



GOLDEN PLAINS SHIRE

MINUTES

Ordinary Council Meeting

6.00pm Tuesday 26 November 2019

VENUE:

**Bannockburn Cultural Centre
27 High Street, Bannockburn**

NEXT ORDINARY COUNCIL MEETING

6.00pm Tuesday 17 December 2019

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**MINUTES OF GOLDEN PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE BANNOCKBURN CULTURAL CENTRE, 27 HIGH STREET, BANNOCKBURN
ON TUESDAY, 26 NOVEMBER 2019 AT 6.00PM**

PRESENT: Cr Helena Kirby, Cr David Evans, Cr Joanne Gilbert, Cr Nathan Hansford, Cr Des Phelan, Cr Les Rowe, Cr Owen Sharkey (Mayor)

IN ATTENDANCE: Eric Braslis (CEO), Steven Sagona (Acting Director Assets and Amenity), Philippa O'Sullivan (Director Corporate Services), Lisa Letic (Director Community Services), Candice Robinson (Corporate Governance and Risk Coordinator)

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

Council acknowledge the traditional Wadawurrung owners of the land where we meet today. Council pays its respects to Wadawurrung Elders both past and present and 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 Nathan Hansford
Seconded: Cr David Evans

That the minutes of the Ordinary Council Meeting held on the 22 October 2019 and the Special Council Meeting held on the 6 November 2019 be confirmed.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Nil.

6 PUBLIC QUESTION TIME

DAVID JENNINGS

Question 1

During the Mayoral & Deputy Mayoral speeches at the elections (6 November 2019) both Cr Sharkey and Cr Gilbert spoke of the difficulties that rate capping constraints have on the budget. Cr Gilbert stated that that from her perspective, she sees the supporting of all residents living in our Shire as a priority, whilst at the same time acknowledging that rate capping had put a burden on you all as a group as it is then difficult to deliver as many services as possible. Any Council seeking to increase rates above the minister's cap will have to demonstrate community engagement and a long term funding need. If given the choice, would you as our elected councillors support the GPSC in seeking a variation from the government or would you support the ratepayers by keeping the rate cap at 2.5%?

Response (DIRECTOR CORPORATE SERVICES)

At this point in time, Council has not considered the option to seek a rate variation. If Council were consider this option, an extensive process must be undertaken as set by the State's independent regulator, the Essential Services Commission. (ESC). This includes demonstrating how the views of ratepayers and the community have been considered in proposing the higher cap.

ANDREA BOLTON

Question 1

Background to my question: It is written on Page 5 paragraph 4 of the Attachments Under Separate Cover Ordinary Council Meeting 6.00 p.m. Tuesday 26 November 2019 something I did not see written anywhere in the draft Amendment C87 gpla to the Inverleigh Structure Plan

"Council has local policy at Clause 21.11 on Floodplain Management and Clause 22.12 on Heritage which are also relevant to Inverleigh. The Local Planning Policy Framework (LPPF) and Municipal Strategic Statement (MSS) of each Council planning scheme is being translated to the new Planning Policy Framework (PPF). This is happening across the State. As a consequence of this PPF translation, current local planning policy will be modified, including the local policy for Inverleigh at Clause 21.07-5, regardless of the outcome of Amendment C87 gpla". Against that background my question is :

What does this mean with regard to the Inverleigh Structure Plan and the implementation of C87 gpla and any ultimate recommendation of the Panel?

Response (DIRECTOR ASSETS AND AMMENITY)

The State Government Department of Environment, Land, Water and Planning is leading a project in which the policy sections of all Planning Schemes in Victoria will be simplified. The changes will reduce duplication while increasing user-friendliness and consistency of format between Planning Schemes. The new Planning Policy Framework will simply reflect existing planning policy. It is a policy neutral translation that doesn't change the intent of any existing policy. The implications of this for the Inverleigh Structure Plan and the implementation of Amendment C87, if ultimately approved by the Minister for Planning, will be administrative only. There will be no implications in terms of strategic land use planning directions and policy objectives as a result of this translation.

Question 2

What will this look like in physical terms on the ground for the township of Inverleigh?

Response (DIRECTOR ASSETS AND AMMENITY)

As per the previous answer, the implications of the State Government's policy translation project is administrative only. There will be no implications for what might or might not occur on the ground at Inverleigh or anywhere else as a result of this translation.

ROSEANNE GUIJT acting as proxy for JOHN BOLITHO

Question 1

Submitters have identified deviations from bushfire planning guidelines in proposed Berthon Estate part of C87. Neither DEWLP, Parks Vic or Council will discuss fire risks relating to the Common with the community or answer formal letters for information. The question is: what steps will Council undertake to urgently broker reassurances from DEWLP PV and its own inspections to adjoining residents about fuel loads and mitigation given recent catastrophic fires in NSW/Qld and ESC warnings for Victoria?

Response (DIRECTOR ASSETS AND AMMENITY)

Parks Victoria (not DELWP) is responsible for the Common. Council has recently contacted Parks Victoria relating to upcoming fire season preparedness and was advised by the Parks Vic Ranger Team Leader that: "Starting mid November this year we commenced slashing along Common Rd from the intersection of Teesdale-Inverleigh Rd 2.5km down to the entry to the golf club. This slashed roadside break is 40 meters deep and 2.5km long. We are also slashing the eastern boundary starting from the information board and heading northeast behind the golf course along Link Track to the most north eastern corner of the reserve. This slashed break is 2.6km long and 40 meters deep. I have highlighted (in an map) all the tracks we slash and remove fallen timber, all tracks are cleared and open for fire access all year round. A large amount of Machine mulching has taken place along the eastern boundary and this is providing an excellent break for the private property to the south of the reserve. As you are aware, the reserve is predominantly grassy understory with minimal heavy timbers, we are able to treat the grass fuel loads with our slashing program to provide a level of access and fire suppression that allows us to respond to a fire in the reserve safely." (end quote). Council has undertaken its own inspections of the area. It has identified properties to the north of the river that require their own maintenance and reduction of fine fuels (i.e. grass slashing). Council only issues a fire prevention notice when there is a risk to life and property. Officers are guided by CFA guidelines that include distances from a shed or house. Unfortunately fires will happen, however the work Council does in inspecting properties will hopefully mitigate the damage caused by a fire.

