

SOUTH GIPPSLAND SHIRE COUNCIL

# Council Meeting Agenda

18 August 2021

**Council Meeting No. 462**  
**Virtual Online Meeting**  
**Commencing at 1.00pm**

**Administrators**  
Julie Eisenbise, Chair  
Christian Zahra, Deputy Chair  
Rick Brown



# agenda



*South Gippsland  
Shire Council*

*Come for the beauty, Stay for the lifestyle*

## OUR PURPOSE

***To serve in the best interests of the whole Shire, delivering quality services and advocating for community needs.***

### 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.

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## SOUTH GIPPSLAND SHIRE COUNCIL

Notice is hereby given that Council Meeting No. 462 of the South Gippsland Shire Council will be held virtually (online) on Wednesday 18 August 2021 commencing at 1.00pm

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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 TO THE VIRTUAL (ONLINE) COUNCIL MEETING**

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

Over the past year the Federal and State Governments have had clear directives about social gatherings in respect of the COVID19 Pandemic. The recent lockdown in the metropolitan Melbourne area has meant that for the safety of community and staff the 18 August 2021 meeting of Council is conducted virtually.

Access to the live stream through Council's Internet is another available option to the 'open' component of a Council Meeting. Link to the Live Stream on Council's website: [Live Streaming | Live Streaming | South Gippsland Shire Council](#)

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 18 August 2021 Council Meeting in person;
2. Notes that this Council Meeting is being conducted as a virtual meeting, conducted by electronic means of communication pursuant to section 394 of the *Local Government Act 2020*. The 'Minister's Good Practice Guideline MGP-1: Virtual Meetings' have been used to ensure that local

government decision making can continue in line with COVID-19 Pandemic requirements;

3. Notes that the 18 August 2021 Council Meeting remains 'open' via the livestream on the Internet, in keeping with section 395 of the *Local Government Act 2020*; and
4. Notes that this decision is made to protect the health and wellbeing of all people required to be in attendance.

### **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, present and emerging, their Spirits and Ancestors.

## **1.5. APOLOGIES**

## **1.6. CONFIRMATION OF MINUTES**

### **RECOMMENDATION**

That the Minutes of the South Gippsland Shire Council Meeting No. 461, conducted virtually (online) on 21 July 2021 be confirmed.

## 1.7. DECLARATION OF CONFLICTS OF INTEREST FOR ADMINISTRATORS

The *Local Government Act 2020* (the Act), Division 2 sets out the requirements relating to Conflict of Interest. Disclosure of a conflict of interest in respect of a matter to be considered at a Council Meeting is required under section 130(1)(a) and specifically applies to a relevant person being a Councillor (Administrator), member of a delegated committee who is not a Councillor and a member of Council staff.

Council's Governance Rules (C82) (the Rules), clause 3.0 Disclosure of a Conflict of Interest at a Council Meeting sets out the prescribed manner required to disclose a conflict of interest at South Gippsland Shire Council.

The Rules require a Councillor (Administrator) and/ or staff member who has a conflict of interest in a matter being considered at a Council Meeting to announce before the matter is considered and disclose this in a written notice to the Chief Executive Officer. The details included in the disclosure, explain the nature conflict of interest, whether it is classified as general or material (s.127 and s.128), the name of the relevant person(s) and their relationship to them.

Failure to comply with disclosures of conflict of interest (s.130) may be subject to penalty points and/ or other disciplinary measures depending on the nature of the conflict.

The *Local Government Act 2020* can be accessed from the Victorian Legislation and Parliamentary documents website at [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au). Council's *Governance Rules (C82)* can be accessed from [Council's Policies](#) webpage.



## 1.8. DECLARATION OF CONFLICTS OF INTEREST FOR STAFF

The *Local Government Act 2020* (the Act), Division 2 sets out the requirements relating to Conflict of Interest. Disclosure of a conflict of interest in respect of a matter to be considered at a Council Meeting is required under section 130(1)(a) and specifically applies to a relevant person being a Councillor (Administrator), member of a delegated committee who is not a Councillor and a member of Council staff.

Council's *Governance Rules (C82) (the Rules)*, Chapter 5, clause 7, 8 and 9 sets the prescribed manner required for staff to disclose a conflict of interest when:

- *Preparing Reports for Meetings*
- *Exercise of Delegated Power*
- *Exercise of a Statutory Function*

Council staff must immediately upon becoming aware of a conflict of interest provide a written notice to the Chief Executive Officer disclosing the conflict of interest, explain the nature of the conflict and how it will be managed. Upon becoming aware and declaring a conflict of interest, a staff member may not exercise a power or perform a function in the matter. All prepared reports will record that staff member(s) have considered a conflict of interest and include if any, the details of a disclosure.

Failure to comply with disclosures of conflict of interest (s.130) may be subject to penalty points and/ or other disciplinary measures depending on the nature of the conflict.

The *Local Government Act 2020* can be accessed from the Victorian Legislation and Parliamentary documents website at [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au).

Council's *Governance Rules (C82)* can be accessed from [Council's Policies](#) webpage.

**Ms Kerryn Ellis, Chief Executive Officer has declared a material interest in Agenda Item 12.3. PERSONAL INFORMATION, as the matter relates directly to her role.**

## **2. OBJECTIVE 1 - UNITED SHIRE**

### **2.1. COMMUNITY GRANTS PROGRAM REVIEW 2021/22**

Economy and Community

#### **Council Plan**

*Objective 1 - United Shire - Strategy 1.2 Develop and support the leadership skills of existing and emerging community leaders, volunteers, community groups and networks*

*Partnerships between community and Council are enhanced through the provision of Council's Community Grants Program. This report provides Council with a review and evaluation of the current Community Grants Program and outcomes.*

#### **EXECUTIVE SUMMARY**

The purpose of this report is to seek Council's consideration of the external review that Council undertook during 2020/21 of the *South Gippsland Community Grants Program* (the Program).

The objective of this review was to evaluate the effectiveness of the current Program and investigate community benefit, future demand, innovation and options for delivery of the Program in the South Gippsland Shire. It was intended to assist South Gippsland Shire Council, to determine that the Program achieves its aims as stated in Council's *Community Grants Program Policy (C47)*.

This review is now complete and this Council report proposes Council note the final report and endorses a staged approach to recommendations contained within the report (**Attachment [2.1.1]**)

#### **RECOMMENDATION**

**That Council:**

- 1. Adopts the South Gippsland Shire Council Community Grants Program – Independent External Evaluation Report and all recommendations contained within (Attachment [2.1.1]) and accompanying Appendices 1, 2 and 3 (Attachments [2.1.2], [2.1.3] and [2.1.4]);**
- 2. Endorses the following stages for implementation of recommended actions contained within the Community Grants Evaluation Report:**
  - a. Strengthen Community Grants Program Practices and Processes;**

- b. Build alignment between the Community Grants Program, Community Need, Council Plan and Strategies and Regional Strategies; and once these two stages are complete;**
  - c. Enable a collaborative, flexible and responsive Community Grants Program through the establishment of a Community Grants Review Reference Group; and**
- 3. Brings a progress report to Council on the implementation of the recommended stages by 30 June 2022.**

## **REPORT**

The evaluation of the *Community Grants Program* (the Program), as requested by Council, was concluded in June 2020.

The comprehensive report (refer **Attachments [2.1.1], [2.1.2], [2.1.3] and [2.1.4]**) clearly demonstrates that the Program is highly valued by community, and represents a vital and significant source of funding that has ongoing benefit to a broad range of community organisations and volunteer groups across South Gippsland. It also allows that the Program requires the development of appropriate frameworks and outcomes to ensure its sustainability into the future.

The recommendations within the report underpin three aims and create a roadmap for the Program to achieve those aims. Success looks like a proactive, strategic and collaborative Program for the community of South Gippsland.

The three aims of the recommended approach are:

### **1. Strengthen Program Practices and Processes**

The recommendations related to this stage are designed to strengthen community and Council confidence in Program operation. These recommendations will:

- Simplify the application process and provide clarity and transparency to grant seekers on how their applications are considered;
- Build community confidence when seeking grants through the provision of grant seeker training; and
- include outcome measures in the acquittal process to support continuous improvement and data collection.

These recommendations are operational and can be achieved in the shorter term.

**4. Build alignment between the Program, Community Need, Council Plan and Strategies and Regional Strategies.**

Develop a Theory of Change Statement, Outcomes Framework, and Monitoring and Evaluation Framework for the Program.

These identified frameworks would establish clear Program goals, embed outcomes-focused thinking within the Program, and ensure continuous improvement through robust quantitative data collection. A detailed roadmap and recommendations for achieving this outcome is described in **Appendix 1 (Attachment [2.1.2])**.

**5. Create a collaborative, flexible and responsive Community Grants Program through the establishment of a Community Grants Review Reference Group.**

Establish a Community Grants Review Reference Group.

This group would support future reviews, create a platform for testing ideas and changes, and engage external stakeholders in decisions that may affect them. This is a longer-term recommendation, and should be implemented when the theory and framework are complete. This will require the development of Terms of Reference, and Expression of Interest to support group functions.

This review is now complete and this Council report proposes Council note the final report and endorses a staged approach to implementation of recommendations contained within the report (**Attachment [2.1.1]**) and outlined above.

**CONSULTATION / COMMUNITY ENGAGEMENT**

Extensive consultation and engagement were undertaken during the evaluation process and the results of this engagement are shown in Appendices 2 and 3 (refer **Attachments [2.1.3]** and **[2.1.4]**).

**RESOURCES / FINANCIAL VIABILITY**

Program improvements and establishment of a *Community Grants Review Reference Group* recommended by the external report can be undertaken within current resources and do not represent a financial impost.

Development of a 'Theory of Change Statement' and associated frameworks (Outcome Framework, Monitoring and Evaluation framework), can be supported from resources within the Directorate.

## **RISKS**

Implementation of the recommendations contained within the report will strengthen the Program and ensure community and Council needs for the Program are met and the Program is sustainable into the future.

## **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## **ATTACHMENTS**

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

1. SGSC Community Grants Program - External Evaluation Report 2021 [2.1.1 - 74 pages]
2. SGSC Community Grants Program - External Evaluation Report 2021 - Appendix 1 [2.1.2 - 24 pages]
3. SGSC Community Grants Program - External Evaluation Report 2021 - Appendix 2 [2.1.3 - 79 pages]
4. SGSC Community Grants Program - External Evaluation Report 2021 - Appendix 3 [2.1.4 - 54 pages]

## **REFERENCE DOCUMENTS**

### **Council's Good Governance Framework**

Pillar 4. Structure, Systems & Policies

Pillar 5. Communications & Community Engagement

### **Council Policy / Strategy / Plans**

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

Annual Budget

Council Plan 2020-2024

Community Grants Program Policy (C47)

### **Legislative Provisions**

Local Government Act 1989

Local Government Act 2020

## 2.2. COMMUNITY TRANSPORT OPTIONS PAPER

Economy & Community

### **Council Plan**

*Objective 1 - United Shire - Strategy 1.3 Deliver efficient and responsive services that enhance the health, safety and well-being of the community*

*This report presents Council with the final consultant report reviewing the Council's Community Transport Service and requests endorsement of the preferred option.*

### **EXECUTIVE SUMMARY**

In 2020, an independent consulting firm was engaged to review Council's *Community Transport Program*. The consultant presented a progress report to Administrators on the 2 June 2021 that identified options for future delivery of the service.

The review is now complete, and the process of review has revealed significant underutilisation of the limited community transport service currently provided by Council and highlighted the emergence of multiple service providers delivering sustainable, flexible and efficient community transport services across South Gippsland.

The purpose of this report is to present the final consultant report on the review into Council's *Community Transport Program* (the Program) and based on the outcomes of this review, recommend that Council cease provision of the *South Gippsland Shire Council Community Transport Service*, and support its clients and volunteers to transition to other service providers.

### **RECOMMENDATION**

**That Council:**

- 1. Receives the Community Transport Review final consultant report Confidential Attachment [13.1.1] and;**
- 2. Ceases the provision of the South Gippsland Shire Council Community Transport Service, while:**
  - a. Supporting existing clients to transition to alternative service providers;**
  - b. Supporting volunteers to secure volunteer activity with alternative service providers as available;**

- c. **Provides referral support to future community transport seekers; and**
  - d. **Ensures any revenue derived from any disposal of assets related to the Community Transport Service is directed to the provision of community service programs at Council; and**
3. **Establishes a Community Transport Provider Network to support collaborative coordination of Community Transport Services across the region.**

## **REPORT**

In 2020, an independent consulting firm was engaged to review Council's *Community Transport Program*. The consultant presented a progress report to Administrators on the 2 June 2021 and from this progress report, options were identified for further detailed investigation. Administrators received a report outlining the results of this investigation at a confidential briefing on 7 July 2021.

## **Options**

### ***Option 1 – Cease operation of the South Gippsland Community Transport Service.***

Council's ceasing of the South Gippsland Community Transport Service recognises the wide range of other Community Transport providers now operating in the Shire, and their ability to provide a sustainable and efficient service.

The emergence of new Community Transport providers in the Shire has effectively taken over the role previously provided by Council, which has been reducing in scale for the past five years. The Community Transport Review indicates that the overwhelming proportion of clients previously using Council's service are now supported by other community transport providers, or by National Disability Insurance Scheme (NDIS) or My Aged Care packages.

Currently, there is a client base of three regular users with two volunteer drivers.

Changes to the aged and disability service system through the NDIS and *My Aged Care* have also seen the introduction of paid staff providing transport who are able to provide a more comprehensive service compared with volunteers.

### ***Option 2 – Retain and expand the South Gippsland Community Transport Service***

Council has the option to remain providing the South Gippsland Community Transport Service.

The service is currently provided to three people, for an on-going estimated financial contribution of approximately \$271,280 in ongoing operational costs including staffing; and an initial \$293,947 in capital investment, which could not be supported by State or Federal funding.

This is considered an expensive cost to incur and continue for such a small number of residents, when other providers are able to provide them with a similar or enhanced level of service.

### ***Proposed Option***

Based on the outcomes of the Community Transport Review and further financial and programmatic analysis, ending the provision of the Community Transport Service was identified as the preferred option and is now presented to Council for consideration and final determination.

Ending the provision of the service may generate some community anxiety, however this could be mitigated by ensuring a respectful approach to transferring clients and volunteers to other providers and providing comprehensive information to the community on other service options.

