

# MINUTES

## Council Meeting

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**6.00pm Tuesday 26 July 2022**

**VENUE:**  
**Linton Shire Hall**  
**Council Chamber**  
**68 Sussex St, Linton**

NEXT COUNCIL MEETING  
6.00pm Tuesday 23 August 2022

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**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL  
COUNCIL MEETING  
HELD AT THE LINTON SHIRE HALL, COUNCIL CHAMBER, 68 SUSSEX ST, LINTON  
ON TUESDAY, 26 JULY 2022 AT 6.00PM**

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

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

## **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 Helena Kirby  
Seconded: Cr Ian Getsom

That the minutes of the Ordinary Council Meeting held on 28 June 2022 be confirmed.

**CARRIED**

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

Eric Braslis (CEO) declared a general and material conflict of interest in confidential item 10.2 under Sections 127 and 128 of the Local Government Act 2020. The nature of the interest being the item related to his personal employment contract with Golden Plains Shire Council. Eric Braslis left the meeting at 8:51pm and did not return to the meeting.

## **6 PUBLIC QUESTION TIME**

The Mayor made the following statement:

*“Public question time runs for 30 minutes prior to consideration of the formal Agenda by Council. We consider questions received with notice from the public. I will call each person who submitted a question with notice forward. Please come up to the Chair and ask your question as it was submitted. I note that question time is not an opportunity to make general statements or enter into debate with Council or officers.”*

The following public question was read by Judy Maddigan.

### **Question**

*“Would Council consider putting back the signs on the front of this building saying it’s the Grenville Shire Hall, and could we also get Council to put a small sign up just giving a bit of a history of this building now that it is quite a historic building in the area, and another thing which I didn’t put in the question I raised but also which Jill Wheeler our President from the Historical Society might mention, it wouldn’t be a bad idea just to put up another little sign up saying what are the three groups that are using the hall and just giving contact details for people who’d like to contact the three groups being the Historical Society, the craft group or the people running the pantry.”*

### **Response**

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

*“As you’ve alluded to that this building is currently about 3 months through a 12-month trial in terms of using the facility as somewhat of a community hub with Linton Community Inc, the Craft Group and the Historical Society actively managing and activating separate areas of this building. Now that that trial is progressing, our officers in our community facilities team will start some discussions shortly with those three groups directly, just with a view to getting some input around some updated signage just to acknowledge their tenancy, perhaps their contact details and so forth but we’ll talk to those groups around that. More broadly in relation to signage for this building and perhaps a sign that reflects a bit of the history, we’ll take that on board and what we’ll do is reach out to the Linton and District Historical Society which is appropriate given that they are now a tenant of the building, and you may like to do the same, but we’ll do the same from our end as well.”*

The following public question was read by Craig Walker.

### **Question**

*“My first question would be in relation to the use of the crown land which was the former goods area along the rail trail. Would be looking at utilising that area if we could, gaining permission as part of the Progress Association, and we would manage that area to advertise some free camping to attract visitors in the town to utilise various attractions around the area. My question is to whether we can utilise that area in the old goods yard with access off Brooke Street.”*

### **Response**

The following response was read by Phil Josipovic, Director Infrastructure and Development:

*“The land is crown land as has been suggested and forms part of the use of the Ballarat Rail Trail. Interestingly on the official government mapping data, it has Ballarat City Council and Golden Plains Shire Council are listed as the committee of management as it forms that rail trail. However, within our municipal district we don’t have to consult with Ballarat City Council. The land is township zoned subject to inundation overlay as well as significant landscape overlay, and that overlay is to do with the Avenue of Honour adjoining that site. So in order to establish a camping ground on already related works, there would be a planning permit required and we would be happy to sit down and work through those processes with the progress association. The other thing to mention is, I’m not sure what amenities would be needed to support such a use, noting that the nearest public toilet is about 150 metres from the northern boundary and about 750 metres from the southern boundary so depends whether you’d need toilets etcetera, and also the cost associated with that would need to be factored in but I think in initially we would suggest that Linton Progress Association provide a more detailed submission of the proposal so that Council staff can*

*work through and assist the association with regard to land management planning and operational issues.”*

The following public question was read by Craig Walker.

