

# Special Council Meeting

To consider:

1. Governance Rules and community engagement consultation under section 223 of the Local Government 1989; and
2. Implementation of the Community Support Package.

**8 July 2020**

**Council Chambers, Leongatha**

**Commenced at 11:30 am**



# minutes



*South Gippsland  
Shire Council*

*Come for the beauty, Stay for the lifestyle*



## MISSION

***South Gippsland Shire will be a place where our quality of life and sense of community are balanced by sustainable and sensitive development, population and economic growth.***

### Privacy

Council is required to keep minutes of each Council meeting. The minutes contain details of proceedings which may include personal information about community members disclosed as part of presentations, submissions and questions. The minutes of Council meetings are a public record and can be inspected by members of the public.

Council undertakes audio recordings of Council Meetings as a contribution to good governance and accuracy of minutes. An audio recording of this meeting is being made for the purpose of verifying the accuracy of minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, and subpoena or by any other law such as the Freedom of Information Act 1982. It should be noted that other people present at the meeting may be recording the meeting and Council has limited power to regulate this. Council has developed a policy to regulate recordings, "*Sound Recording of Council Meetings*".

A copy of this policy is located on Council's website [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au).

## PRESENT

ADMINISTRATORS:	Julie Eisenbise, Administrator Chair Christian Zahra, Administrator Deputy Chair Rick Brown, Administrator
NOT PRESENT:	-
OFFICERS:	Kerryn Ellis, Chief Executive Officer June Ernst, Coordinator Council Business Natasha Berry, Corporate and Council Business Officer

## **SOUTH GIPPSLAND SHIRE COUNCIL**

Special Council Meeting  
Wednesday 8 July 2020 in the Council Chambers, Leongatha  
Commenced at 11:30 am

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**Kerryn Ellis**  
**Chief Executive Officer**

## **1. PRELIMINARY MATTERS**

### **1.1. LIVE STREAMING COUNCIL MEETING DISCLAIMER**

This Council Meeting is being streamed live, recorded and published in accordance with Council's Live Streaming in Council Meetings Policy.

The Chair and/or the CEO have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Today's Meeting is being streamed live as well as recorded and published on Council's website.

Thank you

### **1.2. WELCOME AND OPEN MEETING VIA LIVE STREAM**

Please ensure Mobile phones remain 'off' during the Council Meeting.

In light of the global spread of COVID-19 and the extraordinary situation we currently find ourselves in, Council is doing its best to manage the advice relating to the safety of our community and our staff.

Over the past three months the Federal and State Governments have been increasingly clear in their directives about social gatherings. To that end Council has taken the unprecedented step of closing its doors to the public for this Council Meeting.

The closure to the gallery while retaining and open meeting through the livestreaming of the Open Council Meeting is made in accordance with the *Local Government Act 2020* - s.395 – 'Meetings may be closed to the public during the prescribed period.'

Access to the live stream through Council's Internet will be the 'open' component of this Meeting.

The safety of the community and staff and the continuation of vital services remain Council's highest priority.

## **RECOMMENDATION**

That Council:

1. Not allow members of the public to attend the 8 July 2020 Special Council Meeting in person.
2. Resolve that the 8 July 2020 Council Meeting remains 'open' via the livestream on the Internet, in keeping with section 395 of the *Local Government Act 2020*.
3. Note that this decision is made to protect the health and wellbeing of all people required to be in attendance.

**MOVED:** Administrator Eisenbise

**SECONDED:** Administrator Brown

### **THAT COUNCIL:**

1. **NOT ALLOW MEMBERS OF THE PUBLIC TO ATTEND THE 8 JULY 2020 SPECIAL COUNCIL MEETING IN PERSON.**
2. **RESOLVE THAT THE 8 JULY 2020 COUNCIL MEETING REMAINS 'OPEN' VIA THE LIVESTREAM ON THE INTERNET, IN KEEPING WITH SECTION 395 OF THE LOCAL GOVERNMENT ACT 2020.**
3. **NOTE THAT THIS DECISION IS MADE TO PROTECT THE HEALTH AND WELLBEING OF ALL PEOPLE REQUIRED TO BE IN ATTENDANCE.**

**CARRIED UNANIMOUSLY**

### **1.3. OPENING PRAYER**

We pray to God to guide us so that the thoughts we have and the decisions made this day, are in the best interests of the people of the South Gippsland Shire.

Amen

### **1.4. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

The South Gippsland Shire Council respectfully acknowledges the Traditional Custodians of this Land, Elders past and present, their Spirits and Ancestors.

### **1.5. REQUESTS FOR LEAVE OF ABSENCE**

**Nil**

### **1.6. APOLOGIES**

**Nil**

## 1.7. DECLARATION OF CONFLICT OF INTEREST FOR ADMINISTRATORS

Provisions under the *Local Government Act 2020* around Conflict of Interest are not operational until October 2020. Provisions under the *Local Government Act 1989* remain operational until this time.

