



MINUTES

Council Meeting

6.00pm Tuesday 22 February 2022

VENUE:
Virtual

NEXT COUNCIL MEETING
6.00pm Tuesday 22 March 2022

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**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL
COUNCIL MEETING
HELD VIRTUALLY
ON TUESDAY, 22 FEBRUARY 2022 AT 6.00PM**

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

IN ATTENDANCE: Eric Braslis (CEO), Ingrid Bishop (Acting Director Corporate Services), Phil Josipovic (Director Infrastructure and Development), Steven Sagona (Director Community Services), Fiona Rae (Manager Finance), Rosie Wright (Acting Coordinator Governance and Risk), Sophie Brown (Acting Governance and Legal Services Officer)

The Mayor made the following statement:

“Good evening. I’d like to formally welcome everyone, including members of the gallery and press to this Council Meeting. My name is Cr. Gavin Gamble 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 the Council website and YouTube page.

As Chair of the Meeting I give my consent for this Council meeting to be streamed live to the public, in accordance with Section 14 of Council’s Governance Rules 2021.

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 Helena Kirby, can you please confirm that you can be seen and heard?
Cr Helena Kirby: yes I can, thank you Mayor Gamble.*
- Cr Brett Cunningham, can you please confirm that you can hear and see other Councillors?
Cr Brett Cunningham: Thank you Mayor Gamble, yes I can, confirm that I can, thank you.*
- Cr Ian Getsom, can you please confirm that you can hear and see other Councillors?
Cr Ian Getsom: Yes I can.*

- *Cr Les Rowe, can you please confirm that you can hear and see other Councillors?*
Cr Les Rowe: Yes I can see and hear other Councillors but you're starting to break up.
- *Okay let's hope it gets better. Cr Owen Sharkey, can you please confirm that you can hear and see other Councillors?*
Following technical difficulties, Cr Owen Sharkey confirmed he was able to see and hear other Councillors.
Cr Owen Sharkey: yes I can hear you a little bit clearer now and have got that microphone fixed. Thank you.
- *Cr Clayton Whitfield, can you please confirm that you can hear and see other Councillors?*
Cr Clayton Whitfield: yes thanks Mr Mayor, I can see and hear all other 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."

At 6:06 pm, Cr Ian Getsom's video stream ceased, and he was not visible on camera.

At 6:10 pm, Cr Ian Getsom's video stream returned and he was visible on camera.

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 Brett Cunningham

Seconded: Cr Helena Kirby

That the minutes of the Ordinary Council Meeting held on 21 December 2021 be confirmed.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Nil

6 PUBLIC QUESTION TIME

No public questions have been submitted for tonight's meeting.

7 BUSINESS REPORTS FOR DECISION

7.1 DELEGATES REPORT – 21 DECEMBER 2021 TO 20 FEBRUARY 2022

EXECUTIVE SUMMARY

	Cr Gamble	Cr Cunningham	Cr Getsom	Cr Kirby	Cr Rowe	Cr Sharkey	Cr Whitfield
Council Meeting	✓	✓	✓	✓	✓	✓	✓
Councillor Briefing	✓	✓	✓	✓	✓	X	✓
Strategic Councillor Briefing	✓	✓	✓	✓	✓	X	✓
Portfolios	✓	✓	✓	✓	✓	X	✓

Cr Gavin Gamble

- 11 January 2022 Opening of the Bannockburn Entrance Roundabout
- 25 January 2022 Golden Plains Community Awards 2022 and Citizenship Ceremony
- 6 February 2022 Councillor Conversation Post at Smythesdale Arts and Music Fiesta
- 8 February 2022 Audit and Risk Committee Meeting
- 8 February 2022 Council Budget 2022/23 Engagement Workshop
- 10 February 2022 PeriUrban Group of Councils
- 10 February 2022 Council Budget 2022/23 Engagement Workshop

Cr Brett Cunningham

- 25 January 2022 Golden Plains Community Awards 2022 and Citizenship Ceremony
- 6 February 2022 Councillor Conversation Post at Smythesdale Arts and Music Fiesta
- 8 February 2022 Council Budget 2022/23 Engagement Workshop
- 10 February 2022 TGGB – Chair Person Interviews
- 10 February 2022 Council Budget 2022/23 Engagement Workshop
- 14 February 2022 Tourism Greater Geelong and The Bellarine Board Meeting

Cr Ian Getsom

- 6 February 2022 Councillor Conversation Post at Smythesdale Arts and Music Fiesta
- 10 February 2022 Council Budget 2022/23 Engagement Workshop

Cr Helena Kirby

- 25 January 2022 Golden Plains Community Awards 2022 and Citizenship Ceremony
- 6 February 2022 Councillor Conversation Post at Smythesdale Arts and Music Fiesta
- 8 February 2022 Council Budget 2022/23 Engagement Workshop
- 10 February 2022 Council Budget 2022/23 Engagement Workshop
- 17 February 2022 Active Ageing & Inclusion External Advisory Board Meeting

Cr Owen Sharkey

- 10 February 2022 PeriUrban Group of Councils
- 17 February Geelong Regional Library Committee Meeting

Cr Clayton Whitfield

6 February 2022	Councillor Conversation Post at Smythesdale Arts and Music Fiesta
8 February 2022	Audit and Risk Committee Meeting
8 February 2022	Council Budget 2022/23 Engagement Workshop
10 February 2022	Council Budget 2022/23 Engagement Workshop

RESOLUTION

Moved: Cr Helena Kirby
Seconded: Cr Les Rowe

That Council receive and note the Delegates Report – 21 December 2021 to 20 February 2022.

