



# MINUTES

## Council Meeting

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**6.00pm Tuesday 27 February 2024**

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

NEXT COUNCIL MEETING  
6.00pm Tuesday 26 March 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, 27 FEBRUARY 2024 AT 6.00PM**

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

**IN ATTENDANCE:** Eric Braslis (CEO), Ben Jordan (Acting Director Infrastructure and Environment), Leanne Wilson (Acting Director Community, Planning and Growth), Lynnere 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 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 Clayton Whitfield

Seconded: Cr Gavin Gamble

That the minutes of the Ordinary Council Meeting held on 19 December 2023 be confirmed.

**CARRIED**

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

Cr Cunningham declared a general conflict of interest in relation to items 8.1 Notice of Motion - Dardel Drive and 9.1 Petition - Bannockburn Recreation Precinct 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 the two items and is an objector.

Cr Kirby declared a general conflict of interest in relation to item 7.5 Council Plan 2021-2025 Implementation - Quarter 2 under Section 127 of the Local Government Act 2020. The nature of the interest being that Cr Kirby has a family member who was the general contractor who undertook the works in relation to the public toilets in Rokewood, but this was not in relation to a decision of Council.

**6 PUBLIC QUESTION TIME**

Nil

**PROCEDURAL MOTION****RESOLUTION**

Moved: Cr Clayton Whitfield

Seconded: Cr Gavin Gamble

That items listed at 8.1 Notice of Motion - Dardel Drive and 9.1 Petition - Bannockburn Recreation Reserve on the agenda be considered as the first item on the agenda, ahead of item 7.1 Delegates Reports.

**CARRIED**

**PROCEDURAL MOTION****RESOLUTION**

That Cr Gavin Gamble assume the role of temporary Chair for 8.1 Notice of Motion - Dardel Drive and 9.1 Petition - Bannockburn Recreation Reserve.

**CARRIED**

At 6:07 pm, Cr Brett Cunningham left the meeting.

**8 NOTICES OF MOTION****8.1 NOTICE OF MOTION - DARDEL DRIVE**

I, Councillor Owen Sharkey, give notice that at the next Ordinary Meeting of Council be held on 27 February 2024, I intend to move the following motion:

**MOTION**

That Council:

1. Request the distribution of the Updated Dardel Information Sheet to all petitioners.
2. Request the Updated Dardel Information Sheet be published on the dedicated information page on the Council Website.
3. Request the organisation conduct an Informative Session held by Officers prior to May 2024.

**WITHDRAWN**

## 9 PETITIONS

### 9.1 PETITION - BANNOCKBURN RECREATION PRECINCT

#### EXECUTIVE SUMMARY

A petition containing 265 signatures was submitted to Council on 2 February 2024. The petition relates to 3.5 hectares of Council owned land in the northern part of the Bannockburn Recreation Precinct that Council declared surplus to its needs, and Council's intention to initiate a rezoning, subdivision, and development plan process at its meeting on 23 March 2021. This petition has been received and is submitted to Council in accordance with rule 37 of the Governance Rules.

The petition requests Council to:

- *Direct the Chief Executive Officer to put all processes and actions in relation to the Bannockburn Recreation Reserve on hold, pending a full review and extensive consultation with the local community.*
- *Direct the Chief Executive Officer to ensure that the local community is notified of the opportunity to provide feedback and submissions to Council regarding the review of the decision-making surrounding the Bannockburn Recreation Reserve.*
- *Direct the Chief Executive Officer to provide a report back to Council at its meeting on Tuesday 23 April 2024, which fully outlines the community sentiment on the Council decision-making regarding the reserve, community views on whether this land should be retained (in its entirety) as public open space, and views on whether the sale of the land is needed to fund public infrastructure elsewhere in the municipality.*
- *Direct the Chief Executive Officer to provide a report back to Council at its meeting on Tuesday 23 April 2024 with a recommendation on whether the proposal to develop and potentially sell this land should proceed or should be abandoned.*

A full copy of the petition has been circulated to all Councillors.

#### RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Les Rowe

That Council:

1. Receive the petition.
2. Refer the petition to the Chief Executive Officer for a report to a future Council meeting.

**CARRIED**

At 6:20 pm, Cr Ian Getsom left the meeting.

At 6:22 pm, Cr Brett Cunningham returned to the meeting.

