



MINUTES

Council Meeting

7.00pm Tuesday 28 February 2023

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

NEXT COUNCIL MEETING
7.00pm Tuesday 28 March 2023

Copies of Golden Plains Shire Council's Agendas & Minutes
Can be obtained online at www.goldenplains.vic.gov.au

Order Of Business

1	Opening Declaration	3
2	Acknowledgement of Country	3
3	Apologies and Leave of Absence	3
4	Confirmation of Minutes	3
5	Declaration of Conflict of Interest	3
6	Public Question Time	4
7	Business Reports for Decision	8
7.1	Local Road and Community Infrastructure - Phase 4 Funding Allocation	9
7.2	Country Football and Netball Program Application - Don Wallace Recreation Reserve Oval Upgrade.....	11
7.3	Draft Tree Protection and Management Policy	12
7.4	Contract Variation - Meredith-Shelford Road Stages 4 & 5 Reconstruction	12
7.5	Councillor Expenses and Meeting Attendance Report - Quarter Two ending 31 December 2022.....	13
7.6	Instrument of Delegation - Council to Chief Executive Officer.....	14
7.7	Governance Rules Review	15
7.8	Review of Instrument of Appointment and Authorisation - Planning and Environment Act 1987	16
7.9	Local Government Performance Reporting Framework 6 Monthly Report.....	16
7.10	Council Plan 2021-2025 Implementation - Quarter Two	17
7.11	Quarter 2 Finance Report.....	17
7.12	Audit & Risk Committee Report - 14 February 2023.....	18
7.13	Delegates Report & Informal Meetings of Councillors Records	9
8	Notices of Motion	18
8.1	Notice of Motion - Surplus Land North of Bannockburn Recreation Precinct	18
9	Petitions	18
	Nil	
10	Confidential Reports for Decision	18
	Nil	

**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL
COUNCIL MEETING
HELD AT THE GOLDEN PLAINS CIVIC CENTRE, COUNCIL CHAMBERS, 2 POPE STREET,
BANNOCKBURN
ON TUESDAY, 28 FEBRUARY 2023 AT 7.00PM**

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

IN ATTENDANCE: Eric Braslis (CEO), Phil Josipovic (Director Infrastructure and Environment), Steven Sagona (Director Community Planning and Growth), Lynnere Gray (Director Corporate Services), Rosie Wright (Coordinator Governance and Risk), Sophie Brown (Governance and Risk 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. 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 Ian Getsom

Seconded: Cr Helena Kirby

That Council confirms the minutes and confidential minutes, which remain confidential in accordance with section 3(1)(h) of the Local Government Act 2020, of the scheduled Council meeting held on 20 December 2022 as circulated.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Cr Les Rowe declared a material conflict of interest in relation to item 7.5 under Section 128 of the Local Government Act 2020. The nature of the interest being that the report involves the authorisation of Cr Rowe's travel expenses. Cr Rowe was absent whilst this matter was being discussed and considered.

Cr Brett Cunningham declared a general conflict of interest in relation to item 8.1 under Section 127 of the Local Government Act 2020. The nature of the interest being that Cr Cunningham has a

family member living in the area. Cr Cunningham was absent whilst this matter was being discussed and considered.

6 PUBLIC QUESTION TIME

The Mayor made the following statement:

Public question time runs for 30 minutes. We consider questions received 'with notice' from the public.

I will call each person who has submitted a question forward. Please come up to the microphone and ask your question only, as it was submitted. Any additional statements that have been submitted with your question are not to be read.

I note that this is not an opportunity for discussion or debate on questions asked or answers given.

The following public questions were read by Annalisa Cranby regarding the application of new Poultry Standards 2022 within Golden Plains Shire:

Question 1

Given the impending revision of The Code of Accepted Farming Practice for the Welfare of Poultry (December 2003) (as amended) in early 2023, namely the Poultry Standards Guidelines 2022, how will the Council apply the new Regulations to recent, or pending permits, for this type of large scale Poultry Business?

Answer

The following response was provided by Steven Sagona, Director Community, Planning and Growth.

These guidelines are not yet incorporated into the Planning Scheme and therefore have no weight through the planning process. The implementation of the Standards and Guidelines is up to each State's relevant Minister to implement. This means that implementation may ultimately differ from state to state, and that in Victoria implementation may or may not be via the planning system. Officers understand that the most likely method of implementation will be via the adoption of the proposed standards by regulations under existing animal welfare legislation.

