



MINUTES

Council Meeting

6.00pm Tuesday 19 December 2023

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

NEXT COUNCIL MEETING
6.00pm Tuesday 27 February 2024

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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, 19 DECEMBER 2023 AT 6.00PM**

PRESENT: Cr Brett Cunningham (Mayor), Cr Gavin Gamble, 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), Lynnere Gray (Director Corporate Services), Emma Wheatland (Acting Director Community, Planning and Growth), Rosie Wright (Coordinator Governance and 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 Helena Kirby

Seconded: Cr Ian Getsom

That Council confirms the minutes of the Council Meeting held on Tuesday 28 November 2023.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Cr Cunningham declared a general conflict of interest in relation to item 6 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 which is the subject of a public question.

PROCEDURAL MOTION

RESOLUTION

Moved: Cr Helena Kirby
Seconded: Cr Clayton Whitfield

That Cr Gavin Gamble assume the role of temporary Chair for the duration of Public Question Time.

CARRIED

Councillor Cunningham left the meeting at 6:02pm.

6 PUBLIC QUESTION TIME

The Chair 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 question was read by Josh Trowell:

Question 1

There is a growing perception amongst the local community, particularly in Bannockburn, that our elected Councillors are being told by the administration when they can talk to the community, and what they can say. We didn't elect the administration, we elected you the Councillors, who are accountable to us, the community.

Do our elected Councillors, not the administration, have anything to say for themselves regarding the Council's overall conduct surrounding the rezoning of the Bannockburn Recreation Reserve and the underlying decision-making relating to consultation, and what do our Councillors plan to do to restore any faith back into the local community?

Answer

The following response was provided by Eric Braslis, Chief Executive Officer:

The decision making in relation to the rezoning and planning permit process for Dardel has been made in open, transparent and public Council meeting process. Although, I do appreciate that the ultimate decision has been made by the Minister for Planning and information will be shared with the community once that process has been completed through the Minister.

The following public question was read by Peter McGhee:

Question 1

When I purchased my land in Farrell Street off Mowbray it was on basis that the area was reserve for future shopping or sport development. So is it council I seek for compensation?

Answer

The following response was provided by Eric Braslis, Chief Executive Officer:

The status of land, its zoning and how it develops, may change over time. Under State government legislation, in some cases, residents are informed and may participate in these processes. In the case of Dardel Drive, the Minister for Planning undertook a process and ultimately made a determination in relation to rezoning.

The following public question was read by Brian O'Shannassy:

Question 1

When and how will council adequately notify residents about the loss of Public Open Space on Dardel Drive Bannockburn?

Answer

The following response was provided by Eric Braslis, Chief Executive Officer:

As you're aware, the Minister for Planning has undertaken a planning scheme amendment process, that process resulted in a panel hearing. All individuals that made a submission to the panel have been notified formally of the decision of the Minister for Planning. I do appreciate that there may be individuals in the broader community that are not aware of the ultimate decision by the Minister for Planning, and Council will, through its general notification and public media processes make the community aware. But, all those who have made a formal submission have been directly notified and informed.

Councillor Cunningham returned to the meeting at 6:12pm and resumes as Chair.

7 BUSINESS REPORTS FOR DECISION**7.1 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 Gavin Gamble

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

CARRIED

7.2 COUNCIL COMMITTEE DELEGATES 2024

EXECUTIVE SUMMARY

To determine the appointment of Councillors and officers to various internal and external organisations and committees for 2024.

RESOLUTION

Moved: Cr Gavin Gamble

Seconded: Cr Helena Kirby

That Council appoints Councillor delegates to the various internal and external organisations and committees for 2024 as attached.

CARRIED

7.3 SCHEDULE FOR 2024 COUNCIL MEETINGS

EXECUTIVE SUMMARY

To confirm the Council meeting schedule for 2024.

MOTION

Moved: Cr Helena Kirby

Seconded: Cr Ian Getsom

1. That Council adopt Option 1, as attached, as the 2024 Council Meetings schedule with the 26 March 2024 and 26 November 2024 Council meetings move from The Well, Smythesdale to Linton Shire Municipal Hall.
2. That Council receive an Officer report on options for internet connection to the Linton Shire Municipal Hall.

LOST

RESOLUTION

Moved: Cr Gavin Gamble

Seconded: Cr Helena Kirby

That Council adopt Option 1, as attached, as the 2024 Council Meetings schedule with the 26 March 2024 Council meeting moved from The Well, Smythesdale to Linton Shire Municipal Hall.

