



# **MINUTES**

## **Council Meeting**

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**6.00pm Tuesday 29 June 2021**

**VENUE:**  
**Golden Plains Civic Centre**  
**Council Chambers**  
**2 Pope Street, Bannockburn**

NEXT COUNCIL MEETING  
6.00pm Tuesday 27 July 2021

Copies of Golden Plains Shire Council's Agendas & Minutes  
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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, 29 JUNE 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)

The Mayor made the following statement:

*"Welcome everyone, my name is Cr Helena Kirby and I am the Mayor of the Golden Plains Shire Council.*

*As Chair of the Meeting I give my consent for this open Council meeting to be streamed live, but not recorded, in accordance with Section 14 of Council's Governance Rules of 2020.*

*Myself as the Chair and/or the CEO, have the discretion and authority to at any time, direct the termination or interruption of the live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.*

*The stream will stop at the conclusion of the meeting.*

*Those Councillors, staff and members of the public in attendance in person tonight, are advised to practice social distancing and the hygiene recommendations of the Department of Health and Human Services.*

*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 Clayton Whitfield  
Seconded: Cr Brett Cunningham

That the minutes of the Ordinary Council Meetings held on 25 May 2021 and 8 June 2021 be confirmed.

**CARRIED**

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

Item 7.4 – Councillor Ian Getsom declared a General Conflict of Interest under section 127 of the Local Government Act 2020 as he owns land in the area.

Item 7.12 – Councillor Brett Cunningham declared a General Conflict of Interest under section 127 of the Local Government Act 2020 because he is the Chairman of Bannockburn and District Grants that are a partner with Council in this project.

## **6 PUBLIC QUESTION TIME**

NIL

## **7 BUSINESS REPORTS FOR DECISION**

### **7.1 MEETING RECORD**

### **RESOLUTION**

Moved: Cr Clayton Whitfield  
Seconded: Cr Brett Cunningham

That Council receive and note the Meeting Records from 25 May 2021 to 28 June 2021 as attached.

It was noted that the response to Public Question 1 referred to the Inverleigh Conservation Reserve as the Inverleigh Flora and Fauna Reserve. The correct name is Inverleigh Conservation Reserve.

**CARRIED**

**7.2 DELEGATES REPORT - 25 MAY 2021 TO 28 JUNE 2021**

**RESOLUTION**

Moved: Cr Ian Getsom

Seconded: Cr Owen Sharkey

That Council receive and note the Delegates Report – 25 May 2021 to 28 June 2021.

**CARRIED**

### **7.3 COMMUNITY STRENGTHENING GRANTS - ROUND 1, 2021**

#### **EXECUTIVE SUMMARY**

The purpose of this report is for Council to acknowledge the funding of 12 projects, proposed by a variety of community groups through Council's Community Strengthening Grants Program, Round 1 2021.

Council received 13 applications during April 2021, with 8 coming from the Community Strengthening Grants and a further 5 applications referred from the COVID19 Quick Response Grants. The 12 proposed projects assessed as successful for grant funding will require \$44,531 to complete and are summarised in Attachment 1, these include:

- \$14,236 for Health and Wellbeing, Sports and Recreation projects through the Healthy Active Living Stream
- \$11,895 for Arts and Culture projects through the Creative Communities Stream
- \$11,600 for Environmental projects through the Environment and Sustainability Stream
- \$6,800 for Community Safety initiatives through the Community Safety Stream.

Council's contribution of \$44,531 for the Round 1 Community Strengthening Grants 2021 will deliver \$99,062 in total value (across the 12 projects), a return of \$2.22 for every \$1 invested.