Question 2

For example a condition of the new Standards and Guidelines for Poultry 2022, is the provision of access to bathing/dunking water for ducks. What will Golden Plains Shire do to ensure that the applicant of the proposed duck farm at 540 English Road, Lethbridge complies with the new Poultry Standards Guidelines 2022 as specified as a condition of the permit?

Answer

The following response was provided by Steven Sagona, Director Community, Planning and Growth:

As per the previous answer, the Standards and Guidelines are not, and are not yet and not likely to become, part of the Planning Scheme. The implementation of the proposed standards, including all those relating to bathing or dunking water for ducks, will be the responsibility of the relevant animal welfare agencies.

The following public question was read by Ruth Weston regarding human health concerns of Zoonoses:

Question

What is Golden Plains Shire Council doing, and going to do, to protect their residents from the potential public health risk of zoonoses related to the multiple intensively farmed birds in the Shire? Given that Council have recently approved a permit for the slaughter of approximately 510,000

ducks per year in Lethbridge, how will Council manage the risk, given recent news of an eleven year old child killed by Avian flu overseas, and the 2020 Avian flu outbreak in Lethbridge that resulted in the culling of 460,000 birds?

Answer

The following response was provided by Steven Sagona, Director Community, Planning and Growth:

When determining applications for intensive bird farming, Council considers and where appropriate issues permits that align with the relevant statutory requirements including the Victorian Code for Broiler Farms which was most recently updated in 2018. In relation to managing and responding to the risk of avian influenza, the Department of Agriculture is the lead agency for that purpose.

At 7:11 pm, Cr Brett Cunningham left the meeting due to a declared conflict of interest.

Cr Gavin Gamble assumed the Chair.

The following public questions were read by Daniel O'Shannassy regarding Item 8.1 Notice of Motion – Surplus Land North of Bannockburn Recreation Precinct:

Question 1

Prior to March 2021 Council Meeting what information was supplied to the Councillors in order to make a decision that the public open space is no longer required? I request that all the relevant supporting studies and documentation (cost benefit studies, social impact, nett gain etc.) be forwarded to me.

Answer

The following response was provided by Phil Josipovic, Director Infrastructure and Environment:

As mentioned in the March 2021 Council report, the work undertaken for the Bannockburn Growth Plan indicated a need for at least two football ovals and netball courts as result of growth across the Bannockburn area. These could not be accommodated at the Recreation Precinct and therefore would be planned in the new growth area. A link to the Bannockburn Growth Plan is available on Council's website.

Question 2

Was Council's planning department asked to consider other uses of this land (besides a possible football ground) that would enhance the community?

Answer

The following response was provided by Steven Sagona, Director Community, Planning and Growth:

Council's planning department has considered the proposal and considers that the most appropriate use of the land, in the context of the broader strategic land use planning for the area, is residential. This is mainly because of the preference to locate additional recreation development within the future precinct structure planning for Bannockburn.

The following public questions were read by Jess O'Shannassy regarding Item 8.1 Notice of Motion – Surplus Land North of Bannockburn Recreation Precinct:

Question 1

Why does the Council put the sale of our public open space above community? I'm not against selling of unwanted assets but this asset is prime and because of its locality should be for community only.

Answer

The following response was provided by Lynne Gray, Director Corporate Services:

Council does not preference the sale of public open space above community. Rather, it seeks to dispose of surplus land for strategic purposes for the overall benefit of the wider community.

Question 2

If the Council must sell this land to recoup money to balance the books, please explain why the Council can't manage the Shire without this revenue?

Answer

The following response was provided by Lynne Gray, Director Corporate Services:

As per the March 2021 resolution of Council, nett profits from sale would be allocated to a dedicated new Recreational Future Fund (a Reserve) for the future recreational improvements across the Shire.

The following public questions were read by Tim O'Shannassy regarding Item 8.1 Notice of Motion – Surplus Land North of Bannockburn Recreation Precinct:

Question 1

Does the Council realise that the private market is the best provider of public housing and it is not obligated to make this 10 acres a public hot spot?

Answer

The following response was provided by Steven Sagona, Director Community, Planning and Growth:

Council is of the view that both the public and private sector have an important role to play in the planning and delivery of social and affordable housing, and that successful provision of such housing often involves a partnership approach.

Question 2

Why didn't council publish a residential street plan of the area before March 2021 meeting to be more transparent to the community?