The process for transitioning Council's current Program may require further negotiation with service providers regarding eligibility criteria. It is envisaged that Council may retain a role in referring clients to other community transport providers, as currently occurs for a number of other community services.

A case management approach to transition, supported by an ongoing role in referring new clients to other community transport providers would ensure that no client is disadvantaged and their individual needs can be supported.

Option One is the preferred option recommended for Councils consideration.

### ***Financial Implications***

Ceasing the service would incur minimal costs, as the service is currently operating at a very low level. There may be some savings to be made from disposal of the existing fleet and termination of software licences. Respectful transition of clients and volunteers to other providers, and promotion of alternative arrangements can be undertaken within existing staffing and resources.

### ***Other Financial Considerations***

In 2020/21, Council's existing Community Transport Service has required a 0.4 EFT resource position at \$40,250 per annum, including on-costs to operate at current service levels. In addition, an existing fleet of two cars and a community bus has been maintained to continue the provision of the service



pending relaxation of COVID-19 restrictions and availability of suitable volunteers. Council does not receive any State or Federal funding for the current service.

The operation of the current service, will be managed within existing resources to the end of August 2021 pending a decision on the future delivery of the Program.

Resources to fund the review were allocated in the current Annual Budget.

A full assessment of resources and financial viability of the Program forms part of the final consultant report.

### ***Future Community Transport Arrangements***

The Community Transport Review has identified a need for better coordination of, and collaboration between the various community transport providers in the Shire. The Council is well-placed to support the development of a Community Transport Provider Network and this opportunity will be further explored.

### **CONSULTATION / COMMUNITY ENGAGEMENT**

Community engagement and consultation has formed part of the Consultant Report and a community survey has also been undertaken to identify community needs and aspirations for Community Transport.

The review has also engaged with existing Community Transport providers and community service organisations, including: Latrobe Community Health Service, Bass Coast Health, Gippsland Southern Health Service, Venus Bay/Tarwin Lower Men's Shed, South Gippsland Hospital, Coordinator Mirboo North community bus, Mirboo North and District Community Foundation, South Coast Primary Care Partnership, Mercy Health, Gippsland Public Health Network and Mecwacare. Other Councils providing Community Transport have also been engaged to explore options and operating models.

### **RESOURCES / FINANCIAL VIABILITY**

#### ***Ceasing the Service***

Transition of clients and volunteers can be managed within existing resources. Income from disposal of fleet and termination of software licence could fund future coordination and promotion activity.

### **RISKS**

Ending the Community Transport Service does present Council with reputational risk. These risks can be mitigated with appropriate

communication and implementation plans and the respectful transition of clients and volunteers, however it cannot be removed entirely.

### **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

### **ATTACHMENTS**

Nil

### **CONFIDENTIAL ATTACHMENTS**

The consideration of confidential information in a closed session of Council is in accordance with s.66(2)(a) and s.66(5)(a) and (b) of the *Local Government Act 2020*.

**Confidential Attachment [13.1.1] - SGSC Community Transport Services Review - July 2021 - Final Report** – is designated confidential information pursuant to the *Local Government Act 2020*, s.3(1)(a) - Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

The grounds for designation as the information is deemed commercial-in-confidence, being information that would prejudice Council's position in commercial negotiations if prematurely released.

### **REFERENCE DOCUMENTS**

#### **Council's Good Governance Framework**

Pillar 3. Decision Making

Pillar 4. Structure, Systems & Policies

#### **Council Policy / Strategy / Plans**

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

An Age-Friendly South Gippsland Plan

Annual Budget

Council Plan 2020-2024

Community Transport Policy (C10)

Disability Action Plan

Volunteer Policy (C54)

#### **Legislative Provisions**

Aged Care Legislation Amendment (increasing Consumer Choice) Act 2016

Carers Recognition Act 2012

Disability Act 2006

Disability Discrimination Act 1992  
Local Government Act 1989  
Local Government Act 2020  
Occupational Health and Safety (OH&S) Act 2004  
Public Health and Wellbeing Regulations 2019

### **3. OBJECTIVE 2 - ECONOMIC PROSPERITY**

#### **3.1. COMMUNITY ASSET COMMITTEES - PROGRESS REPORT 2021**

Economic & Community Development

##### **Council Plan**

*Objective 1 – United Shire - Strategy 1.1 Develop a shared vision for the future direction of the Shire in partnership with the community*

*Council's community committees are formed to manage a range of community facilities and assets on the community's behalf and make an important and valued contribution to South Gippsland. This report highlights the most appropriate long-term governance arrangements of the committees.*

##### **EXECUTIVE SUMMARY**

At its 28 August 2020 Council Meeting, Council established 14 Community Asset Committee's (CACs) and in doing so determined to review the most appropriate long-term governance arrangements in consultation and partnership with the CAC's no later than 30 August 2021.

The purpose of this report is to consider and determine the future operation of the 14 CAC's, which proposes the continuation of eight committees, revocation of two committees and the further consultation and engagement with four committees.

##### **RECOMMENDATION**

**That Council:**

- 1. Revokes the appointment of the following Community Asset Committees;**
  - a. Korumburra Botanic Park; and**
  - b. Leongatha Court House.**
- 2. Continues the current established appointment of the following Community Asset Committees, and work with said Committees to develop a collaborative and unified approach to their operations;**
  - a. Sandy Point Community Centre & TP Taylor Reserve;**
  - b. Mirboo North Hall;**
  - c. Meeniyan Sports Stadium;**
  - d. Allambee South Community Hall;**

- e. **John Terrill Memorial Park & Fish Creek Recreation Reserve;**
  - f. **Korumburra Recreation Reserve;**
  - g. **Foster Showgrounds; and**
  - h. **Walter J Tuck Reserve.**
- 3. Continues the current established appointment of the following Community Asset Committees and undertake further consultation with those Community Asset Committees to determine best options for community and Council by June 2022;**
- a. **Dumbalk Hall;**
  - b. **Foster Stockyard Gallery;**
  - c. **Foster War Memorial Arts Centre; and**
  - d. **Port Welshpool Maritime Museum.**
- 4. Notes the Chief Executive Officer by 1 September 2021, is to establish new delegations for the following Community Asset Committees;**
- a. **Sandy Point Community Centre & TP Taylor Reserve;**
  - b. **Mirboo North Hall;**
  - c. **Meeniyan Sports Stadium;**
  - d. **Allambee South Community Hall;**
  - e. **John Terrill Memorial Park & Fish Creek Recreation Reserve;**
  - f. **Korumburra Recreation Reserve;**
  - g. **Foster Showgrounds;**
  - h. **Walter J Tuck Reserve;**
  - i. **Dumbalk Hall;**
  - j. **Foster Stockyard Gallery;**
  - k. **Foster War Memorial Arts Centre; and**
  - l. **Port Welshpool Maritime Museum.**

5. **Notes the Chief Executive Officer by 1 September 2021 is to revoke the appointment of members to, and delegation for the following Community Asset Committees:**
- a. **Korumburra Botanic Park; and**
  - b. **Leongatha Court House.**

**REPORT**

On 28 August 2020, Council established 14 former Section 86 Committees as Community Asset Committees (CACs) to meet requirements of the reformed *Local Government Act 2020 (2020 Act)*. In establishing the CACs, Council also determined to review the most appropriate long-term governance arrangements for each of the CACs within 12 months, or by 30 August 2021, in consultation with each CAC. It also allowed for business as usual by the Committees. During the past twelve-month period, COVID-19 Pandemic restrictions have limited consultations with each CAC.

Delegations for the new Community Asset Committees have been established by the Chief Executive Officer (CEO) in accordance with s.65 of the *Local Government Act 2020*. The CEO has the delegated power to appoint and remove members of a CAC and to revoke or change the delegation to the CAC, if deemed necessary.

The current delegation to each CAC expires on 1 September 2021. The CEO will need to issue new delegations to each CAC depending on the action taken by Council in respect of each CAC.

The proposed arrangements for each CAC, following the review of long-term governance, are as follows:

<b>Community Asset Committee</b>	<b>Action</b>	<b>Rationale/Reason</b>
Korumburra Botanic Park	Revoke appointment	CAC has indicated that their appointment should be revoked as it does not have the capacity to continue. Shire Parks and Gardens manages the parks for all intents and Council's purposes. A Friends of Group is being formed to work collaboratively with council in maintaining and improving the park
Leongatha Court House	Revoke appointment	The CAC wishes that a licence over the premises be issued to the South Gippsland Brass Band Inc. in accordance with Council's Lease Policy.

<b>Community Asset Committee</b>	<b>Action</b>	<b>Rationale/Reason</b>
Sandy Point Community Centre & T P Taylor Reserve	No change to current appointment	CAC has indicated their desire to continue as a CAC and have the capacity to manage the facility in a satisfactory manner.
Dumbalk Hall	No change to current appointment however continue review	Further consultation with the CAC required to determine best options for Community and Council.
Foster Stockyard Gallery	No change to current appointment however continue review	Further consultation with the CAC required to determine best options for Community and Council.
Mirboo North Hall	No change to current appointment	CAC has indicated their desire to continue as a CAC and have the capacity to manage the facility in a satisfactory manner.
Meeniyon Sports Stadium	No change to current appointment	CAC has indicated their desire to continue as a CAC and have the capacity to manage the facility in a satisfactory manner.
Allambee South Community Hall	No change to current appointment	CAC has indicated their desire to continue as a CAC and have the capacity to manage the facility in a satisfactory manner.
John Terrill Memorial Park and Fish Creek Recreation Reserve	No change to current appointment	CAC has indicated their desire to continue as a CAC and have the capacity to manage the facility in a satisfactory manner.
Foster War Memorial Arts Centre	No change to current appointment however continue review	Further consultation with the CAC required to determine best options for Community and Council.
Korumburra Recreation Reserve	No change to current appointment	CAC has indicated their desire to continue as a CAC and have the capacity to manage the facility in a satisfactory manner.
Foster Showgrounds	No change to current appointment	CAC has indicated their desire to continue as a CAC and have the capacity to manage the facility in a satisfactory manner.
Walter J Tuck Reserve	No change to current appointment	CAC has indicated their desire to continue as a CAC and have the capacity to manage the facility in a satisfactory manner.
Port Welshpool Maritime Museum	No change to current appointment however continue review	Further consultation with the CAC required to determine best options for Community and Council.

## **CONSULTATION / COMMUNITY ENGAGEMENT**

Each Community Asset Committee has been engaged in discussion relating to their operation. Further consultation with each Committee will continue to ensure best options for future operation, including opportunities for a collaborative and unified approach to operation.

#### **RESOURCES / FINANCIAL VIABILITY**

Future consultation and coordination of Community Asset Committees can be undertaken within current resources.

#### **RISKS**

Continuation of the CACs will enable, in collaboration with Council, good management, maintenance and use of valuable community assets and with local community involvement.

The CEO's annual reporting to Council about the operations and activities of the CAC's, informed by annual reports by the CACs to the CEO, will provide good governance oversight.

A consistent approach to the management of council assets can be achieved by having responsibilities and requirements for CACs similar to those of Lessees/Licensees.

The CEO is able to amend or revoke delegations to a CAC should circumstances require this.

#### **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

#### **ATTACHMENTS**

Nil

#### **REFERENCE DOCUMENTS**

##### **Council's Good Governance Framework**

Pillar 3. Decision Making

Pillar 4. Structure, Systems & Policies

Pillar 7. Risk & Compliance

##### **Council Policy / Strategy / Plans**

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

Asset Management Policy (C04)

Council Land Ownership Policy (C34)

Leasing Policy (C62)



Property Insurance Coverage Policy (C31)

Annual Budget

Annual Budget Incorporating 15 Year Long Term Financial Plan and Annual Plan Initiatives

Asset Management Plan - Buildings (internal)

Council Plan 2020-2024

South Gippsland's Good Governance Framework

**Legislative Provisions**

Local Government Act 1989

Local Government Act 2020

## **4. OBJECTIVE 3 - INTEGRATED SERVICES AND INFRASTRUCTURE**

### **4.1. PROPOSED NAMING OF THE COMMUNITY HUB IN KORUMBURRA**

Sustainable Infrastructure

#### **Council Plan**

*Objective 3 - Integrated Services and Infrastructure - Strategy 3.3 Deliver services that enhance liveability and environmental sustainability for generations.*

*Year 1 Annual Initiative – Korumburra Hub development significantly progressed. By providing a unique name and registering with Geographic Names Victoria, will ensure emergency services and the general public can locate the centre easily.*

#### **EXECUTIVE SUMMARY**

The purpose of this report is for Council to officially name the new community facility in Korumburra. The new facility once constructed will be located at 15 Little Commercial Street, Korumburra (shown in **Figure 1**), and will be home to the West Gippsland Regional Library, Milpara Community House, Korumburra and District Historical Society, Korumburra Senior Citizens and other community groups.

The Korumburra and District Historical Society and the Korumburra Round Table were consulted regarding proposed names. A public submission period was held to the wider community via Council's website, social media and newspapers in March 2021, calling for name suggestions, with 42 name submissions being received during the public submission period.

Short-listed names were then advertised via a public voting poll to the wider community via Council's website, social media and newspapers in June 2021. All votes have been counted and the name with the majority of votes is the 'Korumburra Community Hub'.

#### **RECOMMENDATION**

**That Council:**

- 1. Considers the results of the public voting poll for the Korumburra community facility noting that all votes returned were in favour of 'Korumburra Community Hub';**
- 2. Endorses the new community facility to be named as the 'Korumburra Community Hub';**

3. **Forwards the proposed new Place name to Geographic Names Victoria for final consideration and approval; and**
4. **Subject to Geographic Names Victoria’s approval of the proposed new name, places a notice in local newspapers, Council website and advises local organisations, and local stakeholders of the new name.**

## REPORT

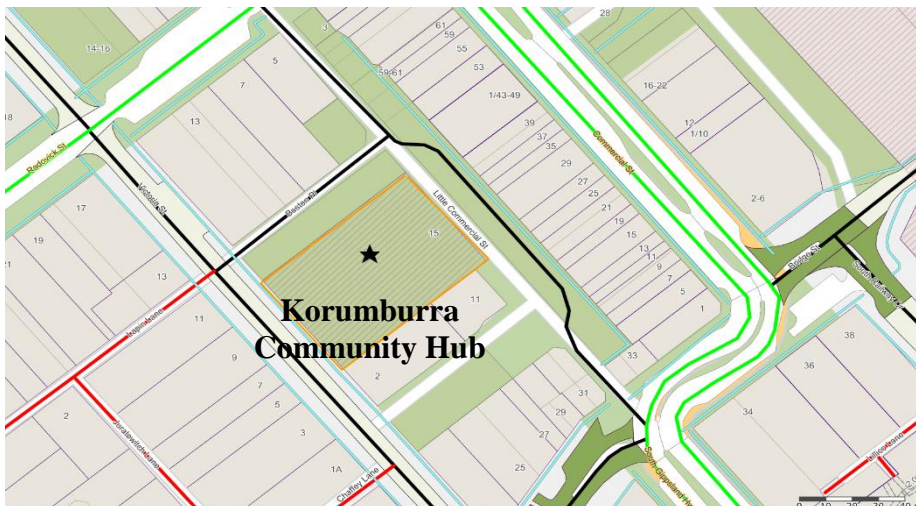
### Background

The new Korumburra community facility is required to undertake the process outlined in the Naming Rules for Places in Victoria – statutory requirements for naming roads, features and localities – 2016 (naming rules) which sets out step-by-step information on naming, renaming, or changing the boundaries of roads, features, and localities in Victoria.