DAVID HEAD

Question 1

On Monday the 4th November I hand delivered a letter to the council offices addressed to the CEO cc the Mayor Cr.Sharkey. In that letter I stated that the data presented in the previous three budgets suggested that although the Bannockburn Childcare service is scheduled to make a loss this financial year it made profits in the two previous years. I further suggested that the "hidden costs" of \$77000 referenced in the Best Value Review of the service makes the current years estimated loss \$175,000.

I suggested that without full disclosure of the costs and income generated in running the service it is pointless asking for comment and input on the Best Value Review from ratepayers. There is in my opinion a lack of transparency of costs for the service and therefore no ability for ratepayers to make meaningful input.

This being the case, I asked that the CEO provide a breakdown of the finances for the service for the past three years. I suggested that the declared profit and loss account and details of any "hidden" cost such as the previously undeclared cost of maintenance etc. would provide me with the information I require to make an informed decision as to whether the Service runs at a profit or, as I suggest, a loss in excess of \$17500 this year.

My request for information is now over three weeks old. Would the Mayor please advise what action he has taken to expedite my request for this information.

Response (DIRECTOR COMMUNITY SERVICES)

All of the financial information requested is currently available within Councils Annual Budgets and Annual Reports, however we do appreciate that within all of these documents, the service has also incorporated not only costs associated with Childcare Services but also Kinder and other Early Years services operating out of the Bannockburn Children Services centre. In future years, it is proposed that each of these functions be individually costed so that the true costs and operating surplus or deficit can be better made publicly available. Generally speaking however, Childcare services have consistently run at a loss.

ROSEANNE GUIJT

Question 1

Amendment C87 and supporting documentation including the bushfire risk assessment appeared to be outdated. Please indicate which documents were purpose prepared and which ones were revised from previous versions. Please include an overview of the briefing notes, timeframe and efforts in preparation and review and responsibility for these in the answer. Also include in your answer if these were prepared internally or externally, and what the associated budget and timeframe were and if the documents were delivered within time and budget.

Response (DIRECTOR ASSETS AND AMMENITY)

I note that this question contains a number of questions and requests. I will therefore answer what I consider to be the substantive matter being raised by the questioner - that is, the status of the supporting information. To the best of Council's knowledge, supporting documentation accompanying Amendment C87 was all current at the time of preparation. If Amendment C87 is to progress any further toward approval, an Independent Panel will need to be established by the Minister for Planning. In its assessment of the planning merits of the Amendment, the Panel would consider all of the supporting documentation and any public submissions that add to or challenge this information.

Question 2

Golden Plains Shire Council is a vibrant and progressive organisation committed to a corporate culture of community focus, innovation, equity and leadership. Could you please provide the statistics of the diversity and power balance GPS aims for in its decision making, and reflect how the decision making processes around C87 and C75 met the benchmarks GPS has set for itself? Considering recent reports of unprofessional behavior by council members, could you please indicate what measures GPS has put in place to ensure all parties feel in a position to express their opinion and their opinion is weighed equitably?

Response (DIRECTOR ASSETS AND AMMENITY)

In all of its decision-making, Council is guided by relevant legislation, regulation, codes and policy. In the case of Amendments C75 and C87, Council's decision-making process has been informed by, and consistent with, the requirements of the Local Government Act 1989 and the Planning & Environment Act 1987.

MARGARET CARNEY

Question 1

The U.N. has declared that we have until end of 2020 (just over 12 months) to make decisions and take actions to keep climate change within survivable levels. The consequences of not taking action on personal, local and global levels will be dire for our children and young people. Will Golden Plains declare a climate emergency and take immediate action - eg transition our Shire away from fossil fuels to renewable energy, assist farmers in drawing down carbon through regenerative farming, to help create a safe future for ourselves, our farmers, our flora and fauna, our livelihoods and especially our children? Hepburn Shire is an inspiration
<https://www.hepburn.vic.gov.au/waste-environment/sustainable-living/>

Response (DIRECTOR ASSETS AND AMMENITY)

Council is aware that some other municipalities have declared a climate emergency. Council is active in the planning and implementation of local environmental programs including supporting and working with local environment groups. Council is also active within regional bodies such as G21 which play a broader role in contributing to regional, state and national work and advocacy on climate change prevention and mitigation. At this point in time, however, Council has not considered and does not plan to consider a declaration of climate emergency for Golden Plains Shire.

PROCEDURAL MOTION

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr David Evans

That Council resolves that the confidential report (Bannockburn Children's Service Long Day Care - Service Review) listed in Item 10 of the Agenda is no longer confidential save the attachments to the report which are to remain confidential.

CARRIED

7 BUSINESS REPORTS FOR DECISION

7.1 ASSEMBLY OF COUNCILLORS

EXECUTIVE SUMMARY

To present Council with written records of Assembly of Councillors in accordance with section 80A of the Local Government Act 1989 from 23 October 2019 to 25 November 2019.