Answer

The following response was provided by Steven Sagona, Director Community, Planning and Growth:

The March 2021 decision of Council related to potential sale and rezoning of the land. The report included an indicative concept plan but this has changed through the more detailed design process. Community members will have an opportunity to comment upon the proposed plans, the more detailed plans, as part of the public exhibition process that will be facilitated by the State Government.

The following public questions were read by Joshua Trowell regarding Item 8.1 Notice of Motion – Surplus Land North of Bannockburn Recreation Precinct:

Question 1

Council has indicated in the past that the rezoning or planning scheme amendment and future decision to sell this land, are entirely separate decisions. However, both decisions are closely linked and a decision to rezone this land would remove all the protections provided by the current public land zoning, instead establishing the primary purpose of this land to be for residential purposes. Suggestions in the past that these are entirely separate decisions with separate opportunities for public consultation, are somewhat misleading to the community. It is also highlighted that Council can exercise its powers as the planning authority to seek to abandon this amendment. This decision could be included in an amended Notice of Motion and provide clear direction for the retention of this land for public recreation purposes.

Does the Council acknowledge that the rezoning and sale of this land are strongly linked, and will the Council exercise its power as the planning authority to abandon the planning scheme amendment?

Answer

The following response was provided by Steven Sagona, Director Community, Planning and Growth:

As per Council's decision of March 2021, the proposed sale and the rezoning are certainly closely related, but there are separate decision-making and statutory processes applicable to each. Council's position now is to continue to pursue the rezoning via the Minister for Planning who is now the Planning Authority for the planning scheme amendment.

Question 2

State and Federal elections provide great opportunities for local communities to receive public investment into community infrastructure. Often these election promises require partnership with local Councils, and those with available 'surplus' land to deliver the project, are in a much better position than those Council's without available land.

Does the Council acknowledge that while this land may be 'surplus' at this point in time, that it may be a strategic site for recreation and other community infrastructure opportunities in the future?

Answer

The following response was provided by Phil Josipovic, Director Infrastructure and Environment:

Again as noted in the March 2021 report, the land described as "Surplus Area" is approximately 3.5 hectares in area. The longer term solution based on growth planning and our growth scenarios is for larger recreation infrastructure than what can be accommodated within this site.

The following public questions were read by Tim Pickford regarding Item 8.1 Notice of Motion – Surplus Land North of Bannockburn Recreation Precinct:

Question 1

In relation to item 8.1 Notice of Motion – has the Council performed any formal consultation with the community, mainly those stakeholders adjacent to the land proposed to be sold?

Answer

The following response was provided by Lynne Gray, Director Corporate Services:

In relation to any potential sale of the land, formal consultation would occur as per Council's Community Engagement Policy as required by the Local Government Act 2020. In relation to rezoning and subdivision, community members will have an opportunity to comment upon the proposed plans as part of the public exhibition process that will be facilitated by the State Government.

Question 2

Here is an excerpt from the minutes of March 23rd 2021; Quote "It is proposed to declare approximately 3.5 hectares of Council owned land in the northern part of the Bannockburn Recreation Precinct as surplus to Council's needs and initiate a rezoning, subdivision and development plan process with a view to selling the land in the form of residential allotments, as well as potentially providing for accommodation of affordable / social housing under the State Governments "Big Housing Build" program." What steps have council taken to ensure that these 'social housing developments' prosper given that there is already a lack of public transport and employment opportunities in the Golden Plains Shire?

Answer

The following response was provided by Steven Sagona, Director Community Planning and Growth:

Council has engaged in early discussions with Homes Victoria about the potential availability of this site for social and affordable housing and will continue to engage with other relevant stakeholders about its potential suitability for this purpose. Council is constantly lobbying for improved public transport and is active in pursuing and facilitating economic and employment opportunities for all residents of the Shire.

At 7:30 pm, Cr Brett Cunningham returned to the meeting and resumed the Chair.

7 BUSINESS REPORTS FOR DECISION

PROCEDURAL MOTION

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Gavin Gamble

That agenda item 7.13 be considered before the item listed as 7.1.

CARRIED

7.13 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.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Helena Kirby

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

CARRIED

7.1 LOCAL ROAD AND COMMUNITY INFRASTRUCTURE - PHASE 4 FUNDING ALLOCATION

EXECUTIVE SUMMARY

Following continuing strong community and local government support, in May 2022 the Australian Government announced Phase 4 of the Local Roads and Community Infrastructure (LRCI) Program where an allocation of \$1,333,665 will be made available to Golden Plains Shire Council for projects to be delivered between 1 July 2023 and 30 June 2025.

