

MINUTES

Council Meeting

6.00pm Tuesday 27 June 2023

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

NEXT COUNCIL MEETING
6.00pm Tuesday 25 July 2023

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

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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, 27 JUNE 2023 AT 6.00PM**

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

IN ATTENDANCE: Eric Braslis (CEO), Phil Josipovic (Director Infrastructure and Environment), Leanne Wilson (Acting Director Community, Planning and Growth), Fiona Rae (Manager Finance), Rosie Wright (Coordinator Governance and Risk), Sophie Brown (Governance and Risk Specialist)

APOLOGIES: Steven Sagona (Director Community, Planning and Growth), Lynne Gray (Director Corporate Services)

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 Clayton Whitfield

Seconded: Cr Gavin Gamble

That Council confirms the minutes as circulated of the scheduled Council meetings held on 23 May and 6 June 2023 and confidential minutes of the scheduled Council meeting held on 23 May 2023, which remain confidential in accordance with section 3(1)(h) of the Local Government Act 2020.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Nil

PROCEDURAL MOTION

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Gavin Gamble

That Public Question Time be moved to after item 7.1 to allow for the Citizenship Ceremony.

CARRIED

6 BUSINESS REPORTS FOR DECISION

7.1 CITIZENSHIP CEREMONY

A formal Citizenship Ceremony will take place at the commencement of the Council Meeting.

EXECUTIVE SUMMARY

Council would like to congratulate the following residents on their decision to become Australian Citizens:

- Declan Leonard who is from Ireland and resides in Bannockburn
- Maxime Robert Maghe who is from Belgium and resides in Teesdale
- Paul Michael Mitchell who is from the United Kingdom and resides in She-Oaks.

7 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 has 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 a debate with Council or officers.

The following public question was read by Beth Glover and answer provided by Phil Josipovic, Director Infrastructure and Environment.

Question 1

Does the Golden Plains Shire have a policy for street lighting, particularly in new estates of rural towns? I was unable to locate any policy regarding street lighting on the website.

Answer

We don't have a specific policy on street lighting but we do have our Infrastructure Design Manual which guides street lighting particularly in new developments and it's common for most Council's to rely on the Infrastructure Design Manual for things like street lighting, footpaths, curvature and the standards to be set for developers. Specifically I can point you to clause 26 of our Infrastructure Design Manual which is online, pages 162-165, but what I can say is rural residential areas are typically lit at intersections, bends and court bowls. We do now request all developers to fit LED lanterns to all their street lighting in order to lower power consumption and maintenance costs. We do also under our Infrastructure Design Manual allow for decorative street lighting if the circumstances are appropriate.

The following public question was read by Beth Glover and answer provided by Leanne Wilson, Acting Director Community, Planning and Growth.

Question 2

Is there a register of septic tanks in each rural town and the age of each tank, with a view to assessing the impact on the water table?

Answer

The Environmental Health Department does maintain a register of all systems and installation details. The Domestic Wastewater Management Plan is proposing to undertake an inspection program for septic systems which are considered high risk and this includes systems that may be releasing effluent from private property into water courses.

7.2 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 Gavin Gamble

Seconded: Cr Clayton Whitfield

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

CARRIED

7.3 ADOPTION OF THE GOLDEN PLAINS SHIRE COUNCIL BUDGET 2023-24

EXECUTIVE SUMMARY

This report seeks to formally adopt the 2023-24 Budget, incorporating the 2023-24 rating fees and charges pursuant to Section 96 of the *Local Government Act 2020*.

The 2022-23 Draft Budget has been prepared based on the adopted principles within the 2021-2025 Council Plan and Financial Plan with rate revenue modelled at a 3.50% average rate cap increase in accordance with the Minister for Local Government's announcement in December 2022.

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 4 submissions. A Special Meeting of Council was held on Tuesday 6 June 2023 to consider the submissions received with no changes made from the budget submissions.