CARRIED

Before the vote on the motion, Cr Les Rowe requested a correction to the Delegates Report – 21 December 2021 to 20 February 2022, as he was in attendance at the Strategic Councillor Briefing on 1 February 2022.

7.2 FINANCE QUARTER TWO UPDATE**EXECUTIVE SUMMARY**

As at 31 December 2021, the Income Statement reports total operating revenue of \$36.4m and total operating expenditure of \$20.8m, which results in a year to date surplus of \$15.6m. This is \$0.8m favourable compared to the original budget, and \$3.3m favourable to the revised budget.

The Capital Works Statement indicates total capital works expenditure (including commitments) of \$11.5m, which is \$2.8m above the original budget, and \$2.5m below the revised budget. The revised budget includes \$8.7m carried forward from 2020-21 due to new income/funded projects throughout the year.

The Finance Quarterly Report was presented to the Audit and Risk Committee at the 8 February 2022 meeting for noting.

RESOLUTION

Moved: Cr Clayton Whitfield
Seconded: Cr Les Rowe

That Council note the content in the Quarterly Finance Report for the 6 months ended 31 December 2021.

CARRIED

7.3 COUNCIL PLAN 2021-2025 IMPLEMENTATION - QUARTER TWO

EXECUTIVE SUMMARY

This report is to update Council on the progress made in actioning the Council Plan 2021-2025 for the second quarter.

RESOLUTION

Moved: Cr Clayton Whitfield
Seconded: Cr Brett Cunningham

That Council note the report and implementation of the actions contained in the Council Plan 2021-2025 for the second quarter from 1 October 2021 to 31 December 2021.

CARRIED

7.4 RATING STRATEGY 2020-2024 REVIEW

EXECUTIVE SUMMARY

Mach2 Consulting have completed over 20 scenarios of possible changes to the Rating Strategy. A series of workshops were held resulting in a Propositions Paper including 3 options placed on public exhibition in late 2021 and provided the opportunity for the community to present to Council. A total of 26 public submissions were received and contents considered and discussed by Council.

At 6:48pm, Cr Ian Getsom's video stream ceased, and he was not visible on camera.

At 7:00pm, Cr Ian Getsom's video stream returned and he was visible on camera. Cr Getsom was present for all votes on this item.

MOTION

Moved: Cr Owen Sharkey
Seconded: Cr Les Rowe

That Council:

1. Acknowledge the works done to date and defer the decision of the rating strategy for 6 months.
2. Remain with the current rating strategy for the 22/23 budget.
3. Write to the state government expressing frustration with trying to find a fair and equitable model for ratepayers with the current legislative requirements.
4. Acknowledge the absence of broad community consultation throughout the process of the rating review.

In Favour: Crs Les Rowe and Owen Sharkey

Against: Crs Helena Kirby, Brett Cunningham, Gavin Gamble, Ian Getsom and Clayton Whitfield

LOST 2/5

RESOLUTION

Moved: Cr Brett Cunningham

Seconded: Cr Helena Kirby

That Council adopt a Rating Strategy for 2022-2026 as follows:

- 100% Residential
- 130% Business Bannockburn
- 100% Business Other
- 87.5% Farm Broadacre
- 95% Farm Intensive
- 100% Farm < 40 ha
- 205% Vacant Land
- 100% Vacant Land (non-developable)
- \$250 Municipal Charge

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

Against: Crs Les Rowe and Owen Sharkey

CARRIED 5/2

7.5 CHANGES TO INFRASTRUCTURE DESIGN MANUAL DESIGN GUIDELINES FOR EARTHEN DRAINS**EXECUTIVE SUMMARY**

The Infrastructure Design Manual (IDM) is a set of design guidelines adopted and accepted by most regional Victorian Councils for design of civil infrastructure. IDM also provides a basis for planning permit conditions that are specific to design of civil infrastructure by developers.

This report is presented to Council with a recommendation to adopt a Council specific change to the IDM, Section 17.4 of clause 17 in relation to the longitudinal slope of earthen drain for land development within LDRZ.

Golden Plains Shire Council is experiencing significant growth, more so than most other regional Councils that uses IDM as their design guideline, as such, the risks associated with adopting the milder slope of IDM is significantly greater than other regional and rural Councils, which are discussed further in this report.

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Helena Kirby

That Council adopts Council specific change to Section 17.4 of Clause 17 of the Infrastructure Design Manual (IDM) Guidelines in relation to minimum longitudinal slope for earthen drains within Low Density Residential Zone (LDRZ), from 1 in 500 to 1 in 300.