This naming is needed because public safety is paramount. By providing a unique name and registering with Geographic Names Victoria (GNV), will ensure emergency services and the general public can locate the facility easily.

The new facility will be home to the West Gippsland Regional Library, Milpara Community House, Korumburra and District Historical Society, Korumburra Senior Citizens and other community groups.

**Figure 1 – Locality Map – Korumburra Community Hub**



### CONSULTATION / COMMUNITY ENGAGEMENT

Consultative actions are carried out for the naming and renaming of all roads, features, and localities. Naming authorities must consult the public on any naming proposal, in accordance with GNV naming rules – ['Naming Rules for Places in Victoria – Statutory Requirements for Naming Roads, Features and](#)

Localities 2016' (Naming Rules). The level and form of consultation can vary depending on the naming proposal. The following consultation process has been developed in accordance with the guidelines and processes outlined in the naming rules.

This proposal conforms to the principles and requirements of the Naming Rules.

### **Traditional Name**

A request was forwarded to the Bunurong Land Council Aboriginal Corporation (BLCAC) for consideration to submit a proposed name. Council received advice from the BLCAC on 5 March 2021 stating that they advised that *"BLCAC will no longer support requests that wish to put Bunurong words up against English (or other) languages for a third party or group to choose from. BLCAC will only support requests from those that know they want a Bunurong word"*.

As a result of the advice from BLCAC, traditional names were not pursued as it would not have met the naming guidelines outlined by the Geographic Names Victoria (GNV).

### **First Round Consultation - Immediate / Wider Community Name Submissions – Closed 2 April 2021**

The Korumburra and District Historical Society (KDHS) and the Korumburra Round Table (KRT) were consulted regarding proposed names and the public submission process. A public submission period was held in March 2021 with the wider community and business owners via letters, Council's website, social media, and newspapers calling for name suggestions. Submissions were open to the public for 30 days. A copy of the Public Notice and letters to wider the community as part of round 1 are available in **Attachment [4.1.1]**.

Council received 37 name submissions during the public submission period in March 2021, 'Name the Hub – Korumburra', including proposed names from the KDHS. All name submissions are available in **Attachment [4.1.2]**.

Officers reviewed the names proposed from the public submission period in line with the GNV guidelines Naming Rules, in particular to *Section - 2.2 Feature names not considered duplicates* and *Section 4.2.3 Locational Names*.

The names proposed below are not considered duplicates because the feature names have unique identifiers that differentiate them from each other. A feature should be given the name of the official locality if the name of a locality is used to define and locate a feature. Therefore, a new community facility named 'Korumburra Community Hub' in the locality/township of

Korumburra would not be considered a duplication, even though within a 15 kilometre radius there are the similarly named features.

Compliant names were then forwarded to the KRT for short listing, via a voting ballot for most preferred names as shown in the table below.

**Table 1 – Voting Ballot Results - KRT**

<b>Name Suggestion</b>	<b>Total Votes</b>
Korumburra Community Hub	18
Korumburra Community Centre	14
Korumburra Hub	10
Burra Hub	5
Korumburra Hub Complex	4
Kookaburra Place	3
Korumburra Community Resources and Social Centre	3
“Research person who donated land to the kinder site”	3
Green Hills Community Hub Korumburra	2
Birrlee Place Hub	2

The shortlisted names as below, are the result of the recommendation from the KDHS along with a voting poll by the KRT on 15 April 2021 to choose their top three names.

1. Korumburra & District Community Hub (KDHS recommendation)
2. Korumburra Community Hub
3. Korumburra Community Centre
4. Korumburra Hub

The KDHS were also advised of the shortlisted names for public voting.

**Second Round Consultation – Immediate / Wider Community (Voting Poll) - Closed 2 July 2021**

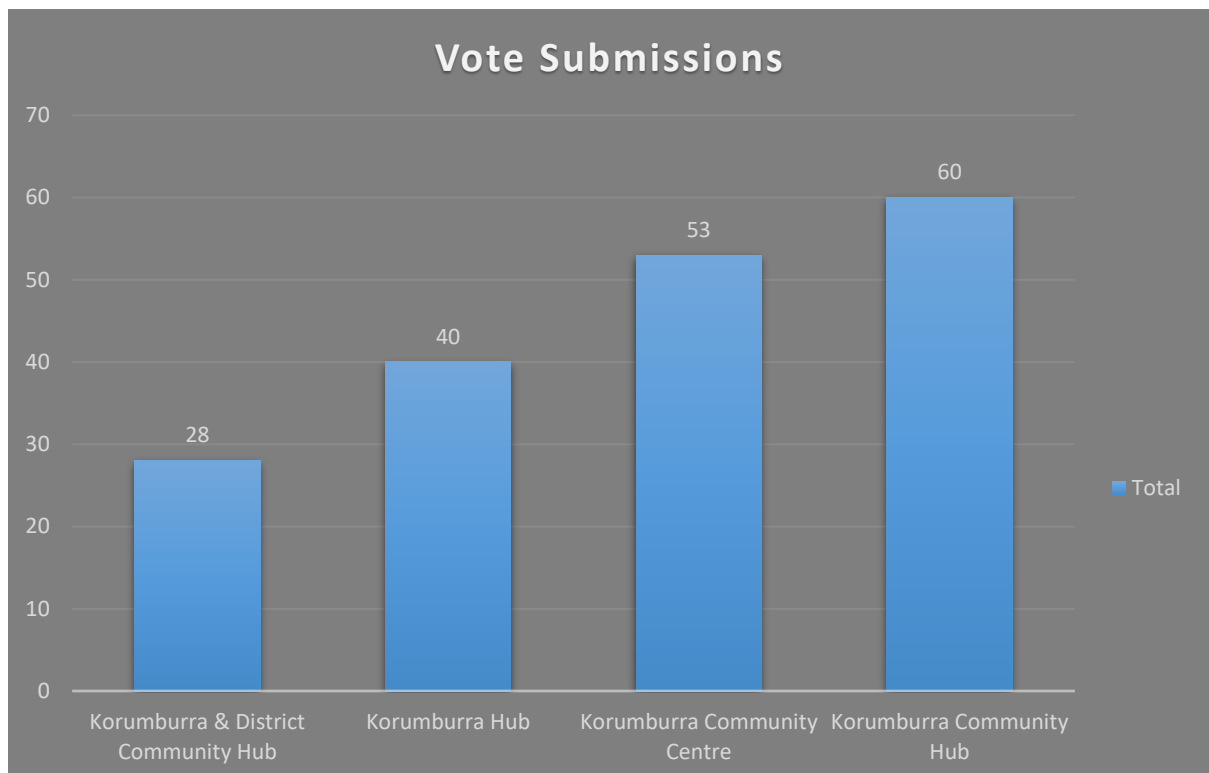
Voting polls can be used to gain an indication of community support or opposition to a naming/renaming proposal. They should be used with the immediate community, noting that the majority of votes returned will be the preferred name subject to Council’s approval and Geographic Names Victoria approval.

The shortlisted names were advertised through a public voting poll to the wider community via Councils website, social media & newspapers. The voting poll was open to the public for 30 days – The Public Notice and letters to wider community round 2 are available in **Attachment [4.1.3]**.

Council received an outstanding 181 votes during the consultation period. The outcome of the voting poll (shown in **Figure 2**) and copies of the voting poll results are available in **Attachment [4.1.4]**.

All votes have been counted and the name with the majority of votes is **‘Korumburra Community Hub’**.

**Figure 2 – Public Voting Results – Shortlisted Names**



## **RESOURCES / FINANCIAL VIABILITY**

The naming of the Korumburra community facility needed to be completed prior to the construction of the facility to allow for appropriate signage to be incorporated into the build.

There is no current allowance for the cost of the naming process and implementation, however, it is anticipated that it will be minimal and will be incorporated into the overall construction budget.

It is important the process is finalised as soon as possible so it can be accommodated into the design of the facility which is also expected to be minimal.

## **RISKS**

This naming is needed because public safety is paramount. By providing a unique name and registering with Geographic Names Victoria (GNV), will ensure emergency services and the general public can locate the facility easily.

Council's risk is minimal as the methodology for the naming has followed the *Naming Rules for Places in Victoria - Statutory Requirements for Naming Roads, Features and Localities 2016*.

## **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## **ATTACHMENTS**

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

1. Round 1 - Community Consultation & Press Release - March 2021 [4.1.1 - 8 pages]
2. Round 1 - Naming Suggestions - March 2021 [4.1.2 - 2 pages]
3. Round 2 - Community Consultation & Press Release - June 2021 [4.1.3 - 14 pages]
4. Round 2 - Voting Poll Results - June 2021 [4.1.4 - 9 pages]

## **REFERENCE DOCUMENTS**

### **Council's Good Governance Framework**

Pillar 3. Decision Making

Pillar 7. Risk & Compliance

**Council Policy / Strategy / Plans**

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

Road and Feature Naming Procedure

**Legislative Provisions**

Geographic Place Names Act 1998

**Regional, State and National Plan and Policies**

Naming Rules for Places in Victoria - Statutory Requirements for Naming  
Roads, Features and Localities - 2016



## **4.2. REGIONAL INFRASTRUCTURE FUND APPLICATION – GSRT RAILWAY PRECINCTS DEVELOPMENT (LEONGATHA AND KORUMBURRA)**

Sustainable Infrastructure

### **Council Plan**

*Objective 2 - Economic Prosperity - Strategy 2.3 Deliver services that support the growth of the local and regional economy*

*Objective 3 - Integrated Services and Infrastructure - Strategy 3.3 Deliver services that enhance liveability and environmental sustainability for generations*

*This report responds to building a sustainable and growing economy and to delivering services that enhance liveability for current and future generations. It also supports the major initiative to identify and advocate for Council's Priority Projects to State and Federal Governments and other relevant stakeholders for funding support.*

### **EXECUTIVE SUMMARY**

The purpose of this report is to note an application to the Victorian Government's Regional Infrastructure Fund Round Two (RIF) for \$2 million for the Great Southern Rail Trail (GSRT) Railway Precincts Upgrade (Leongatha and Korumburra) project. The RIF seeks to assist the growth of rural Victoria by providing grants for infrastructure projects that have the potential to stimulate economic and community activity, including those that seek to support recovery from COVID-19 and other major economic challenges in regional Victoria.

The GSRT Railway Precincts Upgrade (Leongatha and Korumburra) project aims to re-image the use of the land within the Leongatha and Korumburra railway station precincts to enhance town centre activity and provide linkages to other uses. It is envisaged that the project will provide a precinct within the grounds of the railway stations which will bring together various community services and open space activities. The upgrade of the railway precinct will also enhance the extension of the GSRT as it dissects through both railway sites. Concept plans and an Independent Quantity Surveyor's report have been developed for both sites. The estimated total project cost for the upgrade of both railway stations is \$6 million.

An application to Australian Governments Building Better Region Fund (BBRF) Round Five was submitted for the project in March 2021 requesting \$3 million. This application is currently pending.

Administrators have been updated on the proposal to submit an application for Round Two of the RIF for the GSRT Railway Precincts Upgrade (Leongatha

and Korumburra) for a grant of \$2 million (closing date for submissions was 10 August 2021).

If Council is successful in securing \$2 million under this program, and if the pending application to the BBRF for \$3 million is approved, Council would only need to allocate \$1 million towards the overall total project cost.

## **RECOMMENDATION**

### **That Council:**

- 1. Notes the application submitted for \$2 million under the Victorian Government's Regional Infrastructure Fund (Round 2) for the Great Southern Rail Trail (GSRT) Railway Precincts Upgrade (Leongatha and Korumburra);**
- 2. Notes the pending application for \$3 million under the Australian Government's Building Better Regions Fund (Round 5) for the Great Southern Rail Trail (GSRT) Railway Precincts Upgrade (Leongatha and Korumburra); and**
- 3. Notes that Council's contribution of \$1 million towards the project is allocated in the 2021/22 Annual Budget.**

## **REPORT**

### **Regional Infrastructure Fund**

The objectives of the Regional Infrastructure Fund (RIF) are to:

- create and retain jobs and support regional economies and communities, including transition, diversification, and recovery efforts
- increase economic and social benefits through improved community access and usability of precincts, town, or region
- increase economic and social benefits through investment in strategic and public enabling infrastructure

Funding requests will be considered between \$20,000 and \$3 million excluding GST.

### **GSRT Railway Precinct Upgrade (Leongatha and Korumburra) Project**

The GSRT Railway Precincts Upgrade project includes the transformation of the Leongatha and Korumburra Railway Station precincts.

An opportunity exists to seek funding to re-image the use of the land within the railway station precincts to enhance the town centre activity of Leongatha

and Korumburra and create new opportunities and linkages to other uses. It is envisaged that the project will provide a precinct within the grounds of the railway stations which will bring together various community services and open space activities. The upgrade of the railway precinct will also enhance the extension of the GSRT as it dissects through both railway sites.

Concept Plans have been developed including the completion of an Independent Quantity Surveyor's report for both sites.

An application was also submitted in March 2021 to the Australian Governments BBRF Round 5 which is currently pending.