#### **RESOLUTION**

Moved: Cr Owen Sharkey

Seconded: Cr Brett Cunningham

That Council acknowledge the approved Community Strengthening Grants, Round 1 2021 (summarised in Attachment 1) to the following recipients:

- Inverleigh Progress Association - Open Space Mower Replacement - \$10,000
- Inverleigh Primary School Gardening Group – Raised Beds for Edible Garden Project - \$1,600
- Inverleigh Cemetery Trust – Seating for Rest and Reflection - \$2,930
- Linton and District Progress Association – Linton Community Safety Plan Connecting Community and Leaders - \$6,000
- Linton and District Progress Association – Community Seating and Gardening Group Equipment - \$7,024
- Smythesdale Community Coordinators – Music at the Market - \$2,300
- Smythesdale Arts & Music Community Fiesta - \$5,795
- Smythesdale Progress Association – Shower Ventilation Project - \$800
- Bannockburn Inclusive – Bus and Ferry trip to Sorrento for people with disabilities and the elderly - \$1,600
- Golden Plains Trail Riders – Safety Items - \$640
- Meredith History Interest Group – Connecting the Past while looking to the Future - \$3,800
- Lethbridge Public Hall – Replacement of Ovens - \$2,042.

**CARRIED**

#### **7.4 P20087 CROWN ALLOTMENT 37E PIGGOREET ROAD, PIGGOREET (DWELLING AND NATIVE VEGETATION REMOVAL)**

At 6:42 pm, Cr Ian Getsom left the meeting due to a conflict of interest declared under section 127 of the Local Government Act 2020 as he owns land in the area.

#### **EXECUTIVE SUMMARY**

This report relates to a planning permit application for a dwelling and associated native vegetation removal at Crown Allotment 37E Piggoreet Road, Piggoreet. The application has been referred to a Council meeting for determination because Council officers consider that the application does not satisfy the provisions of the planning scheme and should be refused.

The report provides a background to the application and a summary of the relevant planning considerations. Councillors have also been provided with a full copy of the application for consideration prior to making a decision.

The application is not considered to satisfy the provisions of the planning scheme including the Municipal Planning Strategy and Planning Policy Framework, the Rural Land Use Strategy and the decision guidelines of the Farming Zone. The use of the land for a dwelling has the potential to lead to a proliferation of dwellings in the area, affect the operation of nearby agricultural uses and result in the loss of productive agricultural land. The issue of a Notice of a Refusal to grant a planning permit is recommended, as per the proposed grounds of refusal.

#### **RESOLUTION**

Moved: Cr Owen Sharkey

Seconded: Cr Clayton Whitfield

That Council resolves to issue a Notice of Decision to Refuse to Grant a Permit for the use and development of a dwelling and associated native vegetation removal at Crown Allotment 37E Piggoreet Road, Piggoreet for the following reasons:

1. The proposal is contrary to the Municipal Planning Strategy in particular Clauses 02.02, 02.03-1, 02.03-4 & 02.03-6 and Council's Rural Land Use Strategy which all seek to protect agricultural land, by discouraging use and development that is inconsistent with agricultural activities and by containing residential development within existing town boundaries.
2. The proposal is inconsistent with the policies contained in the Planning Policy Framework (Clauses 11.03-3S, 12.05-2R, 14.01-1S & 16.01-3S) which aim to protect productive agricultural land and minimise or avoid property servicing costs carried by local and State governments by directing housing to existing settlements and discouraging the development of small lots in rural areas for dwellings.
3. The proposal does not satisfy the provisions of the Farming Zone, because the dwelling is not reasonably required for the proposed use of the land and the proposal has the potential to lead to a proliferation of dwellings in the area, affect the operation of nearby agricultural uses and result in the loss of productive agricultural land.

**CARRIED**

At 7:02 pm, Cr Ian Getsom returned to the meeting.

## **7.5 ADOPTION OF GOLDEN PLAINS SHIRE COUNCIL PLAN 2021-2025**

### **EXECUTIVE SUMMARY**

This report seeks to formally adopt the Council Plan 2021-2025 incorporating the Municipal Public Health and Wellbeing Plan that has been developed in accordance with the *Local Government Act 2020*.

A number of stages were undertaken in developing the Council Plan 2021-2025 commencing in November 2020 including the adoption of the Golden Plains Shire Community Vision 2040, gathering of internal priorities from across Council, extensive community engagement and a series of Councillor workshops.