Any interest that an Administrator or staff member has deemed to be significant and has disclosed as either a direct or an indirect interest is now considered to be a conflict of interest. Conflict of interest legislation is in sections 77A, 77B, 78, 78A-D and 79 of the Local Government Act 1989 (the Act). This legislation can be obtained by contacting the Council's Corporate & Community Services Directorate (Council Business) or by accessing the Victorian Legislation and Parliamentary Documents website at [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au).

An interest may be by close association, financial, conflicting duties or receipt of gifts. If an Administrator or staff member discloses any interest in an item discussed at any Council Meeting (whether they attend or not) they must:

- Complete a disclosure of interest form prior to the Meeting (forms are available from Council Business Department at South Gippsland Shire Council).
- Advise the Chair of the interest immediately before the particular item is considered (if attending the Meeting).
- Leave the Council Chamber or Meeting room while the item is being discussed and during any vote taken (if attending the Meeting).

The Administrator or staff member will be advised to return to the Council Chamber or Meeting room immediately after the item has been considered and the vote is complete.

Administrators should check the Minutes of the Council Meeting to ensure their disclosure is recorded accurately. Administrators are not required to disclose conflict of interest in relation to matters only considered at Meetings they do not attend. Detailed information is available in *Conflict of Interest – A Guide – October 2012*.

**Nil**

## 1.8. DECLARATION OF CONFLICT OF INTEREST FOR STAFF

Provisions under the *Local Government Act 2020* around Conflict of Interest are not operational until October 2020. Provisions under the *Local Government Act 1989* remain operational until this time.

The *Local Government Act 1989*, sections 80B and 80C requires members of Council staff who have delegated functions and/ or provide advice to Council or a Special Committee to disclose conflicts of interest. If Council staff have written, provided information/ advice or approved a Council Report and have a conflict of interest, it is the responsibility of that staff member to disclose the interest.

Guidance to identifying and disclosing a conflict of interest is contained in the Victorian State Government, Department of Transport, Planning and Local Infrastructure – Conflict of Interest – *A Guide for Council Staff – October 2011*.

**Nil**



## 2. COUNCIL REPORTS

### 2.1. GOOD GOVERNANCE FRAMEWORK - NEW POLICY: GOVERNANCE RULES (C82)

Corporate and Community Services Directorate

#### EXECUTIVE SUMMARY

The *Local Government Act 2020* (the Act) requires each council to develop and adopt a series of policies as part of the new principles-based reforms embodied within the Act. As per s.60 of the Act, Governance Rules need to be adopted by 1 September 2020. Council's Governance Rules will replace the majority of South Gippsland's *Local Law No. 2 2020 - Meeting Procedures and Common Seal* (Local Law No.2) adopted by Council on 27 May 2020.

The Governance Rules, required to be adopted by 1 September 2020, will exist as part of a suite of governance policies and procedures within Council's adopted Good Governance Framework under the pillars of 'Decision Making' and 'Structure, Systems and Policies'.

Proposed *Governance Rules (C82)* in **Attachment [2.1.1]** outline the rules to conduct Council meetings for South Gippsland Shire and delegated and/or joint delegated committees of Council. The *Election Period Policy (C30)* has also been reviewed, updated and is included as part of the Proposed *Governance Rules (C82)*. Together these are presented as the *Proposed Governance Rules (C82)* to Council for endorsement.

Once endorsed, a formal s.223 public consultation process under the *Local Government Act 1989* will be undertaken, seeking formal submissions on the *Proposed Governance Rules (C82)* from 14 July 2020 until 5.00pm on Tuesday 11 August 2020.

A Special Council Meeting is to called for Wednesday 19 August 2020 commencing at 11.00am in the Council Chamber Leongatha for the hearing of those who have elected to speak, and continuing at 12.45am for Council to consider and decide on the s.223 submissions for the Proposed Governance Rules.

Attendance of people nominating to speak to their submissions, or be in attendance in the gallery, will be subject to actions required under Council's Business Continuity Plan relating to COVID-19 Pandemic.

#### RECOMMENDATION

That Council:

1. Endorses the 'Proposed South Gippsland Shire Council Governance Rules (C82)' (Attachment [2.1.1]) that incorporate the revised Election Period Policy, pursuant to s. 60 of the Local Government Act 2020;

