



WELLINGTON

SHIRE COUNCIL

The Heart of Gippsland

Council Meeting Agenda

Meeting to be held via Skype

Tuesday 21 July 2020, commencing at 6pm

**or join Wellington on the Web:
www.wellington.vic.gov.au**

ORDINARY MEETING OF COUNCIL – 21 JULY 2020
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Council Meeting Information

As the COVID-19 social distancing requirements remain in place, the Minister for Local Government, has issued the “Minister’s Good Practice Guideline MGP-1: Virtual Meetings”. Pursuant to section 87 of the Local Government Act 2020, these guidelines ensure that local Government decision making can continue in line with COVID-19 requirements and further details can be found on the Local Government Victoria website.

These guidelines take effect from 1st May 2020 and will remain in place through to 1st November 2020.

While members of the public can no longer attend meetings in person, we have provided options for you to interact with us virtually via our Council Meetings page on the Wellington Shire Council Website. You are able to interact with Council in two ways:

- Email through a specific question or comment relating to a particular Council Agenda item no later than 1:00pm on the day of the Council Meeting; or*
- For general communication with Council, via the webcasting chat room early in the meeting to ensure that your submissions can be dealt with at the end of the meeting.*

While we face a new way of gathering, we thank you for your continued support and look forward to a new way of keeping in touch with all of Wellington Shire.



A - PROCEDURAL



STATEMENT OF ACKNOWLEDGEMENT

***“We acknowledge the traditional custodians
of this land the Gunaikurnai people,
and pay respects to their elders past and present.”***



PRAYER

***“Almighty God, we ask your blessing upon the Wellington
Shire Council, its Councillors, officers, staff and their families.***

***We pray for your guidance in our decisions so that the
true good of the Wellington Shire Council may result to
the benefit of all residents and community groups.”***

Amen



A - PROCEDURAL

A4 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

ITEM A4**ADOPTION OF MINUTES OF PREVIOUS MEETING/S**

ACTION OFFICER:

GENERAL MANAGER CORPORATE SERVICES

DATE:

21 JULY 2020

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 7 July 2020.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 7 July 2020.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.



A - PROCEDURAL

A5 BUSINESS ARISING FROM PREVIOUS MEETING/S



A - PROCEDURAL

A6 ACCEPTANCE OF LATE ITEMS



A - PROCEDURAL

A7 NOTICE/S OF MOTION

ITEM A7(1)**NOTICE OF MOTION – LOCH SPORT EROSION**

OFFICER:

COUNCILLOR GARRY STEPHENS

DATE:

21 JULY 2020

I, Councillor Garry Stephens, hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council on 21 July 2020.

That Council write to the Hon Lilly D'Ambrosio MP, Minister for Energy, Environment and Climate Change requesting urgent action to address coastal erosion issues on the crown land areas adjacent to Seagull Drive, Loch Sport.

BACKGROUND

The Loch Sport community have raised concerns over a long period about shifting sands and coastal erosion on the crown land area of the Lake Victoria foreshore at Loch Sport.

To date, attempts to address erosion issues have had little effect, with active erosion continuing unabated at multiple sites along the lake foreshore. This is placing both public and private assets at serious risk and exposing the community to increased levels of stress and physical harm. It also exposes the state government to the possibility of litigation into the future if action is not taken to address the erosion.

Of immediate concern to the community is the foreshore area near Seagull Drive, Loch Sport. Residents have voiced their concerns to the Department of Environment, Land, Water and Planning (DELWP) as the responsible authority. The community is concerned that the response from DELWP is inadequate given the extent of the erosion.

The state government must take a more proactive and strategic approach to coastal erosion in this area and ensure adequate on-going funding is provided to resolve issues for the long term. I ask that Council support the community on this issue by writing to the relevant Minister requesting urgent action to address coastal erosion issues on the crown land areas adjacent to Seagull Drive, Loch Sport.

Please see photos following which indicate to extent of the coastal erosion referred to in this notice.



.....
COUNCILLOR GARRY STEPHENS

Dated: 13 July 2020





A - PROCEDURAL

A8 RECEIVING OF PETITIONS OR JOINT LETTERS

ITEM A8(1)**OUTSTANDING PETITIONS**

ACTION OFFICER

GOVERNANCE

DATE:

21 JULY 2020

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			



A - PROCEDURAL

A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS



A - PROCEDURAL

A10 QUESTIONS ON NOTICE



A - PROCEDURAL

A11 MAYOR AND COUNCILLOR ACTIVITY REPORT

ITEM A11**MAYOR AND COUNCILLOR ACTIVITY REPORT**

ACTION OFFICER: MAYOR ALAN HALL

DATE: 21 JULY 2020

RECOMMENDATION***That the Mayor and Councillor Activity report be noted.*****1 JUNE 2020 – 3 JULY 2020**

1 June	Gippsland Climate Change Network Board Meeting, via Zoom	Cr Crossley and Cr McCubbin attended
	Victorian Gas Program – Gippsland Resource and Land Use Planning Workshop, via Zoom	Cr Hole and Cr Maher attended
	Gippsland Art Gallery Advisory Group Meeting	Cr Rossetti attended
	Newry Recreation Reserve Annual & General Meeting	Cr Hole attended
	Maffra Recreation Reserve Meeting	Cr Ripper attended
3 June	Gippsland Climate Change Network RDV Discussion, via Skype	Cr McCubbin attended
	Gippsland Smart Futures Series: Townships implementing Community Energy, via Zoom	Cr McCubbin attended
	Gippsland Community Energy Conversations, online via Zoom	Cr McCubbin attended
	Youth Council Meeting via Zoom	Cr Ripper attended
4 June	Final CPH Network Meeting via Zoom	Cr Crossley and Cr McCubbin attended
5 June	Municipal Association of Victoria Board Meeting, via Zoom	Cr Hole attended
	Forestry Plan Briefing with CEO, David Morcom, other Council staff, Karen Cain and other representatives from DJPR.	Mayor Hall attended
9 June	NEJF: Community Energy collaboration meeting via Zoom	Cr Crossley and Cr McCubbin attended
	The Wedge Opening Announcement	Mayor Hall attended
10 June	Youth Council Meeting via Zoom	Cr Ripper attended