The motion was carried.

A division was called.

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

Against: Nil

CARRIED 7/0

AMENDMENT

Moved: Cr Owen Sharkey
Seconded: Cr Clayton Whitfield

That the 26 March 2024 Council meeting held at the Linton Shire Municipal Hall be celebrated as the last Council meeting to be held in that location.

LOST

7.4 COUNCILLOR ENGAGEMENT 2024**EXECUTIVE SUMMARY**

Golden Plains Shire is a large and diverse local government area, and it is Council's responsibility to ensure all community members have an opportunity to engage with Councillors on matters that affect them and the community's future.

The priorities of the Golden Plains communities will differ. The complexity of issues will differ and it is Council's aims to involve and collaborate more, and to champion an early, broad and more deliberative approach with the community.

Council is committed to working with the community to make better decisions in the interest of the Golden Plains Shire and is working to articulate the Council's priorities set out in the 2021 Community Engagement Policy. The Policy sets out a whole-of-council commitment to community engagement where the community will be:

- Confident that their views have been considered and will have access to feedback
- Informed about issues and decisions that may affect their future
- Invited to raise issues and have 'their say'
- Encourage the community to understand, be understood and learn from each other through a productive and inclusive exchange of views.

Reflecting the clear commitment of the Golden Plains Shire councillor group, a successful program of councillor engagement was undertaken in 2021, the first year of the council term. In 2022, a feature of the second year of Council was advocacy for the Federal and State elections.

Balancing these commitments, the 2023 Councillor Engagement Program included participating in two virtual forums for the development of the Budget 2023/24, attending 4 local community events; Inverleigh Food Swap, Linton Food Truck and Movie Night, Golden Plains Farmers Market and Smythesdale Country Market, in addition to various Community Plan launches.

RESOLUTION

Moved: Cr Clayton Whitfield
Seconded: Cr Helena Kirby

That Council:

1. Acknowledge the success of the Councillor Engagement 2023 program.
2. Conduct Community Engagement on the draft Annual Budget in May 2024, including providing the community an opportunity to speak their submissions.
3. Conduct Councillor Listening Posts at the Bannockburn Farmers Market in February 2024 and the Smythesdale Community Market in the first quarter of 2024.
4. Note that it must be concluded by the 30 June 2024.

CARRIED

7.5 MUNICIPAL HEALTH AND WELLBEING PLAN YEAR 2 - MONITORING AND EVALUATION REPORT

EXECUTIVE SUMMARY

This report presents the year 2 monitoring and evaluation report for the Municipal Health and Wellbeing Plan (MPHWP) fulfilling Council's requirements under the Public Health and Wellbeing Act 2008 to review the MPHWP annually. It documents the activities of contributing partners (both internal council departments and external partner organisations) as they work towards improving the health and wellbeing of our communities via the MPHWP action plan.

A wide array of successes and learnings from partner activities are documented, noting significant involvement from additional contributors. The evaluation has introduced medium term impact evaluation questions for the first time with encouraging uptake by partners. The processes used to collect and interpret data will be reviewed and refined for future years of the MPHWP.

RESOLUTION

Moved: Cr Gavin Gamble
Seconded: Cr Clayton Whitfield

That Council:

1. Notes that the Municipal Health and Wellbeing Plan Year 2, Monitoring and Evaluation Report fulfils Council's annual review requirements under the Public Health and Wellbeing Act 2008.
2. Notes that the year 2 monitoring and evaluation process has been effective in documenting both short and medium-term outcomes as well as measuring the collective success of our work across our five health priority areas.
3. Notes that the Community Health and Wellbeing team will revise and update the monitoring and evaluation processes for year 3 of the Municipal Public Health and Wellbeing Plan.

CARRIED

7.6 COVID-19 FINANCIAL HARDSHIP POLICY - RESCIND

EXECUTIVE SUMMARY

Council continues to provide financial hardship support to ratepayers in accordance with the Financial Hardship Policy through several mechanisms. These mechanisms are focussed on providing payment timing flexibility for ratepayers such as monthly and quarterly instalments options, supplemented by the ability to enter into a bespoke payment plan. The COVID-19 Financial Hardship Policy was a temporary policy to provide specific support to ratepayers during the COVID-19 pandemic. This policy lapsed in June 2022 and requires formal rescission.