Below is a summary of the anticipated project funding;

<b>GSRT Railway Precinct Upgrade (Leongatha and Korumburra)</b>	<b>\$6M</b>
Victorian Government's RIF Round 2 (subject of this report)	\$2M
Australian Government's BBRF Round 5 (pending)	\$3M
Council Contribution	\$1M

## PROJECT SCOPE

### Leongatha Railway Precinct

The project scope is based on the recommendations identified in the *Leongatha Railway Site Transformation Concept Master Plan* that was endorsed by Council on 20 December 2017. The Concept Plan has been updated to reflect the design undertaken for the pedestrian bridge and request for additional car parking directly behind the businesses located in Bair Street (refer to the Council Minutes from 24 February 2021 Ordinary Council Meeting detailing a report for the Leongatha Railway Station Project).

An updated Concept Plan for the Leongatha Railway Station provides more design detail and is accompanied by an Independent Quantity Surveyor's Cost Estimate Report.

### Korumburra Railway Precinct

The project scope is based on the objective of the Korumburra Town Centre Framework Plan. The Concept Plan supports the development of the GSRT extension, skate park, and car parking that have already been funded. The project includes the upgrade to the public amenities and picnic shelter as well as creating connecting pathways and open space for civic activities. It also complements the refurbishment of the Railway Station building and the activities proposed by the Station Working Group for the building.

An updated Concept Plan for the Korumburra Railway Station provides more design detail and is accompanied by an Independent Quantity Surveyor's Cost Estimate Report.

### **CONSULTATION / COMMUNITY ENGAGEMENT**

The GSRT Railway Precincts Upgrade (Leongatha and Korumburra) project is a 2021/22 Priority Project which was adopted at the 21 July 2021 Ordinary Council Meeting.

In addition, the extension of the GSRT from Leongatha to Nyora is a priority project of Council. External funding has been approved from the State Government towards the extension with the project due for completion in 2022.

The upgrades to the railway precincts in Leongatha and Korumburra are components of the Leongatha and Korumburra Revitalisation Projects which are ongoing Priority Projects for Council. The Revitalisation Projects are outcomes of various community consultation with the development of the Korumburra Town Centre Framework Plan and the Leongatha Railway Site Transformation Plan.

Administrators have been updated on the grant application under the RIF Round Two for the railway precinct upgrades at Leongatha and Korumburra.

### **RESOURCES / FINANCIAL VIABILITY**

#### **Leongatha Railway Precinct**

The estimated cost for the Leongatha Railway Precinct is \$3.4 million which is expected to meet the cost of all the components identified in the updated Concept Plan.

An Independent Quantity Surveyor's Cost Estimate Report is included in **Confidential Attachment [13.4.1]**.

#### **Korumburra Railway Precinct**

The estimated cost for the Korumburra Railway Precinct is \$2.6 million which is anticipated to meet the cost of the components identified in the updated Concept Plan which are not already funded.

An Independent Quantity Surveyor's Cost Estimate Report is included in **Confidential Attachment [13.4.2]**.

### **GSRT Railway Precincts Upgrade (Leongatha and Korumburra)**

The total project cost for the GSRT Railway Precincts Upgrade (Leongatha and Korumburra) is estimated at \$6 million. Funding of \$3 million towards the overall project is available in the 2021/22 budget.

There is currently a pending application to the Australian Government's BBRF Round 5 with a request of \$3 million towards the project.

Submitting an application to the Victorian Government's RIF Round 2 for a request of \$2 million would reduce Council's required budget to \$1 million if both grants are approved.

If funding was successful, it is anticipated the grant would provide the necessary funds to complete the components in the Concept Plans to the Leongatha and Korumburra Railway Precincts.

### **RISKS**

Should an application to the RIF not be submitted, and we are unsuccessful with BBRF application, there is a risk that Council will miss an opportunity to seek external funding to complete the upgrades to the Leongatha and Korumburra Railway Precincts, as they are endorsed Priority Projects.

### **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

### **CONFIDENTIAL ATTACHMENTS**

The consideration of confidential information in a closed session of Council is in accordance with s.66(2)(a) and s.66(5)(a) and (b) of the *Local Government Act 2020*.

**Confidential Attachment [13.4.1] – Quantity Surveyor's Report – Korumburra and Confidential Attachment [13.4.2] – Quantity Surveyor's Report – Leongatha** – is designated confidential information pursuant to the *Local Government Act 2020*, s.3(1)(f) - personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

The grounds for designation have been made to protect the privacy of an individual's personal information.

## **REFERENCE DOCUMENTS**

### **Council's Good Governance Framework**

Pillar 3. Decision Making

### **Council Policy / Strategy / Plans**

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

Economic Development and Tourism Strategy

Korumburra Town Centre Framework Plan

Leongatha Railway Site Transformation Concept Master Plan

Priority Projects

### **Regional, State and National Plan and Policies**

Gippsland Track & Trails Feasibility Study

### **4.3. STRATEGY REVIEW: COMMUNITY AND ECONOMIC INFRASTRUCTURE BLUEPRINT 2021**

Sustainable Infrastructure

#### **Council Plan**

*Objective 3 - Integrated Services and Infrastructure - Strategy 3.1 Establish a sustainable long-term program for capital works. Strategy 3.2 Optimise the life-cycle of Council's infrastructure through predictive modelling to develop the asset renewal program. Strategy 3.3 Deliver services that enhance liveability and environmental sustainability for generations.*

*The Community and Economic Infrastructure Blueprint 2021-2036 establishes objectives, guiding principles, and nominates infrastructure standards for the long-term sustainability of the Shire.*

#### **EXECUTIVE SUMMARY**

This purpose of this report is to present the *Community and Economic Infrastructure Blueprint 2021-2036* (2021 Blueprint) (**Attachment [4.3.1]**) for consideration and determination.

The 2021 Blueprint enshrines a process whereby the community can submit requests for infrastructure and be assured there is a planned and transparent approach by Council. Proposals will be analysed for their strategic merit and alignment with the Council Plan 2021-2024 and 2021 Blueprint principles, and form part of the picture of the many demands on Council finances.

The 2021 Blueprint establishes objectives, guiding principles, and nominates infrastructure standards and triggers for upgrade, expansion, and new infrastructure projects. It will guide Council and the community in making informed decisions regarding infrastructure over the 15-year period of 2021 to 2036.

#### **RECOMMENDATION**

**That Council:**

- 1. Adopts the Community and Economic Infrastructure Blueprint 2021-2036 (Attachment [4.3.1]);**
- 2. Publishes the Community and Economic Infrastructure Blueprint 2021-2036 (Attachment [4.3.1]) on Council's website; and**
- 3. Refers the Community and Economic Infrastructure Blueprint 2021 -2036 to the Community Infrastructure Advisory Committee (CIAC) for assessing and recommending proposals to Council.**

## REPORT

The suite of three 2021 Blueprint documents are the culmination of an extensive review of how Council handles community requests for infrastructure. The suite consists of a signature summary document known as the 'Blueprint' and the *Strategy and Audit for Community Infrastructure 2021-2036* (Parts 1 and 2) which underpin the summary document. The 2021 Blueprint is aligned with Council's *Capital Works Policy (C85)* and the *Project Management Framework*. These documents will be used by the *Community Infrastructure Advisory Committee (CIAC)* when examining proposals from the community for the establishment of infrastructure. They will consider requests covering many service areas, affecting predominantly building and open space assets.

### 2021 Blueprint Objectives

- A consistent, equitable, transparent, and across organisational approach to infrastructure planning to ensure that adequate infrastructure is being provided to meet community demands and funds are allocated accordingly.
- Closer integration and alignment between the community, service planning, the Capital Works Program, and asset management.
- Process driven approach that ensures we are making data driven and evidence-based decisions consistently.

### 2021 Blueprint Principles

The guiding principles have been reviewed and are recommended by CIAC for inclusion in the 2021 Blueprint. Community requests for infrastructure are assessed against these principles in a weighted scoring mechanism to enable the ranking and prioritising of proposals. Proposals can move up and down as new entrants are added and annual recommendations to Council will be made by CIAC as part of the draft budget process.

The 2021 Blueprint principles are:

#### 1. **Community benefit is maximised**

Maximise community benefit by promoting access, inclusion, economic contribution, and by building social connection.

#### 2. **Alignment with strategic direction**

Undergo strategic community planning to ensure the proposal aligns with Council's service and strategic direction.



**3. Whole of life costs are clear**

Demonstrate whole of life costs and adherence to asset management principles to ensure community facilities are multi-functional (where possible), well maintained, well managed, fit for purpose, and in the best position for the municipality.

**4. Service and use are appropriate**

Ensure the proposal meets the level of service and appropriate use of the facility so that it will meet the community's needs now and into the future, accounting for contemporary regulations and standards.

**5. Risk is managed**

Demonstrate risk mitigation within a proposal to safeguard the future project for all concerned.

**6. Financial commitment is understood**

Justify all financial aspects of a proposal with consideration of Council's whole of life responsibilities by thorough planning and business case/feasibility studies where the need is identified.

**2021 Blueprint Items to Note:**

Proposals should be in a plan or strategy that is endorsed or adopted by Council before final consideration or funding can occur.

Community requests are initially classified as 'Proposals' until they are funded by Council, when they change to 'Project' status, symbolising a commitment to investigate further or proceed.

After submitting the required detail on the proposal being developed, the proponent will be invited to an interview with Council staff to ensure they have an opportunity to explain the proposal, clarify any items, understand the project planning phase, scoring, and any legal requirements that Council must satisfy. This new step is aimed at fair access to Council in conjunction with the provision of adequate information gathered by the proponent. The information supplied is provided to CIAC for their assessment.

The 2021 Blueprint documents are extensive but are not intended to overwhelm the reader. They capture detailed information on community, data, theory, officer knowledge, demographics, and the vast asset portfolio that Council has stewardship over. Community members will be furnished with material to aid the completion of a "Blueprint Application" form, receive

assistance from officers, and do not need to 'wade' through the Blueprint to apply.

### **CONSULTATION / COMMUNITY ENGAGEMENT**

Consultation throughout the review process of the 2021 Blueprint has consisted of internal consultation with Community Strengthening, Infrastructure Delivery (Engineering), Infrastructure Planning (Assets), Planning, and Children and Family Services.

CIAC, as Council's community representatives, have reviewed the principles, process, scoring mechanism, and checklist. They have been party to a comprehensive explanation of capital works, budgets, and asset management theory.

The Community Strengthening team is continually communicating with community groups and members throughout the Shire regarding their infrastructure needs. They are the most important conduit between community and the 2021 Blueprint.

### **RESOURCES / FINANCIAL VIABILITY**

The 2021 Blueprint is a document designed to contribute to overall financial stability. Council, through its *Long-Term Financial Plan (LTFP)*, has committed to fully fund the renewal of its existing asset base. The 2021 Blueprint assists with determining which projects can be funded with the limited funds allocated after renewal is met, for upgrade, extension, and new projects.

Council will continue to investigate a range of funding options for future multipurpose facilities, including developer contributions, community contributions of a negotiated pre-set percentage, realisation of existing assets, government grants, and partnerships with both government and non-government organisations.

### **RISKS**

By continually reviewing and updating the Blueprint and by aligning it with population growth forecasts and community needs, Council can ensure that adequate infrastructure is being planned for and provided to meet community demands in a transparent way within an available budget.

If the community perceives access to Council and its processes as being difficult, reputational risk is at stake. The 2021 Blueprint aims to guide and ensure that there is a robust and fair procedure in place.

## **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## **ATTACHMENTS**

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

1. Blueprint for Community and Economic Infrastructure 2021-2036 [4.3.1 - 106 pages]
2. Blueprint 2021-2036 | Strategy and Audit for Infrastructure - Part 1 [4.3.2 - 92 pages]
3. Blueprint 2021-2036 | Strategy and Audit for Infrastructure - Part 2 [4.3.3 - 157 pages]

## **REFERENCE DOCUMENTS**

### **Council's Good Governance Framework**

Pillar 3. Decision Making

Pillar 4. Structure, Systems & Policies

### **Council Policy / Strategy / Plans**

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

Asset Management Policy (C04)

Asset Management Strategy

Capital Works Policy

Community and Economic Infrastructure Blueprint 2021-2036

Strategy and Audit for Community Infrastructure 2021-2036 (Parts 1 and 2)

### **Legislative Provisions**

Local Government Act 2020

#### **4.4. STRATEGY REVIEW: TREE MANAGEMENT PLAN 2021**

Sustainable Infrastructure

##### **Council Plan**

*Objective 3 - Integrated Services and Infrastructure - Strategy 3.3 Deliver services that enhance liveability and environmental sustainability for generations*

*The implementation of Council's Tree Management Plan will enhance liveability and environmental sustainability for generations.*

##### **EXECUTIVE SUMMARY**

The purpose of this report is to present the revised *2021 Tree Management Plan* (2021 Plan) (**Attachment [4.4.1]**) to Council for consideration and endorsement.

Council trees are significant assets that are of high value to the community and the environment. Trees contribute greatly to the amenity of the built environments within the Shire. The 2021 Plan documents Council's tree management strategies and maintenance frameworks. The 2021 Plan will ensure the longevity and quality of trees within the Shire's urban environments. It also includes the risk management practices used to reduce the impact on both Council and private property due to the presence of Council managed trees.

The 2021 Plan applies to all Council managed trees within 40km - 80km per hour speed limit zones and within any Council managed parks outside townships.

##### **RECOMMENDATION**

**That Council:**

- 1. Adopts the 2021 Tree Management Plan (Attachment [4.4.1]); and**
- 2. Publishes the 2021 Tree Management Plan (Attachment [4.4.1]) on Council's website.**

##### **REPORT**

At the 26 July 2017 Ordinary Council Meeting, Council adopted the 2017 Tree Management Plan (2017 Plan). The aim of the Plan is to ensure that a cost-effective tree management program and maintenance practices that are balanced with environmental sensitivity. The 2021 Plan is a hybrid streamlined management plan in comparison to the 2017 Plan which comprised of 103 pages of content. The 2021 Plan outlines the maintenance interventions required to mitigate risk to the community and provide

operational practices in line with Australian Standards that are incorporated with all Council's legislative requirements and relevant Acts.

The 2021 Plan will allow the community and internal officers to have a user-friendly document with clear precise information. During the period of the 2017 Plan, the arboriculture industry has further advanced in technology improving the ability to manage trees and reduce risk with aerial inspections conducted through drone imaging thereby increasing our ability to proactively audit our network and program work accordingly. The plan is designed to provide:

- A comprehensive framework for the conservation and management of street, roadside, and parkland trees within the Shire.
- A clear and consistent method for managing trees including maintenance and condition inspection schedules, replacement planning, and the ongoing development of township streetscapes in alignment with Master planning.
- Determine priorities for maintenance, removal, replanting, and associated works.