	Cameron Committee of Management Meeting via Zoom	Cr Hole attended
	Art Aid Cheque Presentation	Mayor Hall attended
11 June	Discussion regarding McMillan cairns issues	Mayor Hall, Cr Maher, Cr Crossley, Cr McCubbin and Cr Ripper attended.
12 June	Cameron Complex Project Reference Group via Zoom	Cr Hole attended
	Gippsland Mayors Discussion	Mayor Hall attended
15 June	National Timber Councils Association Zoom Meeting with Federal Minister for Forestry	Cr Hole attended
	Meeting with local Victorian Farmers Federation representatives	Mayor Hall attended
17 June	Meeting with Managing Director Ash Timber	Mayor Hall attended
18 June	Cameron Complex General Meeting via Zoom	Cr Hole attended
22 June	Gordon Street Reserve Committee Meeting via Zoom	Cr Hole attended
25 June	National Timber Council's Association Executive Meeting via Zoom	Cr Hole attended
	Latrobe Valley Power Hub Control Group via Zoom	Cr Crossley and Cr McCubbin attended
26 June	One Gippsland Meeting via teleconference	Mayor Hall attended
2 July	Timber Towns Victoria Annual General Meeting via Zoom	Cr Hole attended
3 July	Municipal Association of Victoria Board Meeting, via Zoom	Cr Hole attended

**COUNCILLOR ALAN HALL
MAYOR**



B –REPORT

DELEGATES



C1 - REPORT

CHIEF EXECUTIVE OFFICER

ITEM C1.1**CHIEF EXECUTIVE OFFICER'S REPORT**

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

DATE: 21 JULY 2020

RECOMMENDATION***That the Chief Executive Officer's report be received.*****MEETINGS**

17 June	Meeting via Skype with Vince Hurley, Managing Director ASH Timber. Mayor and General Manager Development also in attendance.
19 June	Destination Gippsland Special General Meeting and Board Meeting via Zoom. Gippsland Regional Plan – Endorsement Meeting via Microsoft Teams.
24 June	Meeting with Laurice Richardson, Megan Stiffler, Lee Miezis and Stephen Joske of Bushfire Recovery Victoria via Microsoft teams. Paul Johnson Business Development Manager also in attendance.
25 June	Meeting with Pace Advertising, creative agency appointed to work with Business Boost Campaign, and other Council staff members.
26 June	One Gippsland Meeting with CEO's and General Meeting, via teleconference. Rural Councils Victoria Strategic Planning Workshop via Zoom.
29 June	Meeting with Karen Cain from Latrobe Valley Authority and other council staff members, to discuss Native Timber Taskforce and Phaseout.
8 July	Attending two Citizenship Ceremonies throughout the day.
10 July	Attending Rural Councils Victoria Committee Meeting via teleconference.
13 July	Inaugural Native Timber Council Meeting scheduled to attend.
14 July	Scheduled to attend Councillor Community Conversation in Maffra.
17 July	Gippsland Local Government Network Board Meeting to be attended via teleconference.
18 July	Municipal Association of Victoria Gippsland Regional Meeting to be attended, teleconference to be confirmed.

REPORTS

Council resolved at its meeting of the 19 May 2020 to temporarily increase the Chief Executive Officer's delegation to \$1M. This temporary delegation was revoked by Council Resolution at the 16 June 2020 Council meeting. During the period that the temporary delegation was in place, only one contract above the CEO's current delegation was awarded as follows; the York Street Streetscape Centre Median Lighting Contract was awarded to AusNet Services for \$410,133 (excluding GST).

ITEM C1.2**JUNE 2020 COUNCIL PERFORMANCE REPORT**

DIVISION: CHIEF EXECUTIVE OFFICER
ACTION OFFICER: CHIEF EXECUTIVE OFFICER
DATE: 21 JULY 2020

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
✓	✓	✓	✓	✓					

OBJECTIVE

For Council to receive and note the June 2020 Council Performance Report.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That Council receive and note the June 2020 Council Performance Report as attached.

BACKGROUND

The June 2020 Council Performance Report comprises key highlights towards achievement of the 2017-21 Council Plan and progress in relation to Major Initiatives and Initiatives as identified in the 2019/20 Budget.

An overview of Council finances for June 2020 will be provided to Council at a future meeting, once the processing of end of the year financial data is completed.

This overview will include an Income Statement, a Balance Sheet with commentary regarding any major variances, information on cash balances, the level of rates outstanding and a progress update on Council's Capital Works program.

OPTIONS

Following consideration of the attached June 2020 Performance Report, Council can resolve to either:

1. Receive and note the June 2020 Council Performance Report; or
2. Not receive and note the June 2020 Council Performance Report and seek further information for consideration at a later Council meeting.

PROPOSAL

That Council receive and note the attached June 2020 Council Performance Report.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

Provision of a monthly financial report to the community facilitates accountability and transparency and ensures that Council and management are able to make informed decisions in a timely manner. An overview of Council finances for June 2020 will be provided to Council at a later date.

COMMUNICATION IMPACT

The Council Plan communicates Council's strategic direction to the community. The Council Plan can also be used by Council to communicate its vision and direction to other tiers of government, organisations, government agencies and funding bodies.

LEGISLATIVE IMPACT

There is no legislative requirement for provision of a monthly Council Performance report however, Council has determined that in the interests of accountability and transparency, this report will be provided to the community.

COUNCIL POLICY IMPACT

The June 2020 Council Performance Report has been prepared in the context of existing Council policies.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 6 Organisational states the following strategic objective and related strategy:

Strategic Objective 6.2: *"Community engagement and customer service excellence is central to Council's decision making process."*

Strategy 6.2.2: *"Actively engage with both internal and external stakeholders to appropriately inform about council business."*

Strategic Objective 6.3: *"Maintain a well governed, transparent, high performing, ethical and accountable organisation."*

Strategy 6.3.3: *"Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making."*

This report supports the above Council Plan strategic objective and strategy.

JUNE PERFORMANCE REPORT

JUNE 2020 COUNCIL PLAN HIGHLIGHTS

Heyfield Town Tree Plan

Year 2 project will be ready for engagement with ratepayers over August and will look to plant a further 200 trees into the urban forest on the northern side of the township. These trees will add to the biodiversity that Council is aiming to improve across all our urban centres.

Heyfield Youth Play Precinct

Detailed designs have been received for the expansion of the skate park, and construction of an asphalt pump track. The project has received Federal Government funding and will shortly go to tender to engage suitable contractors to complete the works. Project is anticipated to be completed by late November 2020.

Sale Botanical Gardens Management Plan

Sale Botanic Garden Management Plan 2020-2025 is in the final stages of completion with feedback recently received from the Friends of Sale Botanic Gardens. This will inform the future direction of the Gardens for the next 5 years.

Funding programs for roads

Federal government funding applications to fund upgrades to Sloping Bridge (Bridges Renewal Program) and Pound Road East (Heavy Vehicle Safety and Productivity Program) are complete. Final invoice for Balloong Road under the Fixing Country Roads Program is also complete.