RESOLUTION

Moved: Cr Les Rowe

Seconded: Cr David Evans

That Council notes the Assembly of Councillors Record from 23 October 2019 to 25 November 2019 as attached.

CARRIED

7.2 DELEGATES REPORT - 23 OCTOBER 2019 TO 25 NOVEMBER 2019**Cr Owen Sharkey**

23 October	Community Engagement Essentials training
24 October	Tourism Geelong and Bellarine Annual General Meeting
25 October	G21 Board Meeting
25 October	CHCV Mayor's and CEO's Meeting
31 October	Committee for Geelong Annual Dinner and Graduation
6 November	Special Council Meeting (Mayoral Election)
7 November	St Joseph's Catholic Parish of Meredith Meeting
11 November	Remembrance Day ceremony
11 November	Geelong Art's Centre Grand Opening
12 November	Audit & Risk Committee Meeting
14 November	G21 Annual General Meeting
16 November	Conversation Post Dereel
19 November	Councillor Briefing Meeting
20 November	Presentation at P-12 Bannockburn College

All other Councillors gave a verbal update on their attendances of various Council and community functions over the month.

RESOLUTION

Moved: Cr Joanne Gilbert
Seconded: Cr Nathan Hansford

That Council receive and note the Delegates Report – 23 October 2019 to 25 November 2019.

CARRIED

7.3 P19-014 THREE LOT SUBDIVISION AT 8 MERINO DRIVE, TEESDALE**EXECUTIVE SUMMARY**

This report relates to a planning permit application for the development of land for the purposes of a three (3) lot subdivision at 8 Merino Road, Teesdale. The application has been referred to the Council meeting for determination because there are objections to the application. This report provides background to the application and a summary of the relevant planning considerations.

The application was referred to Council's Works department for the consideration of drainage matters. Works did not object to the proposal and have also recommended conditions to address drainage and access. Works are required to be undertaken in accordance with Council's Infrastructure Design Manual (IDM).

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr David Evans

That Council defer this item to the next Ordinary Council meeting to allow more time for Council to consider the status of the driveway and the overall lot area.

CARRIED

7.4 P19-134 TWO LOT SUBDIVISION AT LOT 3 PS 331084 BANNOCKBURN-SHELFORD ROAD , TEESDALE**EXECUTIVE SUMMARY**

This report relates to a planning permit application for the development of land for the purposes of a two lot subdivision at Lot 3 PS 331084U Bannockburn-Shelford Road, Teesdale. This report provides a background to the application and a summary of the relevant planning considerations.

The objectors are concerned that the proposed subdivision will have a detrimental impact on the character of the area. Concerns were raised with lot sizes becoming smaller, minimal spacing between dwellings, and less opportunity for landscaping.

The Low Density Residential Development Policy (Clause 22.09) applies to all land in the LDRZ. The policy aims to protect the character and amenity of low density residential areas and ensure that new subdivisions are capable of containing on site effluent disposal and have adequate infrastructure. The proposal satisfies the policy as the proposed lots exceeds the minimum lot size of 400sqm (0.4 ha) and are consistent with the development in the surrounding area. In addition the lots are considered to be capable of treating and retaining effluent on-site and have access from the sealed road.

Speakers:

Debbie Smith (Objector)

Ellen Jennings (Objector)

RESOLUTION

Moved: Cr Des Phelan

Seconded: Cr Nathan Hansford

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for the development of a two lot subdivision at Lot 3 PS 331084 Bannockburn-Shelford Road , Teesdale subject to the conditions as attached.

CARRIED

7.5 P19-055 PLACE OF ASSEMBLY, GROUP ACCOMMODATION AND A LIQUOR LICENSE AT 199 TEESDALE-INVERLEIGH ROAD, INVERLEIGH

EXECUTIVE SUMMARY

This report relates to a planning permit application for the use and development of land for a place of assembly (function centre), group accommodation and a liquor license at 199 Teesdale-Inverleigh Road, Inverleigh. This report provides a background to the application and a summary of the relevant planning considerations.

RESOLUTION

Moved: Cr Les Rowe
Seconded: Cr Des Phelan

That Council resolves to issue a Notice of Decision to Grant a Permit for the use and development of land for a place of assembly (function centre), group accommodation and a liquor license at 199 Teesdale-Inverleigh Road, Inverleigh.

Notation

The subject site is located within the Farming Zone. The main purpose of the zone is to provide for use of land for agriculture.

Therefore, the site may be subject to impacts associated with the ongoing use of the adjoining land for agricultural purposes.

CARRIED

7.6 AMENDMENT C87 INVERLEIGH STRUCTURE PLAN - POST EXHIBITION

EXECUTIVE SUMMARY

Amendment C87gpla was exhibited between 16 August and 16 October 2019.

As a result of the exhibition process, 91 submissions were received. A number of submissions support the amendment, others provide corrections and suggest modifications, whilst a number of submissions do not support the Amendment based on a range of issues.

In these circumstances it is appropriate that submissions be considered by an independent Panel. This will allow for a robust review of the key directions of the Inverleigh Structure Plan.

RESOLUTION

Moved: Cr Des Phelan
Seconded: Cr Nathan Hansford

That Council request the Minister for Planning to appoint a Panel pursuant to Section 23(1)(b) of the *Planning and Environment Act 1987* to consider all submissions to amendment C87gpla and make recommendations regarding the amendment.