The 2021 Plan is available in **Attachment [4.4.1]**.

### **CONSULTATION / COMMUNITY ENGAGEMENT**

The draft 2021 Plan was presented to Council at a briefing session on 2 June 2021.

Benchmarking was conducted with neighbouring councils; Baw Baw Shire Council and Bass Coast Shire Council. A review of the 2021 Plan was also conducted in consultation with Manningham City Council, Swan Hill Rural Council, and Central Goldfields Shire Council.

### **RESOURCES / FINANCIAL VIABILITY**

Council has allocated \$50,000 per annum in its Open Space and Environment operational budget to manage the requirements outlined in the 2021 Plan.

### **RISKS**

There is a major risk to Council by not adopting and implementing the 2021 Plan. Failing to document appropriate management and maintenance practices and interventions for Council trees may result in exposure to significant litigation. Implementation of a risk-based approach will mitigate Council's future risk.

## **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## **ATTACHMENTS**

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

1. Tree Management Plan 2021 [4.4.1 - 30 pages]

## **REFERENCE DOCUMENTS**

### **Council's Good Governance Framework**

Pillar 4. Structure, Systems & Policies

### **Council Policy / Strategy / Plans**

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

Electrical Line Clearance Management Plan

Municipal Emergency Management Plan

Municipal Fire Management Plan

Road Management Plan

Roadside Vegetation Management Manual/Plan

### **Legislative Provisions**

Australian Standard AS4373-2007 Pruning of Amenity Trees

Australian Standard AS4970-2009 – Protection of Trees on Development Sites

Electricity Safety Act 1998

Heritage Act 2017

Local Government Act 1989

Local Government Act 2020

Planning & Environment Act 1987

Road Management Act 2004

SP AusNet "Guide to planting near Electricity Lines"

## 4.5. NEW STRATEGY: COMMUNITY STADIUMS PLAN 2021

Sustainable Infrastructure

### **Council Plan**

*Strategic Objective 3 - Integrated Services & Infrastructure, Strategy 3.3 - Deliver services that enhance liveability and environmental sustainability for current and future generations.*

*The Community Stadiums Plan will assist Council in understanding stadium use and assist in prioritising expenditure.*

### **EXECUTIVE SUMMARY**

The purpose of this report is to detail the feedback received on the draft *Community Stadiums Plan* (the Plan) (**Attachment [4.5.1]**) and present the final Plan for consideration and adoption.

Council adopted the *Sport and Recreation Infrastructure Strategy 2020-2030* in June 2020 and included for delivery is the following action (Action 4):

*“Further planning is required on the current condition, utilisation and future priorities for all reserves and stadiums across the municipality.”*

As a result of Action 4, the Plan has been developed to document current asset condition, discuss and prioritise future investment for Council owned, managed, or community-based facilities.

There are currently six community stadiums across the municipality that service a variety of sports and uses and these facilities are valued by their communities. Some of these facilities are in reasonable condition whilst others have challenges with court compliance, condition of change rooms and kiosk facilities, as well as accessibility to and around the building.

### **RECOMMENDATION**

**That Council:**

- 1. Adopts the Community Stadiums Plan 2021 (Attachment [4.5.1]);**
- 2. Publishes the Community Stadiums Plan 2021 (Attachment [4.5.1]) on Council’s website; and**
- 3. Writes to all submitters of the Community Stadiums Plan 2021 and thanks them for their submission to this process.**

## **REPORT**

The community stadiums owned by Council include:

- Welshpool (Arthur Sutherland Reserve)
- Foster Stadium
- Meeniyan Stadium
- SG SPLASH Leongatha
- Korumburra Recreation Centre
- Poowong Sports Centre

SG SPLASH Leongatha and the Korumburra Recreation Centre are dual court facilities and are categorised as district level facilities in the *Sport and Recreation Infrastructure Strategy 2020-2030*. The remaining stadiums consist of a single court and are identified as local level facilities.

Mirboo North has a stadium located on Department of Education land that is not managed by Council.

These facilities are utilised by a variety of activities including:

- Basketball
- Volleyball
- Netball
- Squash
- Table Tennis
- Gymnastics
- Badminton
- Cricket
- Indoor Soccer

The attached Plan is focused on the condition of the building assets and their renewal and does not seek to address any issues that arise from their use.

The challenges around the structure of competitions, how to increase or maintain participation, and volunteer management are all major issues that this Plan does not seek to resolve.

## **CONSULTATION / COMMUNITY ENGAGEMENT**

The draft Community Stadiums Plan was presented to Council at a Confidential Strategic Briefing Session on 7 April 2021. Following this briefing, the draft Community Stadiums Plan was distributed to stadium committees,



user groups, state sporting associations, and other relevant stakeholders for feedback.

Eleven submissions on the draft Community Stadiums Plan were received and have been included in **Confidential Attachment [13.3.1]**. These submissions are summarised in the table below.

	<b>Submitter / Facility</b>	<b>Feedback Summary</b>	<b>Changes to Plan</b>
<b>1</b>	<b>Meeniyan Stadium</b>	<p>Details of additional user groups of the facility.</p> <p>Find leak in roof, disable toilet, toilets and showers, score bench, outside lights, gerney outside, storage, internal clean especially up high, fans for cooling, crack in brick work, car park, paint inside by sanding back as last paint just comes off, sand back floor and re do lines.</p>	<p>User group details added.</p> <p>General maintenance items added to priorities.</p>
<b>2</b>	<p><b>Poowong &amp; District Amateur Basketball Association</b></p> <p><i>regarding Poowong Stadium</i></p>	<p>Details of additional user groups of the facility.</p> <p>Develop plans to address the safety issues with our seating as soon as possible.</p> <p>Start looking at upgrading to a multifunctional backboard system and better heating and ventilation options for our stadium as a priority.</p> <p>We consider our stadium to be well supported by the surrounding community. We are not just an 'aged building' but still a fully functional and thriving community asset.</p>	<p>User group details added</p> <p>Added to priorities.</p> <p>Comment added.</p>

	<b>Submitter / Facility</b>	<b>Feedback Summary</b>	<b>Changes to Plan</b>
<b>3</b>	<b>Poowong Squash</b>  <i>regarding Poowong Stadium</i>	<p>Provided participation details from 2014 onwards.</p> <p>Poowong Squash Club is the only club in the Shire actively providing squash competition in publicly owned courts. The Poowong courts are currently undergoing maintenance by the Shire. If this project is successfully completed, including the floor sanding, the courts will comply with the World Squash Federation (WSF) recommended standards for safe competition. These courts will not need any obvious maintenance and/or repair for many years, light tube replacement excepted. The toilets and change room facilities are adequate for squash players.</p>	<p>Participation numbers added.</p> <p>No changes required.</p>
<b>4</b>	<b>Korumburra Indoor Recreation Centre</b>	<p>Details of additional user groups of the facility and participation numbers.</p> <p>The list of priorities is suitable being the change room/toilet renewal as top priority, the ongoing maintenance / lease arrangement is also top priority in order for continuing operation.</p> <p>Planning for a third court development, which will incorporate a show court is also a priority.</p>	<p>User group and participation numbers added.</p> <p>No changes to priorities required.</p> <p>Third court planning identified as a strategic priority.</p>

	<b>Submitter / Facility</b>	<b>Feedback Summary</b>	<b>Changes to Plan</b>
5	<p><b>Korumburra Basketball Association</b></p> <p><i>regarding Korumburra Indoor Recreation Centre</i></p>	<p>We feel population and growth data for the shire needs to be reviewed and should be an integral part of this planning document. Even more so now given the recent migration to regional areas. - We'd urge there to be a much more detailed analysis of the user groups and participation data listed; the current tables are remedial at best. This is much more nuanced than just listing an average number over the years. It needs to take into account the factors contributing to the growing or waning numbers, the difference and diversity of the user groups and the times of peak usage, to name a few.</p> <p>The plan needs to include and possible consult with other key stakeholders that will have an impact how users' groups may utilize the stadiums. E.g. Governing bodies (SRV), State Sporting Organisations (Basketball Victoria), Local Schools (Education Departments).</p>	<p>Detailed population and participation analysis and forecasting is beyond the scope of this project. These items will be addressed via the strategic priorities identified in the final plan.</p> <p>All stakeholders have had the opportunity to contribute to the plan and will be engaged during implementation.</p>
6	<p><b>South Gippsland Volleyball Inc.</b></p> <p><i>regarding SG SPLASH Leongatha</i></p>	<p>Provided participation details from 2014 onwards.</p> <p>We use the stadium (SPLASH) on Wednesday nights (trainings) and have our competition on Thursday nights. It is getting to the stage where another court would be very useful as we</p>	<p>Participation details added.</p> <p>Balancing access requirements of users always presents challenges.</p>

	<b>Submitter / Facility</b>	<b>Feedback Summary</b>	<b>Changes to Plan</b>
		<p>are approaching our limits and will have to start turning away teams and now Basketball is starting to encroach on our Thursday night.</p> <p>I would like to add that SPLASH doesn't have a suitable space for club meetings, training and small group work sessions. These facilities also are insufficient to host major volleyball events such as the Victorian Country Championships and the Victorian Volleyball League matches.</p>	<p>Lack of meeting space at SPLASH is acknowledged, previously other buildings within the reserve have been used.</p> <p>Council's focus is on supporting local level participation.</p> <p>Upgrading infrastructure to accommodate cyclical major events is not a priority.</p>
7	<p><b>Mirboo North Secondary College</b></p> <p><i>regarding Mirboo North Stadium</i></p>	<p>Aware gymnasium does not adequately meet the needs of students let alone the community desires.</p> <p>Use is stifled by the age, dimensions, condition and lack of facilities.</p> <p>Details of users.</p> <p>Support from School Council for either redevelopment or extension to the existing facility.</p>	<p>Action included.</p> <p>That Council supports the endeavours of the Mirboo North Primary and Secondary Schools in seeking the redevelopment and / or replacement of the existing school facility.</p>
8	<p><b>Mirboo North Primary School</b></p> <p><i>regarding Mirboo North Stadium</i></p>	<p>Aware gymnasium does not adequately meet the needs of students let alone the community desires.</p> <p>Use is stifled by the age, dimensions, condition and lack of facilities.</p> <p>Details of users.</p> <p>Support from School Council for either redevelopment or</p>	<p>Action included.</p> <p>That Council supports the endeavours of the Mirboo North Primary and Secondary Schools in seeking the redevelopment and / or replacement</p>

	Submitter / Facility	Feedback Summary	Changes to Plan
		extension to the existing facility.	of the existing school facility.
9	<p><b>Leongatha Basketball Association Inc.</b></p> <p><i>regarding SG SPLASH Leongatha</i></p>	<p>Participation numbers detailed in the plan not a true reflection of what we do.</p> <p>Concerned suggestions put forward during consultation were dismissed.</p> <p>Concerns with carpark safety during times of peak use at the reserve.</p> <p>Concerned operation and management issues are limiting the use of the stadium.</p>	<p>Detailed participation analysis and forecasting is beyond the scope of this project.</p> <p>Discussions will be held with contractor, Council and Association to clearly document and plan for the resolution of concerns.</p> <p>Operation and management issues are not addressed in the Plan.</p>

	Submitter / Facility	Feedback Summary	Changes to Plan
10	<b>Basketball Victoria</b>  <i>regarding all stadiums</i>	<p>Strong history of basketball participation across the seven associations.</p> <p>Development Officer working with associations on initiatives to build participation.</p> <p>Need the support of a strong and robust strategy to support future government investment.</p> <p>Important to align to relevant State and Federal government strategies.</p> <p>Support partnership approach between Council and education department to improve Mirboo North facility. Desktop analysis to a great start but more work is required.</p>	<p>Agreed no changes required.</p> <p>Noted.</p> <p>Agree that strong business case justification will be required to secure future Council and government investment.</p> <p>Relevant strategic links included.</p> <p>No change required</p>
11	<b>Sport and Recreation Victoria</b>  <i>regarding all stadiums</i>	<p>Document lacks analysis of future population, need and demand.</p> <p>Opportunity for planning to be enhanced by alignment to key</p>	<p>Detailed population and participation analysis and forecasting is beyond the scope of this project. These items will be addressed via the strategic priorities identified in the final plan.</p> <p>Relevant strategic links included.</p>

	Submitter / Facility	Feedback Summary	Changes to Plan
		<p>government and State Sporting Association strategies and priorities.</p> <p>Feedback on information provided in each section of the plan.</p>	Noted.

Following suggestions and amendments to the draft document, the Plan identified three immediate actions and one strategic priority for delivery in the long term.

**Action 1** – *That Council supports the endeavours of the Mirboo North Primary and Secondary Schools in seeking the redevelopment and / or replacement of the existing school facility.*

**Action 2** – *Undertake a review in 2021/22 of the allocation of building maintenance grants across the community stadiums.*

**Action 3** – *Council allocates a one-off amount of \$50,000 to each of the community stadiums to enable equipment replacement and desired maintenance tasks to be completed.*

**Strategic Priority 1** – *Planning for anticipated future demand for the Western and Central Areas of the municipality as population growth increases.*

## RESOURCES / FINANCIAL VIABILITY

The financial implications of this report are significant.

The implementation of Action 3 requires a \$300,000 funding commitment from Council. It is anticipated that this allocation would be eligible under Phase 3 of the Federal Government's *Local Road and Community Infrastructure* funding program.

The anticipated replacement cost of these six facilities is approximately \$45M, based on current construction costs for a single court facility of \$5M and double court, estimated at \$10M.

Council will need to plan effectively to ensure financial capacity to enable the renewal of these facilities. Requests to extend existing or building new facilities need to demonstrate substantial funding by community and/or government grants as there is limited capacity within Council's existing *Long-Term Financial Plan* to accommodate these requests.

## RISKS

Volunteers in sport and recreation are often passionate and commit large amounts of time to support their sport or facility. There is a risk that the Plan will not meet their expectations of what Council should be doing to support them.

## STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## ATTACHMENTS

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

1. Community Stadiums Plan 2021 [4.5.1 - 23 pages]

## CONFIDENTIAL ATTACHMENT

The consideration of confidential information in a closed session of Council is in accordance with s.66(2)(a) and s.66(5)(a) and (b) of the *Local Government Act 2020*.