Separately, amendments have been made to the budget following the announcement of additional grant funds, other government announcements and notifications and following a final review, as outlined below:

- \$769k additional Local Roads & Community Infrastructure Phase 4 grant funding
- \$769k additional LRCI capital projects (Slate Quarry Road)
- \$61k reduction in Active Ageing and Inclusion grant funding
- \$40k reduction in Active Ageing and Inclusion programs
- \$7k increase in training to support updated training and development policy
- \$80k increase in employee costs
- \$269k increase in Financial Assistance grant funding

RESOLUTION

Moved: Cr Owen Sharkey

Seconded: Cr Clayton Whitfield

That Council:

1. Note the 4 written submissions received on the Draft Budget 2023-24 and considered at the 6 June 2023 Special Council Meeting;
2. Adopt the 2023-24 Budget contained in attachment 1, in accordance with section 94 of the *Local Government Act 2020*, subject to the following changes:
 - a) Reduction in land sales income by \$1m;
 - b) Reduction of the following capital projects by the following amounts, for a total combined reduction of \$500,000:
 - i. Footpaths reduced by \$50,000
 - ii. Active recreation trails reduced by \$25,000
 - iii. Kerb and channel reduced by \$50,000
 - iv. Car parks reduced by \$50,000
 - v. Climate emergency plan initiatives reduced by \$55,000
 - vi. Environmental initiatives reduced by \$75,000
 - vii. Shire beautification reduced by \$25,000

- viii. Community and recreation facility beautification / safety works reduced by \$50,000
 - ix. Cypress tree replacement program reduced by \$25,000
 - x. Emergency drainage works reduced by \$45,000
 - xi. Open space strategy implementation reduced by \$50,000
3. Note a reduction in underlying surplus of the 2023-24 Budget to \$57,000;
4. Adopt the Revenue and Rating Plan contained in attachment 2, in accordance with section 93 of the *Local Government Act 2020*;
5. Approve and fix the service and user fees as set in the 2023-24 Budget; contained in Attachment 3;
6. Declare the amount of rates and charges intended to be raised from the period 1 July 2023 – 30 June 2024 as follows:
 - a) An amount of \$29,202,101 (or such greater amount as is lawfully levied as a consequence of this recommendation being adopted) be declared as the amount which Council intends to raise by general rates, the municipal charge and the annual service charges, which amount is calculated as follows:
 - i. General Rates (including supplementary rates and interest) raised through differential rates - \$22,065,250
 - ii. Municipal Charge (including on supplementary rates) - \$2,967,750
 - iii. Annual service (garbage) charge - \$4,169,101
7. Declare the rates and charges for the period 1 July 2023 – 30 June 2024 as detailed in:
 - a) Appendix 1 of the 2023-24 Budget, noting the adjustment of the rate in the dollar based on final revaluation for 2023; and
 - b) Council's Revenue and Rating Plan as required under s94(2) (1) of the *Local Government Act 2020* and s161(2) of the *Local Government Act 1989*;
8. Determine to allow:
 - a) In accordance with section 167(1) and (2) of the *Local Government Act 1989*, payment of rates and charges by four approximately equal instalments paid on or before 30 September 2023, 30 November 2023, 28 February 2024 and 31 May 2024;
 - b) In accordance with section 167(2A) and (2B) of the *Local Government Act 1989*, payment of rates and charges by lump sum on or before 15 February 2024; or
 - c) Payment of rates and charges by ten approximately equal direct debit payments from 15 September 2023 until 15 June 2024;
9. Require that any person pay interest on any amounts of rates and charges in accordance with section 10 of the *Local Government Legislation Amendment (Rating and Other Matters) Act 2022* which:
 - a) That person is liable to pay;
 - b) Have not been paid by the dates specified for their payment; and
 - c) Is not otherwise waived as part of Council's Hardship Policy
10. Authorise the Director Corporate Services and Manager Finance to levy and recover the

general rates and service charges in accordance with the *Local Government Act 1989*;

11. Authorise the Manager Finance to make any changes to the 2023-24 Budget as a result of anything that occurs after the making of this resolution, provided that they are changes of a minor and/or administrative character.

The motion was CARRIED

A division was called.

In Favour: Crs Helena Kirby, Les Rowe, Owen Sharkey, Brett Cunningham, Ian Getsom and Clayton Whitfield

Against: Cr Gavin Gamble

CARRIED 6/1

7.4 COMMUNITY VISION 2040 REFRESH

EXECUTIVE SUMMARY

This report presents a proposed methodology for the refresh of the 'Golden Plains Community Vision 2040'. The aim of this refresh process is to build upon the existing plan, recognising and consolidating the valuable work already done by the community in developing the current 2040 Vision. The proposed methodology includes the preparation of consultation documentation by officers in late 2023, followed by community engagement in early 2024, allowing for the presentation and endorsement of a draft Community Vision by the current Council prior to the 2024 council elections. The endorsed draft would then be 'handed over' to the next Council for its consideration and determination of next steps.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Clayton Whitfield

That Council:

1. Resolves to commence a review of the 'Golden Plains Community Vision 2040'.
2. Notes that the intention of the review process is for an update and refresh of the existing Community Vision 2040, not a complete rewrite or a new plan.
3. Notes that community engagement will occur in the first half of 2024, followed by presentation of a draft Community Vision to Council for consideration and endorsement prior to the council elections in 2024.
4. Notes that following the 2024 council elections, the Chief Executive Officer will provide the newly elected Council with the endorsed draft Community Vision 2040 Refresh document for its consideration and determination of next steps.

