



# MINUTES

## Council Meeting

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**6.00pm Tuesday 24 May 2022**

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

NEXT COUNCIL MEETING  
6.00pm Tuesday 7 June 2022

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**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL  
COUNCIL MEETING  
HELD AT THE WELL, 19 HEALES STREET, SMYTHESDALE  
ON TUESDAY, 24 MAY 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

**IN ATTENDANCE:** Eric Braslis (CEO), Vicki Shelton (Acting Director Infrastructure and Development), Steven Sagona (Director Community Services), Simon Rennie (Director Corporate Services), Rosie Wright (Coordinator Governance and Risk), Sophie Brown (Governance and Legal Services Officer)

## **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**

Cr Clayton Whitfield is an apology for this meeting.

## **4 CONFIRMATION OF MINUTES**

### **RESOLUTION**

Moved: Cr Ian Getsom

Seconded: Cr Brett Cunningham

That the minutes of the Ordinary Council Meeting held on 26 April 2022 be confirmed.

**CARRIED**

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

Nil

## **6 PUBLIC QUESTION TIME**

The Mayor made the following statement:

*"This question time runs for 30 minutes prior to consideration of the formal agenda by Council. We consider questions we receive with notice from the public. If the person is not in attendance, their*

*questions will be responded to in writing. I note that question time is not an opportunity to make general statements or enter into debate with Council officers.*

The following public question was read by Rosemary Angus.

**Question**

*“Is Council aware of the possibility that the Ballarat Community Health doctors clinic may close? The BCH has, to date, been unable to appoint of doctor to replace Dr. Chandra who resigned before Christmas. This clinic is the only medical facility in the northern end of the Shire and it's loss would be catastrophic.*

*If Council is aware of this issue, what steps are they taking to ensure/encourage BCH to keep the clinic open?”*

**Response**

The following response was read by Steven Sagona, Director Community Services:

*“Certainly Council recognises the importance of GP services across Golden Plains, but particularly in the central and the northern parts we absolutely recognise that these areas in particular GP services are more limited than perhaps in the south of the Shire. I'll come to Ballarat Community Health in a minute, but just more broadly we do a lot of direct advocacy with our federal and state members of parliament and with the local health service providers, and we are active in our engagement with local primary care partnerships around GP service provision across the Shire but most particularly in the central and northern parts. We are in regular contact with Ballarat Community Health and their most recent advice to us is that they are continuing to work towards continuation of GP services in Smythesdale. That is their objective and what they are hoping to be able to achieve. Council has offered them practical assistance in the past and will continue to do that. The last few months we have facilitated some improvements to their internet connectivity because that was an issue that was holding them back in a sense, and aim to provide any assistance we can but we don't have any live requests from them, and then more broadly we'll continue to advocate to federal and state governments and relevant service providers and primary health services in all parts of the Shire.”*

## 7 BUSINESS REPORTS FOR DECISION

### 7.1 DELEGATES REPORT

#### EXECUTIVE SUMMARY

At each Council meeting, Councillors have the opportunity to update their colleagues and the community about attendances at various Delegated Boards/Committees/Meetings that they attended on behalf of the Council and can acknowledge significant community events or Council functions / engagement opportunities that they have attended over the past month.

#### RESOLUTION

Moved: Cr Helena Kirby  
Seconded: Cr Brett Cunningham

That Council receive and note the Delegates Report for the past month.

**CARRIED**

### 7.2 AMENDMENT C99 - REMOVAL OF PLANNING PERMIT TRIGGERS FOR OUTBUILDINGS IN LDRZ AND RLZ

#### EXECUTIVE SUMMARY

Amendment C99gpla is to remove the triggers requiring planning permits for outbuildings (sheds) larger than 120 square meters on land in the Rural Living Zone (RLZ) and the Low Density Residential Zone (LDRZ). The amendment is required to remove a low impact matter from the Golden Plains Planning Scheme, which will allow for resources to be directed to more significant applications and improve timeframes.

#### RESOLUTION

Moved: Cr Owen Sharkey  
Seconded: Cr Helena Kirby

That Council:

1. Adopts Amendment C99gpla without changes in accordance with Section 29(1) of the Planning and Environment Act 1987 as set out in Attachment 1 to this report.
2. Requests the Minister for Planning to approve Amendment C99gpla in accordance with section 31 (1) of the *Planning and Environment Act 1987*.

**CARRIED**

### 7.3 AMENDMENT CXX- APPLICATION OF HERITAGE OVERLAY TO 4 WALLACE STREET, MEREDITH

#### EXECUTIVE SUMMARY

Council received a request to demolish the house at 4 Wallace Street, Meredith which prompted a review of its heritage significance. Although no Heritage Overlay applies to the site, previous studies had highlighted it as having potential heritage significance. A request was submitted to the Minister for Planning to place an Interim Heritage Order (IHO) on the site to enable Council time to prepare a full heritage assessment and consider the merits for the application of a permanent Heritage Overlay.

This report seeks authorisation to prepare and exhibit an amendment to the Golden Plains Planning Scheme for the application of a Heritage Overlay on the Property as recommended by the Heritage Assessment.

#### RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Brett Cunningham

That Council:

1. Notes the request to the Minister for Planning to apply an Interim Heritage Overlay to the property at 4 Wallace Street, Meredith.
2. Authorise the preparation and exhibition of an amendment to the Golden Plains Planning Scheme to apply a Heritage Overlay to the property at 4 Wallace Street, Meredith.