**Confidential Attachment [13.3.1] – Draft Community Stadiums Plan Submissions** – is designated confidential information pursuant to the *Local Government Act 2020*, s.3(1)(f) - personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

The grounds for designation have been made to protect the privacy of an individual's personal information.

## REFERENCE DOCUMENTS

### **Council's Good Governance Framework**

Pillar 3. Decision Making

Pillar 4. Structure, Systems & Policies

Pillar 5. Communications & Community Engagement

### **Council Policy / Strategy / Plans**

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

Asset Management Policy (C04)

Asset Management Strategy

Community Infrastructure and Economic Blueprint

Sport & Recreation Infrastructure Strategy



**Legislative Provisions**

Local Government Act 2020

**Regional, State and National Plan and Policies**

Arthur Sutherland (Welshpool) Recreation Reserve Master Plan

Korumburra Recreation Centre Strategic Plan

Poowong and District Sport Centre Feasibility Study

#### **4.6. POLICY REVIEW: ASSET MANAGEMENT POLICY (C04)**

Sustainable Infrastructure

##### **Council Plan**

*Objective 3 - Integrated Services and Infrastructure*

*Objective 3 - Integrated Services and Infrastructure - Strategy 3.2 Optimise the life-cycle of Council's infrastructure through predictive modelling to develop the asset renewal program*

##### **EXECUTIVE SUMMARY**

The purpose of this report is to present the revised *Asset Management Policy (C04)* (the Policy) for consideration and determination.

Asset Management is the combination of financial, engineering, and other management practices applied to physical assets in order to provide operational services to communities in the most cost-effective manner. Effective Asset Management requires a framework of guiding principles, defined roles and responsibilities, and appropriate risk management frameworks to achieve sustainable management of Council's infrastructure.

The Policy provides the overarching framework and principles to enable Council to deliver effective management of road assets, buildings, plant, parks, gardens and reserves. These assets are vital to the delivery of services to local communities.

The adoption of the Policy will continue to support sustainable infrastructure management by Council, now and into the future.

##### **RECOMMENDATION**

**That Council:**

- 1. Adopts the Asset Management Policy 2021 (C04) (Attachment [4.6.1]);**
- 2. Publishes the Asset Management Policy 2021 (C04) (Attachment [4.6.1]) on Council's website; and**
- 3. Reports to Council annually on the state of Council's assets.**

##### **REPORT**

Section 92, of the *Local Government Act 2020* provides details about requirements for asset planning and management. Council has previously defined its vision for Asset Management in the Council Plan 2021-2024 (Council Plan) as:

*“To provide community facilities and infrastructure assets that are sustainable, and that contribute to the economic viability, access and mobility, and improved lifestyle for the community.”*

The Policy provides the framework to enable Council to sustainably achieve its vision and deliver management of road assets, buildings, plant, parks, gardens, and reserves. These assets support the service needs of the local community.

**Figure 1** shows the relationship between the Council Plan, the Asset Management Policy, Asset Management Strategy, Asset Plans, and the Long Term Financial Plan.

**Figure 1: Hierarchy of Asset Management Documents**



The Policy outlines the framework, guiding principles, roles, responsibilities, and risks associated with asset management at Council. The previous *Asset Management Policy (Attachment [4.6.2])* and *Asset Management Strategy* were adopted in April 2017.

Due to the changes to the *Local Government Act 2020*, a revised *Asset Management Policy (C04) (Attachment [4.6.1])* is being presented to Council for adoption before the revision of the *Asset Management Strategy* is finalised.

The key updates from to the 2017 Policy are outlined in **Table 1**.

Table 1: Schedules of Changes and Amendments to the Asset Management Policy (2017)

Heading	Action	Description
<b>Policy Objective</b>	Revised	Revised to define the clear purpose of the Policy.
<b>Legislative Provisions</b>	Revised	Revised and included in Section 9 – Reference Documents.
<b>Guide Document</b>	Deleted	The section is deleted and information is incorporated into Section 9 – Reference Documents.
<b>Definitions</b>	Revised	The section is revised and included in Section 10 – Definitions and Acronyms.
<b>Organisational Context</b>	Deleted	The section is deleted and required information is incorporated into Section 1 – Objective, Section 2 – Scope, and Section 3 – Vision.
<b>Strategic Integrated Planning Framework, Council Plan 2013-2017</b>	Deleted	The section is deleted and information is incorporated in new Section 5 – Asset Management Framework.
<b>Policy Statement</b>	Deleted	The section is deleted and replaced by information in new Section 4 – Policy Principles.
<b>Roles and Responsibilities</b>	Revised	Revised and updated to match the current roles and responsibilities. Defined in Section 7.3.
<b>Risk Assessment</b>	Revised	Revised and risk assessment is defined in more detail in Section 6 – Risk Assessment. Risk assessment is further defined under sub-headings Financial, Reputational, Environmental, Openness and Transparency.
<b>Implementation/Audit/Review</b>	Revised	Revised and included in the Section 8 as Monitoring, Evaluation and Review.

Following the adoption of the Policy, the *Asset Management Strategy* will be updated to comply with the requirements of the *Local Government Act 2020*. This will be followed by the revision of Council's Asset Management Plans. Asset Management Plans form the working document of the management of different asset classes and incorporate service planning, details of service levels, and longer-term financial information. Asset Management Plans are

prepared for a timeframe spanning 10-years and beyond to provide detailed financial forecasting applicable for annual capital and operating budgets, and to provide sound long-term financial planning.

Previously Asset Management Plans were not required to be adopted by Council, however the *Local Government Act 2020* requires Asset Management Plans to be adopted by June 2022. As such, asset class specific Asset Management Plans will be presented to Council before June 2022.

The Policy states that a report to Council will be provided on the 'state of the assets'. This will be undertaken annually and will cover annual expenditure through operations, maintenance, renewal, upgrade and extension across the various asset classes.

### **RESOURCES / FINANCIAL VIABILITY**

There are no specific financial constraints or implications in approving the revised Policy.

### **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

### **ATTACHMENTS**

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

1. Asset Management Policy (C04) - August 2021 [4.6.1 - 8 pages]
2. Asset Management Policy (C04) - April 2017 [4.6.2 - 7 pages]

### **REFERENCE DOCUMENTS**

#### **Council's Good Governance Framework**

Pillar 1. Direction & Leadership

Pillar 4. Structure, Systems & Policies

#### **Council Policy / Strategy / Plans**

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

Asset Management Policy (C04)

Asset Management Strategy

#### *Internal Document*

Asset Management Plans

#### **Legislative Provisions**

Local Government Act 2020

## **5. OBJECTIVE 4 - CUSTOMER FOCUSED ORGANISATION**

### **5.1. QUARTERLY LOCAL PROCUREMENT REPORT - 1 APRIL 2021 TO JUNE 2021**

Performance and Innovation

#### **Council Plan**

*Objective 4 – Customer Focused Organisation*

*The fourth 2020/21 Quarterly Local Procurement Report– 1 April to 30 June 2021 provides an overview of Council’s local procurement performance for the period April 2021 to June 2021 and an overview of the full financial year. The report provides timely communication to the community and Council local procurement within the broader financial performance of Council.*

#### **EXECUTIVE SUMMARY**

The purpose of this report is to provide a quarterly report on Council’s efforts towards increasing the percentage of local spend on Council goods and services.

The *2020/21 Quarterly Local Procurement Report– 1 April to 30 June 2021 (Attachment [5.1.1])* report (the Report) indicates Council’s local procurement performance for the period April 2021 to June 2021. The Report provides trend data over several years and a summary for the full financial year.

#### **RECOMMENDATION**

**That Council notes the 2020/21 Quarterly Local Procurement Report– 1 April to 30 June 2021 (Attachment [5.1.1]) for the period 1 April 2021 to 30 June 2021.**

#### **REPORT**

The *2020-2024 Council Plan ‘Measure of Success’* under Objective 2 – Economic Development has placed emphasis on Council’s efforts to increase local spend on Council’s goods and services, as follows:

*Measure: The effectiveness of efforts to increase local procurement will be measured by the percentage of local spend on Council goods and services*

*Target: An adopted policy position and definition of ‘local spend’ together with baseline targets established by June 2021.*

The 'Local Procurement Action Plan' was approved by Council at the 26 August 2020 Council Meeting under Agenda item 4.4. Resolution 3 from that report requires:

*"That Council:*

- 3. Brings a future local procurement report to Council at the completion of each financial quarter."*

The Report in **Attachment [5.1.1]** fulfils the requirement for reporting on Council's performance for the 1 April 2021 to 30 June 2021 period. It provides graphical and statistical reporting, commentary on trending information over time, and details initiatives undertaken to enhance local procurement.

### **Local Procurement Report**

Aspects highlighted in the report are:

- Local procurement spending has continued to strengthen following the COVID-19 Pandemic impacted periods of 2020 and consistently over \$1.4 million per month (including significant suppliers within the shire);
- Progress of local procurement increases are heading favourably towards targets posed when these initiatives were created; and
- Invoice payment processing times have reduced considerably and consistently to ease cashflow pressures especially on local businesses.

### **CONSULTATION / COMMUNITY ENGAGEMENT**

Council officers have been working closely with GROW Gippsland including assisting with training local enterprises in how to successfully tender to increase their business opportunities.

### **RESOURCES / FINANCIAL VIABILITY**

Local Procurement Reporting is performed internally within budgeted resources.

### **RISKS**

Quarterly reporting reduces finance and procurement risk by increasing the transparency and accountability on 'local spend' to Council and the community.

### **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## **ATTACHMENTS**

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

1. 2020/21 Local Procurement Report – 1 April to 30 June 2021 [5.1.1 - 5 pages]

## **REFERENCE DOCUMENTS**

### **Council's Good Governance Framework**

Pillar 3. Decision Making

Pillar 8. Monitoring & Performance Review

### **Council Policy / Strategy / Plans**

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

Procurement Policy (C32)

### **Legislative Provisions**

Local Government Act 1989

Local Government Act 2020



## 5.2. POLICY REVIEW: COUNCILLOR CODE OF CONDUCT (C14)

Performance and Innovation

### **Council Plan**

*Objective 4 - Customer Focused Organisation - Strategy 4.2 Review and implement Council plans, policies and practices aligned with the Local Government Act 2020 and the Commission of Inquiry recommendations and Objective 4 - Customer Focused Organisation - Strategy 4.4 Build on leadership, governance, financial sustainability, shared values and cultural capabilities within the organisation*

*The development of the Councillor Code of Conduct - 2021 works towards achieving the Council Plan Objective 4 - Strategy 4.2 and Strategy 4.4, including the measure of success "All legislated policies and procedures reviewed and adopted in accordance with legislated timelines."*

*The review of the Councillor Code of Conduct - 2021 forms part of Council's suite of contemporary governance policies under the Good Governance Framework and as required by the Local Government Act 2020. It is also a policy required to be reviewed as a result of the Commission of Inquiry.*

### **EXECUTIVE SUMMARY**

The purpose of this report is to seek Council's consideration and determination of the revised *Councillor Code of Conduct (C14) - 2021* (Councillor Code) in **Attachment [5.2.1]** and of the *Councillor Code of Conduct (C14) – Administrators Version – 2021* (Administrators Code) in **Attachment [5.2.2]**.

The review aligns the two Codes with the standards of conduct for Councillors required under the *Local Government Act 2020* (Act) and the *Local Government (Governance and Integrity) Regulations 2020* (Regulations).

Further, the revised Councillor Code addresses a specific requirement in the '*Report of the Commission of Inquiry into South Gippsland Shire Council – June 2019*', to be addressed by the Administrators during their term in office.

### **RECOMMENDATION**

**That Council:**

- 1. Adopts the C14 Councillor Code of Conduct – 2021, contained in Attachment [5.2.1], in readiness for the swearing-in of the new Council;**
- 2. Demonstrates their willingness to abide by the Councillor Code of Conduct by agreeing for their electronic signatures, along with the Chief Executive Officer as their witness, to be included in the C14 Councillor Code of Conduct – Administrators Version – 2021 contained in**

**Attachment [5.2.2] and recorded as the Minute Version of this meeting;  
and**

- 3. Publishes the 'Councillor Code of Conduct – 2021' and signed 'Councillor Code of Conduct – Administrators Version – 2021' on Council's website.**

## **REPORT**

The review of the Councillor Code of Conduct, is a specific requirement of the 'Report of the Commission of Inquiry into South Gippsland Shire Council – June 2019' recommendation (Commission Recommendations):

*“Review and implement improved council policies and processes with a focus on Councillor induction and training, the Councillor Code of Conduct and meeting procedures.”*

Section 139(1) and (2) of the Act requires Council to develop a Councillor Code of Conduct that includes the standards of conduct expected to be observed by Councillors in the course of performing their duties and functions and any provisions prescribed by the Regulations.

Section 139(5) of the Act requires that the Councillor Code must be adopted by a formal resolution of the Council passed by at least two-thirds of the total number of Councillors elected to the Council. In the current Council situation, the resolution has to be passed by a minimum of two Administrators.

This version of the Councillor Code in **Attachment [5.2.1]**, if/once adopted by Council, shall form the Code the Councillors-elect will be required to sign and abide by when they take up office as the new Council.

Section 139(4) of the Act will require the Council to be elected in October 2021 to review the Councillor Code within a four-month period after the general election.

Both the Councillor and Administrator Codes in **Attachment [5.2.1]** and **[5.2.2]** incorporate:

1. High level principles, with supporting commitments, to meet the requirements of the Standards of Conduct required in s.139(3)(a) of the Act and Schedule 1 of the Regulations.
2. A pro-active style and content, that sets out required expected behaviours or Councillors, along with behaviours that are not to be displayed.

3. A Councillor Charter, that sets the overall tone of the Code with the intent of promoting behaviours that would seek to help Councillors to be a successful team.
4. Key elements of the Dispute Resolution, without excessive process.

Administrators signed the Councillor Code of Conduct - 2017 at the commencement of their term, thereby agreeing to abide by the requirements of that earlier version of the Code.

In setting the new standards of behaviour and commitments that support them, Administrators are encouraged to demonstrate their agreement to abide by this revised Councillor Code of Conduct by signing the *C14 Councillor Code of Conduct – Administrators Version – 2021* in **Attachment [5.2.2]**. This version only varies in regard to the Administrators names and photos.

The Councillor Code and the Administrators Code are presented to Council for their consideration and determination.