Black Spot Program

Black Spot projects target those road locations where crashes are occurring. Blackspot speed limit applications for Gormandale - Stradbroke Road and Ryans Road were sent to Regional Roads Victoria (RRV). 2019/20 invoices for Blackspot projects on Sale - Toongabbie Road and Beverleys Road were also sent to RRV.

Online Tendering

Final training occurred during June for Council's online tendering system which is due to be rolled out in July. A roll out plan is being finalised so that our suppliers can continue to seamlessly participate in Council's tendering process.

Marketing and Business Campaign

Creative Agency 'Pace' has been appointed to prepare marketing collateral for the upcoming campaign. The first Marketing Campaign Reference Group meeting is scheduled for 9 July and will consist of representatives from Business and Tourism Associations (BTA), Committee for Wellington and Central Gippsland Tourism.

Latrobe Valley Authority Business Capability Fund

Latrobe Valley Authority Business Capability Fund has now been finalised with 41 Wellington businesses sharing in \$532,000 of grant support over the past four months.

Excellence in Agribusiness Awards

Excellence in Agribusiness Awards: Entries now closed with 115 entries from across Gippsland. Judges are now assessing entries to determine the finalists.

Gippsland Provenance Trademark Funding Submission

Gippsland Provenance Trademark: Funding submission to the Latrobe Valley Authority approved for \$37,000.

Visitor Information Centre

The Visitor Information Centre reopened to the public 1 June 2020 and has been able to provide a service in the current environment. Visitor numbers are down about 25% on average compared to last year.

Gallery re-opens

Gippsland Art Gallery was the first of Victoria's 54 public galleries to re-open on Monday 1 June as COVID-19 restrictions eased. While visitor numbers have been relatively low as the community continues to observe caution, the re-opening has been met with appreciation from the many who have visited during June.

Art Aid Gippsland funds

The highlight for June was the public handover of \$161,000 raised through Art Aid Gippsland to the Gippsland Emergency Relief Fund on 10 June, which received widespread media coverage.

Community Managed Facilities Strategy

Community consultation was completed as the last step before formal adoption of the Community Managed Facilities Strategy. The new operating subsidy model for support of volunteer community committees of management is ready for implementation in the new financial year.

Community halls and facilities re-open

Committees continue to respond well to regular updates about COVID-19 restrictions. On 1 June community halls and facilities began to re-open and the return of indoor sport and recreation occurred on 22 June due to further easing of sporting restrictions. Committees and users are working well together to implement physical distancing and hygiene measures as well as assess and react to financial implications of the restrictions.

Training resumed

Some clubs have returned to training activities at Council direct managed reserves so seasonal hire agreements have been implemented in line with the normal "pay for use" procedures. Fees were not charged while facilities were closed.

Funding for community facilities

Funding agreements implemented for major capital projects at Walpole Stadium Yarram, Boisdale Hall and Port Albert Mechanics Hall.

Capital Project Progress

- **Cameron Sporting Complex Stadium Redevelopment project:** Works are progressing according to schedule. The flooring in the new courts is currently being sealed and line marked, fixings being added to new changerooms and external works progressing well with carparking areas and new access ramps well established. The Stage 1 works are scheduled to be completed by the end of July 2020 with Stage 2 planning currently underway. Intensive stakeholder engagement continues.
- **Sale Tennis Club Redevelopment project:** final brief for an independent assessment of the Stage 1 courts has been approved by all stakeholders for implementation by LVA. Timing for Stage 2 (seven courts) court redevelopment works will be determined after the Stage 1 independent assessment, with fencing and lighting for Stage 2 works currently in progress.
- **Stratford Recreation Reserve Changeroom Redevelopment project:** on track for construction commencement in July, brought forward from August due to cancellation of play due to COVID-19 restrictions.
- **Stephenson Park Changeroom Redevelopment project:** Project Reference Group has signed off on updated concept designs and Sport and Recreation Victoria has endorsed the designs. Detailed design will now commence for the project.

- **Pine Lodge Tennis Courts Reconstruction project:** Construction works are complete which include reconstruction of four courts, new fencing and LED lighting. The courts have been handed over to the community and they are now in use with COVID-19 restrictions lifting.
- **Sale Oval Facility Works:** Concept designs have been signed off by user groups and detailed design is progressing.
- **Aqua Energy Redevelopment:** architect consultation with users is complete and concept designs and initial cost plan underway in preparation for Council review in July.

Community grants

Eight Quick Response Grants awarded in June totaling \$17,929 in funding.

Smart Grants

Smarty Grants software was purchased that will create efficiencies through a streamlined process from application to acquittal.

Sporting Infrastructure Plan

Updated draft sporting infrastructure plan, facility management guidelines and landscape plans have been received. These are now being reviewed by Council officers in line with feedback provided.

Community Infrastructure Plan

Community engagement is in its final stages with online forums and survey concluded. 582 survey responses were received. Consultants are now completing additional targeted interviews for communities where low response rates were received.

Early Years Infrastructure Plan

Planning for Communities' consultant has been appointed to assist in the development of the Early Years Infrastructure Plan with a review of background information currently underway.

Community Recovery Conversations

Council has established Community Recovery Conversations via an online survey and follow up discussion forums to identify key concerns of the community as the COVID-19 restrictions are gradually eased. This will inform Council and partner agencies of the key areas of importance to the community in recovery plans.

Local Incident Management Plan

Contract for the Local Incident Management Plan (LIMP) evaluation project has commenced with the engagement of First Person Consulting to conduct the evaluation. Results of the evaluation of the East Gippsland Shire's LIMP program will inform the development of community led emergency management planning in Wellington Shire.

COVID-19 relief line

Wellington Shire Council's COVID-19 relief line has been funded by the state government to become a community connector service under the Community Activation and Social Inclusion (CASI) program, and receive referrals from the state COVID-19 hotline for people who are socially isolated during the pandemic. Council will link these cases with appropriate local services.

Aqua Energy resumes programs

On 1 June, pools re-opened for lap swimmers and hydro pool users at Aqua Energy. Total swimmer numbers (per pool) and length of stay were moderated and closely monitored by staff. Operating hours were modified to offer weekday morning and afternoon / evening sessions, plus sessions on weekends.

On 22 June, gym, group fitness and indoor stadium activity recommenced. Gym access, group fitness classes and court access has been managed with a booking system (Eventbrite) to control maximum session and class numbers, in accordance with ongoing COVID-19 restrictions.

GRSC reopens

Outdoor pitch and court use at GRSC recommenced, in order to service a small number of club and association booking requests. Outdoor group fitness programs were also offered at GRSC through this time.

Libraries reopen

Wellington Libraries are in the vanguard of public libraries re-opening to the public, with normal hours and all services operating from 1 June, except group programs. Only seven other library systems reported some branches open with reduced levels of service or hours.