CARRIED

7.7 AMENDMENT C88 - BANNOCKBURN SHIRE HALL - ADOPTION

EXECUTIVE SUMMARY

Amendment C88gpla seeks to rezone land at 12 High Street, Bannockburn from PUZ6 (Local Government) to Commercial 1 Zone (C1Z). The subject site currently contains a playground, war memorial, commemorative forecourt and the Bannockburn Shire Hall. The Council Chambers as part of the Golden Plains Community & Civic Centre development are due for completion in early 2020 and therefore the subject site will no longer be required for Local Government purposes.

The Bannockburn Shire Hall is recognised as a building of historic significance and it has served the community well for more than 100 years. Appropriate planning controls are place to ensure the protection of the heritage place long into the future.

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr Joanne Gilbert

That Council:

1. Adopt Amendment C88gpla (Attachment 1), to rezone land at 12 High Street, Bannockburn from Public Use Zone Schedule 6 (PUZ6) to Commercial 1 Zone (C1Z).
2. Request the Minister for Planning to approve Amendment C88gpla in accordance with section 31 of the *Planning and Environment Act 1987*.

CARRIED

7.8 INVERLEIGH PLAY SPACE NAMING PROPOSAL - PUBLIC SUBMISSIONS

EXECUTIVE SUMMARY

At its meeting held on 27 August 2019, Council resolved to endorse the proposed name 'Inverleigh River Park' for the parcel of land as shown in the attached map, advertise its intention to name the parcel of land 'Inverleigh River Park' and commence a public consultation period.

The public consultation period commenced on Thursday, 19 September 2019 and closed on Friday, 18 October 2019. A public notice was included in the Golden Plains Times on the 19 September 2019 and in the October 2019 edition of the Leigh News. This was supported by posts on Council's website and social media pages.

One submission was received as a result of this public consultation period. The submission did not directly object to the proposed name however, proposed alternate name suggestions which have been considered in detail and are summarised in the report.

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr Helena Kirby

That Council resolve to name the parcel of land proposed for the new Inverleigh Play Space (see attached map) "Inverleigh River Park" and proceed with official gazettal of the name.

CARRIED

7.9 MEREDITH INTERPRETIVE CENTRE - EOI FOR LEASE

EXECUTIVE SUMMARY

The Council owned and managed Meredith Interpretive Centre has been vacant since May 2019, since that time an expression of interest process was undertaken to identify a future potential tenant. This report provides details of the outcome of the expression of interest and recommends that Council enter into a lease with CLAW Enterprises Pty Ltd for the provision of a creative social enterprise, subject to successful negotiations.

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr David Evans

That Council:

1. Note the Expressions of Interest received for leasing the Meredith Interpretive Centre.
2. Having been through the evaluation process, authorise the Chief Executive Officer or his delegate to enter into lease negotiations with CLAW Enterprises Pty Ltd to lease the Meredith Interpretive Centre, with final lease conditions to be presented to Council for final approval.

CARRIED

7.10 UPDATE ON NEW REQUIREMENTS FOR SWIMMING POOLS AND SPAS

EXECUTIVE SUMMARY

This report provides a second update to councillors regarding the impending swimming pool and spa barrier regulations.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Les Rowe

That Council notes this update regarding new State Government requirements for swimming pool and spa compliance.

CARRIED

7.11 LOCAL GOVERNMENT INSPECTORATE EXAMINATION – PROGRESS REPORT

EXECUTIVE SUMMARY

In November 2018 Golden Plains Shire Council participated in an examination by the Local Government Inspectorate (LGI) to ensure Council's processes and practices, specifically, in relation to governance and procurement, met the requirements of the Local Government Act 1989 (the Act).

The LGI lodged a report on 28 February 2019 detailing the results on the examination.

A number of recommended actions were made by the LGI to improve current process and practices. Council were supportive of all the recommendations contained within the LGI report and a number of activities undertaken to implement the recommendations made.

The following papers have previously been provided to the LGI, the Audit and Risk Committee and Council:

- Council's initial response to the examination (April 2019); and
- Progress Report (August 2019).

It was agreed with the LGI that a further progress report be provided by the 1 November 2019. Council lodged its second Progress Report (Attachment 1) on the 31 October 2019. A copy of that report was provided to the Audit and Risk Committees at its November 2019 meeting and is now presented to Council.

RESOLUTION

Moved: Cr Joanne Gilbert

Seconded: Cr David Evans

That Council:

1. Receive and note the update on the Local Government Inspectorate Golden Plains Shire Council Examination including the Progress Report lodged with the Local Government Inspectorate on 31 October 2019 (Attachment 1).
2. Note that all agreed actions have now been reported as completed and no outstanding actions remain.
3. Note the Progress Report and Procurement Report will be made publically available on Councils website.

CARRIED

7.12 LOCAL GOVERNMENT PERFORMANCE REPORTING INDICATORS - PROGRESS REPORT

EXECUTIVE SUMMARY

Council is required under the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014 to report on its performance in accordance with the Local Government Performance Reporting Framework (LGPRF).

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

The Audit and Risk Committee previously requested that Management provide progress reports to be tabled in February and September and include trend data reporting and detailed commentary on results. The September report was held off until November as data was still being checked and finalised at the date of the September Meeting.

The final progress report for the period 01 July 2018 to 30 June 2019 was provided to the Audit & Risk Committee at their meeting on 12 November 2019 and is now presented for Council's information (Attachment 1).

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Des Phelan

That Council:

1. Receive the report on the Local Government Performance Reporting Indicators (Attachment 1) for the period 01 July 2018 to 30 June 2019.
2. Note the Know Your Council Performance Summary Report 18/19 (Attachment 2).

