory planning decisions on permit applications lodged with Council.

As part of this review, it is also proposed that the following two policies and procedures are adopted and implemented:

- Consideration of Planning Applications policy and procedure; and
- Consultation Meeting policy and procedure.

The creation of the two policies and procedures aims to ensure that there is consistency in the managing of applications in relation to the requirement and formalisation of the consultation meeting process. The policies and procedures also seek to ensure transparent decision making for planning applications, whilst ensuring that Councillors remain informed in relation to the applications being lodged and determined under delegation.

It is intended that the improved delegation afforded to officers will assist in gaining efficiencies for determining applications internally and improving customer service whilst ensuring that Council are kept informed on high profile applications.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Gavin Gamble

That Council:

1. Resolves to amend the Statutory Planning Delegations (attachment 1);
2. Adopt the Consideration of Planning Applications policy and procedure (attachment 2 and 3) and the Consultation Meeting policy and procedure (attachment 4 and 5).

CARRIED

7.8 GOLDEN PLAINS SOCIAL HOUSING PLAN

EXECUTIVE SUMMARY

Golden Plains Shire Council is participating in a regional Social Housing Planning project facilitated by G21 that will create a Social Housing Plan for each local government area and a combined regional plan to assist Council's understanding of the need for increased social housing across the region, provide an evidence for advocacy to the State Government, developers and other stakeholders such as housing providers and position Council to identify strategies it can implement to support the creation of social housing within the Shire.

The regional plan will consolidate the available data and initiatives across the region and provide the evidence for collaborative advocacy to the State Government and other stakeholders for a fairer, more appropriate social housing model across the Region.

The Golden Plains Social Housing Plan (The Plan) attached, provides an evidence base and positions Council to work with the Victorian State Government on the Big Housing Build which will inject \$5.3 billion into the Victorian economy to build and upgrade social housing right across our state including a \$15 million commitment to the development of social housing in Golden Plains Shire.

The commitments for Council are detailed within the Plan and summarised below:

- To work with both local and regional support service providers to improve access to a wide range of support programs for vulnerable members of our various communities.
- To work with Homes Victoria to identify, assess, plan and develop underutilised state-owned land, where this land can be used to deliver additional social housing.
- To work alongside any community group seeking to develop underutilised land as social housing and community use.
- Where there are clear opportunities to develop sustainable and supportive social housing on Council land, the Council will undertake a rigorous planning, assessment, and consultation process before finalising any proposal
- Maintaining a register of 'opportunities', which identifies promising development sites, provides an overview of the opportunities and constraints and notes potential strategic action. This will be a public, living document, appended to this plan.
- Recognise that greenfield sites create potential for meeting social housing demand in partnership with developers and other stakeholders. Partner Councils have developed a 'Social Housing Planning Assessment Tool' to guide conversation between developers and Council staff regarding greenfield development sites where social housing may be appropriate. The assessment tool also highlights situations where sites may not be viable.
- To explore opportunities to use social housing as a tool to drive economic development, build jobs and address disadvantage.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Ian Getsom

That Council adopt the Golden Plains Social Housing Plan as attached.

CARRIED

7.9 CCTV SYSTEM IN PUBLIC PLACE POLICY

EXECUTIVE SUMMARY

Golden Plains Shire Council has been approached by Police and community members in relation to Closed Circuit Television (CCTV) in the Bannockburn area. CCTV has been requested due to anti-social behaviour and reports of criminal damage to Council assets caused by unknown offenders.

This report proposes that Council establish a steering committee made up of Council staff, Victoria Police, local traders and community representatives to ensure appropriate governance is in place from the onset. This steering group, unless proceeded by a Local Safety Committee, would initially assess whether CCTV could effectively increase safety and confidence in the area and/or increase the success rate of criminal prosecutions.

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Brett Cunningham

That Council:

1. Establishes a CCTV steering committee with Councillors Cunningham and Rowe appointed as Council representatives;
2. Request a report back to Council with a final draft policy for endorsement.

CARRIED

7.10 ROAD MANAGEMENT PLAN ADOPTION

EXECUTIVE SUMMARY

Council has reviewed its adopted Road Management Plan 2017-2021 in accordance with the provisions of the Road Management Act.

In accordance with Section 10 of the Road Management (General) Regulations 2016 the Draft Road Management Plan 2021-2025 was made available for community feedback from the 26 May to 7 June 2021. One submission was received referring to maintenance on a road. No submissions were received seeking amendments to the Plan.

No amendments are therefore proposed to the draft Plan following the community submissions phase and the Plan can now be adopted.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Les Rowe

That Council adopt the reviewed Municipal Road Management Plan 2021-2025 as attached.

CARRIED

7.11 IMPLICATIONS OF DECLARING A CLIMATE EMERGENCY

EXECUTIVE SUMMARY

A declaration of a Climate Emergency is a resolution for immediate and urgent action to reverse global warming and adapt to changes that we cannot avoid. Declaring a Climate Emergency is an unequivocal statement that Council recognises the significant risk that Climate Change poses to the Shire's community and environment. In Victorian 34 Councils have declared a Climate Emergency including in our region the City of Ballarat, the Surf Coast Shire and the Borough of Queenscliffe.