Wellington Libraries reopened to the public for borrowing on 1 June with Maffra Library delayed to 15 June after planned interior repainting and shelving improvements. All libraries reported patrons eager to see their local library open once more.

'Click & Deliver'

The successful 'Click & Deliver' home deliveries program delivered 4,046 requested items to 1,202 patrons and picked up 1,529 items to mid-June while branches were closed. Yarram, Rosedale, and Sale branches also left 157 books at local street libraries. Many favourable comments for these services were received.

Magazine collection moved

The Sale library magazine collection moved to within the confines of the library from the Dock Café which is now able to use the renovated benchtop and stools for expanded patron service.

The Wedge Trivia

The Wedge reopened to the public with a live version of The Wedge Trivia on 25 June. There was an audience of the maximum allowed 20 patrons and it was also live-streamed as it has been since its commencement during the COVID-19 closure.

New theatre season

A new theatre season has been released for coming months in line with current restrictions including chamber music, local plays and a production from last year's Melbourne Fringe Festival.

Youth Council

Youth Councillors have continued to meet with Headspace as an advisory group as the refit of the Headspace satellite service in Sale has been developed.

Nine Youth Councillors were farewelled and another nine recruited to the Youth Council.

Social Enterprise Network

The Social Enterprise Network Gippsland, led by Wellington Shire Council, has been successful in receiving a Latrobe Valley Authority grant to develop a marketing plan and an action plan has been developed.

The Spaghetti Stains

Most exciting is the recent success of the local girl band, The Spaghetti Stains, who have just received a Triple J grant to launch a debut album. The Spaghetti Stains were all members of 'Propellor', Wellington Shire Council's FReeZA group (drug, alcohol and smoke free events group) and formed to encourage more bands to compete in the 'Down the Alley' event that Propellor was organising.

JUNE 2020 PERFORMANCE REPORT

MAJOR INITIATIVES AND INITIATIVES SUMMARY

Major Initiatives	Progress Comment	Status
COMMUNITIES		
Research and prepare approach/guidelines for all Council staff working with Aboriginal cultural knowledge and content in a respectful and appropriate manner, in consultation with the Gunaikurnai community.	An internal draft document titled 'Protocols for Working Respectfully with Gunaikurnai Culture' is complete. The draft document is modelled on 'Magolee' (http://www.maggolee.org.au/) which is a framework for helping Victorian councils engage with Aboriginal communities and promote reconciliation. The document contains largely operational guidelines for staff to ensure council services are delivered in a way that is respectful of Gunaikurnai culture and people. The next stage involves consultation with Gunaikurnai Land and Waters Aboriginal Corporation regarding appropriateness of operational protocols set out in the document.	In Progress (90%)
SERVICES AND INFRASTRUCTURE		
Finalise conceptual project brief for refurbishment of aquatic facilities at Aqua Energy and progress planning of business case including identification of funding options.	Business case completed and options for redevelopment considered by council in September 2019. Concept design completed including community and user consultation and costing underway for council review in July. A commitment for funding support has been made by the John Leslie Foundation.	Completed (100%)
Progress business case and funding advocacy for Yarram Outdoor Pool project.	'A Warmer Pool for Yarram' project developed including community consultation, Council and community contributions approved and Sport and Recreation Victoria. Strong community advocacy for funding enabled a strong submission for grant funding to Sport and Recreation Victoria. Funding application submitted with outcome expected in July 2020.	Completed (100%)
Complete the Sale Tennis Club Facility Upgrade	Works on hold due to Client request. Stage 1 Tennis Courts are now operational and handed over to the Club. Currently monitoring the surface and normal maintenance processes.	In Progress (80%)

Major Initiatives	Progress Comment	Status
Undertake a review of the Gippsland Regional Livestock Exchange and present Council with a report and recommendations about the future operations of the facility.	Report was presented to Council 5 May 2020 following a workshop in December 2019 which ratifies Council's support for the saleyards and continued direct management.	Completed (100%)
Complete Year 2 civil works for the Maffra Streetscape Upgrade	All paving on the South side of the street is complete. Works are well advanced on the Stage two on the North side with works nearly 50% already completed which is ahead of schedule.	Completed (100%)
Oversee upgrade of the Cameron Sporting Complex (multi-year project with completion forecast for December 2020)	2019/20 has seen strong and consistent activity at Cameron Sporting Complex with the stadium development well underway. In August 2019, local contractor Brookers was awarded the construction tender and works commenced in September 2019. Stage 1 works are nearing completion and planning underway for the delivery of Stage 2. The project is running well within timelines and budgets and strong community benefits are expected to eventuate from its completion.	Ongoing (45%)
Prepare a structure plan for Maffra to support the future urban growth of the township.	Background work is advancing to inform the preparation of a Discussion Paper for the Maffra Structure Plan Project, with community consultation to progress post the lifting of COVID-19 restrictions.	In Progress (15%)
NATURAL ENVIRONMENT		
Develop a plan for the recovery of organic waste from landfill that takes into account the proposed Gippswide Kerbside Collaborative Procurement shared service opportunity, and, if appropriate, commence a community awareness/education program in anticipation of its rollout.	Tender documentation for processing and kerbside collection, including organic waste, is being undertaken in conjunction with Resource Recovery Group - Gippsland. Delays to tender process encountered due to COVID-19. Works will continue as planned with revised timeframes and in accordance with government requirements.	In Progress (50%)
LIFELONG LEARNING		
Work with Federation Training in the development of a community engagement program that seeks to ensure the new Sale campus meets community and industry expectation.	Council coordinated a comprehensive document to influence the built-form of the new campus, highlight Council's staff training needs and advise on how the new campus can best integrate with the broader Port of Sale precinct. TAFE Gippsland executive leadership team has briefed Councillors on the progress of the new Sale campus and the current and future course offerings at the TAFE.	In Progress (95%)

Major Initiatives	Progress Comment	Status
ECONOMY		
Review Council's external marketing activities and provide Council with a report and recommendation about future delivery models.	Central Gippsland Tourism, previously known as Wellington Regional Tourism, continue to deliver external tourism marketing for Council. The current MOU with Central Gippsland Tourism, signed in October 2019, is in place until March 2021. CGT report quarterly to council on their progress against the key objectives identified in the MOU.	Completed (100%)
ORGANISATIONAL		
Implement initiatives associated with State and Federal Government drought funding and represent the interests of the local agribusiness sector to influence government's drought response.	Council successfully applied for, distributed and acquitted \$1,500,000 in State and Federal Government funding. The distribution of funds included community infrastructure upgrades and community events to support farming families. In January 2020 a further \$1,000,000 was successfully applied for through the Commonwealth Drought Communities Fund to provide further upgrades to community facilities in farming areas during 2020-2021.	Completed (100%)