Presentation of the Draft Council Plan 2021-2025 was provided to the Council Meeting on 27 April 2021 with Council endorsing provision of the Draft Council Plan for a public exhibition and submission process for a period from 28 April to 26 May 2021.

A Special Meeting of Council was held on Tuesday 8 June 2021 to consider all written submissions from the public. Council received a total of ten public submissions relating to the Draft Council Plan 2021-2025 with three submitters addressing Council in support of their submission at the meeting.

Amendments made to the Council Plan following the public exhibition and submission process and further internal review of the Draft Council Plan 2021-2025 are outlined in this report and are included in the updated version of the Council Plan 2021-2025 (attached).

### **RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Owen Sharkey

That Council:

1. Note the verbal and written submissions received and considered at 8 June 2021 Council Meeting.
2. That Council adopt the Golden Plains Shire Council Plan 2021-2025 in accordance with Section 90 of the *Local Government Act 2020* as attached.

**CARRIED**



## 7.6 ADOPTION OF GOLDEN PLAINS SHIRE COUNCIL BUDGET 2021-22

### EXECUTIVE SUMMARY

This report seeks to formally adopt the 2021-22 Budget, incorporating the 2021-22 rating fees and charges pursuant to Section 96 of the *Local Government Act 2020*.

The 2021-22 Draft Budget has been prepared based on the adopted principles within the 2021-2025 Council Plan and Financial Plan within the framework of a 1.5% rate increase cap mandated by the State Government.

After making the document available for public inspection and inviting submissions under Section 96 of the *Local Government Act 2020*, Council received a total of 14 submissions. A Special Meeting of Council was held on Tuesday 8 June 2021 to hear from 5 submitters who requested to address Council in support of their submission.

Amendments to the budget include the following:

- Confirmed grant funding of \$2.6m included for local roads and infrastructure capital projects and \$2.6m additional capital projects
- Additional \$269k Financial Assistance Grant allocated for the general purpose grants
- Increase \$10k for additional flagpoles
- Increase in memberships of \$19k
- Increase in subscriptions of \$28k for software licenses reclassified as operating costs
- Road Blackspot grant funding confirmed at \$873k
- Confirmed grant funding of \$2.0m and development contribution of \$1.1m for Bannockburn Industrial Estate with equivalent expenditure to complete the works
- Increase of \$30k for Leighdale Equestrian Upgrade capital project
- Removal of \$30k for replacement of foyer flooring in Bannockburn Family Services Centre
- Rate calculations updated with Stage 4 valuation data

### RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Brett Cunningham

That Council:

1. Note the verbal and written submissions received and considered at 8 June 2021 Special Council Meeting.
2. Note the declaration of rates included in the 2021-22 Budget.
3. Approve \$50,000 to continue the COVID-19 financial hardship policy into 2021-22 and an additional \$50,000 to deliver a COVID-19 recovery program.
4. Resolve to adopt the 2021-22 Budget for the purpose of Section 96 of the *Local Government Act 2020*, as attached, subject to the following change being that the 2021/22 Waste Charge be reduced by \$6 by removing the costs associated with roadside stockpile reduction program and that a report be presented to Council once the end of 2020/21 year accounts are finalised and that consideration be made to using any surplus generated from the waste management account to fund the roadside stockpile program in 2021/22 up to \$60,000.
5. Calls for a Waste management activity report be presented to a Councillor briefing to consider the future services, related costs and the required revenue to deliver waste management activities, including legislative changes to provide a Food and Organics and Glass collection service.
6. Commit to a review of the rating strategy prior to the adoption of the 2022-23 Council Budget
7. Adopt the 2021-22 to 2024-25 Revenue and Rating Plan for the purpose of Section 93 of

the *Local Government Act 2020*.

**CARRIED**

## **7.7 COMMUNITY SATISFACTION SURVEY 2021 - REPORT FINDINGS**

### **EXECUTIVE SUMMARY**

Each year, Local Government Victoria (LGV) coordinates a State-wide Local Government Community Satisfaction Survey (Survey) throughout Victorian local government areas. JWS Research conducted the survey on behalf of the participating Councils, including Golden Plains Shire Council in 2021.