2. Approves commencement of the statutory procedures to invite public submissions on the Proposed Governance Rules (C82) pursuant to s.223 of the Local Government Act 1989;
3. Authorises the Chief Executive Officer to undertake the administrative procedures necessary to enable the Council to carry out its functions under s.223 of the Local Government Act 1989 in respect of the statutory procedures outlined in Item 2 above;
4. Holds a Special Meeting on 19 August 2020 commencing at 11.00am for the hearing and continuing at 12.45pm to consider and decide each of the s.223 submissions, noting the meeting will not proceed if no submissions are received;
5. Authorises the Chief Executive Officer to determine the appropriate public and occupational health and safety precautions required under Council's Business Continuity Plan relating to COVID-19;
6. Gives public notice on Tuesday 14 July 2020 and on Council's website of the Proposed Governance Rules (C82) in accordance with s.223 of the Local Government Act 1989, inviting written submissions from the community by 5.00pm on Tuesday 11 August 2020;
7. Includes in the public notice on Tuesday 14 July 2020, that:
  - a. The Proposed Governance Rules (C82) incorporating the Election Period Policy, have been prepared Attachment [2.1.1];
  - b. A copy of the Proposed Governance Rules (C82) is available for inspection on Council's website [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au) from 8.30am to 5.00pm between 14 July 2020 and 11 August 2020; and that
  - c. A person proposing to make a submission under s.223 of the Local Government Act 1989 must do so by 5.00pm on Tuesday 11 August 2020. Late submissions will not be considered by Council;
  - d. Submissions must be addressed to the Chief Executive Officer, South Gippsland Shire Council.
  - e. Submissions are preferred to be sent via email for the Proposed Governance Rules (C82) to [submissions@southgippsland.vic.gov.au](mailto:submissions@southgippsland.vic.gov.au).
  - f. All formal written submissions will be considered in accordance with s.223 of the Local Government Act 1989;
  - g. Any person making a written submission is required to state in their submission(s) if he or she wishes to appear in person, or be represented by a person specified in their submission(s), at an open meeting to be heard in support of their submission, subject to

- actions required under Council’s Business Continuity Plan relating to COVID-19 Pandemic;
- h. Privacy Collection Statement: Copies of submissions (only including submitter’s names), will be made available in open agendas relating to the s.223 submissions;
  - i. Individuals concerned with the use and public disclosure of their personal details are required to email [submission@southgippsland.vic.gov.au](mailto:submission@southgippsland.vic.gov.au) and/or contact the Council Business Unit prior to submitting their submission, or by 5.00pm on Tuesday 11 August 2020 to discuss concerns.
  - j. The time, date and place for hearing of submissions to be 19 August 2020 commencing at 11.00am for the hearing and continuing at 12.45pm to consider and decide on all submissions; and
  - k. Following consideration of the submissions, Council may or may not amend the final Governance Rules (C82).
8. Advises those persons who have indicated in their written submission that they wish to be heard in support of their submission, of the date, time and place of the hearing;
9. Requires the final Governance Rules (C82) incorporating the Election Period Policy, to be presented to Council for consideration at the 26 August 2020 Council Meeting; and
10. Commence a process to repeal redundant clauses in Local Law No. 2 2020 after adoption of the Governance Rules C82.

**MOVED:** Administrator Brown

**SECONDED:** Administrator Zahra

**THAT COUNCIL:**

1. **ENDORSES THE 'PROPOSED SOUTH GIPPSLAND SHIRE COUNCIL GOVERNANCE RULES (C82)' (ATTACHMENT [2.1.1]) THAT INCORPORATE THE REVISED ELECTION PERIOD POLICY, PURSUANT TO S.60 OF THE LOCAL GOVERNMENT ACT 2020;**
2. **APPROVES COMMENCEMENT OF THE STATUTORY PROCEDURES TO INVITE PUBLIC SUBMISSIONS ON THE PROPOSED GOVERNANCE RULES (C82) PURSUANT TO S.223 OF THE LOCAL GOVERNMENT ACT 1989;**
3. **AUTHORISES THE CHIEF EXECUTIVE OFFICER TO UNDERTAKE THE ADMINISTRATIVE PROCEDURES NECESSARY TO ENABLE THE COUNCIL TO CARRY OUT ITS FUNCTIONS UNDER S.223 OF THE LOCAL GOVERNMENT ACT 1989 IN RESPECT OF THE STATUTORY PROCEDURES OUTLINED IN ITEM 2 ABOVE;**
4. **HOLDS A SPECIAL MEETING ON 19 AUGUST 2020 COMMENCING AT 11.00AM FOR THE HEARING AND CONTINUING AT 12.45PM TO CONSIDER AND DECIDE EACH OF THE S.223 SUBMISSIONS, NOTING THE MEETING WILL NOT PROCEED IF NO SUBMISSIONS ARE RECEIVED;**
5. **AUTHORISES THE CHIEF EXECUTIVE OFFICER TO DETERMINE THE APPROPRIATE PUBLIC AND OCCUPATIONAL HEALTH AND SAFETY PRECAUTIONS REQUIRED UNDER COUNCIL'S BUSINESS CONTINUITY PLAN RELATING TO COVID-19;**
6. **GIVES PUBLIC NOTICE ON TUESDAY 14 JULY 2020 AND ON COUNCIL'S WEBSITE OF THE PROPOSED GOVERNANCE RULES (C82) IN ACCORDANCE WITH S.223 OF THE LOCAL GOVERNMENT ACT 1989, INVITING WRITTEN SUBMISSIONS FROM THE COMMUNITY BY 5.00PM ON TUESDAY 11 AUGUST 2020;**
7. **INCLUDES IN THE PUBLIC NOTICE ON TUESDAY 14 JULY 2020, THAT:**
  - a. **THE PROPOSED GOVERNANCE RULES (C82) INCORPORATING THE ELECTION PERIOD POLICY, HAVE BEEN PREPARED ATTACHMENT [2.1.1];**
  - b. **A COPY OF THE PROPOSED GOVERNANCE RULES (C82) IS AVAILABLE FOR INSPECTION ON COUNCIL'S WEBSITE [WWW.SOUTHGIPPSLAND.VIC.GOV.AU](http://WWW.SOUTHGIPPSLAND.VIC.GOV.AU) FROM 8.30AM TO 5.00PM BETWEEN 14 JULY 2020 AND 11 AUGUST 2020; AND THAT**
  - c. **A PERSON PROPOSING TO MAKE A SUBMISSION UNDER S.223 OF THE LOCAL GOVERNMENT ACT 1989 MUST DO SO BY 5.00PM ON TUESDAY 11 AUGUST 2020. LATE SUBMISSIONS WILL NOT BE CONSIDERED BY COUNCIL;**