This program assists local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local communities. As with previous rounds of the LRCI Program, councils can select a broad range of projects (community facilities, roads, traffic, bridges etc.) to deliver benefits to the community, such as improved accessibility, visual amenity and safety benefits.

At the time of writing this report, the guidelines for Phase 4 LRCI funding had not been released. Council Officers have determined and presented what are believed to be eligible projects that the funds can be allocated to, based on the previous LRCI guidelines. It should be noted, the guidelines for previous phases did not vary in any significant way, and officers believe the Phase 4 guidelines will be very similar to previous versions. The projects presented cover a variety of locations and following Council endorsement, are required to be presented Department of Infrastructure, Transport, Regional Development, Communications and the Arts for approval.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Owen Sharkey

That Council:

1. Endorse allocating \$1,333,665 as part of the Federal Government's Local Roads and Community Infrastructure Program Phase 4 funding to the following projects (project allocations shown in brackets):
 - i. Drainage Improvements - various locations (\$808,665)

- ii. Sebastopol Smythesdale Road (\$310,000)
 - iii. Inverleigh Golf Club Septic System (\$150,000)
 - iv. Ross Creek Public Toilet and Septic Upgrade (\$45,000)
 - v. Safety Fencing Linton Recreation Reserve (\$20,000).
2. Note there may be opportunities to leverage (or consider leveraging) further funding from other sources utilising the Local Roads and Community Infrastructure contribution.
3. Note the list of projects endorsed by Council will be submitted to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts for final approval.
4. Note that should any of the proposed items on the list above be considered ineligible for the LRCl program, a subsequent report will be provided to Council proposing alternative options.

CARRIED

AMENDMENT

Moved: Cr Gavin Gamble

That Council:

1. Endorse allocating \$1,333,665 as part of the Federal Government's Local Roads and Community Infrastructure Program Phase 4 funding to the following projects (project allocations shown in brackets):
 - i. Drainage Improvements - various locations (\$658,665)
 - ii. Sebastopol Smythesdale Road (\$310,000)
 - iii. Inverleigh Golf Club Septic System (\$150,000)
 - iv. Ross Creek Public Toilet and Septic Upgrade (\$45,000)
 - v. Safety Fencing Linton Recreation Reserve (\$20,000)
 - vi. Play Space Upgrade – Shelford Recreation Reserve (\$150,000)
2. Note there may be opportunities to leverage (or consider leveraging) further funding from other sources utilising the Local Roads and Community Infrastructure contribution.
3. Note the list of projects endorsed by Council will be submitted to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts for final approval.
4. Note that should any of the proposed items on the list above be considered ineligible for the LRCl program, a subsequent report will be provided to Council proposing alternative options.

The amendment lapsed for want of a seconder.

7.2 COUNTRY FOOTBALL AND NETBALL PROGRAM APPLICATION - DON WALLACE RECREATION RESERVE OVAL UPGRADE

EXECUTIVE SUMMARY

Applications for the Victorian State Government funded Country Football and Netball Program (CFNP) are currently open to Councils to assist rural football and netball clubs to upgrade and develop community recreation facilities.

Following the recent development and adoption of the Don Wallace Recreation Reserve Masterplan in Teesdale, a project to upgrade the oval has been scoped and discussed with representatives from Sport and Recreation Victoria (SRV) and is considered suitable for a CFNP application.

It is proposed that officers undertake further planning and work to prepare and submit a CFNP funding application for the Don Wallace Recreation Reserve Oval Upgrade which will progress a major item identified in the Masterplan – this project will provide improved active recreation participation and social outcomes and also enable further future developments at the reserve.

Based on high level costings, Golden Plains Shire Council would be required to commit funding of \$400,000 to potentially leverage \$250,000 from SRV for a scope of works that will include resizing and alignment of the oval, fencing, subsurface drainage, irrigation and other supporting infrastructure. To enable this contribution, it is proposed that an additional \$300,000 be added to the draft 2023/24 Capex Budget from Council's Open Space Reserve

RESOLUTION

Moved: Cr Gavin Gamble

Seconded: Cr Helena Kirby

That Council:

1. Endorse the preparation and submission of a funding application for the Don Wallace Recreation Reserve Oval Upgrade in Teesdale.
2. Endorse the allocation of an additional \$300,000 from the Open Space Reserve to the Don Wallace Recreation Reserve Oval Upgrade project in the draft 2023/24 Capex Budget to enable Council's financial contribution to the funding application.