The Survey was conducted in early 2021 via telephone interviews with 400 Golden Plains Shire residents with the results and survey reports provided to Council. The survey provides insights into the community's views on both importance and performance in relation to Council services and infrastructure and is comparable to previous years results, the average at like Councils (Large Rural group) and the Victorian State-wide average.

The community perceptions of Council's performance have improved marginally from 2020 with positive movement in index score results recorded for Overall performance, Lobbying on behalf of community, Decisions made in the interests of community (all +2 index points) and Sealed local roads improving by 3 index points. Minor negative movement was recorded in the index score results for Consultation and engagement (-2 point) and Customer service (-1 point).

On overall performance, Golden Plains Shire Council's community satisfaction scores rate significantly lower than both the average of the Large Rural Councils (grouping) and Victorian State-wide average. The full reports (Attachment 1 and 2) detail key findings and recommendations on areas for improvement for Council. Mark Zuker, Managing Director from JWS Research presented a summary of the survey results to the Councillor Briefing on 15 June.

### **RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Clayton Whitfield

That Council receive and note the 2021 Community Satisfaction Survey reports for Golden Plains Shire Council.

**CARRIED**

## **7.8 VAGO REPORT ON LOCAL ROADS**

### **EXECUTIVE SUMMARY**

In March 2021, the Victorian Auditor-General's Office (VAGO) released the report 'Maintaining Local Roads'. In addition to this report, VAGO also compared each Councils' own road maintenance costs to other Victorian Councils.

The purpose of this report is to present:

- Key findings from the Roads Data Summary for Golden Plains Shire Report;
- Comments on the Recommendations to Councils by VAGO in the Maintaining Local Roads report.

VAGO suggests Councils should read the responses of the Roads Data Summary Report in the context of the findings in the performance audit report, Maintaining Local Roads. Further, VAGO encourages each Council to examine the results in consideration of the factors that impact road maintenance works.

### **RESOLUTION**

Moved: Cr Clayton Whitfield

Seconded: Cr Brett Cunningham

That Council note the Roads Data Summary for Golden Plains Shire Report and the Maintaining Local Roads Report prepared by the Victorian Auditor-General's Office.

**CARRIED**

## **7.9 ENFORCEMENT POLICY - ADOPTION**

### **EXECUTIVE SUMMARY**

This policy defines Council's assurance to a shared responsibility with the community in achieving compliance with applicable laws and acts enforced by Council. This policy provides a framework upon which Council officers will base their enforcement decisions and actions and will provide a consistent approach in the use of community awareness, education and enforcement actions by officers to achieve compliance outcomes.

### **RESOLUTION**

Moved: Cr Ian Getsom

Seconded: Cr Brett Cunningham

That Council adopts the 2021 Enforcement Policy as attached.

**CARRIED**

## **7.10 ANNUAL ADOPTION OF PROCUREMENT POLICY**

### **EXECUTIVE SUMMARY**

Council is committed to ensuring continuous improvement and strong compliance processes are in place for its procurement activities in order to achieve value for money and generate benefits for Council and its community.

The *Local Government Act 2020* requires that Council prepare and approve a Procurement Policy and review the Procurement Policy at least once during its four year term and amend it as necessary.

### **RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Clayton Whitfield

That Council:

1. Note its obligations under section 108(5) of the *Local Government Act 2020* to review the current Procurement Policy at least once in every four financial years and where necessary amend it.
2. Adopt the Procurement Policy noting amendments were made in accordance with new requirements in the *Local Government Act 2020* and to align with other regional council policies and practices.
3. Make copies of the policy available to the public in accordance with the *Local Government Act 2020*.

**CARRIED**

## **7.11 MAYOR AND COUNCILLOR ALLOWANCES**

### **EXECUTIVE SUMMARY**

At its 27 April Council Meeting, Council endorsed an increase to the Mayoral and Councillor allowances to reflect the increasing population that the Mayor and Councillors now represent and serve. The proposed allowances, which are also subject to an additional amount to cover the superannuation guarantee:

- Mayoral allowance: \$65,998.54
- Councillor allowances: \$23,048.02

At the same meeting, Council also resolved to invite public submissions on the remuneration levels for Mayoral and Councillor allowances between 27 April 2021 and 25 May 2021, in accordance with the Local Government Act 1989.