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

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

- Audit Committee
- G21 - Board of Directors
- Central Highlands Councils Victoria
- Peri Urban Group of Rural Councils
- Berrybank Wind Farm Community Engagement Committee
- Municipal Association of Victoria
- Geelong Regional Library Corporation
- Tourism Greater Geelong and the Bellarine Board
- Grampians Central West Waste & Resource Recovery Group - Local Government Forum
- Council Meeting, Strategic Briefing, Councillor Briefing and Portfolio meetings

#### **COMMUNITY ENGAGEMENT / EVENTS**

#### **RESOLUTION**

Moved: Cr Helena Kirby

Seconded: Cr Gavin Gamble

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

**CARRIED**

## 7.2 2024 PRIORITY PROJECTS - ENDORSEMENT

### EXECUTIVE SUMMARY

The Priority Projects 2024 document has been developed by the Golden Plains Shire on behalf of the community. The Priority Projects program outlines key projects crucial for Golden Plain Shire community's growth and well-being. In its essence, the document serves as a strategic list for lobbying State and Federal Government for investment and shares the story of Golden Plains Shire now and into the future.

The document encompasses a range of projects which are not mere aspirations, but essential initiatives that promise tangible benefits to the community. From managing growth, regional priorities and advocacy initiatives, building the economy, regional alliances, to building a stronger, healthier Golden Plains, the document details the project background information, issues and benefits, with embedded links to a library of supporting documents. Each project includes a 'What we need' box that details Council's specific request to the relevant funding body to advance the project.

### RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Helena Kirby

That Council endorse the 2024 Priority Projects listed in the report.

**CARRIED**

## 7.3 BUDGETARY CONSTRAINTS AND FINANCIAL SUSTAINABILITY

### EXECUTIVE SUMMARY

The Local Government sector in Victoria is currently facing several challenges impacting its financial sustainability. This report outlines these issues and emphasises the need for prudent financial monitoring in the preparation of the upcoming draft budget. Recognising the burden of cost-of-living challenges on households, Council acknowledges that rate increases are not the sole solution. To navigate these challenges, Council must explore options such as alternative income streams, consider business improvements / efficiencies and service level reductions.

### RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Gavin Gamble

1. That Council acknowledge the challenging financial environment that is confronting Councils across Victoria in the preparation of 2024-25 Council budgets, and the impact upon the long-term financial sustainability of Councils like Golden Plains.
2. That Council takes this report to its member associations such as the Peri-Urban group of Councils, G21, MAV and Ballarat Regional Alliance for the purposes of lobbying state and federal governments.
3. That Council include in the advertising for the Councillor conversation post to be held on the 16th March 2024 at the Smythesdale Market that the conversation post will include 2024-25 budget information and be seeking feedback from residents regarding budget priorities.
4. That council send this report to Local State Members and the Minister for Local Government.

**CARRIED**

## **7.4 FINANCE REPORT - QUARTER 2**

### **EXECUTIVE SUMMARY**

The Quarter 2 Finance Report outlines the financial results for the six months ended 31 December 2023, together with a comparison to the revised budget adopted by Council (inclusive of carry forwards from 2022-23 and additional funding received to complete projects).

This report includes a summary of Council's financial performance and position for the 2023-24 year up to 31 December 2023, and an update on capital projects as of 31 December 2023. A high-level full year forecast is also included in the financial statements. The Quarter 2 report was presented to the Audit and Risk Committee at their 13 February 2024 meeting.

### **RESOLUTION**

Moved: Cr Clayton Whitfield

Seconded: Cr Owen Sharkey

That Council note the Quarter 2 Finance Report for the 6 months ended 31 December 2023.

**CARRIED**

## **7.5 COUNCIL PLAN 2021-2025 IMPLEMENTATION - QUARTER 2**

### **EXECUTIVE SUMMARY**

To update Council on the progress made in implementing Year 3, Quarter 2 actions of the Council Plan 2021-2025.

### **RESOLUTION**

Moved: Cr Clayton Whitfield

Seconded: Cr Gavin Gamble

That Council note the implementation of the Year 3, Quarter 2 actions (1 October to 31 December 2023) of the Council Plan 2021-2025.

**CARRIED**

## **7.6 LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK (LGPRF) MID-YEAR 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 and Risk Committee and Council on a six-monthly basis and included in the Golden Plains Shire Council Annual Report.

### **RESOLUTION**

Moved: Cr Owen Sharkey

Seconded: Cr Clayton Whitfield

That Council note the attached mid-year report on the Local Government Performance Reporting Indicators for the period 1 July 2023 to 31 December 2023.