CARRIED

7.6 STATUTORY PLANNING FEE WAIVER AND REBATE POLICY REPORT

EXECUTIVE SUMMARY

The Planning & Environment and Subdivision (Fees) Regulations 2016 provide the ability for councils to wholly or in part waive or refund the payment of statutory planning fees. Refunds (in full or partial) or the waiver of fees are at times requested of the statutory planning department however there is currently no council policy in place to provide direction on this matter. Consequently, this recommended policy is the outcome of this deficiency being identified and in turn sets out the instances in which statutory and non-statutory fee refunds (whole or in part) or the waiver of a fee, should apply.

The purpose of this recommended policy is to provide transparent and consistent decision making for all requests for full or partial refund or waiver of planning fees, both statutory and non-statutory.

The Statutory Planning Fee Waiver and Rebate Policy aligns with Councils *Vision and Values* to maintain integrity and a commitment to being authentic, honest and ethical in our work and will be applicable to all persons and/or companies or organisations who request a full or partial waiver or rebate as set out in the policy.

RESOLUTION

Moved: Cr Helena Kirby
Seconded: Cr Brett Cunningham

That Council:

1. Adopt the Statutory Planning Fee Waiver and Rebate Policy.
2. Note that any applications for full or partial refund or waiver of fees associated with statutory planning matters, both statutory and non-statutory, are dealt with in accordance with the Statutory Planning Fee Waiver and Rebate Policy.

CARRIED

7.7 REVIEW OF AUDIT AND RISK COMMITTEE CHARTER

EXECUTIVE SUMMARY

Section 12 of the Audit and Risk Committee charter states that *'This Charter will be reviewed by the Committee on an annual basis, and the Committee will provide a report to the Council recommending that the Council approve 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 on 8 February 2022. No changes were made. The Charter is now recommended to Council for approval.

RESOLUTION

Moved: Cr Clayton Whitfield
Seconded: Cr Brett Cunningham

That Council note and approve the Audit and Risk Committee Charter as reviewed and recommended by the Audit and Risk Committee at the February Committee meeting.

CARRIED

7.8 REVIEW OF INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987

EXECUTIVE SUMMARY

The appointment of authorised officers under the *Planning and Environment Act 1987* cannot be delegated and must be made through resolution of Council.

The Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* was last reviewed and adopted by Council in September 2020.

A review of that instrument has now been completed and updated to reflect staffing changes that have occurred in the Planning team.

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

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Clayton Whitfield

That Council in the exercise of the powers conferred by s313 of the *Local Government Act 2020* and the legislation referred to in the attached Instrument of Appointment and Authorisation ('the instrument'), 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 execute the instrument by affixing the common seal in accordance with Councils Governance Rules of 2021, Council Meeting Procedures & Common Seal.
3. The instrument comes into force immediately upon execution and remains in force until Council determines to vary or revoke it.
4. The previous instrument dated 22 September 2020 is revoked.

CARRIED

7.9 VAGO AUDIT - SEXUAL HARASSMENT IN LOCAL GOVERNMENT

EXECUTIVE SUMMARY

In February 2021, the Audit and Risk Committee were presented with the findings of the Audit report conducted by the Victorian Audit Generals Office (VAGO) on Sexual Harassment in Local Government.

An action plan has been developed by Council to incorporate these recommendations and also the requirements of the *Gender Equality Act 2020* due to the close alignment.

This report provides a quarterly update on the progress of the implementation plan to the Audit and Risk Committee.

In addition, Council resolved at the Council meeting of 27 April 2021, to receive quarterly reports to the council on actions, progress and implementation of the recommendations as contained in the "Sexual Harassment In Local Government" report conducted by the Victorian Auditor-General's Office, December 2021 and adopted by Golden Plains Council in February 2021. As a result, this report will be provided at the 22 February 2022 Council meeting.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Brett Cunningham

That Council note the update on the implementation of the action plan for the recommendations made in the VAGO report into Sexual Harassment in Local Government.

CARRIED

7.10 AUDIT & RISK COMMITTEE REPORT - 8 FEBRUARY 2022

EXECUTIVE SUMMARY

This report is being submitted to Council to provide a summary of business considered at the 8 February 2022 meeting of the Audit & Risk Committee.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Brett Cunningham

That Council note the unconfirmed minutes from the Audit & Risk Committee meeting held on 8 February 2022 (Attachment 1).

CARRIED

7.11 COUNCILLOR EXPENSES AND MEETING ATTENDANCE REPORT - SECOND QUARTER ENDING 31 DECEMBER 2021**EXECUTIVE SUMMARY**

The report provides a record of expenditure made on behalf of Councillors in the performance of their duties for quarter two of 2021/22. 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 Clayton Whitfield
Seconded: Cr Brett Cunningham

That Council note the contents of the Councillor Expenses and attendance report for quarter two of 2021/22.

CARRIED

8 NOTICES OF MOTION

Nil

9 PETITIONS

Nil

10 CONFIDENTIAL REPORTS FOR DECISION

Nil

The Meeting closed at 7:52pm.

The minutes of this meeting were confirmed at the Council Meeting held on 22 March 2022.


.....
CHAIRPERSON