CARRIED

7.13 AUDIT & RISK COMMITTEE REPORT - 12 NOVEMBER 2019

EXECUTIVE SUMMARY

This report is being submitted to Council to provide a summary of business considered at the 12 November 2019 meeting of the Audit & Risk Committee.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Les Rowe

That Council receive the Audit & Risk Committee report from the meeting of 12 November 2019.

CARRIED

7.14 QUARTERLY FINANCE REPORT

EXECUTIVE SUMMARY

As at 30 September 2019, the Income Statement reports total operating revenue of \$26.9m and total operating expenditure of \$10.1m, which results in a year to date surplus of \$16.8m. This is a \$1.8m unfavourable variance to the original budget, and \$0.003k favourable variance to the revised budget.

The Capital Works Statement indicates total capital works expenditure of \$4.0m, which is \$1.1m above the original budget, and \$0.1m above the revised budget.

The Finance Quarterly Report for quarter one was also presented at the 12 November 2019 Audit and Risk Committee meeting whereby the Committee recommended that Council receive and note the report and attachments at the November Council meeting.

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Des Phelan

That Council adopts the Budget Report for the 3 months ended 30 September 2019.

CARRIED

7.15 COUNCILLOR ENTITLEMENTS AND REIMBURSEMENT POLICY

EXECUTIVE SUMMARY

The Local Government Act 1989 specifies that Council must adopt and maintain a policy in relation to the reimbursement of expenses for Councillors and members of special committees.

The Councillor Reimbursement Policy was last reviewed and adopted by Council at its meeting held on 28 July 2015.

A review of the Councillor Reimbursement Policy (retitled to Councillor Entitlements and Reimbursement Policy) has been undertaken. Significant changes are proposed to strengthen the policy and ensure consistency with the Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources and best practice across the sector.

Proposed changes of significance include, but are not limited to:

- clearly defining the resources and support to be provided by Council to Councillors;
- clearly defining eligible expenditure that may be reimbursed to Councillors and members of Special Committees when incurred in the performance of their duties;
- strengthening the procedures and processes to be followed;
- cosmetic changes including re-formatting the policy to bring it into alignment with the approved Policy template.

The policy was endorsed by the Audit and Risk Committee at its 12 November 2019 meeting and is now provided for Council's consideration and adoption.

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Nathan Hansford

That Council adopts the Councillors Entitlements and Reimbursement Policy as attached.

CARRIED

7.16 GIFTS, BENEFITS AND HOSPITALITY POLICY

EXECUTIVE SUMMARY

Each public sector organisation is required to develop and implement a gifts, benefits and hospitality framework and policy.

A review of the Golden Plains Shire Council gifts, benefits and hospitality framework and policy has recently been undertaken.

The review encouraged the current Policy to be re-modelled in accordance with the Victorian Public Sector Commission's (VPSC) Gifts, Benefits and Hospitality – Policy Guide and the Department of Environment, Land, Water and Planning (DELWP) Gifts, Benefits and Hospitality – Model Policy.

Whilst it is not mandated for councils to adopt the DELWP model policy, Council has an opportunity to adopt a policy that is in line with contemporary public sector best practice guidelines and community expectations of public officials.

Currently Council's framework encompasses an Organisational Policy applicable only to staff and separate provisions for the Mayor and Councillors in the Councillor Code of Conduct. It is now recommended that Council adopt a clear position in relation to the acceptance and provision of gifts benefits and hospitality and a Council Policy document that is applicable to both Councillors and staff.

Proposed changes of significance include, but are not limited to:

- clearly defining the types of gifts, benefits and hospitality;
- increasing declaration requirements;
- changes to the provision of catering and alcohol, specifically, no alcohol to be purchased with Council funds at internal events and prescribed limits for external events; and
- publish a public version of the gifts, benefits and hospitality register on Council's website.

The draft Gifts, Benefits and Hospitality Policy was presented to Audit and Risk Committee at its 10 September 2019 meeting. The committee recommended that following presentation to the Staff Consultative Committee in early November 2019 that Council consider and adopt the policy at its 26 November 2019 Council meeting.

SUSPENSION OF STANDING ORDERS

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr Les Rowe

A motion was moved that Council suspend standing orders.

CARRIED

RESUMPTION OF STANDING ORDERS

RESOLUTION

Moved: Cr Joanne Gilbert

Seconded: Cr Les Rowe

A motion was moved that Council resume standing orders.

CARRIED

Cr Nathan Hansford left the meeting at 8:30pm.

Cr Nathan Hansford returned to the meeting at 8:34pm.

MOTION

Moved: Cr Les Rowe

Seconded: Cr Des Phelan

That Council adopt the Gifts, Benefits and Hospitality Policy as attached, subject to the following changes:

1. The removal of part of clause 5.2.7 being:

Alcohol may be purchased with Council funds to serve at functions for external guests based on:

- Provision of alcohol would be relatively uncommon and be associated with a meal,
- Any event where alcohol is served should be held at a time that minimises the risk of employees returning to work impaired by alcohol (e.g. if standard office hours worked, the event should be held in the late afternoon or early evening;)
- Events with alcohol service do not exceed two hours in duration;
- No more than two standard drinks per person are provided; and
- The provision of alcohol should be incidental to the overall level of hospitality provided

2. The addition of the word 'external' to the heading of clause 5.2.8 to read *Providing alcohol at internal and external events.*

Cr Nathan Hansford foreshadowed a motion that should this motion be lost he will move the original recommendation.

LOST

The foreshadowed motion became the substantive motion.

MOTION

Moved: Cr Nathan Hansford

Seconded: Cr Joanne Gilbert

That Council adopt the Gifts, Benefits and Hospitality Policy as attached.