CARRIED

7.3 DRAFT TREE PROTECTION AND MANAGEMENT POLICY

EXECUTIVE SUMMARY

The current Tree Management Policy was identified as requiring additional information to support a tree management framework as part of an internal audit recommendation, undertaken in 2019 by Crowe consultants. Upon the recent appointment of qualified arborist Council officers in 2022, the policy has been updated to reflect current industry standards, best practice and to address the recommendations of the audit.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Les Rowe

That Council:

1. Endorse the Draft Tree Protection and Management Policy for public exhibition.
2. Receive a further report following the public exhibition period to adopt the Draft Tree Protection and Management Policy, with due consideration to any submissions received.

CARRIED

7.4 CONTRACT VARIATION - MEREDITH-SHELFORD ROAD STAGES 4 & 5 RECONSTRUCTION

EXECUTIVE SUMMARY

This report provides Council with information relating to the Meredith-Shelford Road Stage 4 & 5 reconstruction project (the Project). The report provides a brief background to the Project and the identification of additional required bridge upgrade works. Council is being requested to approve a variation to the original contract to include the bridge upgrade into the scope of works in line with Golden Plains Shire council Procurement Policy.

A full breakdown of project funding and expenditure items are included as well as recommended budget reallocation to cover the variation in cost.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Gavin Gamble

That Council:

1. Approve the Meredith Shelford Road Stages 4 and 5 budget increase of \$60,000 to include the construction of upgraded Bridge Works.
2. Approve the budget reallocation associated with the variation as outlined in this report.

CARRIED

7.5 COUNCILLOR EXPENSES AND MEETING ATTENDANCE REPORT - QUARTER TWO ENDING 31 DECEMBER 2022

At 8:21 pm, Cr Les Rowe left the meeting, due to a declared conflict of interest.

EXECUTIVE SUMMARY

The report provides a record of expenditure made on behalf of Councillors in the performance of their duties for quarter two of 2022/23. This report also includes quarterly updates on Councillor attendance at both scheduled and unscheduled meetings of Council, to provide transparency on Council decision making.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Ian Getsom

That Council:

1. Note the contents of the Councillor Expenses and attendance report for quarter two of 2022/23;
2. In accordance with section 23.5 of the Councillor Expenses and Entitlements Policy, approve for reimbursement the late claim submitted by Cr Rowe on 14 January 2023 for the sum of \$594.36 for travel expenses.

The motion was CARRIED

A division was called.

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

Against: Cr Owen Sharkey

CARRIED 5/1

At 8:32 pm, Cr Les Rowe returned to the meeting.

7.6 INSTRUMENT OF DELEGATION - COUNCIL TO CHIEF EXECUTIVE OFFICER

EXECUTIVE SUMMARY

The *Instrument of Delegation to Chief Executive Officer* must be re-made periodically to ensure it remains up to date and captures powers made or amended since the delegation was previously resolved by Council.

The Chief Executive Officer's delegation to determine any issue, take any action or do any act or thing is currently limited by a condition not to enter any contract exceeding the value of \$400,000 or make any expenditure that exceeds \$400,000. In response to the increasing cost of capital projects, an analysis of past tenders and benchmarking of similar Councils has been completed to inform the Council in determining the CEO's financial delegation.

RESOLUTION

Moved: Cr Owen Sharkey

Seconded: Cr Gavin Gamble

1. That the Council note the review conducted of the Conditions and Limitations of the S5 Instrument of Delegation (Attachment 1) and that the attached instrument of delegation be amended at Conditions 1.1 and 1.2 to increase the CEO's financial delegation from \$400,000 to \$450,000 (excluding GST).
2. That this delegation be returned to the Council for review in February 2024.
3. 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

7.7 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'). The Governance Rules were last adopted by Council in August 2022 following amendments to 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.

In the six months of operation under the updated Rules, additional improvements to Chapter 2 – Meeting Procedures have been identified and drafted. These changes are 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 March 2023 Council meeting.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Owen Sharkey

That Council:

1. Endorse the changes made to Chapter 2 of the Governance Rules (Attachment 1) for the purposes of community engagement, pursuant to section 60(4) of the Local Government Act 2020.
2. Consider the Draft Governance Rules for adoption at the March 2023 Council 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 November 2022. 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 Owen Sharkey

In the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987* and other legislation referred to in the attached Instrument of Appointment (the 'instrument'), Golden Plains Shire Council (Council) 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 Council's Governance Rules.
3. The instrument comes into force immediately once the Common Seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it.
4. The previous instrument dated 22 November 2022 is revoked.