#### **CONSULTATION / COMMUNITY ENGAGEMENT**

The revised Councillor Code and Administrators Code have been developed and considered by Administrators at two briefing workshops; one in June and the second in July 2021.

The Executive Leadership Team has also been involved in informing and reviewing the content throughout the review process.

Many of the most recently adopted Councillor Codes of Conduct from many Victorian councils, have been drawn upon in the preparation and consideration of this Code.

#### **RESOURCES / FINANCIAL VIABILITY**

There are no financial requirements or implications associated with the review of this Code.

#### **RISKS**

The revision of the Councillor Code of Conduct to align it with the Act and Regulations, mitigates Council's risk of not meeting its legislative requirements.

Further the review of the Councillor Code of Conduct by the Administrators fulfils their responsibilities assigned by the Minister of Local Government. The adoption of the Councillor Code of Conduct will strengthen Council's suite of

contemporary governance policies aimed at supporting future Council's to be successful in the application of good governance practices

### **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

### **ATTACHMENTS**

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

1. Councillor Code of Conduct (C14) - 2021 [5.2.1 - 26 pages]
2. Councillor Code of Conduct (C14) – Administrators Version – 2021 [5.2.2 - 26 pages]

### **REFERENCE DOCUMENTS**

#### **Council's Good Governance Framework**

Pillar 1. Direction & Leadership

Pillar 4. Structure, Systems & Policies

#### **Council Policy / Strategy / Plans**

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

Council Plan 2020-2024

Councillor Code of Conduct Policy (C14)

Councillor Correspondence and Records Management Policy (CE79)

Councillor Support and Expenditure Policy (C51)

Councillor Vehicle Policy (CE04)

Election Period Policy (C30)

Governance Rules (C82)

Local Law No. 2 2020, Processes of Municipal Government (Meeting Procedures and Common Seal)

#### **Legislative Provisions**

Charter of Human Rights and Responsibility Act 2006

Local Government Act 2020

Local Government (Governance and Integrity) Regulations 2020

Occupational Health and Safety (OH&S) Act 2004

### **5.3. FINANCIAL POLICIES: REVENUE & DEBT MANAGEMENT (C15) / FINANCIAL MANAGEMENT (C86) / TREASURY MANAGEMENT (C24)**

Performance and Innovation

#### **Council Plan**

*Objective 4 - Customer Focused Organisation - Strategy 4.2 Review and implement changes to Council plans, policies and practices to align with the new Local Government Act 2020 and the Commission of Inquiry recommendations.*

*The adoption of Financial Management Policies ensures that Council complies with the legislation, in particular the Local Government Act 2020 (the Act), and continues to maintain best practice in managing Council's financial assets.*

#### **EXECUTIVE SUMMARY**

The purpose of this report is to present three financial policies for Council's consideration and determination.

Section 102 of the *Local Government Act 2020* states that Council must prepare and adopt financial policies that give effect to the financial management principles and any matters prescribed by the Regulations.

The three financial policies included in this report outline Council's approach to:

- Revenue and Debt Collection;
- Treasury Management (Borrowings and Investments); and
- Financial Management principles.

#### **RECOMMENDATION**

**That Council:**

- 1. Adopts the Revenue and Debt Collection Policy (C15) (Attachment [5.3.1]);**
- 2. Adopts the Treasury Management Policy (C24) (Attachment [5.3.2]);**
- 3. Adopts the Financial Management Policy (C86) (Attachment [5.3.3]); and**
- 4. Publishes the Revenue and Debt Collection Policy (C15), Treasury Management Policy (C24) and the Financial Management Policy (C86) on Council's website.**

## REPORT

Section 102 of the *Local Government Act 2020* (the Act) states that Council must prepare and adopt financial policies that give effect to the financial management principles and any matters prescribed by the Regulations.

Whilst the Act does not explicitly list the required policies, it refers to the financial management principles as follows:

- Management of Council's revenue, expenses, liabilities, investments and financial transactions should be in line with Council's financial policies and strategic plans
- Prudentially monitor and manage financial risks
- Financial policies and strategic plans must seek to provide stability
- Keeping of accounts and records

Where existing Policies have been updated, references to updated legislation has also been included.

### ***Financial Management Policy (New Policy)***

The *Financial Management Policy 2021 (C86)* (C86 Policy) (**Attachment [5.3.1]**) is a new policy which has been drafted in part to address the Act provisions and also in response to an action flagged by the Administrators during the drafting of the 2020/21 Annual Budget. It seeks to establish best practice financial management processes and also addresses how budgeting and reporting fits in with the Integrated Planning Framework which was introduced this year.

### ***Revenue and Debt Collection Policy (Review)***

The *Revenue and Debt Collection Policy (C15)* (C15 Policy) (**Attachment [5.3.2]**) will replace the current policy *Debt Collection on Unpaid Rates and Charges (C15)*. It is not proposed to update the *Rates and Charges Hardship Policy (C53)* until FinPro, Revenue Management Association and Local Government Victoria address the findings released by the Ombudsman and determine a consistent approach across the industry.

This C15 Policy also expands on the previous version to include Council's other sources of revenue and approach to debt collection. There has not previously been an approved and agreed on standard approach to debt collection for income other than Rates and Charges.

### **Treasury Management Policy (Review)**

The *Treasury Management Policy (C24)* (C24 Policy) (**Attachment [5.3.4]**) will replace the current *Investment of Council Funds Policy (C24)* which was adopted in March 2020. This C24 Policy maintains the principals for investment of Council funds, with some updating in reference to legislation changes in the *Local Government Act 2020*.

This C24 Policy also includes new policy around Borrowings for Council. It seeks to outline why and how Council can take up borrowings in the future, in line with industry best practice.

### **CONSULTATION / COMMUNITY ENGAGEMENT**

Consultation with relevant Departments across Council has been completed.

### **RESOURCES / FINANCIAL VIABILITY**

There are no specific financial constraints or implications in approving these financial policies.

### **RISKS**

For the purposes of the financial management principles s.101(2) of the Act articulates that 'Financial Risk' includes any risk relating to the following:

- The financial viability of the Council;
- The management of current and future liabilities of the Council;
- The beneficial enterprises of the Council.

### **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

### **ATTACHMENTS**

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

1. C86 Financial Management 2021 New Policy - draft for consideration [5.3.1 - 8 pages]
2. C15 Revenue and Debt Recovery Policy - draft for consideration [5.3.2 - 8 pages]
3. C24 Treasury Management Policy - draft for consideration [5.3.3 - 8 pages]

## REFERENCE DOCUMENTS

### **Council's Good Governance Framework**

Pillar 4. Structure, Systems & Policies

### **Council Policy / Strategy / Plans**

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

### **Legislative Provisions**

Charter of Human Rights and Responsibilities Act 2006

Freedom of Information Act 1982

Gender Equity Act 2020

Local Government Act 2020

Local Government Act 1989 (where applicable)

Local Government (Planning and Reporting) Regulations 2020

Local Government (Planning and Reporting) Regulations 2014



#### **5.4. POLICY REVOCATION: USE OF COUNCIL TERM 'MAYORAL' POLICY (C49)**

Customer Information and Advocacy

##### **Council Plan**

*Objective 4 - Customer Focused Organisation - Strategy 4.4 Build on leadership, governance, financial sustainability, shared values and cultural capabilities within the organisation*

*The Use of Council Term 'Mayoral' Policy (C49) is proposed to be revoked due to its underutilisation. This helps to ensure that policies that have been adopted remain effective and meet Council's requirements.*

##### **EXECUTIVE SUMMARY**

The purpose of this report is to determine the future of the *Use of Council Term 'Mayoral' Policy (C49)* (the Policy) (**Attachment [5.4.1]**). The Policy established guidelines for the use of the term 'Mayoral' by Council, external groups or organisations.

It is proposed that the Policy is revoked by Council as it has been underutilised since its implementation and can be managed within usual business processes if required.

There is no legislative requirement for Council to have a dedicated Policy relating to this area.

##### **RECOMMENDATION**

**That Council:**

- 1. Revokes Use of Council Term 'Mayoral' Policy (C49) contained in Attachment [5.4.1]; and**
- 2. Removes the Use of Council Term 'Mayoral' Policy (C49) from Council's website.**

##### **REPORT**

The *Use of Council Term 'Mayoral' Policy (C49)* was adopted by Council at the 24 February 2016 Council Meeting. The Policy established guidelines for the use of the term 'Mayoral' by Council, external groups or organisations.

At the time Council's public liability insurers, legal advisors and the State Ombudsman provided comment that it is appropriate and good management to establish some formal arrangements for the use of Council's logo. Council was encouraged to apply the same methodology to the use of the term 'Mayoral'.

It is proposed that the *Use of Council Term 'Mayoral' Policy (C49)* is revoked due to:

- There being no legislative requirement for the Policy;
- There has not been significant use of the Policy in recent years; and
- Any instances would be administrative in nature and can be managed through usual business practices if required.

#### **CONSULTATION / COMMUNITY ENGAGEMENT**

No external community engagement or consultation has been required for this Policy.

#### **RESOURCES / FINANCIAL VIABILITY**

There are no financial implications for revoking this Policy.

#### **RISKS**

As there is no legislative requirement for the Policy and it has not been actively used there are no risks to Council by removing the Policy and ensuring that any instances of use of the term 'Mayoral' is managed within usual business processes.

#### **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

#### **ATTACHMENTS**

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

1. Use of Council Term 'Mayoral' Policy (C49) [5.4.1 - 4 pages]

#### **REFERENCE DOCUMENTS**

##### **Council's Good Governance Framework**

Pillar 4. Structure, Systems & Policies

##### **Council Policy / Strategy / Plans**

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

Council Plan 2020-2024

South Gippsland's Good Governance Framework

##### **Legislative Provisions**

Local Government Act 2020

## **5.5. S18 INSTRUMENT OF SUB-DELEGATION UNDER THE ENVIRONMENT PROTECTION ACT 2017**

Performance and Innovation

### **Council Plan**

*Objective 4 - Customer Focused Organisation - Strategy 4.4 Build on leadership, governance, financial sustainability, shared values and cultural capabilities within the organisation*

*Council's governance is strengthened by maintaining currency in the delegations to Officers with the functions they are required to perform on behalf of Council.*

### **EXECUTIVE SUMMARY**

This report recommends that Council adopts the S18 Instrument of Sub-Delegation under the *Environment Protection Act 2017* to delegate the Environment Protection Act's power to the authorised officers.

### **RECOMMENDATION**

**That Council resolves that, in the exercise of the powers conferred by s 437(2) of the Environment Protection Act 2017 ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021 referred to in the attached Instrument of Sub-Delegation (Instrument of Sub-Delegation) Council to Members of Staff (Attachment [5.5.1]):**

- 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in (Attachment [5.5.1]) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument of Sub-Delegation;**
- 2. The Instrument of Sub-Delegation (Attachment [5.5.1]) to staff comes into force immediately that the common seal of Council is affixed to the Instrument of Delegation; and**
- 3. The duties and functions set out in the Instrument of Delegation (Attachment [5.5.1]) must be performed, and the powers set out in the Instrument of Delegation must be executed, in accordance with any guidelines or policies that Council may adopt.**

### **REPORT**

The allocation of delegations to the Chief Executive Officer or other employees contributes to the effective functioning of Council. It is important

to update delegations to reflect changes in personnel/legislation and improvements recommended by legal advisors to ensure decisions made are valid.

The new Instrument of Delegation (**Attachment [5.5.1]**) is recommended by Maddocks Lawyers.

Pursuant to s.437(1) of the *Environment Protection Act 2017*, the Environment Protection Authority (EPA) has issued the Instrument of Delegation under s.437(1) of the Act dated 4 June 2021 to councils.

The *Environment Protection Act 2017* has given the power to appoint authorised officers under the Act and, once appointed, those officers can only be authorised to exercise the power as set out under the *Environment Protection Act 2017*.

The Instrument is contained in **Attachment [5.5.1]**.

#### **CONSULTATION / COMMUNITY ENGAGEMENT**

Nil

#### **RESOURCES / FINANCIAL VIABILITY**

Nil

#### **RISKS**

Failure to adopt, update or revoke an Instrument of Sub-Delegation could result in a decision of the employee being invalidated or Council being held liable for the actions of former employees.

#### **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

#### **ATTACHMENTS**

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

1. S18 Instrument of Sub Delegation under the Environment Protection Act 2017 [**5.5.1** - 4 pages]

#### **REFERENCE DOCUMENTS**

##### **Council's Good Governance Framework**

Pillar 3. Decision Making

##### **Legislative Provisions**

Environment Protection Act 2017

Local Government Act 2020

## **5.6. INSTRUMENT OF APPOINTMENT AND AUTHORISATION - ENVIRONMENT PROTECTION ACT 2017**

Performance and Innovation

### **Council Plan**

*Objective 4 - Customer Focused Organisation - Strategy 4.4 Build on leadership, governance, financial sustainability, shared values and cultural capabilities within the organisation*

*Council's governance is strengthened by maintaining currency in the delegations to Officers with the functions they are required to perform on behalf of Council.*

### **EXECUTIVE SUMMARY**

This report recommends that Council adopts an appointment and authorisation for staff members John Lambert, Shane Parker, Kristy Kearney, David Clarkson, Noel Creed and Jennifer Fallu under the *Environment Protection Act 2017*.

### **RECOMMENDATION**

**That Council resolves that, in the exercise of the powers conferred by s 242(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021 and other legislation referred to in the attached Instruments of Appointment and Authorisation, Council to Staff under the *Environment Protection Act 2017*:**

- 1. The members of Council staff referred to in the Instruments of Appointment and Authorisation be appointed and authorised as set out in the instruments, attached and detail in the report;**
- 2. The Instruments of Appointment and Authorisation come into force immediately when the common seal of Council is affixed to the instruments and remain in force until Council determines to vary it or it is revoked by Council's Chief Executive Officer in the event the officer resigns from Council or is appointed to a position where this appointment and authorisation is not required or suitable; and**
- 3. The Instruments of Appointment and Authorisation be sealed.**

### **REPORT**

The allocation of authorisations and appointments to Council employees contributes to the effective functioning of Council. It is important to ensure that formal Instruments are updated to reflect changes in personnel as well as changes in the legislation.

New Instruments are presented for adoption for members of Council staff enabling them to be delegated of the Environment Protection Act's power.