LOST

7.17 SALE OR EXCHANGE OF COUNCIL LAND POLICY

EXECUTIVE SUMMARY

The Local Government Inspectorate Golden Plains Shire Council Examination Report (February 2019) recommended that Council develop a Sale of Land Policy.

A Sale or Exchange of Council Land Policy has been now developed with reference being made to the Local Government Best Practice Guideline for the Sale, Exchange & Transfer of Land (June 2009). In development of the policy, benchmarking against other Council policies was undertaken.

The policy was endorsed by the Audit and Risk Committee at its 12 November 2019 meeting and is now provided for Council's consideration and adoption.

RESOLUTION

Moved: Cr Joanne Gilbert

Seconded: Cr David Evans

That Council adopts the Sale or Exchange of Council Land Policy as attached.

CARRIED

7.18 PROPERTY USE AGREEMENTS POLICY

EXECUTIVE SUMMARY

The Council Properties and Council Managed Crown Land: Usage Agreements with Committees & Incorporated Entities Policy was last reviewed and adopted by Council at its meeting held on 24 November 2015.

A review of the policy (retitled to Property Use Agreements Policy) has been undertaken. Proposed changes of significance include, but are not limited to:

- clearly defining the types of agreements, fees and conditions of agreements;
- clearly defining obligations, maintenance responsibilities and outgoings;
- stating insurance requirements (building contents and public liability);
- clarifying that no alteration or additions are to be made to property without consent;
- providing procedures and processes for consultation and notification; and
- cosmetic changes including re-formatting the policy to bring it into alignment with the approved Policy template.

The policy is provided for Council's consideration and adoption (Attachment 1).

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Des Phelan

That Council adopts the Property Use Agreements Policy (previously titled Council Properties & Council Managed Crown Land: Usage Agreements with Committees and Incorporated Entities Policy) as attached.

CARRIED

7.19 FRAUD AND CORRUPTION POLICY REVIEW

EXECUTIVE SUMMARY

The Fraud and Corruption Control Policy has been revised and incorporates the requirement to report to the Independent Broad Based Anti-Corruption Commission (IBAC).

The Policy was also presented at the 12 November 2019 Audit and Risk Committee whereby it was noted and recommended to be adopted by Council at the November Council meeting.

RESOLUTION

Moved: Cr David Evans

Seconded: Cr Nathan Hansford

That Council:

1. Note the revised Fraud and Corruption Control Policy.
2. Acknowledge the Fraud and Corruption Control Policy is now in accord with the Independent Broad Based Anti-Corruption Commission (IBAC) requirements.
3. Adopt the revised Fraud and Corruption Control Policy as attached.

CARRIED

7.20 PROVISION OF PEST PLANT AND ANIMAL CONTROL SERVICES - CONTRACT GPSC-RTF-18-2019 - AWARDING OF TENDER

EXECUTIVE SUMMARY

Golden Plains Shire Council is looking to form a panel of suppliers to undertake pest plant and animal management works on Council owned and managed land. Following a competitive tender process, Council officers evaluated and assessed the eight tenders received and now recommend the awarding of contract to five of the tenderers.

RESOLUTION

Moved: Cr Helena Kirby

Seconded: Cr Les Rowe

That Council:

1. Award the Contract GPSC-RFT-18-2019 for the Provision of Pest Plant and Pest Animal Control Services to the following companies as part of the Panel of Suppliers;
 - (a) Allwright Ag and Pest Contracting
 - (b) Barongarook Weed & Pest Control Pty Ltd
 - (c) Goldfields Weed Management
 - (d) Rabbit Busters
 - (e) Stephen Guy
2. Award this Contract for the tendered Schedule of Rates for the initial Contract term 3 years with 1 further term of up to 2 years option to extend.

CARRIED

7.21 MAYORAL & COUNCILLOR ALLOWANCES - ANNUAL ADJUSTMENT

EXECUTIVE SUMMARY

The Minister for Local Government annually reviews the limits of the Mayoral and Councillor Allowances and makes a determination. The Minister has announced a 2.0% increase in the Mayoral and Councillor allowances to apply from 1 December 2019.

In accordance with the Council resolution of 26 March 2019, the 2.0% increase will also be applied to the Audit and Risk Committee independent member allowances.

RESOLUTION

Moved: Cr Nathan Hansford

Seconded: Cr Des Phelan

That Council note the notification from Local Government Victoria, announcing a 2.0% increase in the Mayoral and Councillor allowances from 1 December 2019.

CARRIED

7.22 COUNCIL DELEGATES 2019/20

EXECUTIVE SUMMARY

As a result of Councillor Evans resignation from the Audit and Risk Committee, Council must appoint another Councillor to the Committee.

RESOLUTION

Moved: Cr Joanne Gilbert

Seconded: Cr Les Rowe

That Council appoints Councillor Rowe to the Audit and Risk Committee for the remainder of the 2019/20 term.

CARRIED

10.1 BANNOCKBURN CHILDREN'S SERVICE LONG DAY CARE - SERVICE REVIEW

Council earlier resolved that the confidential report (Bannockburn Children's Service Long Day Care - Service Review) listed in Item 10 of the Agenda is no longer confidential save the attachments to the report which are to remain confidential. The full report (excluding the attachments) is provided at the end of these Minutes.

EXECUTIVE SUMMARY

Golden Plains Shire Council commenced the operation of the Bannockburn Children's Service, long day care, at the Bannockburn Family Service Centre in 2014. At that time there were no other long day child care options for families in the Shire and Council would be meeting this need to support workforce participation. Since that time, two other private child care providers have entered the Bannockburn child care market, resulting in more choices for families. The new services have also resulted in an oversupply of places based on current demand and reduced utilisation rates at the Council operated service.