### **Question**

*“My second question would be the area opposite the takeaway where the BMX bike track is currently seems to be very outdated. Is there any plans in the pipeline or can we get something going to improve that area, and there is a couple of what they call pump tracks in Ballarat which are highly utilised by younger community, so is there anything in the pipeline for that area opposite the takeaway?”*

### **Response**

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

*“To this point in terms of facility delivery for younger people, the focus has more been the new play space at the recreation reserve and that is a little bit of a different cohort and so we don’t have specific plans just at the moment in relation to BMX or skate, but our identification and planning for those sorts of facilities is ongoing so happy to have a chat to you further around that. Council is currently progressing BMX and skate park projects at Meredith, Inverleigh, Bannockburn at the moment in various stages of planning with some pump track components to that so we have some sort of insight into those sorts of concepts. Our Recreation team is more than happy to have a chat with the progress association to further develop your idea. I will just say, our community planning team is seeking to work with community groups and volunteers to get the community planning program rolling again here in Linton and we’d encourage projects of this nature to find their way into the community plan for prioritisation and also to give them some extra clout in terms of advocacy and so forth for future funding.”*

## **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 Ian Getsom

Seconded: Cr Clayton Whitfield

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

**CARRIED**

## **7.2 IN-PRINCIPLE PERFORMANCE STATEMENT AND IN-PRINCIPLE FINANCIAL STATEMENT DELEGATION FOR THE YEAR ENDED 30 JUNE 2022**

### **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 approve the statements in principle and authorise the two Councillor representatives of the Audit and Risk Committee to certify the final audited statements following receipt of the audit opinion. The statements will be presented to the next Audit and Risk Committee meeting for review and endorsement.

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. The final statements will be certified by the authorised Councillors.

### **RESOLUTION**

Moved: Cr Clayton Whitfield

Seconded: Cr Brett Cunningham

That Council:

1. Approve the 2021 – 22 Annual Financial Statements and Performance Statement in principle, in accordance with section 99(2) of the Local Government Act upon the statements being endorsed by Council's Audit and Risk Committee;
2. Authorise the Director Corporate Services to reschedule the 13 September 2022 Audit and Risk Committee meeting as required to enable the 2021/22 Performance Statement and Financial Statements to be presented to the Audit and Risk Committee for endorsement;
3. Authorise Cr Gavin Gamble (Mayor) and Cr Clayton Whitfield to certify the final audited 2021/22 Performance Statement and Financial Statements on behalf of Council, in accordance with Section 99 of the Local Government Act 2020.

**CARRIED**

### **7.3 ADOPTION OF THE REFLECT RECONCILIATION ACTION PLAN**

#### **EXECUTIVE SUMMARY**

The development and endorsement of a Reflect Reconciliation Action Plan (RAP) delivers on a commitment of the Council Plan 2021-2025 to promote and connect to our indigenous heritage and strengthen relationships with the Traditional Custodians of Golden Plains Shire.

The Reflect Reconciliation Action Plan has followed the nationally accredited Reconciliation Australia (RA) framework for organisations and has included multiple revisions and submissions with the input of Council staff and Traditional Owner groups since a draft RAP was first provided to Council in March 2021. Over this time, a number of actions to progress reconciliation and build capacity within the organisation have occurred led by the Reconciliation Action Plan Working Group.

Following Council's most recent submission, Reconciliation Australia provided notice of formal endorsement of the RAP under RA's framework in June 2022. The Reflect RAP (Attachment One) outlines a number of actions under four areas of strategic focus - Relationships, Respect, Opportunities and Governance.

Delivery of the plan will occur from June 2022 to December 2023 and be supported through monitoring, reporting and ongoing engagement sessions with Traditional Owner groups.