- d. **SUBMISSIONS MUST BE ADDRESSED TO THE CHIEF EXECUTIVE OFFICER, SOUTH GIPPSLAND SHIRE COUNCIL.**
  - e. **SUBMISSIONS ARE PREFERRED TO BE SENT VIA EMAIL FOR THE PROPOSED GOVERNANCE RULES (C82) TO [SUBMISSIONS@SOUTHGIPPSLAND.VIC.GOV.AU](mailto:SUBMISSIONS@SOUTHGIPPSLAND.VIC.GOV.AU).**
  - f. **ALL FORMAL WRITTEN SUBMISSIONS WILL BE CONSIDERED IN ACCORDANCE WITH S.223 OF THE LOCAL GOVERNMENT ACT 1989;**
  - g. **ANY PERSON MAKING A WRITTEN SUBMISSION IS REQUIRED TO STATE IN THEIR SUBMISSION(S) IF HE OR SHE WISHES TO APPEAR IN PERSON, OR BE REPRESENTED BY A PERSON SPECIFIED IN THEIR SUBMISSION(S), AT AN OPEN MEETING TO BE HEARD IN SUPPORT OF THEIR SUBMISSION, SUBJECT TO ACTIONS REQUIRED UNDER COUNCIL'S BUSINESS CONTINUITY PLAN RELATING TO COVID-19 PANDEMIC;**
  - h. **PRIVACY COLLECTION STATEMENT: COPIES OF SUBMISSIONS (ONLY INCLUDING SUBMITTER'S NAMES), WILL BE MADE AVAILABLE IN OPEN AGENDAS RELATING TO THE S.223 SUBMISSIONS;**
  - i. **INDIVIDUALS CONCERNED WITH THE USE AND PUBLIC DISCLOSURE OF THEIR PERSONAL DETAILS ARE REQUIRED TO EMAIL [SUBMISSION@SOUTHGIPPSLAND.VIC.GOV.AU](mailto:SUBMISSION@SOUTHGIPPSLAND.VIC.GOV.AU) AND/OR CONTACT THE COUNCIL BUSINESS UNIT PRIOR TO SUBMITTING THEIR SUBMISSION, OR BY 5.00PM ON TUESDAY 11 AUGUST 2020 TO DISCUSS CONCERNS.**
  - j. **THE TIME, DATE AND PLACE FOR HEARING OF SUBMISSIONS TO BE 19 AUGUST 2020 COMMENCING AT 11.00AM FOR THE HEARING AND CONTINUING AT 12.45PM TO CONSIDER AND DECIDE ON ALL SUBMISSIONS; AND**
  - k. **FOLLOWING CONSIDERATION OF THE SUBMISSIONS, COUNCIL MAY OR MAY NOT AMEND THE FINAL GOVERNANCE RULES (C82).**
- 8. ADVISES THOSE PERSONS WHO HAVE INDICATED IN THEIR WRITTEN SUBMISSION THAT THEY WISH TO BE HEARD IN SUPPORT OF THEIR SUBMISSION, OF THE DATE, TIME AND PLACE OF THE HEARING;**
- 9. REQUIRES THE FINAL GOVERNANCE RULES (C82) INCORPORATING THE ELECTION PERIOD POLICY, TO BE PRESENTED TO COUNCIL FOR CONSIDERATION AT THE 26 AUGUST 2020 COUNCIL MEETING; AND**
- 10. COMMENCE A PROCESS TO REPEAL REDUNDANT CLAUSES IN LOCAL LAW NO. 2 2020 AFTER ADOPTION OF THE GOVERNANCE RULES C82.**

**CARRIED UNANIMOUSLY**

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## REPORT

The Governance Rules will exist as part of a suite of strong governance policies and procedures within Council's adopted Good Governance Framework under the pillars of 'Decision Making' and 'Structure, Systems and Policies'. Further governance policies within this suite will strengthen Council's ability to responsibly and accountably manage the decision-making practices of Council. The suite of policies will include, but not be limited to, the:

- Public Transparency Policy (C81);
- Councillor Support and Expenditure Policy (C51);
- Public Participation in Meetings with Council Policy (C65);
- Councillor Code of Conduct (C14); and
- Councillor Access to and Request for Information Policy (C66).