CARRIED

EN BLOC RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Gavin Gamble

That the following items be resolved *en bloc* and that the recommendations in each item be adopted:

- 7.9 – Local Government Performance Reporting Framework 6 Monthly Report
- 7.10 – Council Plan 2021-2025 Implementation – Quarter 2
- 7.11 – Quarter 2 Finance Report
- 7.12 – Audit and Risk Committee Report – 14 February 2023

CARRIED

7.9 LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK 6 MONTHLY REPORT

EXECUTIVE SUMMARY

Council is required under the *Local Government Act 2020* and Local Government (Planning and

Reporting) Regulations 2020 to report on its performance in accordance with the Local Government Performance Reporting Framework (LGPRF).

Council's performance against LGPRF measures is reported to the Audit & Risk Committee and Council on a six-monthly basis and also included in the Golden Plains Shire Council Annual Report.

RECOMMENDATION

That Council note the six-monthly report on the Local Government Performance Reporting Indicators (Attachment 1) for the period 01 July 2022 to 31 December 2022.

Note: Refer to page 16 of the Minutes where this item was resolved *en bloc*.

7.10 COUNCIL PLAN 2021-2025 IMPLEMENTATION - QUARTER TWO

EXECUTIVE SUMMARY

This report is to update Council on the progress made in implementing Year 2, Quarter 2 actions in the Council Plan 2021-2025.

RECOMMENDATION

That Council note the implementation of the Year 2, Quarter 2 actions (1 October 2022 to 31 December 2022) of the Council Plan 2021-2025.

Note: Refer to page 16 of the Minutes where this item was resolved *en bloc*.

7.11 QUARTER 2 FINANCE REPORT

EXECUTIVE SUMMARY

At 31 December 2022, the Income Statement reports total operating revenue of \$41.1m and total operating expenditure of \$23.1m, which results in a year-to-date surplus of \$18.0m. This is \$2.1m favourable compared to the original budget, and \$1.8m favourable to the revised budget.

The Capital Works Statement indicates total capital works expenditure (including commitments) of \$9.8m, which is \$1.1m above the original budget, and \$0.06m below the revised budget. The revised budget includes \$9.5m rolled forward for projects.

The Quarter 2 report was presented to the Audit and Risk Committee at the 14 February 2023 meeting for noting.

RECOMMENDATION

That Council note the content in the Quarter 2 Finance Report for the 6 months ended 31 December 2022.

Note: Refer to page 16 of the Minutes where this item was resolved *en bloc*.

7.12 AUDIT & RISK COMMITTEE REPORT - 14 FEBRUARY 2023

EXECUTIVE SUMMARY

This report is being submitted to Council to provide a summary of business considered at the 14 February 2023 meeting of the Audit & Risk Committee.

RECOMMENDATION

That Council note the unconfirmed minutes from the Audit & Risk Committee meeting held on 14 February 2023.

Note: Refer to page 16 of the Minutes where this item was resolved *en bloc*.

PROCEDURAL MOTION

RESOLUTION

Moved: Cr Owen Sharkey

Seconded: Cr Helena Kirby

That Council adjourn the meeting for five minutes to take a break.

CARRIED

The meeting was adjourned at 9:04pm and returned at 9:09pm.

8 NOTICES OF MOTION

8.1 NOTICE OF MOTION - SURPLUS LAND NORTH OF BANNOCKBURN RECREATION PRECINCT

At 9:10 pm, Cr Brett Cunningham left the meeting, due to a declared conflict of interest.

Cr Gavin Gamble assumed the Chair.

I, Councillor Les Rowe, give notice that at the next Ordinary Meeting of Council be held on 28 February 2023, I intend to move the following motion:-

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Ian Getsom

That Council determine that the land declared as surplus at the Meeting on March 2021, situated north of the Bannockburn recreation precinct (3.5 HA) is necessary for future community needs and do not proceed to subdivision and sale at this time.

LOST

At 9:31 pm, Cr Brett Cunningham returned to the meeting and resumed the Chair.

9 PETITIONS

Nil

10 CONFIDENTIAL REPORTS FOR DECISION

Nil

The Meeting closed at 9.31pm.

The minutes of this meeting were confirmed at the Council Meeting held on 28 March 2023.

DocuSigned by:
Brett Cunningham
.....F62C0000154C459.....

CHAIRPERSON