



GOLDEN PLAINS SHIRE

# MINUTES

## Council Meeting

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**6:00 PM Tuesday 25 March 2025**

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

NEXT COUNCIL MEETING  
6:00 PM Tuesday 22 April 2025

Copies of Golden Plains Shire Council's Agendas & Minutes  
Can be obtained online at [www.goldenplains.vic.gov.au](http://www.goldenplains.vic.gov.au)

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**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL  
COUNCIL MEETING  
HELD AT THE THE WELL, 19 HEALES STREET, SMYTHESDALE  
ON TUESDAY, 25 MARCH 2025 AT 6:00 PM**

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

**IN ATTENDANCE:** Phil Josipovic (Acting CEO), Andrew Downie (Acting Director Corporate Services), Jo Wilson (Director Community, Planning & Growth), Ben Jordan (Acting Director Infrastructure & Environment), 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**

Nil

## **4 CONFIRMATION OF MINUTES**

### **RESOLUTION**

Moved: Cr Owen Sharkey

Seconded: Cr Brett Cunningham

That the minutes of the Ordinary Council Meeting held on 25 February 2025 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

*Autism Spectrum Disorder (Autism) is a heterogeneous condition that poses challenges in describing the needs of individuals, with Autism and making prognoses about future outcomes. Those with Profound Autism constantly experience unique, devastating and often unseen challenges. Any deviation or interruption of their daily routine creates such an impact, their only coping mechanism is a 'meltdown.' To put it simply, those with Profound Autism are those who require lifetime; 24/7 care. Their exclusion from society has become the norm. More and more services exclude people with Profound Autism because of their intense support needs and caregivers are left with no-one to turn to. Those with Profound Autism and 24/7 caregivers inclusion in life has diminished so dramatically over the years, society has rendered them invisible. The CDC (The Centres for Disease Control and Prevention) in America released a study in April 2023 reporting 26.7% of people With Autism Spectrum Disorder in America have Profound Autism. This is the first time a statistical report using CDC collected data should reflect a growing awareness that 'Profound Autism' is different from the broader 'Autism Spectrum Disorder.' The paper analysed population based surveillance data for 20,135 children aged 8 with Autism during the years 200-2016. The definition of Profound Autism that was applied was being Non-Verbal, Minimally Verbal or having an Intelligence Quotient < 50. So on the 17th March 2025 in America, marked a significant day for it was the first annual 'Profound Autism Day.' My question is - To mark a significant day for those with Profound Autism here in Australia. I'm starting with my local government at 'grass roots,' asking will Council commit to getting on board next year the 17th March 2026 for the very first 'Profound Autism Day in Australia?*

### Answer

The following response was provided by Jo Wilson, Director Community, Planning & Growth.

*Thank you for your question. Golden Plains Shire Council is committed to utilising its influence to continue to reduce the barriers for people with disabilities within the community and meeting and adhering to its legislative responsibilities. Council focuses its action on a combination of the mandatory legislative requirements of the Victorian Disability Act 2006, the International 'Human Rights Framework of Disability' and the Disability Discrimination Act 1992. Each year, Council identifies several observance days which seek to celebrate and acknowledge the diverse population we represent as a local government. In line with this, we observe and celebrate International Day of People With Disabilities (IDPWD) which aims to raise awareness and promote action around the rights of people with disabilities, including neurodiversity to ensure their full inclusion in society. It is not possible to acknowledge all disabilities separately however we do hope that all community members including those with Autism Spectrum Disorder (including profound Autism) feel included through council's annual IDPWD acknowledgment and celebration.*

## **7 BUSINESS REPORTS FOR DECISION**

### **7.1 AUDIT AND RISK COMMITTEE BIENNIAL REPORT (AUGUST AND OCTOBER 2024)**

#### **EXECUTIVE SUMMARY**

The Audit and Risk Committee's bi-annual report (Attachment 1) is provided in accordance with section 54(5) of the Local Government Act 2020 and section 13 of the Audit and Risk Committee Charter. It describes the activities of the Audit and Risk Committee for the first half of 2024-25 and includes Committee findings and recommendations.

#### **RESOLUTION**

Moved: Cr Owen Sharkey

Seconded: Cr Brett Cunningham

That Council note the Audit and Risk Committee bi-annual report for August and October 2024, as adopted by the Committee at its 11 February 2025 meeting.

**CARRIED**

### **7.2 AUDIT AND RISK COMMITTEE MEETING MINUTES - 11 FEBRUARY 2025**

#### **EXECUTIVE SUMMARY**

This report is being submitted to Council to provide a summary of business considered at the 11 February 2025 meeting of the Audit & Risk Committee. The unconfirmed minutes are attached to this report for noting.

#### **RESOLUTION**

Moved: Cr Owen Sharkey

Seconded: Cr Gavin Gamble

That Council notes the unconfirmed minutes from the Audit & Risk Committee meeting held on 11 February 2025.

**CARRIED**

### 7.3 INSTRUMENT OF DELEGATION - COUNCIL TO CHIEF EXECUTIVE OFFICER (S5)

#### EXECUTIVE SUMMARY

The *Instrument of Delegation to Chief Executive Officer* is reviewed periodically to ensure it is in accordance with current legislative requirements.

Golden Plains Shire Council subscribes to the Maddocks Lawyers Delegations and Authorisations service whereby key updates to legislation are listed and applied to the Instruments of Delegation.