RESOLUTION

Moved: Cr Owen Sharkey
Seconded: Cr Gavin Gamble

That Council rescind the expired COVID-19 Financial Hardship Policy.

CARRIED

7.7 AWARDING OF TENDER - NETBALL PAVILION - VICTORIA PARK BANNOCKBURN EXECUTIVE SUMMARY

Golden Plains Shire Council wishes to engage suitably qualified and experienced contractors to undertake the construction of a new netball pavilion at Victoria Park Recreation Reserve, Bannockburn.

Following the undertaking of a public tender and evaluation process in accordance with Council's Procurement Policy, it is recommended that Bowden Corp Pty Ltd be appointed to deliver on the project requirements as outlined in the tender specifications.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Les Rowe

That Council:

1. Resolves to award the Contract GPSC-RFT-17-2023- Bannockburn Victoria Park Netball Pavilion project to Bowden Corp Pty Ltd for the sum of \$904,114 excluding GST.
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

CARRIED

7.8 AWARDING OF TENDER - BANNOCKBURN SKATE BOWL

EXECUTIVE SUMMARY

Golden Plains Shire Council wishes to engage a suitably qualified and experienced contractor to undertake the construction of the Bannockburn Skate Bowl and supporting infrastructure located within Victoria Park Recreational Reserve, Bannockburn.

Following the undertaking of a selected tender and evaluation process in accordance with Council's Procurement Policy, it is recommended that Independent Concrete Constructions Pty Ltd (ICC) be appointed to deliver on the project requirements as outlined in the tender specifications.

RESOLUTION

Moved: Cr Gavin Gamble

Seconded: Cr Helena Kirby

That Council:

1. Resolves to award the Contract GPSC-RFT-16-2023 – Bannockburn Skate Bowl Construction Tender to Independent Concrete Constructions Pty Ltd for the cost of \$843,165.40 excluding GST.
2. Resolves to budget a \$50,000.00 contingency sum for the project, equating to a total project budget allowance of \$893,165.40 excluding GST.
3. Note that \$63,635 (excluding GST) of works in the contract relate to drainage maintenance that is separate to the funded project scope and will be funded from the Playgrounds and Skate Park Maintenance budget.
4. Note that the shortfall of \$70,913.23 (inclusive of a Project Construction Contingency allowance) for new Skate Bowl is to be funded from Council's Refurbishment of Playgrounds budget.
5. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

CARRIED

8 NOTICES OF MOTION

8.1 NOTICE OF MOTION - REVIEW OF CONSIDERATION OF PLANNING APPLICATIONS IN FIRST QUARTER OF 2024

I, Councillor Owen Sharkey, give notice that at the next Ordinary Meeting of Council be held on 19 December 2023, I intend to move the following motion:-

RESOLUTION

Moved: Cr Owen Sharkey

Seconded: Cr Clayton Whitfield

That Council conducts a review of the Consideration of Planning Applications in the first quarter of 2024.

CARRIED

8.2 NOTICE OF MOTION - LONG TERM FINANCIAL PLAN REPORT ON LOMANDRA DRIVE, TEESDALE

I, Councillor Clayton Whitfield, give notice that at the next Ordinary Meeting of Council be held on

19 December 2023, I intend to move the following motion:-

RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Les Rowe

1. A detailed report to a Council Briefing be provided within 3 months on the potential impact to the Long Term Financial Plan of directing the profits of the sale of Council owned land in Lomandra Drive, Teesdale to a dedicated Reserve in the 2024/25 budget and onwards.
2. The above report to include potential uses of the land sale profits according to council plan priorities.
3. The report to include where the current proceeds of Lomandra Drive land sales have been spent and what projects/programs the future proceeds / profits are allocated to.

CARRIED

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 Golden Plains Shire - 2024 Community Awards

This matter is considered to be confidential under Section 3(1) - f of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

10.2 Bannockburn Southeast Precinct Structure Plan - Community Infrastructure and Open Space

This matter is considered to be confidential under Section 3(1) - c 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 land use planning information, being information that if prematurely released is likely to encourage speculation in land values.

CARRIED

RESOLUTION

Moved: Cr Les Rowe
Seconded: Cr Owen Sharkey

That Council reopens the Council meeting to the public at 8:38pm and closes the meeting.

CARRIED

The Meeting closed at 8:39pm.

The minutes of this meeting were confirmed at the Council Meeting held on 27 February 2024.

DocuSigned by:

Brett Cunningham

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CHAIRPERSON