Section 60 of the Act outlines the requirement for each council to develop, adopt and keep in force Governance Rules to be used for Council meetings and delegated and/or joint delegated committees of Council.

Section 60(1) of the *Local Government Act 2020*, sets out the requirement for the Governance Rules:

*"A Council to:*

1. *develop, adopt and keep in force a set of Governance Rules for or with respect to the following:*
  - a. *the conduct of Council meetings;*
2. *the conduct of meetings of delegated committees;*
  - a. *the form and availability of meeting records;*
  - b. *the election of the Mayor and the Deputy Mayor and the appointment of an Acting Mayor;*
  - c. *an election period policy in accordance with section 69;*
  - d. *the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee under section 130;*
  - e. *the procedure for the disclosure of a conflict of interest by a Councillor under section 131;*

- f. *the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of section 126(1);*
- g. *any other matters prescribed by the regulations.”*

There is a requirement under s.60(4) of the Act for Council to seek the views of the community in the development of the *Proposed Governance Rules* (Proposed Rules).

The Governance Rules must be adopted by 1 September 2020 under s.60(7) of the Act.

The Governance Rules are required to include Council's *Election Period Policy* (C30) under s. 69 of the Act. The revised edition *Election Period Policy* has been modified extensively to align to the 2020 Act. This policy forms part of the Proposed Governance Rules.

For Council to meet the legislated requirement, the Proposed Governance Rules (**Attachment [2.1.1]**) has been prepared based on a template provided by Council's Lawyers - Maddocks. Council incorporated elements from Local Government Victoria's (LGV) draft Governance Rules document/guide and other components arising from sector discussions.

The Proposed Governance Rules have been tailored to suit this Council's requirements. They are presented to Council for endorsement and to commence a formal community engagement process inviting written submissions under 2.223 of the *Local Government Act 1989*.

Once finally adopted the Governance Rules replace the meeting procedure requirements of *Local Law No. 2 2020 - Meeting Procedures and Common Seal* (Local Law) adopted by Council on 27 May 2020. Some sections of this Local Law may be retained for enforcement requirements over the Common Seal with the remaining sections to be repealed. The process to repeal the various sections of the Local Law will commence once the final Governance Rules are adopted by Council at the 26 August 2020 Council Meeting.

As indicated previously, there is a requirement that Council conducts a community engagement process to seek the views of the community on the development of the Proposed Governance Rules. It is recommended that a formal s.223 of the *Local Government Act 1989* community consultation process be undertaken, inviting written submissions for the required 28-day advertising period.

Community members interested in making a submission regarding the Proposed Governance Rules are encouraged to make a formal written submission addressed to the Chief Executive Officer at [submission@southgippsland.vic.gov.au](mailto:submission@southgippsland.vic.gov.au), pursuant to s.223 of the *Local Government Act 1989*.

The community consultation phase will be conducted from 14 July 2020 to 11 August 2020. An opportunity to speak to their submission will be provided to submitters upon request. Any written submissions received through this process will be considered by Council before the adoption of the Governance Rules.

A Special Council Meeting will be held to hear and consider the s.223 submissions and provide recommendations to Council. This meeting will be held in accordance with Council's Business Continuity Plan relating to COVID-19 Pandemic. Currently these requirements are that speakers would be called into the meeting by phone and the meeting will be livestreamed for the community to watch the proceedings over the internet, thereby allowing the Council meeting to be open to the public under s.395 of the Act.

Council may endorse the draft Proposed Governance Rules (**Attachment [2.1.1]**) as presented or consider any further amendments, prior to the commencement of the public consultation period. Following the public community consultation, the Proposed Governance Rules including the revised *Election Period Policy* will be presented to Council for adoption on 26 August 2020 in order to meet the mandatory adoption timeline of 1 September 2020.

## **CONSULTATION**

Council has considered the templates provided by its Lawyers Maddocks, Local Government Victoria templates and guidelines, the Act and current practices of Council Meetings and Delegated Committees of Council, when developing these Proposed Rules. Discussions with various Councils including a working group of Officers from the Gippsland Local Government Network (GLGN).

Administrators, Executive Leadership Team and Officer feedback have also been incorporated in the development of the Proposed Governance Rules.

Once the final Governance Rules are adopted and implemented by Council, following community consultation, an education program will be implemented to ensure Officers across the organisation and Delegated and Community Asset Committees understand what is required of them.

## **RESOURCES**

Maddocks Lawyer has prepared a template set of Governance Rules on a fee base for the sector. These were prepared as a base with the expectation they would be tailored to each individual Council's requirements. Council purchased the Maddock's template and it forms the base of the Proposed Governance Rules (**Attachment [2.1.1]**).

The fee for this template was included in current budget requirements and no additional resourcing has been required to complete the review, development and implementation of the Proposed Governance Rules.

