



# **AGENDA**

## **Council Meeting**

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**6.00pm Tuesday 8 September 2020**

**VENUE:**  
**Virtual Meeting**

NEXT COUNCIL MEETING  
6.00pm Monday 21 September 2020

Copies of Golden Plains Shire Council's Agendas & Minutes  
Can be obtained online at [www.goldenplains.vic.gov.au](http://www.goldenplains.vic.gov.au)

## **Code of Conduct Principles**

### **WORKING TOGETHER**

We Councillors will:

- acknowledge and respect that a diversity of opinion exists among us;
- recognise that each of us has different life experience, knowledge and values, and that all of these contribute collectively to our discussions;
- behave with courtesy towards each other, Council officers and our citizens;
- conform to the policy and precedents that guide the conduct of meetings;
- attend punctually and participate in all relevant meetings, workshops and briefings;
- share reasonably in the representation, ceremonial and hosting tasks of the full Council; and
- honour the majority decisions made by the Council, irrespective of our own position, and explain these decisions frankly to the community, once made.

### **BEHAVING WITH INTEGRITY**

We Councillors will:

- identify our financial and personal interest, or potential interest, in any matter that comes before the Council;
- be honest and truthful;
- comply with laws and the regulations deriving there from;
- respect Council property and be frugal in its use, where allowed;
- avoid using our position for personal gain or to achieve advantage over others or to obtain preferential treatment;
- be sympathetic to the legitimate concerns of our citizens;
- act impartially when making decisions and have due regard to the needs of the community as a whole, rather than that of narrow vested interest; and
- acknowledge the role of Council officers in providing advice to us and in implementing Council decisions.

### **MAKING COMPETENT DECISIONS**

We Councillors will:

- without diminishing the short term focus, approach decisions with due regard to the long term needs of the municipality;
- form policies with regard to the needs of the entire Shire;
- direct our attentions to the strategic and statutory needs of the municipality rather than short term, transient, operational issues;
- seek to fully inform ourselves on the issues before Council before making a decision;
- take all reasonable steps to improve our knowledge of matters relevant to our municipal duties; and
- use and respect the professional knowledge of Council officers and other advisers to Council.

## Order Of Business

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**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****4 CONFIRMATION OF MINUTES****Recommendation**

That the minutes of the Council Meeting held on Tuesday 25 August 2020 as circulated, be confirmed.

**5 DECLARATION OF CONFLICT OF INTEREST****6 PUBLIC QUESTION TIME**

## 7 BUSINESS REPORTS FOR DECISION

### 7.1 LEASE OF PART OF BANNOCKBURN FAMILY SERVICE CENTRE

**File Number:****Author:** Lisa Letic, Director Community Services**Authoriser:** Lisa Letic, Director Community Services**Attachments:**

1. Executed Lease (excluding schedules) - Confidential
2. Lease Bannockburn Family Service Centre - Confidential

#### RECOMMENDATION

That Council:

1. Notes that no public submissions were received in relation to Council's proposal to lease part Bannockburn Family Service Centre, 2a Pope Street, Bannockburn.
2. Resolves to lease part of 2a Pope Street, Bannockburn to Kardinia Childcare Inc. (tenant).
3. Authorises the Chief Executive Officer to:
  - (a) finalise the lease to the satisfaction of the Chief Executive Officer; and
  - (b) execute the lease on behalf of Council.
4. Notes that in granting the lease to the tenant, Council officers will commence a transition of the services to Kardinia Childcare Inc. and cease operating the Bannockburn Child Care Service Long Day Care from 24 December 2020

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#### EXECUTIVE SUMMARY

This report provides Council with the outcome of the public consultation process undertaken in accordance with Section 190 and Section 223 of the *Local Government Act 1989 including advertising of a public notice and inviting submissions on the proposed lease of part of Bannockburn Family Service, 2a Pope Street Bannockburn to Kardinia Childcare Inc.* and makes a recommendation to execute the lease on the following terms:

- Commencement of operations: 4 January 2021 or otherwise as agreed between the parties
- Rent Year 1: \$184,400 per annum plus GST
- Rental increase: 4% every year from second anniversary of commencement date
- Term: An initial term of 5 years and 4 months (including transition period), with a further 5 year option.

#### BACKGROUND

Following a significant review of the Bannockburn Children's Service, Council resolved to undertake an expression of interest (**EOI**) to identify a suitable tenant of the Bannockburn Family Service Centre for the purpose of providing long day care.

Through this process Kardinia Childcare Inc. was identified as a suitable respondent with which to negotiate a proposed lease. Kardinia Childcare Inc. (**Kardinia**) is a provider of quality childcare and kindergarten services across Warrnambool, Geelong and Ballarat. Kardinia have expressed a strong desire to extend their service provision to Bannockburn and a commitment to working in partnership with the community in the creation of a quality service.

#### POLICY CONTEXT

This report relates to the *Local Government Act 1989* noting that the *Local Government Act 2020* Lease of Land provisions do not come into effect until 1 July 2021.

**DISCUSSION**

Following a significant review of the Bannockburn Children's Service (long day care), Council undertook an Expression of Interest 'for lease of part of Bannockburn Family Service Centre, 2a Pope Street, Bannockburn for the purpose of providing long day care services'. The EOI was advertised in January 2020 and a preferred operator, Kardinia Childcare Inc., was endorsed by Council at its April meeting with whom to negotiate a proposed lease.

Negotiations are now complete and the lease proposal was publicly advertised in accordance with Section 190 and Section 223 of the Local Government Act 1989 including advertising of a public notice and inviting submissions. No submissions were received.

Subject to, and following Council approving the lease, Council officers will commence the transition of services to Kardinia which would see Council ceasing the operation of Bannockburn Children's Service Long Day Care from 24 December 2020 and Kardinia's first day of operation being within the week beginning 4 January 2021.

Council and Kardinia are committed to working collaboratively to ensure a smooth transition for children and their families. Council's EOI included a preference for any tenant to employ the existing staff to provide continuity of service and Kardinia have expressed a desire to accommodate this where appropriate and possible.

Families will be advised of the new arrangements and invited to share their details with Kardinia to ensure they can continue to access high quality long day childcare services from the Bannockburn Family Service Centre.

Families that are planning to use Council's kindergarten services at the same facility will be able to do so. Many have already expressed interest in enrolling for 2021 and will be communicated with directly to confirm their enrolment.

**CONSULTATION**

The proposal to lease of part of 2a Pope Street, Bannockburn to Kardinia Childcare Inc. was publicly advertised between 29 July and 26 August 2020 with no submissions received.

**CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

**CONCLUSION**

The granting of a lease of part of Bannockburn Child and Family Centre, 2a Pope Street to Kardinia Childcare Inc. will ensure the ongoing provision of quality long day child care services to the Golden Plains Community.

Council and Kardinia will collaborate to develop and implement a transition plan to ensure that children and their families are supported through the transition.

**8 NOTICES OF MOTION**

Nil

**9 PETITIONS**

Nil

**10 CONFIDENTIAL REPORTS FOR DECISION**

Nil