**CARRIED**



## **7.7 G21 REGIONAL FOOTBALL (SOCCER) STRATEGY - ENDORSEMENT**

### **EXECUTIVE SUMMARY**

The G21 Regional Football Strategy aims to guide the future planning and development of football (soccer) throughout the G21 Region for the next 10 years.

The Strategy is an initiative of Football Victoria and the G21 Sport & Recreation Pillar, and has been informed by a facilities audit, participation data and the collaboration and engagement of stakeholders in the G21 Region, including the five participating Councils. The document highlights key findings, current trends and strategic priorities for football throughout the G21 Region, including for Golden Plains Shire.

The Draft G21 Regional Football Strategy was provided to the member Councils to enable a formal public exhibition process, including allowing for broader feedback from the community. A single response relating to Golden Plains Shire was received. Whilst this was considered, no changes were made to the final document.

### **RESOLUTION**

Moved: Cr Les Rowe

Seconded: Cr Helena Kirby

That Council endorse the G21 Regional Football (Soccer) Strategy, as attached.

**CARRIED**

## **7.8 TRACKS AND TRAILS STRATEGY - ADOPTION**

### **EXECUTIVE SUMMARY**

The 'Tracks and Trails Strategy' aims to guide the future planning, development and activation of Tracks and Trails across Golden Plains for the next 10 years. Council received funding under Sport and Recreation Victoria's (SRV) Local Sports Infrastructure Fund: Planning Stream, to support the delivery of this strategy.

The process to develop this strategic document commenced in late 2022, and the final document highlights key findings, current trends and strategic priorities for Tracks and Trails throughout Golden Plains Shire and the wider region. It also responds to feedback collected following an extensive community consultation process.

The 'Tracks and Trails Strategy' has been reviewed by officers and SRV representatives and the Draft Strategy and Detailed Action Plan were made available to the Golden Plains community for a period of six [6] weeks from 30 November 2023 to 11 January 2024. Feedback received during the public exhibition process has been considered and has informed the final Strategy.

### **RESOLUTION**

Moved: Cr Gavin Gamble

Seconded: Cr Les Rowe

That Council:

1. Adopt the Tracks and Trails Strategy (2023–2033) and supporting Detailed Action Plan, as attached.
2. Include Tracks and Trails as a project within the 2024 Priority booklet to advocate for future funding opportunities within Golden Plains.

**CARRIED**

## **7.9 AWARDING OF TENDER - CONSTRUCTION OF THE HENDERSONS ROAD BRIDGE, BAMGANIE**

### **EXECUTIVE SUMMARY**

Golden Plains Shire Council sought tenders from suitably qualified and experienced contractors for the replacement of Taylors Bridge over Wilsons Creek on Hendersons Road, Bamganie. The proposed two-lane bridge will have a design life of 100 years and services the farming community of Bamganie. The works are 80% funded via the Federal Bridge Replacement Program – Round 6.

### **RESOLUTION**

Moved: Cr Les Rowe

Seconded: Cr Helena Kirby

That Council:

1. Resolves to award Contract RFT-20-2023 – Replacement of Hendersons Road Bridge, Bamganie – to Road and Bridge Pty Ltd for the sum of \$742,401.48 exclusive of GST.
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

**CARRIED**

## **7.10 AWARDING OF TENDER - INVERLEIGH ACTIVE YOUTH SPACE**

### **EXECUTIVE SUMMARY**

Golden Plains Shire Council wishes to engage a suitably qualified and experienced contractor to undertake the construction of the Inverleigh Active Youth Space located within Yerram Yaluk Bun Park, Inverleigh.

Following the undertaking of a selected tender and evaluation process in accordance with Council's Procurement Policy, it is recommended that LJM Construction be appointed to deliver the project requirements as outlined in the tender specifications.

### **RESOLUTION**

Moved: Cr Clayton Whitfield

Seconded: Cr Owen Sharkey

That Council:

1. Resolves to award the Contract GPSC-RFT-24-2023 – Inverleigh Active Youth Space Tender to LJM Construction (Australia) Pty Ltd for the cost of \$2,053,608.14 (excluding GST).
2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.

**CARRIED**

**7.11 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.

In February 2023, Council updated the Instrument of Delegation and requested that a report be re-tabled in 12 months' time.