The Instruments are contained in the following:

- **Attachment [5.6.1]** – David Clarkson;
- **Attachment [5.6.2]** – John Lambert;
- **Attachment [5.6.3]** – Kristy Kearney;
- **Attachment [5.6.4]** – Shane Parker;
- **Attachment [5.6.5]** – Noel Creed; and
- **Attachment [5.6.6]** – Jennifer Fallu.

#### **CONSULTATION / COMMUNITY ENGAGEMENT**

Nil

#### **RESOURCES / FINANCIAL VIABILITY**

Nil

#### **RISKS**

Failure to adopt, update or revoke an Instrument of Appointment and Authorisation could result in a decision of the employee being invalidated or Council being held liable for the actions of former employees.

#### **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

#### **ATTACHMENTS**

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

1. S11B Instrument of Delegation - Environmental Protection Act - David Clarkson [5.6.1 - 1 page]
2. S11B Instrument of Delegation - Environmental Protection Act - John Lambert [5.6.2 - 1 page]
3. S11B Instrument of Delegation - Environmental Protection Act - Kristy Kearney [5.6.3 - 1 page]
4. S11B Instrument of Delegation - Environmental Protection Act - Shane Parker [5.6.4 - 1 page]
5. S11B Instrument of Delegation - Environmental Protection Act - Noel Creed [5.6.5 - 1 page]

6. S11B Instrument of Delegation - Environmental Protection Act - Jennifer Fallu [5.6.6 - 1 page]

**REFERENCE DOCUMENTS**

**Council's Good Governance Framework**

Pillar 3. Decision Making

**Legislative Provisions**

Environment Protection Act 2017

Local Government Act 2020

## **5.7. SUMMARY OF STRATEGIC BRIEFINGS TO ADMINISTRATORS - 13 JUNE - 12 JULY 2021**

Performance and Innovation

### **Council Plan**

*Objective 4 - Customer Focused Organisation - Strategy 4.4 Build on leadership, governance, financial sustainability, shared values and cultural capabilities within the organisation*

*Council's transparency and governance is strengthened by regularly reporting on summaries of briefings held, that assist Council to make informed decisions in Council Meetings on behalf of the community.*

### **EXECUTIVE SUMMARY**

Council, in its requirement to give effect to the overarching governance principles and supporting principles of the *Local Government Act 2020, section 9(2)(i), s.9(3)(b) and s.58*, aims to assist the transparency of Council decisions, actions and information through the provision of public summaries of information. The types of information summarised are usually strategic briefing and public presentations to items that will subsequently come before Council for a future decision. The information is summarised so that it is accessible, understandable, relevant and timely.

The information provided in this report is recorded from sessions held between 13 June and 12 July 2021.

### **RECOMMENDATION**

**That Council receives and notes this report.**



**REPORT**

<b>Meeting Title</b>	<b>Details</b>
<b>Wednesday 16 June 2021</b>	
<b>Agenda Topic Discussion – Council Meeting 16, 23 June 2021</b>	<b>Administrators Attending:</b> Julie Eisenbise, Rick Brown, Christian Zahra <b>Conflict of Interest:</b> Nil disclosed
<b>Wednesday 23 June 2021</b>	
<b>Community Infrastructure Advisory Committee (CIAC)</b>	<b>Administrators Attending:</b> Julie Eisenbise, Rick Brown, Christian Zahra <b>Conflict of Interest:</b> Nil disclosed
<b>Wednesday 7 July 2021</b>	
<b>Community Transport</b>	<b>Administrators Attending:</b> Julie Eisenbise, Rick Brown, Christian Zahra <b>Conflict of Interest:</b> Nil disclosed
<b>Community Asset Committees</b>	<b>Administrators Attending:</b> Julie Eisenbise, Rick Brown, Christian Zahra <b>Conflict of Interest:</b> Nil disclosed
<b>Early Years Infrastructure Strategy</b>	<b>Administrators Attending:</b> Julie Eisenbise, Rick Brown, Christian Zahra <b>Conflict of Interest:</b> Nil disclosed
<b>VAGO Audit Report – Local Roads Maintenance</b>	<b>Administrators Attending:</b> Julie Eisenbise, Rick Brown, Christian Zahra <b>Conflict of Interest:</b> Nil disclosed

**REFERENCE DOCUMENTS**

**Council’s Good Governance Framework**

Pillar 3. Decision Making

**Council Policy / Strategy / Plans**

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

Public Transparency Policy (C75)

**Legislative Provisions**

Local Government (South Gippsland Shire Council) Act 2019

Local Government Act 1989

Local Government Act 2020

## **5.8. DOCUMENTS SEALED, CONTRACTS VARIED, AWARDED OR EXTENDED BY CEO - 19 JUNE TO 16 JULY 2021**

Performance and Innovation

### **Council Plan**

*Objective 4 - Customer Focused Organisation - Strategy 4.4 Build on leadership, governance, financial sustainability, shared values and cultural capabilities within the organisation.*

*Council's transparency of financial decisions made and overall financial sustainability is strengthened by regularly reporting on documents sealed, contracts awarded, varied or extended under the CEO's delegation.*

### **EXECUTIVE SUMMARY**

This report documents the following actions undertaken by the Chief Executive Officer (CEO) which occurred during the period from 19 June to 16 July 2021. Council's *Procurement Policy (C32)* requires the CEO to report to Council any of the following actions undertaken to the next appropriate Meeting:

- Documents sealed;
- Contracts awarded after a public tender process within the CEO's delegation; and
- Contracts varied or extended by the CEO which exceeded the CEO's delegation.

### **RECOMMENDATION**

**That Council receives and notes this report.**

### **REPORT**

#### **Documents Sealed**

Under the *Local Government Act 2020* (the Act), s.14 states that each Council is a body corporate with perpetual succession; and must have a common seal. Sealing a document makes it an official document of Council as a corporate body. Documents that require sealing include agreements, leases or any other contractual or legally binding document that binds Council to another party.

Use of the Local Law No. 2 2020, Part 9, clause 107(f)(iv) – Common Seal of Council, states that if the Chief Executive uses the Common Seal in a manner prescribed by sub-clause (c), this means on the authority of a Council resolution, then Council must be advised of such use on a regular basis.

'Section 173 Agreements' are prepared in accordance with s.173 of the *Planning and Environment Act 1987*, allowing Council to enter into agreements relating to the use or development of land, conditions to which the land may be used or developed or any matter that relates to planning or planning schemes in Victoria. Section 174 of the *Planning and Environment Act 1987* requires that such an agreement be under seal and must bind the owner to the covenants specified in the agreement.

In accordance with the Local Law, Instrument of Delegation and *Planning and Environment Act 1987*, the following are presented to Council as documents sealed during the period from 19 June to 16 July 2021.

1. Section 173 Agreement between South Gippsland Shire Council and the owner of 640 Boolarra South Mirboo North Road Mirboo in relation to existing dwelling to be removed prior to issue of occupancy permit on new dwelling. Seal applied 30 June 2021.
2. Section 173 Agreement between South Gippsland Shire Council and the owner of 3 Heatherland Drive Port Welshpool in relation to amending an existing s173 agreement to remove building envelope but keep provision to require post and wire fencing. Seal applied 30 June 2021.

### **Contracts Awarded, Varied or Extended**

In accordance with Council's Procurement Policy where contracts are awarded under delegation, varied or extended, they are required to be reported to the next practicable Council Meeting.

1. Contract variations approved by the CEO between 19 June to 16 July 2021.
  - a. Contract CON/266 Early Learning Centre was awarded to Centrum Architects. During the *Concept Design Refinement* stage, the design was revised to include additional car parking, internal access road, and additional stormwater drainage works. These changes were in addition to the scope of works provided in the tender documentation, resulting in a contract variation. A Contract Variation of \$14,051.00 excl. GST was approved by CEO on 29 June 2021. This will result in a revised lump sum of \$193,021.00 excl. GST.

### **STAFF DISCLOSURE**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

**ATTACHMENTS**

Nil

**REFERENCE DOCUMENTS**

**Council's Good Governance Framework**

Pillar 3. Decision Making

**Council Policy / Strategy / Plans**

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

Governance Rules (C82)

Local Law No. 2 2020, Processes of Municipal Government (Meeting Procedures and Common Seal)

Procurement Policy (C32)

**Legislative Provisions**

Local Government Act 1989

Local Government Act 2020

Planning and Environment Act 1987

## **6. NOTICES OF MOTION AND/OR RESCISSION**

### **6.1. NIL**

## **7. ADMINISTRATOR REPORTS**

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

### **7.2. ADMINISTRATORS UPDATES**

### **7.3. COMMITTEE UPDATES**

## 8. URGENT OR OTHER BUSINESS

There are two basic parts to this section of the Agenda:

### 1. Urgent Business

Normally no motion should be debated by Administrators unless the matter is already included as an item on the Agenda. However, in some circumstances it is possible to raise urgent motions.

Council's Governance Rules 2020 (clause 22 - Urgent Business) adopted on 26 August 2020, allows for where a situation has not been provided for under the Governance Rules, the Council may determine the matter by resolution. Established practice has provided for urgent motions to be raised at Council provided the matter cannot be dealt with at the next Council Meeting or by Officers under delegation.

It is necessary for the Administrator wishing to raise a matter of urgent business to raise a motion similar to the following:

'That consideration of (the issue) be dealt with as a matter of urgent business and Administrator....be allowed a 'short period' to indicate the reason(s) why the matter should be considered as a matter of urgent business.' If the Chairperson accepts the motion as meeting the urgent business criteria, normal meeting procedures in Council's Governance Rules 2020 (clause 22) will apply.

If the motion to accept the item as a matter of urgent business is passed by Council, the motion relating to the specific issue can then be put and debated in the normal way.

### 2. Other Business

This provides an opportunity for Administrators to raise items of general interest to the Council and the community. It may relate to an up and coming event or the outcomes of a recent meeting with a Minister etc.

## **9. PUBLIC QUESTIONS**

### **9.1. PETITIONS AND JOINT LETTERS**

Petitions and Joint letters are written requests that have been signed by a number of community members. According to the Local Law No.3 2010 petitions may be presented to Council by an Administrator. A petition presented to the Council must lay on the table until the next Council Meeting and no motion, other than to receive the petition, may be accepted by the Chair unless the Council agrees to deal with it earlier.

The lead petitioner or person organising the petition may in presenting the petition to an Administrator at a Public Presentation session speak briefly to its contents. At the following Council Meeting, an Administrator would accept the petition and introduce it to Council for formal noting and actioning by Council.

The Administrator presenting the petition is responsible for ensuring that they are familiar with the contents and purpose of the petition and that it is not derogatory or defamatory.

## 9.2. ANSWERS TO PREVIOUS QUESTIONS ON NOTICE

Answers to previous questions taken on notice at a former Council Meeting, are included in the Minutes of this Meeting.

Background material submitted with a question will not be recorded in the Council Meeting Minutes.

A submitter will receive a letter outlining the response to a question after the Minutes have been produced.

*Source: Governance Rules (C82) – adopted August 2020.*

**Nil**



### 9.3. SUBMITTED PUBLIC QUESTIONS

All community member questions for Council Meetings are to be written and submitted to the Council Business Team by 9.00am on the Monday morning preceding the Council Meeting to allow time for a response to be prepared, where possible, for the Council Meeting. All reasonable attempts will be made to answer pre-submitted questions at the Meeting. When further time is required to prepare an answer, questions may be taken on notice and responses will be provided at the next Council Meeting.

Questions can also be submitted in hard copy format into the 'Public Question Box' during a Council Meeting on the prescribed form. These questions will be taken on notice, included in the Minutes and responses provided at the next Council Meeting.

Public Question Time in Council Meetings is to be used for matters that are relevant to the business or functions of Council and are clear and legible. Questions may not be allowed where the question(s) is deemed to be:

- Related to a matter beyond or outside the powers of Council;
- Trivial or frivolous;
- Defamatory, indecent, abusive or objectionable;
- Derogatory or designed to embarrass a Councillor, a member of Council staff or a member of the community;
- Related to subject matter previously received and responded to;
- Related to a matter already considered and resolved upon by Council;
- Breach Council's confidentiality obligations; and/or
- Illegible, vague or not make sense.

A person may submit a maximum of three (3) questions for any one Council Meeting, this includes a combined total of three (3) questions for related parties or groups. The total word count of all questions submitted is to be 100 words or fewer.

Background material submitted with a question will not be read out or recorded in the Council Meeting Minutes.

The CEO retains the discretion, in consultation with the Mayor, to not refer questions to Council meetings if there is a more effective or appropriate way to respond to the matters raised. Answers to questions from a member of the community who is present in the gallery will be read out at the Council Meeting by the CEO or Mayor.

*Source: Governance Rules (C82) – adopted August 2020.*

## 10. CLOSED SESSION

The *Local Government Act 2020* (the Act), section 66 provides that if a council or delegated committee determines that a meeting is to be closed to the public to consider confidential information, the Council or delegated committee must record in the minutes of the meeting that are available for public inspection –

- a) the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in the definition of ***confidential information*** in section 3(1); and
- b) an explanation of why the specified ground or grounds applied.

The Act defines ***confidential information*** in s.3(1)(a)-(l), and includes information that may prejudice or impact; commercial negotiations, the security of Council, land use planning, law enforcement, legal privilege, personal information, private commercial information, confidential meeting information, internal arbitration, Councillor conduct panel information and information specified under s.77 of the previous *Local Government Act 1989*.

Once confidential information has been considered and decided in a closed session of a Council Meeting, a further resolution to resume open Council is required.

### RECOMMENDATION

**That Council pursuant to section 66(5)(a) and (b) of the *Local Government Act 2020* close the Council Meeting to the public to consider the following confidential information:**

1. **Per s.3(1)(f) Agenda item 12.3, designated as personal information,**
  - a. **being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;**
  - b. **the designation has been made to protect the privacy of the Chief Executive Officer's personal information.**
2. **Per s.3(1)(g) Agenda items 12.1 and 12.2, designated as private commercial information,**
  - a. **being information provided by a business, commercial or financial undertaking that –**

- i. Relates to trade secrets; or**
  - ii. If released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and**
- b. The designation has been made as the information is deemed commercial-in-confidence to protect the privacy of the contractor's tender information submitted for consideration.**

## **11. MEETING CLOSED**

### **NEXT MEETING**

The next Council Meeting open to the public will be held on Wednesday, 15 September 2021 commencing at 1pm in the Council Chambers, Leongatha.