This report outlines the steps required to declare a climate emergency and the implications of such a declaration. The implications of declaring a Climate Emergency are that Council has to take a more focused approach across the organisation to ensure it is taking practical steps to address climate change.

The report concludes by reinforcing the point that any Climate Emergency declaration will need to be backed up by the commitment to provide more resources to take more targeted action.

The report has not provided an extensive, definitive list of actions that could be taken, rather it provides an overview of the likely actions that could be taken based upon the review of what other councils have done. It would be expected that a comprehensive list of actions would be developed in response to any declaration.

A declaration of Climate Emergency would be a significant step in Council's journey to both mitigate and adapt to the significant risks posed by Climate Change.

RESOLUTION

Moved: Cr Gavin Gamble

Seconded: Cr Brett Cunningham

That Council:

1. Declares a Climate Emergency
2. Request officers to prepare a Climate Emergency Plan, including resources required to implement recommendations, for consideration at a future Council meeting.
3. Note that the final implications of the Climate Emergency Plan will need to be considered as part of budget considerations for 2022/23.

CARRIED

SUSPENSION OF STANDING ORDERS

Moved: Cr Helena Kirby

Seconded: Cr Les Rowe

A motion was moved to suspend standing orders to take a break at 8.11pm.

CARRIED

RESUMPTION OF STANDING ORDERS

Moved: Cr Helena Kirby

Seconded: Cr Les Rowe

A motion was moved that Council resume standing orders at 8.20pm.

CARRIED

7.12 AWARDING OF TENDER (RFT-04-2021) PADDYS GULLY ROAD, ROKEWOOD JUNCTION - BRIDGE REPLACEMENT**EXECUTIVE SUMMARY**

Following a public tender process, this report recommends awarding of a contract to a suitably qualified and experienced contractor to complete the construction of Paddys Gully Road, Rokewood Junction Bridge Replacement.

Councillors have been provided with a copy of the confidential Tender Evaluation Panel Report for consideration prior to making a decision.

RESOLUTION

Moved: Cr Ian Getsom

Seconded: Cr Clayton Whitfield

That Council:

1. Resolves to award the Contract GPSC-RFT-04-2021 Paddys Gully Road, Rokewood Junction Bridge Replacement to Begbies Contracting for the sum of \$579,856.11 exclusive of GST.
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

CARRIED

7.13 MAYOR ATTENDANCE - NATIONAL GENERAL ASSEMBLY, AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) 2021**EXECUTIVE SUMMARY****RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Les Rowe

That Council receive and note the Mayoral conference report in relation to the 2021 National General Assembly of Local Government.

CARRIED

7.14 COUNCILLOR EXPENSES AND MEETING ATTENDANCE - QUARTER FOUR**EXECUTIVE SUMMARY**

The report provides a record of expenditure made on behalf of Councillors in the performance of their duties for quarter four of 2020/21. This report also includes quarterly updates on Councillor attendance at both scheduled and unscheduled meetings of Council. Providing regular updates throughout the year on the Councillor attendance at meetings enables enhanced transparency rather than only one annual update as reported in Council's annual report.

RESOLUTION

Moved: Cr Les Rowe
Seconded: Cr Clayton Whitfield

That Council note the contents of the Councillor Expenses and attendance report for quarter four of 2020/21.

CARRIED

8 NOTICES OF MOTION**8.1 NOTICE OF MOTION - FOR COUNCIL TO DEVELOP A WILDLIFE COLLISION REDUCTION STRATEGY**

I, Councillor Gavin Gamble, give notice that at the next Ordinary Meeting of Council to be held on 27 July 2021, I intend to move the following motion:-

RESOLUTION

Moved: Cr Brett Cunningham
Seconded: Cr Clayton Whitfield

That Council develops a "wildlife collision reduction strategy" to reduce fatalities, injury and accidents between wildlife and vehicles on the road system throughout our Shire. This is to be achieved by developing a strategy which includes:

1. Formation of a subcommittee to identify locations where collisions between native fauna and vehicles occur on a regular basis.
2. Creation of a public data base to record instances of collision and fatalities of wildlife.
3. Initiating a process of engaging a consultant (subsequent to the cost of the proposed consultancy to be approved by council) with specific expertise in the field of wildlife fatality reduction.
4. Preparation of a report by the consultant (in conjunction with council officers) recommending appropriate mitigation measures and to be presented at a future Council meeting.

A division was called by Cr Owen Sharkey

In Favour: Crs Helena Kirby, Brett Cunningham and Gavin Gamble

Against: Crs Les Rowe, Owen Sharkey, Ian Getsom and Clayton Whitfield

LOST 3/4

9 PETITIONS

Nil

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 Authorisation of Chief Executive Officer to enter limited term recycling contract

This matter is considered to be confidential under Section 3(1) - g(ii) 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 or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

CARRIED

RESOLUTION

Moved: Cr Les Rowe
Seconded: Cr Clayton Whitfield

That Council moves out of Closed Council into Open Council.

CARRIED

The Meeting closed at 9.07pm.

The minutes of this meeting were confirmed at the Council Meeting held on 24 August 2021.

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CHAIRPERSON