Council has undertaken a comprehensive assessment of the current model of management, operations and service delivery and the identification of a range of efficiencies to develop a

sustainable model of delivery.

This report provides Councillors with details of the outcome of the consultation undertaken with staff, service users and the community about the exploration of an alternative service provision for the Long Day Care service operating from Bannockburn Children's Service.

Resolution

Moved: Cr David Evans

Seconded: Cr Joanne Gilbert

That Council:

1. Notes the outcome of Expression of Interest GPSC-17-2019 recently undertaken for the provision of management and operation of the long day care services at the Bannockburn Children's Services.
2. Authorises the Chief Executive Officer to call for further Expressions of Interest for lease of part of Bannockburn Family Service Centre, 2 Pope Street, Bannockburn for the purpose of providing long day care services.
3. Following the close of the Expressions of Interest process under para 2 of this Resolution, the Chief Executive Officer reports to Council on the responses received for the purposes of determining whether to proceed with a proposed lease of part of Bannockburn Family Service Centre, at 2 Pope Street, Bannockburn, for the purpose of providing long day care services and then give public notice and invite public submissions on any proposed lease in accordance with sections 190 and 223 of the Local Government Act 1989.
4. Determines that this resolution and report (not including the attachments to the report) be deemed no longer confidential with the attachments to the report to remain confidential.

CARRIED

Cr Nathan Hansford called a division.

Those In Favour: Crs David Evans, Joanne Gilbert, Des Phelan, Les Rowe and Owen Sharkey

Those Against: Crs Helena Kirby and Nathan Hansford

The motion was **CARRIED 5/2**

8 NOTICES OF MOTION

Nil

9 PETITIONS

Nil

10 CONFIDENTIAL REPORTS FOR DECISION

Nil

The Meeting closed at 9.25pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 December 2019.

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CHAIRPERSON

10.1 BANNOCKBURN CHILDREN'S SERVICE LONG DAY CARE - SERVICE REVIEW

File Number:

Author: Lisa Letic, Director Community Services

Authoriser: Lisa Letic, Director Community Services

Attachments:

1. **Bannockburn Children's Service Staff Feedback**
2. **Bannockburn Children's Service Community Feedback**
3. **Expression of Interest Evaluation Panel Report**
4. **Bannockburn Children's Service Communications Briefing Paper**

The Council is satisfied that, pursuant to Section 89(2) of the *Local Government Act 1989*, the information to be received, discussed or considered in relation to this agenda item is:

c industrial matters.

RECOMMENDATION

That Council:

1. Notes the outcome of Expression of Interest GPSC-17-2019 recently undertaken for the provision of management and operation of the long day care services at the Bannockburn Children's Services.
2. Authorises the Chief Executive Officer to call for further Expressions of Interest for lease of part of Bannockburn Family Service Centre, 2 Pope Street, Bannockburn for the purpose of providing long day care services.
3. Following the close of the Expressions of Interest process under para 2 of this Resolution, the Chief Executive Officer reports to Council on the responses received for the purposes of determining whether to proceed with a proposed lease of part of Bannockburn Family Service Centre, at 2 Pope Street, Bannockburn, for the purpose of providing long day care services and then give public notice and invite public submissions on any proposed lease in accordance with sections 190 and 223 of the Local Government Act 1989.
4. Determines that this resolution and report (not including the attachments to the report) be deemed no longer confidential with the attachments to the report to remain confidential.

EXECUTIVE SUMMARY

Golden Plains Shire Council commenced the operation of the Bannockburn Children's Service, long day care, at the Bannockburn Family Service Centre in 2014. At that time there were no other long day child care options for families in the Shire and Council would be meeting this need to support workforce participation. Since that time, two other private child care providers have entered the Bannockburn child care market, resulting in more choices for families. The new services have also resulted in an oversupply of places based on current demand and reduced utilisation rates at the Council operated service.

Council has undertaken a comprehensive assessment of the current model of management, operations and service delivery and the identification of a range of efficiencies to develop a sustainable model of delivery.

This report provides Councillors with details of the outcome of the consultation undertaken with staff, service users and the community about the exploration of an alternative service provision for the Long Day Care service operating from Bannockburn Children's Service.

BACKGROUND

Council has undertaken a Best Value Review of the Bannockburn Children's Service, long day care throughout 2018 and 2019. The Review findings have previously been presented to Council for consideration and a range of confidential supplementary financial and industrial information were considered by Council at a Special Council Meeting on 8 October 2019.

As this item was considered a confidential matter pursuant to Section 89(2) of the *Local Government Act 1989* and considered in camera, the details are not presented in this report however following the Council meeting a consultation process seeking staff feedback on Council's consideration of seeking an alternate provider of the Bannockburn Children's Service in the future commenced.

In the course of Council considering the Best Value Review on several occasions, it is clear that there is not a need for Council to continue to manage the long day care services undertaken at the Bannockburn Children's Service. When Council established the Bannockburn Children's Service, long day care, it was the first and only long day care centre in Bannockburn, however with two private centres coming into the market in 2017 and 2019, there is no longer the need for Council to operate this service. It is acknowledged that Bannockburn and surrounds has a high population growth which is reflected in these new services opening in the past few years, and the market supports the understanding that future new private or not-for-profit services will likely open to serve additional families.

Another key focus of research and discussion was the financial viability of Council's management of the Bannockburn Children's Service (BCS), in the past, present and future. In past years, Council Budgets had forecast the service making a profit that were not realised. This situation occurred despite work to improve the financial operation of the service, the significant reduction of costs and increased efficiencies at BCS, and an increase in childcare fees paid by client families.