Initiatives	Progress Comment	Status
COMMUNITIES		
Review Partnership Agreements with Yarram District Health Service & Central Gippsland Health for the delivery of services to our ageing population, beyond federal roll out of aged care reform, and for maternal and child health.	The existing partnership agreements for Yarram and District Health Service and Central Gippsland Health have been reviewed to add a 12 month extension to them. This extension will allow a consultant to work with Council during 2020 to review the value of the work delivered by YDHS and CGH and determine what funding model Council should provide into future for the health services. The aim of this review is to ensure that the right services are being delivered to our ageing population, beyond federal roll out of aged care reform, and for maternal and child health.	Completed (100%)
Implement a 'Healthy Food Choices' menu at Aqua Café, offering healthy eating options and community awareness for all members and guests.	A new Healthy Choices menu has been developed and prepared for implementation at Aqua Energy. Due to the COVID-19 restrictions and limits to overall service provision, the new menu will be launched when the Aqua Energy facility returns to full operation and normal Cafe operations resume.	Completed (100%)
Implement a 'Healthy Food Choices' menu at GRSC Café, offering healthy eating options and community awareness for all members and guests.	A new Healthy Choices menu has been developed and prepared for implementation at GRSC. Due to the COVID-19 restrictions and limits to overall service provision, the new menu will be launched when GRSC returns to full operation and normal Cafe operations resume.	Completed (100%)
Create and facilitate a networking group with local allied health professionals, NDIS providers and the NDIA, to increase activity and ongoing rehabilitation programs for the community.	Following completion of Aqua Energy's National Disability Insurance Scheme (NDIS) Re-registration and Audit, and subsequent to consultation with alternative NDIS providers and facility users, it became clear that the desire for a formal networking group was not evident. Informal consultation with relevant health professionals continues as required and in accordance with targeted needs or specific requests for NDIS recipients. Service provision to NDIS recipients will continue to be delivered in accordance with negotiated individual needs.	Not Progressing
Develop and implement an aquatic awareness/safety program for adults at Aqua Energy	An Adult Aquatic Education was trialled and completed at the end of term 3 in December 2019. Number of participants was eight and feedback from participants was very positive. Due to asbestos closure and subsequent COVID-19 mandated closure of Aqua Energy, this program has not been available for Term 1 or 2. It will be promoted and offered again when conditions permit.	Completed (100%)

Initiatives	Progress Comment	Status
Secure federal Information, Linkages and Capacity-building (ILC) external funding that addresses social, community and economic participation of people with disabilities, beyond transition to NDIS.	Funding through Information, Linkages and Capacity Building was not successful for any local government area, including Wellington. A new plan to support the monitoring and completion of actions under our Access and Inclusion Plan will be developed.	Completed (100%)
Conduct detailed review and evaluation of internal emergency management implemented during the Summer 2019 bushfires and implement improvement recommendations across emergency management organisation structure, plans, policies and processes	<p>Summer 2019 multi-agency after action review completed by Municipal Emergency Management Planning Committee and internal debriefs undertaken.</p> <p>The outcome of the reviews has led to many improvements or identification of positive practices during the emergency that have been maintained. These include:</p> <ul style="list-style-type: none"> • Improved communication through the Municipal Emergency Response Coordinator (MERC) who is the senior police officer in the municipality. Interaction with the MERC has been improved with regular communication about emergency management activities within council. The MERC has also been invited to several internal training exercises. • Improvement of emergency relief centre (ERC) activation. This has been achieved through improved rostering and preparation of staff involved in emergency support roles. • The activation of an Information Hub concept where people can get information and register their presence at the Port of Sale rather than opening an ERC unnecessarily. This has proven successful in later events. • A cache of IT equipment for the use of the council Emergency Management Liaison Officer when attending the external Incident Control Centre is now available and makes communication more effective. • Internal communication to staff, particularly public facing staff, meant that the whole organisation had a more cohesive understanding of the situation and council's actions. This has been maintained across subsequent events. <p>From the early 2019 bushfires, the importance of after-action reviews has been reinforced and these have since been conducted for the 2019-20 summer bushfires and support provided to East Gippsland.</p>	Completed (100%)

Initiatives	Progress Comment	Status
Review amendments to federal and state government financial assistance funding arrangements, identify implications for Council's financial sustainability with respect to resourcing emergency management responsibilities and produce report with recommendations for management consideration.	All six claims for Summer 2019 bushfires that have been submitted so far have been successful. Analysis of implications to council include concern as to the standard of evidence required for successful reimbursement claims. Full analysis and a coordinated internal process still underway due to competing priorities of response to East Gippsland fires and COVID-19 pandemic.	In Progress (70%)
Update flood overlay controls and policy in the Planning Scheme to minimise future risk to the community.	Council has deferred Amendment C99 at this point in time, pending further State Government policy direction being provided.	Deferred
SERVICES AND INFRASTRUCTURE		
Develop an implementation plan for the town entry improvement program and commence the development of initial priorities for Loch Sport, including opportunities for community engagement where appropriate.	Loch Sport town entry works are expected to be tendered early in the 2020/21 financial year, with construction planned to commence in the first half of the 2020/21 financial year. A criteria for Council's town entry works is still underway, however has been delayed due to a number of funding applications and influx of customer requests over the last two months. The team will work towards having a draft criteria prepared prior to October 2020 for the 2021/22 capital works program Project Assessment Statements (PAS). Future planning for town entry works in Maffra, Heyfield, Stratford, and Yarram will be undertaken as part of the PAS submission process.	In Progress (85%)
Subject to Council adopting budget, coordinate delivery of the Port of Sale Mooring Access Project.	Budget to complete the Port of Sale Mooring Access project was adopted by Council 16 June 2020. Work continues on refining the concept plan noting the now expanded project including boardwalk, carpark sealing and other elements as part of the Commonwealth's funding announcement.	Completed (100%)
Develop a holistic approach and set of guidelines for master planning for community and sporting facilities and undertake comprehensive master plans across highest priority facilities, determined with respect to need and potential external funding availability.	Completion of a shire-wide sporting infrastructure plan was required in advance of establishing a new approach for facility management plans (formerly known as master plans). The sporting infrastructure plan is nearing completion along with: - A Facility Management Guidelines document, which will inform and support committees and user groups around their roles and responsibilities for operating a community facility - Templates for site specific master plans and landscape designs for four sites (Briagolong Recreation Reserve, Gordon Street Recreation Reserve, Maffra Recreation Reserve and Stephenson Park, Sale)	In Progress (75%)