## **RISKS**

Council is required under the Act to adopt a set of Governance Rules to replace the meeting procedure Local Law by 1 September 2020. Failure to meet this timeline would place Council in breach of the Act. It is possible that these



Proposed Governance Rules may require further refinement at a later stage, when new regulations for the Act are released.

**STAFF DISCLOSURE**

Nil

**ATTACHMENTS**

*Attachments are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*

1. Governance Rules - incorporating Election Period Policy - July 2020 [2.1.1 - 75 pages]

**REFERENCE DOCUMENTS**

**Council Policy**

*Documents are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*  
South Gippsland's Good Governance Framework

**Legislative Provisions**

Local Government Act 2020

## **2.2. COMMUNITY SUPPORT PACKAGE GRANTS CRITERIA**

Corporate and Community Services Directorate

### **EXECUTIVE SUMMARY**

At the 22 April 2020 Council Meeting, Council endorsed the COVID19 Pandemic Community Support Package of up to \$2M to support the South Gippsland Community and Businesses to remain healthy, connected and innovative.

This report proposes criteria for the grants programs and fee relief offered in the Community Support Package Phase 1 and recommends an extension of programs delivered in Phase 1, bringing the total cost of Phase 1 to \$1,008,529, within the overall Community Support Package budget of \$2 million.

### **RECOMMENDATION**

That Council:

1. Approves the following additional initiatives within Phase 1 Community Support Package Deliverables:
  - a. Increase budget for fee waivers – Business Registration/ Permits from \$100,000 to \$184,000;
  - b. Extend the Community Grants Program by \$100,000 to enable Community Groups to recommence / revitalise operations;
  - c. Fee waiver for April to August 2020 annual site fees for Council owned caravan parks of \$53,915; and
  - d. Provide Community Restarter/Sanitiser package of \$30,000.
2. Approves the Criteria for the following Community Support Package Programs:
  - a. COVID-19 Quick Response Business Grants;
  - b. COVID-19 Community Group Grants;
  - c. COVID-19 Community Support Grants; and
  - d. Fee Waiver - Business Registration/Permits.
3. Authorises the Chief Executive Officer to establish appropriate panels to assess applications and for the Chief Executive Officer to approve successful applicants for the following Community Support Package Grant Programs:
  - a. COVID-19 Quick Response Business Grants;
  - b. COVID-19 Community Group Grants; and

- c. COVID-19 Community Support Grants.
- 4. Authorises the Chief Executive Officer to execute the Fee Waiver for Business Registration/Permits;
- 5. Authorises the Chief Executive Officer to waive fees for April to August 2020 for annual site fees for Council owned caravan parks of \$53,915; and
- 6. Notes that \$991,471 remains in the budget for future Phases of the Community Support Package and that reports will be provided to Council for endorsement of each Phase. Phase 2 will focus on longer term actions to support recovery and reconstructions from the impact of COVID-19.

**MOVED:** Administrator Zahra

**SECONDED:** Administrator Brown

**THAT COUNCIL:**

1. **APPROVES THE FOLLOWING ADDITIONAL INITIATIVES WITHIN PHASE 1 COMMUNITY SUPPORT PACKAGE DELIVERABLES:**
  - a. **INCREASE BUDGET FOR FEE WAIVERS – BUSINESS REGISTRATION/ PERMITS FROM \$100,000 TO \$184,000;**
  - b. **EXTEND THE COMMUNITY GRANTS PROGRAM BY \$100,000 TO ENABLE COMMUNITY GROUPS TO RECOMMENCE / REVITALISE OPERATIONS;**
  - c. **FEE WAIVER FOR APRIL TO AUGUST 2020 ANNUAL SITE FEES FOR COUNCIL OWNED CARAVAN PARKS OF \$53,915; AND**
  - d. **PROVIDE COMMUNITY RESTARTER/SANITISER PACKAGE OF \$30,000.**
2. **APPROVES THE CRITERIA FOR THE FOLLOWING COMMUNITY SUPPORT PACKAGE PROGRAMS:**
  - a. **COVID-19 QUICK RESPONSE BUSINESS GRANTS;**
  - b. **COVID-19 COMMUNITY GROUP GRANTS;**
  - c. **COVID-19 COMMUNITY SUPPORT GRANTS; AND**
  - d. **FEE WAIVER - BUSINESS REGISTRATION/PERMITS.**
3. **AUTHORISES THE CHIEF EXECUTIVE OFFICER TO ESTABLISH APPROPRIATE PANELS TO ASSESS APPLICATIONS AND FOR THE CHIEF EXECUTIVE OFFICER TO APPROVE SUCCESSFUL APPLICANTS FOR THE FOLLOWING COMMUNITY SUPPORT PACKAGE GRANT PROGRAMS:**