#### RESOLUTION

Moved: Cr Emma Robbins

Seconded: Cr Brett Cunningham

1. In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* (the Act), Golden Plains Shire Council (Council) resolves that –
  - i. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument.
  - ii. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor.
  - iii. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
  - iv. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

**CARRIED**

## 7.4 INSTRUMENT OF DELEGATION - COUNCIL TO COUNCIL STAFF (S6)

### EXECUTIVE SUMMARY

The pieces of legislation referred to in the attached *Instrument of Delegation – Council to Members of Council Staff* (Attachment 1) enable Council to delegate functions, duties, and powers, other than specific exemptions, to Council staff. The review of this instrument has been prompted by updates provided by the Maddocks Delegations and Authorisations Service.

### RESOLUTION

Moved: Cr Emma Robbins

Seconded: Cr Gavin Gamble

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Golden Plains Shire Council resolves that:

1. Each duty and/or function and/or power in the instrument be delegated to the member of Council staff holding, acting in or performing the duties of the position referred to in the instrument, as shown in Attachment 1, subject to the conditions and limitations specified.
2. The instrument comes into force immediately upon the Chief Executive Officer signature is affixed to the instrument;
3. The instrument comes into force immediately upon execution and remains in force until Council determines to vary or revoke it, and must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
4. On the coming into force of the instrument, all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.

**CARRIED**

## 7.5 INSTRUMENT OF DELEGATION - ENVIRONMENT PROTECTION ACT 2017 (S18)

### EXECUTIVE SUMMARY

The Instrument of Delegation of the Environment Protection Authority under the Environment Protection Act 2017 requires that members of Council staff holding, acting in or performing the duties of the position referred to in the instrument must be delegated through resolution of Council. A review of the instrument has now been completed.

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

### RESOLUTION

Moved: Cr Emma Robbins

Seconded: Cr Gavin Gamble

By this Instrument of Sub-Delegation, in exercise of the power conferred by section 437(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021 ('instrument'), Golden Plains Shire Council resolves that:

1. Each duty and/or function and/or power in the instrument be delegated to the member of Council staff holding, acting in or performing the duties of the position referred to in the instrument, as shown in Attachment 1;
2. The instrument comes into force immediately upon the Chief Executive Officer signature is affixed to the instrument;
3. The instrument comes into force immediately upon execution and remains in force until Council determines to vary or revoke it, and must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
4. On the coming into force of the instrument, all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.

**CARRIED**



**7.6 DON WALLACE RECREATION RESERVE (TEESDALE) - CHANGE ROOM UPGRADE****EXECUTIVE SUMMARY**

- Following a 2022 State Government budget commitment to deliver a Change Room Upgrade at Don Wallace Recreation Reserve in Teesdale, Golden Plains Shire Council has unsuccessfully sought additional external funding to deliver the project.
- Officers have been advised by Sport and Recreation Victoria of the requirement to enter into a funding agreement by the end of the 2024/25 Financial Year or the offer of funding (of \$1.5 Million) from the State Government will be withdrawn. Note, a formal funding agreement has not been progressed/signed but once entered into, Council effectively commits to underwriting and delivering the project.
- All efforts to deliver the minimum scope for the project at the lowest possible cost (at a site that poses a number of challenges/limitations) have been investigated however, the external funding is contingent on the change rooms meeting requirements for a female friendly local level football facility under AFL Victoria guidelines.
- Based on recent stakeholder discussions and market cost estimates, it is envisaged that the project could be delivered for approximately \$1.75 Million which would require a commitment of \$250,000 in the 2025/26 Council Budget.

**RESOLUTION**

Moved: Cr Owen Sharkey  
Seconded: Cr Emma Robbins

That Council:

1. Accept the Victorian State Government funding of \$1.5 Million - by entering into a funding agreement to deliver female friendly change rooms at Don Wallace Recreation Reserve.
2. Commit \$250,000 in the 2025/26 Council budget to cover the anticipated financial shortfall and deliver the project.
3. Approve that the allocated commitment from Council be funded from the Open Space Reserve.

**CARRIED**

## **7.7 DELEGATES' REPORT & INFORMAL MEETINGS OF COUNCILLORS RECORDS**

### **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. This report contains records of informal meetings of Councillors as defined under Rule 1 of Chapter 5 of Council's Governance Rules.

### **MANDATORY BOARDS / COMMITTEES / MEETINGS**

- Audit Committee
- G21 - Board of Directors
- Ballarat Regional Alliance of Councils
- Peri Urban Group of Rural Councils
- CEO Review Committee
- Municipal Association of Victoria
- Geelong Regional Library Corporation
- Tourism Greater Geelong and the Bellarine Board
- Golden Plains Emergency Management Committee
- Council Meeting, Strategic Briefing, Councillor Briefing and Portfolio Meetings

### **COMMUNITY ENGAGEMENT / EVENTS**

### **RESOLUTION**

Moved: Cr Emma Robbins  
Seconded: Cr Brett Cunningham

That Council receive and note the Delegates' Report and Informal Meetings of Councillors for the past month.

**CARRIED**

## **8 NOTICES OF MOTION**

Nil

## **9 PETITIONS**

Nil

## **10 CONFIDENTIAL REPORTS FOR DECISION**

Nil

**The Meeting closed at 6:51pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 22 April 2025.**

.....  
**CHAIRPERSON**

UNCONFIRMED