Initiatives	Progress Comment	Status
	These templates will then be used as the basis for future facility management plans (master plans) at a range of sites across Wellington Shire. Council staff will work with committees during 20/21 to disseminate and implement the new guidelines.	
Create an online searchable database of the Gallery's permanent collection, accessible through the Gippsland Art Gallery website, including images and relevant catalogue information.	Online searchable database of gallery's art collection went live on 28 May. Through the new web portal http://www.gippslandartgallery.com/collection/ visitors can now search, by artist name, title of artwork or materials and technique, all 2,240 artworks in the gallery's collection. The project was funded by the Victorian Government through Creative Victoria.	Completed (100%)
Delivery of projects for The Wedge outdoor enclosure, poster display and auditorium soundproofing through collaboration with other Council staff.	Soundproofing, new poster display and outdoor enclosure is complete.	Completed (100%)
Lead the process to progress capital projects planning and develop business cases including identification of funding options for: Yarram Outdoor Pool heating, GRSC seating, GRSC air movement, Aqua Energy redevelopment and GRSC Stage 2B. (Multi-Year)	<p>* Yarram Outdoor Pool Heating: project developed, Council and community contributions approved, and Sport and Recreation Victoria Funding application submitted with outcome expected in July 2020</p> <p>* GRSC Seating & Air Handling: project developed, and Council budget approved for 2020/21 delivery, construction tender brought forward into 2019/20</p> <p>* Aqua Energy Redevelopment: concept design completed and costing underway for council review in July.</p> <p>* GRSC Stage 2B: not progressed in 2019/20, review of business case / concept to be undertaken in late 2020/early 2021 subject to budget approval.</p>	Ongoing (60%)
Review existing Maintenance Management System and implement recommendations of the 2019 Maintenance Management External Audit, where appropriate.	Processes have been reviewed, documented and published. Works/Maintenance Request and Procurement Processes of direct managed facilities have also been published providing guidance for Council staff.	Completed (100%)
Deliver the Community-managed Facilities Strategy and Action Plan.	<p>The Community Managed Facilities Strategy is complete and ready for council approval on 7 July 2020 after 18 months of research and consultation including:</p> <ul style="list-style-type: none"> - Internal working groups - Committee of Management Focus Groups - Committee of Management survey (73% response rate) - Online Q&A sessions - 8-week public consultation period including a survey (65 responses) 	Completed (100%)

Initiatives	Progress Comment	Status
	- Receipt of 3 written submissions When the strategy is approved in July 2020, it will be a powerful tool for Council and Committees of Management to deliver projects that lead to stronger outcomes for volunteers and for community members who use these facilities for social, physical and mental wellbeing.	
Subject to external funding being granted, commence works on the Beverleys Road Safety Upgrades Blackspot project.	Works are progressed well since early contractor delays and will be completed in July.	Completed (100%)
Subject to external funding being granted, commence works for the reconstruction and widening of Balloong Road project.	Works on the reconstruction of Balloong Road have been completed in line with the project plan.	Completed (100%)
Advance the industrial rezoning of land in Wurruk/West Sale to support economic growth	On 24 October 2019, the Minister for Planning approved Amendment C103, which rezones a strategically significant area of land adjacent to the West Sale Airport for future industrial development.	Completed (100%)
Implement the findings of the State Government's Planning in the Economic Growth Zone project to ensure that the Planning Scheme is up to date/relevant.	Officers have finalised preparation of Amendment C109 to the Wellington Planning Scheme, which proposes to implement various State Government initiatives to make the Planning Scheme more succinct and remove nonvalue adding planning permit requirements. Progression of the Amendment was supported by Council at the 2 June 2020 Council meeting.	Ongoing
Engage with the Department of Defence to determine appropriate planning controls surrounding RAAF Base East Sale to support the ongoing operation of this airfield.	Background work on potential changes to planning controls around RAAF Base East Sale is well advanced. The formal position of Defence is currently being sought.	Ongoing
Planning controls in the Education precinct (adjacent to Port of Sale) are implemented to support and encourage appropriate future redevelopment.	Draft planning controls have been prepared to guide the future redevelopment of the former Sale High School and Specialist School site adjacent to the Port of Sale. The final planning controls will be informed by an update to the Port of Sale Masterplan (and associated Charette) which is scheduled to take place post the COVID-19 pandemic.	Ongoing
Implement the North Sale Development Plan into the Planning Scheme to support well planned housing growth.	Council has previously adopted the North Sale Development Plan to guide the future urban growth of North Sale. The final stage of the project, being an Infrastructure Funding Mechanism, is currently being finalised with a focus on refining drainage options to help reduce future development costs. Revised drainage work is nearing completion.	Ongoing

Initiatives	Progress Comment	Status
Facilitate preparation of a development plan for the Wurruk Growth area (subject to a private request) to support well planned housing growth.	Council Officers are regularly liaising with the proponent to advance the final Wurruk Growth Area Development Plan.	Ongoing
Commence holistic review of town centre and tourism feature signage for major townships and develop an action plan.	<p>The Built Environment Planning team successfully implemented a review of the Loch Sport town entry signage earlier this year. This involved a high degree of consultation with the Loch Sport Business and Tourism Association and was delivered in-house through Council's Urban maintenance team. Further signage improvement works in Loch Sport are planned for early next financial year.</p> <p>The York Street Streetscape project will include a review of the town signage on the Princes Highway in Sale. All works to renew, remove, or install signage will be undertaken in line with planned streetscape and beautification works. Further discussions on Sale tourism and RV signage are planned to be held early in July 2020 to determine the scope of the works.</p> <p>Further reviews planned for Rosedale, Stratford, Heyfield, Yarram, and Maffra are planned to be undertaken in the first half of the 2020/21 financial year.</p>	Completed (100%)
NATURAL ENVIRONMENT		
Ensure open space and green infrastructure are adequately considered through the planning process.	SPEAR Applications and targeted project group meetings are working well in progressing priority residential developments. Open spaces, and community liveability are well considered for the context of the spaces.	Ongoing
Develop tree protection policy & guidelines.	The Policy and guidelines to protect significant trees in our urban centres will form part of the Significant Tree Register work and will be delivered in 2021/22	In Progress (40%)
Work with Gippsland Water to further investigate and implement the 'Be Smart Choose Tap' initiative/campaign at Aqua Energy and seasonal outdoor pools.	<p>Promotional material was obtained from Gippsland Water and with their assistance, Aqua Energy was listed on the 'Think Tap app. Reusable/refillable drink bottles are now actively promoted and sold at Aqua Energy.</p> <p>An additional water fountain for Aqua Energy was purchased and will be commissioned post COVID-19 restrictions (all public water fountains switched off during the COVID-19 situation).</p>	In Progress (90%)