- a. **COVID-19 QUICK RESPONSE BUSINESS GRANTS;**
  - b. **COVID-19 COMMUNITY GROUP GRANTS; AND**
  - c. **COVID-19 COMMUNITY SUPPORT GRANTS.**
4. **AUTHORISES THE CHIEF EXECUTIVE OFFICER TO EXECUTE THE FEE WAIVER FOR BUSINESS REGISTRATION/PERMITS;**
  5. **AUTHORISES THE CHIEF EXECUTIVE OFFICER TO WAIVE FEES FOR APRIL TO AUGUST 2020 FOR ANNUAL SITE FEES FOR COUNCIL OWNED CARAVAN PARKS OF \$53,915; AND**
  6. **NOTES THAT \$991,471 REMAINS IN THE BUDGET FOR FUTURE PHASES OF THE COMMUNITY SUPPORT PACKAGE AND THAT REPORTS WILL BE PROVIDED TO COUNCIL FOR ENDORSEMENT OF EACH PHASE. PHASE 2 WILL FOCUS ON LONGER TERM ACTIONS TO SUPPORT RECOVERY AND RECONSTRUCTIONS FROM THE IMPACT OF COVID-19.**

**CARRIED UNANIMOUSLY**

**REPORT**

At the 27 May 2020 Council Meeting, Council endorsed the Community Support Package Phase 1 Implementation Action Plan, subject to budget approval.

The Phase 1 cost estimate at the 27 May 2020 Council Meeting was \$740,614 and included:

<b>Item</b>	<b>Cost estimate</b>	<b>Status</b>
<b>Flu Vaccinations</b> Free flu vaccination program	\$25,900	In progress.
<b>COVID-19 Community Support Grants</b> Extend the Minor Community Grants Program to provide additional service to vulnerable communities	\$100,000	Criteria developed for approval – refer <b>Attachment [2.2.2]</b> .
<b>Rent relief</b> Assisting business who rent Council owned assets. Waived rent from April on Waratah Caravan Park, Korumburra Caravan Park, and Leongatha Cinema Games facilities	\$51,714	In progress
<b>Business Fees/Permits</b> Reduced business registration fees and permit income	\$100,000	Request to extend program (refer below).
<b>Victorian Landfill Levy</b> Waiver of fee increase for garbage charges related to the Victorian Landfill Levy	\$150,000	Complete – included within budget 2020/21 and to be included in the 2020/21 Rates Notices.
<b>Community Information</b> Development and distribution of 2,000 Community Information brochures on support services available	\$13,000	Complete.
<b>COVID-19 Quick Response Business Grants</b> Establish a Business Support Grants Program to assist local businesses affected by COVID-19	\$300,000	Criteria developed for approval – refer <b>Attachment [2.2.1]</b> .
<b>Total</b>	<b>\$740,614</b>	

Since the 27 May 2020 Council Meeting, the Community Support Package Team (CSP Team) have developed criteria for the Grants programs and reduction in business registration fees and permit income, and have identified further opportunities to deliver community support within Phase 1 as follows:

<b>Item</b>	<b>Cost estimate</b>	<b>Status</b>
<p><b>Business Fees/Permits</b></p> <p>Extend program to reduce Business Registration fees and permit income</p>	<p>\$84,000</p> <p>(Revised Total \$184,000)</p>	<p>To be approved.</p> <p>Intent is to rebate 50% of business registration / permit fees in 2020 and reduce fees by 50% for 2021.</p> <p>Criteria developed for approval – refer below.</p>
<p><b>COVID-19 Community Group Grants</b></p> <p>Further extend the Community Grants Program to enable Community Groups to recommence / revitalise operations</p>	<p>\$100,000</p>	<p>Criteria developed for approval – refer <b>Attachment [2.2.4]</b>. Criteria developed for approval – refer <b>Attachment [2.2.3]</b>.</p>
<p><b>Caravan Park Fees</b></p> <p>Fee waiver for April to August 2020 annual site fees for Council owned caravan parks</p>	<p>\$53,915</p>	<p>To be approved.</p> <p>Intent is to waive the site fees for the period for which annuals could not access the caravan parks due to COVID-19 restrictions.</p> <p>Impacts approximately 41 annual site permit holders.</p>
<p><b>Community Restarter/Sanitiser package</b></p> <p>Provide community groups that are opening up after COVID-19 restrictions with a package comprising Personal Protective Equipment (e.g. hand sanitiser and dispenser stand).</p>	<p>\$30,000</p>	<p>To be approved.</p> <p>Equipment will be purchased locally where possible to provide economic benefit to local business.</p> <p>Impact approximately 200-300 Community Groups/ Organisations.</p>
<b>Total new initiatives</b>	<b>\$267,915</b>	
<b>Revised Phase 1 total</b>	<b>\$1,008,529</b>	

Criteria have been developed for the following Community Support Program Packages:

- COVID-19 Quick Response Business Grants** (\$300,000) - individual grants of up to \$1,000 aimed at providing support for relief and recovery efforts for local businesses to reduce financial pressure, boost the local economy and maintain jobs. The grants are aimed to provide an immediate

response to support local business cash flow. Eligibility criteria includes turnover of up to \$250,000 and fewer than 20 staff.