#### **RESOLUTION**

Moved: Cr Clayton Whitfield

Seconded: Cr Owen Sharkey

That Council adopt the Golden Plains Shire Council Reflect Reconciliation Action Plan.

**CARRIED**

### **7.4 ROAD SAFETY PROJECTS ENDORSEMENT**

#### **EXECUTIVE SUMMARY**

A number of road safety issues have been identified by community members contacting Council and by Council staff on roads managed by Department of Transport (DoT). It is considered that advocating DoT for projects to address these issues is strengthened by a council resolution. This report will summarise the current known safety issues on DoT roads.

#### **RESOLUTION**

Moved: Cr Helena Kirby

Seconded: Cr Ian Getsom

That Council:

1. Note and endorse proposed road safety projects within Golden Plains Shire.
2. Request the Director Infrastructure & Development to write to the Department of Transport and inform them of upcoming submissions for road safety improvements within Golden Plains Shire.
3. Officers continue to identify future road safety improvement projects for endorsement by Council and to consider for funding in future budgets.

**CARRIED**

## **7.5 GROWING SUBURBS FUND AND LIVING LIBRARIES INFRASTRUCTURE PROGRAM 2022/23 APPLICATIONS**

### **EXECUTIVE SUMMARY**

Growing Suburbs Fund 2022/23 applications were open from late May until 4 July 2022 to support the timely delivery of critical infrastructure in interface and peri-urban communities.

In accordance with discussions with representatives from the Department of Jobs, Precincts and Regions (DJPR), Golden Plains Shire Council prepared and submitted two applications to the program for the Inverleigh Active Youth Space and the Bannockburn Skate Park Stage 2 Upgrade.

As per the funding body guidelines, this report seeks a formal Council resolution in support of the Growing Suburbs Fund applications – both of which will be assessed in the coming months prior to funding announcements which are anticipated in September/October 2022.

Council also prepared and submitted a Living Libraries Infrastructure Program grant application (also through DJPR), on 4 July 2022 for the provision of a new Mobile Library Van.

### **RESOLUTION**

Moved: Cr Clayton Whitfield

Seconded: Cr Helena Kirby

That Council endorse:

1. The submitted Growing Suburbs Fund applications for:
  - Inverleigh Active Youth Space – \$1,487,587
  - Bannockburn Skate Park Stage 2 Upgrade – \$805,000
2. The submitted Living Libraries Infrastructure Program application for a Mobile Library Van – \$111,559.

**CARRIED**



## 7.6 GOVERNANCE RULES REVIEW

### EXECUTIVE SUMMARY

Council is required to develop, adopt and keep in force Governance Rules, pursuant to section 60 of the *Local Government Act 2020* ('the Act'). Following amendments to the Act which require the Governance rules to provide for attendance at Council and delegated committee meetings by electronic means of communication, a review of the Rules has been conducted to align Council's Rules with examples of best practice and to ensure continued compliance with the requirements of the Act. Prior to amending its Governance Rules, a Council must ensure that a process of community engagement is conducted, in accordance with section 60(4) of the Act.

A draft is presented to Council for endorsement and to commence a community engagement process. A final report to present any feedback from community engagement and to consider a final version of the Governance Rules for adoption will be presented at the 23 August 2022 Council meeting.

### RESOLUTION

Moved: Cr Clayton Whitfield  
Seconded: Cr Brett Cunningham

That Council:

1. Endorse the Draft Governance Rules (Attachment 2).
2. Commence community engagement in relation to the Draft Governance Rules, pursuant to section 60(4) of the Local Government Act 2020.
3. Consider the Draft Governance Rules for adoption at the 23 August 2022 Council meeting.

**CARRIED**

## 7.7 FLAG POLICY REVIEW

### EXECUTIVE SUMMARY

The Golden Plain Shire Council Flag Policy is due for review pursuant to section 5.2 of the Policy and Procedures Framework. A review has been undertaken and some updates and amendments are proposed including:

- Grammatical corrections;
- Removal of a completed action to install a third pole at Council's customer centres; and
- Retention of a commitment to keep flying the three flags.