Initiatives	Progress Comment	Status
	Audit was completed of water fountains at all Wellington Shire outdoor pools and provision has been made for purchase and installation of additional units in the new financial year, before the 2020-21 Summer Season. Advertising will be maintained to promote 'Choose Tap' as well as continuing the phasing out of sale of single-use bottled water.	
Continue to implement recommendations and actions to support the 5-year work plan to reduce energy consumption by 5% per year at Aqua Energy and Gippsland Regional Sports Complex (GRSC).	Works continued throughout 2019-20 to upgrade and retrofit higher efficiency equipment and to implement steps to reduce energy usage. Most notable projects were the refit of stadium lights at GRSC to LED, improved control of the carpark lighting at GRSC and LED office lighting at Aqua Energy, along with improved monitoring and management of air and water temperature controls at Aqua Energy. The final project to conserve water heat at Aqua Energy (the installation of pool blankets for the indoor and outdoor pools) - is expected to be completed in July.	Completed (100%)
Commence review and update Environmental Sustainability Strategy (2020-2024).	The Environmental Sustainability Strategy 2020-2024 has been adopted by Council. This document will provide guidance to Council on a range of sustainability issues including waste and resource recovery, Renewable energy opportunities, natural environment management and carbon reduction plan. These actions will provide real and apparent leadership to the community.	Completed (100%)
Develop carbon accounts and carbon reduction action plan.	Sustainability Strategy actions adopted conclude carbon emissions reporting will be conducted biannually (once every two years) as changes to emissions are negligible over 1 year periods. A clear carbon emission reduction action plan is a key component of the Sustainability Strategy. The adopted 20/21 budget will significantly contribute to emission reduction targets. The Local Government Power Purchase Agreement project is underway and will also be a key milestone for Council.	Completed (100%)
Broaden species selection to diversify the urban forest in response to climate change.	Species selection primarily complete. 36 trees are to be planted across the municipality as part of the trial to test new species not yet grown here in Wellington Shire.	Completed (100%)
ECONOMY		

Initiatives	Progress Comment	Status
Present Council with a business case for the development of the Eastern Recreation Aviation Precinct at West Sale Airport.	A business case was presented in 2019 and further work completed to better define the market demand for freehold hangar lots. This continues through mid-2020 and will provide a more comprehensive case for determining suitable aviation development aimed at activating one of Council's most significant assets.	Completed (100%)
Direct funding secured via LVA to actively market and promote the municipality's competitive economic advantages of the Macalister Irrigation District and raise the profile of the region's agribusiness sector.	<p>Work on Phase 2 of the Macalister Irrigation District (MID) modernisation project is expected to begin in mid-2020 after the Victorian Government announced \$10.4 million for the project in May. The Australian Government will contribute \$31 million towards the \$62.7 million project, with the remainder from Southern Rural Water's MID customers.</p> <p>The project will reconfigure the Newry irrigation supply, with pipeline replacing channels and automation of outlets, and there will be upgrades and reconfiguration of the Nuntin and Stratford irrigation supply networks. The completed modernisation works are expected to save more than 12 gigalitres of water by reducing leakage and improve the health of the Gippsland Lakes by reducing nutrient run-off.</p> <p>The inaugural Excellence in Agribusiness Awards, held in 2019, culminated in a gala awards dinner in Sale in August 2019. Industry and government recognise the awards as an important vehicle for celebrating success in Gippsland's agribusiness sector, sharing achievements and inspiring others. The awards program continued in 2020 and expanded with over 115 entries and a one day industry conference.</p>	In Progress (50%)
Partner with Sports Marketing Australia and LVA to attract major events to increase visitation and spend.	<p>Council has continued to work with internal and external event organisers to bring and run events in Wellington.</p> <p>However, a number of events scheduled for 19/20 were cancelled or postponed during the Summer bushfires and the restrictions following COVID-19 pandemic.</p> <p>Event funding has also been directed to television production companies to showcase the Wellington area to domestic tourists. These include the Weekend Prospector and On the Road with Allan Border.</p>	Completed (100%)

Initiatives	Progress Comment	Status
Implement year two actions emanating from the Recreation Vehicle (RV) Strategy.	Actions from the RV Strategy have been completed.	Completed (100%)
Seek funding for the extension of the Great Southern Rail Trail from Hedley to Alberton to increase visitation and business opportunities in adjacent areas.	The Great Southern Rail Trail continues to be a priority project for Council. A funding application has been submitted to the Victorian Government's Community Sports Infrastructure Stimulus Program to fund the project and deliver the longest rail trail in Australia.	In Progress (85%)
ORGANISATIONAL		
Improve library technical services provision by investigating implementation of Swift online borrower registration, updated catalogue search display, and library patron communications and alerts software.	SMS messages were updated to remind borrowers of holds, overdue, and pre-overdues with a direct link to the catalogue so users can confirm the details. A new Libraries Victoria mobile app introduced in late June allows users to search, locate and request physical items, borrow electronic items and be informed of events via social media notifications and find their nearest library. An online library membership form was introduced, which was extremely useful during the branch closures in April and May. New patrons can register and immediately borrow eResources and receive a library card when they visit a Wellington Library.	Completed (100%)
Implement a system to provide online rates notice access to rate payers in Wellington Shire.	This is dependent on IT upgrades now not anticipated before 31/12/2020.	Deferred
Manage the implementation for new Intranet System to meet Council business requirements.	Successful development and implementation of the new corporate intranet has been completed as planned for the 2019/20 period. The new intranet offers an improved internal communications platform, greater accessibility to information for staff and improved mobility and resource sharing that will enable our staff to be more informed and work more efficiently.	Completed (100%)
Commence review of existing Built Environment processes including gap analysis. Update and create processes as required to ensure consistent service delivery of Built Environment functions.	Process review and improvements of Built Environment Planning area included; development of criteria for road widening projects, implementation of the Urban Paths Plan and the Residential Road and Street Construction Plan, implementation of Council's new asphaltting program in urban streets which has resulted in an improved road asset outcome as well as increased urban amenity, and improvements to internal processes for National Heavy Vehicle Regulator requests and works permits.	Completed (100%)