**CARRIED**

### 7.4 REQUEST FOR RE-NAMING OF HAY TRACK, STEIGLITZ

#### EXECUTIVE SUMMARY

In February 2019, Council received a request from a member of the community (the submitter) to re-name an Unused Road Reserve in Steiglitz, known as 'Hay Track', to 'Tarnook Track'. The location of the track is highlighted in *Attachment 1 - Government Gazette – Road Proclamation*.

Following consultation with the submitter and Geographic Names Victoria; and receiving in-principle support from both Wadawurrung and Parks Victoria, it is proposed to re-name the track 'Tarnook Track'.

#### RESOLUTION

Moved: Cr Ian Getsom

Seconded: Cr Owen Sharkey

That Council endorse re-naming the currently named 'Hay Track' in Steiglitz to 'Tarnook Track' in accordance with the *Naming Rules for places in Victoria – Statutory Requirements for naming roads, features and localities – 2016*, and request official Gazettal of the name from the Registrar of Geographic Names.

**CARRIED**

## 7.5 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.

Council resolved at the 27 April 2021 Council Meeting, to receive quarterly reports on actions, progress and implementation of the recommendations contained in the "*Sexual Harassment In Local Government*" report. The report was released in December 2021 by the Victorian Auditor-General's Office. In February 2021 it was adopted by Golden Plains Council.

This report provides a quarterly update on the progress of the implementation plan to Council.

### RESOLUTION

Moved: Cr Brett Cunningham

Seconded: Cr Helena Kirby

That Council:

1. Note the update on the implementation of the action plan for the recommendations made in the VAGO report into Sexual Harassment in Local Government.
2. Note this report was presented to the Audit & Risk Committee on 10 May 2022.
3. Acknowledged that all actions have been completed and that any further updates will be presented to the Audit and Risk Committee as required.

**CARRIED**

## 7.6 AUDIT & RISK COMMITTEE REPORT - 10 MAY 2022

### EXECUTIVE SUMMARY

This report is being submitted to Council to provide a summary of business considered at the 10 May 2022 meeting of the Audit & Risk Committee.

### RESOLUTION

Moved: Cr Owen Sharkey

Seconded: Cr Brett Cunningham

That Council note the unconfirmed minutes from the Audit & Risk Committee meeting held on 10 May 2022 (Attachment 1).

**CARRIED**

## **7.7 COUNCILLOR EXPENSES AND MEETING ATTENDANCE REPORT - THIRD QUARTER ENDING 31 MARCH 2022**

### **EXECUTIVE SUMMARY**

The report provides a record of expenditure made on behalf of Councillors in the performance of their duties for quarter three 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 one annual update as reported in Council's annual report.

### **RESOLUTION**

Moved: Cr Helena Kirby

Seconded: Cr Les Rowe

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

**CARRIED**

## **7.8 SMYTHESDALE PHARMACY LEASE AGREEMENT - THE WELL BUSINESS, HEALTH AND COMMUNITY HUB**

### **EXECUTIVE SUMMARY**

Shop 1 at The Well Business, Health & Community Hub Smythesdale, a Council owned facility, has been leased to J Daffy & G Voulgaris, owners of the Smythesdale Pharmacy since 1 February 2012. The original lease expired on 1 February 2022. The purpose of this report is to recommend Council endorse the proposal to enter into a new lease with J Daffy & G Voulgaris to continue the provision of a Pharmacy service to the Smythesdale district, and to endorse the lease on the terms as attached.

### **RESOLUTION**

Moved: Cr Helena Kirby

Seconded: Cr Brett Cunningham

That Council:

1. Endorse the proposal to lease Shop 1 at The Well Business, Health & Community Hub, 19 Heales Street, Smythesdale to J Daffy & G Voulgaris of Smythesdale Pharmacy.
2. Endorse the lease on the following terms:
  - Purpose: Pharmacy.
  - Commencement Date: 1 June 2022 (exact date to be confirmed following Council endorsement).
  - Term: 3 years, then two 3-year optional further terms.
  - Rent Year 1: \$18,166.20 plus GST.
  - Rent Year 2: \$18,166.20 plus GST + 2% CPI increase per annum thereafter.

**CARRIED**



## 7.9 MEETING RECORD

### EXECUTIVE SUMMARY

To receive any Meeting Records that disclose any conflict of interests declared since the previous Council meeting.

### RESOLUTION

Moved: Cr Owen Sharkey  
Seconded: Cr Brett Cunningham

That Council receive and note the Meeting Record from 3 May 2022 as attached.

**CARRIED**

## 8 NOTICES OF MOTION

Nil

## 9 PETITIONS

Nil

## 10 CONFIDENTIAL REPORTS FOR DECISION

### RESOLUTION

Moved: Cr Helena Kirby  
Seconded: Cr Les Rowe

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 Confirmation of Confidential Council Meeting Minutes - 26 April 2022

This matter is considered to be confidential under Section 3(1) - h 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 confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

**CARRIED**

### RESOLUTION

Moved: Cr Les Rowe  
Seconded: Cr Helena Kirby

That Council moves out of Closed Council into Open Council.

**CARRIED**

**The Meeting closed at 6.59.**

**The minutes of this meeting were confirmed at the Council Meeting held on 28 June 2022.**

DocuSigned by:  
*Garin Samble*  
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**CHAIRPERSON**