### RESOLUTION

Moved: Cr Owen Sharkey  
Seconded: Cr Clayton Whitfield

That consideration of the Flag Policy be deferred pending a more comprehensive review and be brought back to Council within six months.

**CARRIED**

## 7.8 COMMUNITY FACILITIES: INSURANCE SUBSIDY POLICY UPDATE

### EXECUTIVE SUMMARY

Council's 'Community Facilities: Insurance Subsidy Policy' is due for review having last been revised in 2017. This Council Policy remains current and relevant, has been reviewed with only very minor changes recommended for adoption in the new policy template format.

### RESOLUTION

Moved: Cr Helena Kirby  
Seconded: Cr Brett Cunningham

That Council adopt the reviewed 'Community Facilities: Insurance Subsidy Policy', noting only minor updates have been made to the 2017 policy and document format.

**CARRIED**

## 7.9 G21 PILLAR DELEGATES

### EXECUTIVE SUMMARY

The G21 Board has recently determined a new pillar structure, in which eight pillars are now being consolidated into four newly amalgamated pillars. A 'Managing Growth Advisory Group' is also being established. It is recommended that Councillor and Senior Officer appointments be made to the relevant pillars and advisory group.

### RESOLUTION

Moved: Cr Owen Sharkey  
Seconded: Cr Brett Cunningham

That Council appoints:

1. Councillor Cunningham and the Director Community Services to the G21 Health & Wellbeing Pillar.
2. Councillor Sharkey and Coordinator Economic Development to the G21 Cultural and Economic Development Pillar.
3. Councillor Getsom and the Director Infrastructure & Development to the G21 Sustainability Pillar.
4. Councillor Gamble to the G21 Managing Growth Advisory Group, and notes that relevant officers will also represent Golden Plains Shire on this group as appropriate.

**CARRIED**

## **7.10 AWARD OF TENDER (RFT-07-2022) MEREDITH-SHELFORD ROAD WIDENING STAGES 4 & 5**

### **EXECUTIVE SUMMARY**

Golden Plains Shire Council sought tenders from suitably qualified and experienced contractors for road widening on Meredith-Shelford Road, Shelford. The works are for the final stages 4 and 5 of a multi-stage project.

### **RESOLUTION**

Moved: Cr Les Rowe

Seconded: Cr Ian Getsom

That Council:

1. Resolves to award Contract RFT-07-2022 Meredith-Shelford Road Widening Stage 4 and 5 to Berne Fleming Civil Pty Ltd for the sum of \$1,536,237.54 exclusive of GST, and for the initial term of 20 Weeks.
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

**CARRIED**

## **8 NOTICES OF MOTION**

At 7:44 pm, Mayor Cr Gavin Gamble vacated the chair to address his Notice of Motion, Item 8.1.

Cr Helena Kirby, Deputy Mayor, assumed the chair.

### **8.1 NOTICE OF MOTION - SIGNIFICANT LANDSCAPE OVERLAYS**

#### **RESOLUTION**

Moved: Cr Gavin Gamble

Seconded: Cr Clayton Whitfield

That a report be prepared for a future briefing to better understand where Significant Landscape Overlays currently exist and where they may best be applied in the future.

**CARRIED**

At 7:58 pm, Mayor Cr Gavin Gamble resumed the chair.

## **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 Strategic Land Purchase

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.

#### 10.2 CEO Contract

This matter is considered to be confidential under Section 3(1) - f 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 personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

#### 10.3 Confirmation of Confidential Council Meeting Minutes - 28 June 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

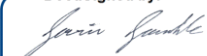
Moved: Cr Les Rowe  
Seconded: Cr Ian Getsom

That Council moves out of Closed Council into Open Council.

**CARRIED**

**The Meeting closed at 9:53pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 23 August 2022.**

DocuSigned by:  
  
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**CHAIRPERSON**