The Best Value Review has demonstrated that a private or not-for-profit service would be best-placed to run a quality service in the changing childcare market. Therefore, there is a great opportunity to build a successful local business that employs local people, and in turn, best serves the children and families of BCS.

POLICY CONTEXT

This report relates to the *Golden Plains Shire Council Plan 2017-2021* and the *Local Government Act 1989*.

DISCUSSION

The consultation process commenced on 9 October for a four week period until 6 November. Staff directly impacted were advised of the commencement of the consultation period in accordance with the *Golden Plains Shire Council Enterprise Agreement No.8.2017, Clause 7.11 Introduction of Change* at a meeting on 9 October.

Staff were invited to provide feedback to employeefeedback@gplains.vic.gov.au. Three Responses were received and responded to by the Manager People and Culture. Feedback received from staff and the Management response are provided in Attachment 1 *Bannockburn Children's Service Staff Feedback*.

Current Bannockburn Children's Service, Long Day Care, service users received an email on October 9 advising of Council's consideration of an alternate service model and were invited to provide feedback via email BCSConsultation@gplains.vic.gov.au.

22 responses were received, 19 being current service users (Refer to Attachment 2: *Bannockburn Children's Service Community Feedback* for full details) the main themes of the feedback received indicate that the service is highly valued by service users particularly for the positive relationships formed between existing staff and children. Respondents appreciate the quality of service provided and value the link between Maternal and Child Health and other complementary services being available within the one location.

Respondents expressed concern that change would disrupt the wellbeing of children. Concern was also raised for staff who were perceived as having their jobs at risk if Council was to stop operating the service.

100% of responses do not support Council seeking an alternate service provider. Respondents represented just over 15% of service users.

Respondents also provided a range of suggestions as to how Council could continue to deliver the service to make it more viable including charging for public holidays, creating a minimum number of days booked and finding efficiencies such as reducing back of house staff and increasing the use of technology to achieve efficiencies.

Other suggestions requested Council consider items already provided to Council through previous briefing such as in depth financial modelling and the identification of service efficiencies.

Information about the Best Value Review and consideration of the Council to explore an alternate service provision model for the Bannockburn Children's Service was provided to the broader community from 9 October through social media and a web story on Council's website. A media release was also provided to media outlets however no news stories were published in response. This broader communication was for information purposes and provided information on how community could provide feedback by email to bcscconsultation@gplains.vic.vov.au if they chose to do so. Three of the twenty two responses were from the wider community (not users of the service). This was not intended to be a community consultation process. A *Communications Briefing Paper* detailing media published to date and responses is provided in Attachment 4.

Expression of Interest Process

On 19 August 2019, in line with section 186(2) of the Local Government Act 1989 (Vic) ('the Act') Council invited Expressions of Interest ('EOI') from suitably qualified and experienced Early Childhood Education and Care ('ECEC') providers in order to manage and operate the Bannockburn Children's Services.

Council's intended outcome of this Expression of Interest process was to:

1. identify experienced organisations who may be interested in the delivery of a high quality, innovative model of early childhood education and care within an integrated service context; and
2. identify a potential partner organisation who is able to provide equitable access to quality services that support individual and community wellbeing.

In response to Council's EOI only one Respondent lodged their submission. The Evaluation Panel has conducted a comprehensive assessment of the submission to ensure compliance with relevant provisions of the Act and Council's Procurement Policy requirements.

This Report makes a recommendation about the outcome of the Evaluation Panel's assessment. The detailed Evaluation Panel Report is attached to Council Report in confidence and is designated as confidential by the Chief Executive Officer pursuant to section 77(2)(c) and section 89(2)(d) of the Act (Attachment 3)

Further to this expression of Interest it is now proposed that a new Expression of Interest Process commence for, the lease of part of Bannockburn Family Service Centre, 2 Pope Street, Bannockburn *for the purpose of providing long day care services*. The Bannockburn Family Service Centre is a contemporary, fit for purpose facility with the capacity for a range of

complementary service to be co-located. This EOI will provide an opportunity for the facility to continue to provide a range of early childhood education, health and family services from the one location.

The outcome of the EOI process would be presented to Council by its April 2020 meeting and if a preferred lessor is identified, and Council wish to proceed with a proposed lease of part of Bannockburn Family Service Centre, 2 Pope Street, Bannockburn for the purpose of providing long day care services then public notice and invitation for public submissions on any proposed lease would be undertaken in accordance with sections 190 and 223 of the Local Government Act 1989.

CONSULTATION

A consultation process commenced on 9 October for a four week period until 6 November. Staff directly impacted were advised of the commencement of the consultation period in accordance with the *Golden Plains Shire Council Enterprise Agreement No.8.2017, Clause 7.11 Introduction of Change* at a meeting on 9 October.

The outcome of this consultation is detailed in Attachment 1 *Bannockburn Children's Service Staff Feedback* and 2 *Bannockburn Children's Service Community Feedback* summarised above.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

A significant review of the management and operation of the Bannockburn Children's Service has been undertaken and a number of service efficiencies have been identified and implemented to ensure the service is operating at maximum efficiency. The service remains vulnerable to changes in enrolments and market demand which will continue to impact on the services financial viability however the consultation that has occurred highlights that the service is highly valued by the respondents and there is a perception of excellent quality. This feedback is provided in detail in Attachment 1 and 2 and should be taken into consideration by Council in making its decision on the future management and operation of the Bannockburn Children's Service (child care).