CARRIED

7.5 ADOPTION OF THE DOMESTIC WASTEWATER MANAGEMENT PLAN 2023

EXECUTIVE SUMMARY

As part of the State Environment Protection Policies (SEPP Waters), a Domestic Wastewater Management Plans (DWMP) is required to be updated every five years. The DWMP is used in conjunction with the EPA Code of Practice for use of onsite wastewater treatment systems to enable compliance with the *Environmental Protection Act 2017* as well as other Acts, Regulations, State and industry guidelines including Australian Standards.

Council's current DWMP has been reviewed and updated, with the 2023 version attached to this report for adoption. It aims to clarify Council's responsibilities for overseeing the management and installation of Onsite Wastewater Management Systems (OWMS) and plan an approach for Council to meet these responsibilities.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Helena Kirby

That Council adopt the 'Golden Plains Shire Domestic Wastewater Management Plan 2023' (as attached).

CARRIED

7.6 AWARDING OF A TENDER FOR THE PROVISION OF CONCRETING SERVICES

EXECUTIVE SUMMARY

Council sought to engage suitable qualified and experienced contractor/s for the provision of concreting services to deliver Concrete pathways, kerbing and associated construction works.

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Ian Getsom

That Council:

1. Resolves to award Contract RFT-01-2023 – Provision of Concreting Services to the following list of providers:
 - D & N Hope Constructions
 - Zantagra Group
 - SHAE Enterprises Pty Ltd
 - Complete Plumbing Construction Concepts Pty Ltd
 - Davis Constructions Landscapes Pty Ltd
2. Resolves to award this contract as a Schedule of Rates (SoR) contract for the initial Contract term of Three (3) Years and Two (2) X 12-month options to extend at Council's Discretion in line with the Chief Executive Officer's Instrument of Delegation.
3. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

CARRIED

7.7 REVIEW OF AUDIT AND RISK COMMITTEE CHARTER

EXECUTIVE SUMMARY

Section 12 of the Audit and Risk Committee charter states that following annual review by the Audit and Risk Committee, a report will be provided to the Council to recommend approval of the Charter.

In accordance with this section, the Audit and Risk Committee Charter was reviewed by the Committee at the Audit and Risk Committee meeting on 9 May 2023. Minor administrative corrections were identified and made. The Charter is now recommended to Council for approval.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Les Rowe

That Council note and approve the Audit and Risk Committee Charter as reviewed and recommended by the Audit and Risk Committee at the May Committee 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 May 2023. A statutory planner is commencing with Council and must therefore be authorised under this Act.

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

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Helena Kirby

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 sign the instrument;
3. The instrument comes into force immediately upon being signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it; and
4. The previous instrument dated 23 May 2023 is revoked.

CARRIED

7.9 MAYORAL ATTENDANCE - NATIONAL GENERAL ASSEMBLY, AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION 2023

EXECUTIVE SUMMARY

Mayor, Cr Brett Cunningham, along with CEO, Eric Braslis, and Director Corporate Services, Lynne Gray, attended the 2023 Regional Cooperation and Development Forum and the National General Assembly (NGA) of Australian Local Government Association (ALGA) in Canberra from Tuesday 13 June to Friday 16 June 2023.

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Helena Kirby

That Council receive and note the Mayoral conference report in relation to the 2023 National General Assembly.

CARRIED

8 NOTICES OF MOTION

Nil

9 PETITIONS

Nil

10 CONFIDENTIAL REPORTS FOR DECISION

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr Helena Kirby

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 Glass Early Adopter Expression of Interest

This matter is considered to be confidential under Section 3(1) - a 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 Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

CARRIED

RESOLUTION

Moved: Cr Helena Kirby


Seconded: Cr Clayton Whitfield

That Council reopens the Council meeting to the public.

CARRIED

The Meeting closed at 7.40pm.

The minutes of this meeting were confirmed at the Council Meeting held on 25 July 2023.

DocuSigned by:

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CHAIRPERSON