- **COVID-19 Community Group Grants (\$100,000)** - individual grants of up to \$1,000 aimed at providing support for Community Groups to respond to and recover from the impacts of COVID-19. The grants are aimed at not-for-profit community groups for a project that demonstrates benefit to the community.
- **COVID-19 Community Support Grants (\$100,000)** - one-off grants to support not-for-profit organisations/community Service Providers to extend services to individuals to maintain social connections, as a direct response to social distancing and isolation impacts of the COVID-19 pandemic. The grants are intended to bridge the gap for community service providers requiring support alongside State and Federal Government initiatives. These grants will fall within four categories as follows:
  1. Quick Response – For service providers to provide activities that demonstrate and immediate benefit to vulnerable/isolated members of the South Gippsland community.
  2. Technology Support - Fund a program of support through service providers to assist isolated, disadvantaged or vulnerable individuals with limited skills and or access to technology.
  3. Connection & Partnership - To provide funds to service providers for one-off projects that demonstrate short- or long-term benefit to the community, with a focus on building community connection, reducing isolation and/or supporting vulnerable community members; and
  4. Adaptation & Participation – Designed to support groups and organisations to run creative and innovative activities to re-engage with community members.
- **Fee Waiver - Business Registration/Permits (\$184,000)** - Rebate 50 per cent of fees for Business Registration/Permits for 2020 and reduce fees for Business Registration/Permits for 2021 by 50 per cent. Businesses will be able to elect to have the 2020 rebate returned in cash or applied against their 2021 fees.

Detailed brochures for the grants programs, including eligibility criteria, are included in **Attachment [2.2.1]**, and **Attachment [2.2.2]** and **Attachment [2.2.3]**.

## **CONSULTATION**

The proposals identified in this report have been informed by internal consultation and collaboration across all disciplines of the organisation.

Consultation between the CSP Team and the Municipal Emergency Management Planning Committee, the Business Emergency Leadership Group,

Regional Development Victoria and the Service Provider Network (SPIN) is ongoing throughout the planning and delivery of the Phase One and future Phases of development and implementation of the Community Support Package.

Council staff have also consulted business customers, where the opportunity has arisen, through surveys and visits to gather feedback and identify impacts to their business. Consultations have occurred with other municipalities, including Latrobe City Council and Bass Coast Shire Council. Each municipality is experiencing similar issues and several opportunities for collaboration have been identified. An analysis of similar support packages across Australia has also been undertaken. This has shown that the approach taken in the Community Support Package is commensurate with similar sized municipalities elsewhere.

There has been extensive consultation with community organisations, community networks and individual organisations to help design initiatives in the CSP and ensure they are targeted to areas of greatest need and impact.

Follow up will be undertaken with organisations and businesses supported through the CSP, to evaluate the effectiveness of the initiatives and to inform the development of the next phase of the CSP. This will include the views and experiences of those supported by the CSP regarding the grants process and the perceived benefit of the initiatives.

There is a need to manage community expectation regarding the scope of and impact of action available to Council through clear communication and messaging.

## **RESOURCES**

A budget amount of up to \$2 million to support the South Gippsland community response to the impact of the COVID-19 pandemic is included in Council's adopted budget.

Resources required for specific projects within the package have been costed at an amended total of \$1,008,529.

## **RISKS**

If Council does not develop a series of actions to support the community there is a risk of further economic downturn and a negative effect on the health and wellbeing of residents within the Shire, particularly vulnerable members of the community.

There is reputation risk to Council if the community does not see Council taking a lead in this area. Neighbouring Councils at Bass Coast and Latrobe have announced similar stimulus packages recently.

Initiatives by the State and Commonwealth Government may have a limited impact on some sectors of the community.

The package has been designed to minimise long-term financial risk to Council and is targeted to areas of greatest need. Coordinating with the Municipal



Emergency Management Planning Committee, State and Federal Government and other municipalities, will also ensure an approach which reduces duplication and maximises impact. The package will be flexible enough to respond to emerging community needs and has been designed to also support a strong recovery for the community and business when COVID-19 restrictions are eased.

With the majority of council staff currently working from home, there will be challenges to developing and implementing new innovative programs and initiatives in the current and post COVID-19 environment.

#### **STAFF DISCLOSURE**

Nil

#### **ATTACHMENTS**

*Attachments are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*

1. Community Support Package - Business Grants Program [2.2.1 - 3 pages]
2. Community Support Package - Community Support Program [2.2.2 - 4 pages]
3. Community Support Package - Community Grants Program [2.2.3 - 3 pages]

#### **REFERENCE DOCUMENTS**

##### **Council Policy**

*Documents are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*  
Annual Budget

##### **Legislative Provisions**

Local Government Act 2020

### **3. MEETING CLOSED**

#### **NEXT MEETING**

The next Council Meeting will be held on Wednesday, 22 July 2020 commencing at 2pm in the Council chambers, Leongatha.

**The Special Council Meeting closed at 11.45am.**

**Confirmed this**

**22<sup>nd</sup> of July 2020.**

**Administrator Chair, Julie Eisenbise**