As a result of the public consultation period a total of 5 submissions were lodged using the online submission form and an opportunity to hear submissions was provided on 8 June 2021, however no submitters requested to be heard.

### **RESOLUTION**

Moved: Cr Brett Cunningham

Seconded: Cr Clayton Whitfield

That Council:

1. Receive and note the submissions provided during the public consultation period.
2. Adopt the Mayoral allowance of \$ 63,798.55 and Councillor allowances of \$22,000.14 (Allowances are also subject to the additional amount to cover the superannuation guarantee).

**CARRIED**

**7.12 AWARDING OF TENDER (RFT-07-2021) BANNOCKBURN YOUTH HUB**

At 8:43 pm, Cr Brett Cunningham left the meeting due to a General Conflict of Interest under section 127 of the Local Government Act 2020 because he is the Chairman of Bannockburn and District Grants that are a partner with Council in this project.

**EXECUTIVE SUMMARY**

Golden Plains Shire Council is seeking a commercially registered builder to complete the construction of the Bannockburn Youth Hub.

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

**RESOLUTION**

Moved: Cr Gavin Gamble

Seconded: Cr Owen Sharkey

That Council:

1. Resolves to award the Contract GPSC-RFT-07-2021 Bannockburn Youth Hub to Bowden Corporation for the sum of \$393,189.60 (including Provisional sum) exclusive of GST.
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

At 8:54 pm, Cr Brett Cunningham returned to the meeting.

**CARRIED**

**7.13 AWARDING OF TENDER (RFT-03-2021) BANNOCKBURN SOCCER FEMALE FRIENDLY CHANGEROOM****EXECUTIVE SUMMARY**

Golden Plains Shire Council is seeking a commercially registered builder to complete the construction of Bannockburn Soccer Female Friendly Changeroom.

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

**RESOLUTION**

Moved: Cr Owen Sharkey

Seconded: Cr Brett Cunningham

That Council:

1. Resolves to award the Contract GPSC-RFT-03-2021 Bannockburn Soccer Female Friendly Changeroom to Bowden Corporation Pty Ltd for the sum of \$878,398.62 *exclusive of GST*, comprising of \$804,449.62 for the mandatory building component and \$73,949.00 for two of the three tender options.
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

**CARRIED**

## **7.14 AWARDING OF TENDER (RFT-01-2021) MEREDITH SHELFORD ROAD WIDENING STAGE 3**

### **EXECUTIVE SUMMARY**

Golden Plains Shire Council wish to upgrade Meredith-Shelford Road, Meredith from Chainage 14750 to Chainage 16750. This is a continuation of the road upgrade that has seen approximately 4km of road upgrade works previously awarded. A public tender was advertised, and responses assessed. This report seek approval to award the contract to the preferred tenderer, Berne Fleming Civil Pty Ltd.

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

### **RESOLUTION**

Moved: Cr Les Rowe

Seconded: Cr Brett Cunningham

That Council:

1. Resolves to award the Contract GPSC-RFT-01-2021 Meredith-Shelford Road Widening Stage 3 to Berne Fleming Civil Pty Ltd for the sum of \$785,357.12 (including Provisional sum) exclusive of GST.
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

**CARRIED**

## **8 NOTICES OF MOTION**

Nil

## **9 PETITIONS**

Nil

**10 CONFIDENTIAL REPORTS FOR DECISION****RESOLUTION**

Moved: Cr Les Rowe  
Seconded: Cr Brett Cunningham

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 Regional Renewable Organics Network- Heads Of Agreement**

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.

**RESOLUTION**

Moved: Cr Brett Cunningham  
Seconded: Cr Ian Getsom

That Council moves out of Closed Council into Open Council.

**CARRIED**

**The Meeting closed at 9.14pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 27 July 2021.**

.....  
**CHAIRPERSON**