This report considers a couple of options to amend the Chief Executive Officer's delegation, including an increase based on CPI or based on benchmarking of similar Councils. In addition, Council may wish to consider inclusion within the delegation, projects already approved as part of annually adopted Council budget but over the delegation limit.

**MOTION**

Moved: Cr Les Rowe  
Seconded: Cr Helena Kirby

That Council retain the current financial delegation level to the CEO in the amount of \$450,000 excluding GST.

**LOST****ALTERNATE MOTION**

Moved: Cr Owen Sharkey  
Seconded: Cr Clayton Whitfield

That Council:

1. Defer any changes to the CEO financial delegation.
2. Request a report to the March meeting to consider the establishment of a Councillor Contracts Committee, delegated to consider contracts above the CEO delegation.

**The motion was carried****A division was called.**

In Favour: Crs Gavin Gamble, Owen Sharkey, Brett Cunningham and Clayton Whitfield

Against: Crs Helena Kirby and Les Rowe

**CARRIED 4/2**

## SUSPENSION OF STANDING ORDERS

### RESOLUTION

Moved: Cr Clayton Whitfield

Seconded: Cr Owen Sharkey

A motion was moved that Council suspend standing orders at 8 15 pm.

**CARRIED**

The meeting resumed at 8:20 pm.

## 7.12 REVIEW OF INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING & ENVIRONMENT ACT 1987

### EXECUTIVE SUMMARY

The appointment of authorised officers under the *Planning and Environment Act 1987* (the Act) cannot be delegated and must be made through resolution of Council. The Instrument of Appointment and Authorisation (the Instrument) under the Act was last reviewed and adopted by Council in September 2023. A review of the instrument has now been completed and updated to reflect the requirement for additional staff members from the Community, Planning and Growth directorate to carry out authorised officer duties under the Act.

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

### RESOLUTION

Moved: Cr Owen Sharkey

Seconded: Cr Gavin Gamble

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 26 September 2023 is revoked.

**CARRIED**

**7.13 COUNCILLOR EXPENSES AND MEETING ATTENDANCE REPORT - QUARTER 2****EXECUTIVE SUMMARY**

The report provides a record of expenditure made on behalf of Councillors in the performance of their duties for Quarter two of 2023/24. 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 Owen Sharkey  
Seconded: Cr Clayton Whitfield

That Council note the contents of the Councillor Expenses and attendance report for Quarter 2.

**CARRIED**

**7.14 COUNCIL MEETING DATE - JULY 2024****EXECUTIVE SUMMARY**

Council adopted the schedule for the 2024 scheduled Council meetings on 19 December 2023. In the approved schedule, the July Council Meeting was scheduled for 27 July 2024. This was a typographical error, as 27 July 2024 is a Saturday, and the intended date was Tuesday 23 July 2024. Section 18.2 of Golden Plains Shire Council's Governance Rules states that Council may by resolution change the date, time and place of any Council meeting and must provide reasonable notice of the change to the public. It is therefore recommended that Council resolve to move the July Council Meeting from Saturday 27 July 2024 to Tuesday 23 July 2024.

**RESOLUTION**

Moved: Cr Owen Sharkey  
Seconded: Cr Clayton Whitfield

That the Council Meeting be amended from Saturday 27 July 2024 to Tuesday 23 July 2024.

**CARRIED**

**7.15 AUDIT AND RISK COMMITTEE MEETING MINUTES - 13 FEBRUARY 2024****EXECUTIVE SUMMARY**

This report is being submitted to Council to provide a summary of business considered at the 13 February 2024 meeting of the Audit & Risk Committee. The unconfirmed minutes are attached to this report for noting.

**RESOLUTION**

Moved: Cr Owen Sharkey  
Seconded: Cr Clayton Whitfield

That Council note the unconfirmed minutes from the Audit & Risk Committee meeting held on 13 February 2024.

**CARRIED**

## 10 CONFIDENTIAL REPORTS FOR DECISION

### RESOLUTION

Moved: Cr Les Rowe  
Seconded: Cr Gavin Gamble

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 Acquisition of Easement for Drainage Purposes

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.

**CARRIED**

### RESOLUTION

Moved: Cr Owen Sharkey  
Seconded: Cr Gavin Gamble

That Council reopens the Council meeting to the public at 8.50pm and close the meeting.

**CARRIED**

**The Meeting closed at 8:51pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 26 March 2024.**

DocuSigned by:

*Brett Cunningham*

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**CHAIRPERSON**