Initiatives	Progress Comment	Status
	Processes of Built Environment Facilities area have also been reviewed as per annual review. Additional processes have been developed for Works management and Procurement to fill gaps as identified in Maintenance Audit.	
Manage core software improvement upgrades for Wellington and East Gippsland Shire Council in preparation of the Gippsland Shared Services Initiative.	All software upgrades for the 2019/20 period have been completed with a strong focus on security and cyber awareness.	Completed (100%)
Inform Aqua Energy's business decisions through data obtained from the reintroduction of an improved cost allocation model for Leisure Services.	Data was collated over the first six months of the year and input to model but new approach to cost allocation has not been finalised for adoption. Aqua Energy business decisions were informed by a range of alternative means, including the use of benchmark data from like facilities obtained and shared through alternative industry sources. The cost allocation model will be pursued for finalisation in 2020-21 however it is expected that 2019-20 financial year operating data will be impacted by the near three months of COVID-19 enforced facility closure and asbestos closure in early 2020.	In Progress (35%)
Undertake the implementation of a Workforce Management System across all Leisure Services managed facilities.	Final and transition to the Humanforce workforce management system has been 95% achieved. The system is in operational use for rostering and initial payroll verification purposes and parallel payroll testing is underway. Connectivity with Council's Authority system is yet to be achieved. Once completed and additional system functionality is tested and proven, this system is expected to totally replace the previous paper-based roster and time-in-attendance systems, delivering improved efficiencies and greater payroll accuracy.	In Progress (95%)
Undertake the implementation of a membership sales process as a tool to improve customer experience and increase membership sales.	Membership sales process has been tested and completed. As it is a fluid document, we will monitor it over the next 2 months now that Aqua Energy is open again and make any changes necessary as we progress.	Completed (100%)
Research, plan and introduce a social media reporting mechanism to meet legislative requirements.	Research has been completed for this item. Currently working on the reporting mechanism.	In Progress (30%)

Initiatives	Progress Comment	Status
Identify and facilitate shared services opportunities with participating GLGN Councils.	Two of the participating Gippsland Councils have decided not to proceed with shared services. As a result, the \$4.5M Rural Councils Transformation Program funding will no longer be available. Both Wellington Shire Council and East Gippsland Shire Council will review the available options to progress with shared services.	Ongoing
Design and develop a Gippsland Regional Sport Complex website and social media presence.	GRSC website was launched https://www.grscwellington.com.au/	Completed (100%)
Design, develop and publish a Port of Sale website.	Port of Sale website was launched www.portofsale.com.au	Completed (100%)
Undertake an annual survey of leisure facilities users and broader community to gain feedback and ensure that the programs, services and facilities meet the needs of the Wellington community.	An annual user survey was conducted and concluded in May. The number of survey responses (~80) was less than 25% of anticipated, due to the timing of the mandated COVID-19 closure of leisure facilities. The data was reviewed and considered however, due to the extremely low return rate, a further survey will be implemented when leisure services operations return to normal.	Completed (100%)
Establish a philanthropic donor fund to increase the amount of donated funds received by the Gippsland Art Gallery.	The Gippsland Art Gallery Foundation is a new, separate legal entity that will receive major gifts and bequests as a means of providing future income towards major art acquisitions, exhibitions and projects. The Foundation has been created as a public ancillary charitable trust fund, with the Gippsland Art Gallery named as its sole beneficiary. Funds will be held and managed by the Foundation within a managed investment portfolio with minimum payments made to the gallery annually. Artworks purchased with financial assistance from the Foundation will become Council assets and will be procured following normal Council process. The initial \$500,000 was bequeathed to the Foundation by John Leslie OBE within the terms of his will. Six Trustees have been appointed to manage the Foundation. A public launch for the Foundation will be held in 2020/21.	Completed (100%)
Progress the sale of Council's Surplus Land in accordance with policy and standards of best practice.	The sale of surplus property provides much needed revenue and results in private development occurring. Council approved the sale of two properties in 2019/20 (part Main Street, Gormandale and Weir Road, Heyfield). In addition, four lots fronting Shoreline Drive were approved for sale in 2018.	Completed (100%)

Initiatives	Progress Comment	Status
	Council also sold lot 5 at West Sale Airport in March 2020.	
Establish a central Register for all contracts across the organisation to ensure consistency and good governance	A renewed scoping is required since initial considerations were discussed in 2014.	Deferred
Manage the review and implementation of ICT Policies to ensure compliance with Victorian Protective Data Security Standards	All ICT policies have been reviewed to ensure compliance with the Victorian Protective Data Security Standards.	Completed (100%)
Develop new ICT Strategic Plan to ensure Wellington Shire Council is responsive to new business and legislative requirements.	Draft ICT Strategy has been reviewed with inclusion of revision and amendments following feedback process. This strategy has now been paused pending the outcome of the Gippsland Shared Services Initiative.	Completed (100%)
Implement a Business Continuity Plan ensuring links with the Emergency Management Plan and the ICT Disaster Recovery Plan in order to maintain the continuity of critical business functions in the event of a business interruption.	First draft of Tier 1, Organisational Level Business Continuity Plan (BCP) is complete. Next step is to organise BCP training for relevant staff.	In Progress (60%)
Develop a professional development plan for engineering and technical staff across the Assets and Projects team.	Regulations for the Victorian Government's registration program for engineers will not be available until later in the calendar year. Therefore, the main focus was on development requirements of individual team members during the year.	Completed (100%)
Develop a professional development plan for engineering and technical staff across the Built Environment team.	Staff training and development for Engineers, Technical Officers, Team Leader Coordinators, Plant Operators and General Purpose staff developed and considered in annual planning. Further individual training requirements will be discussed with staff as part of annual reviews.	Completed (100%)



C2 - REPORT

GENERAL MANAGER CORPORATE SERVICES

ITEM C2.1**ASSEMBLY OF COUNCILLORS**

DIVISION: CORPORATE SERVICES
ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES
DATE: 21 JULY 2020

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
		✓		✓					

OBJECTIVE

To report on all assembly of Councillor records received for the period 2 July 2020 to 12 July 2020.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That Council note and receive the attached Assembly of Councillor records for the period 2 July 2020 to 12 July 2020.

BACKGROUND

Section 80A of the *Local Government Act 1989* requires a written record be kept of all Assemblies of Councillors, stating the names of all Councillors and Council staff attending, the matters considered, and any conflict of interest disclosures made by a Councillor. These records must be reported, as soon as practicable, at an ordinary meeting of the Council and recorded in the minutes.

Below is a summary of all assembly of Councillor records received for the period 2 July to 12 July 2020.

OPTIONS

Council has the following options:

1. Note and receive the attached assembly of Councillors records; or
2. Not receive the attached assembly of Councillors records.

PROPOSAL

That Council note and receive the attached assembly of Councillors records during the period 2 July 2020 to 12 July 2020.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

The reporting of written records of assemblies of Councillors to the Council in the prescribed format complies with Section 80A of the *Local Government Act 1989*.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 6 Organisational states the following strategic objective and related strategy:

Strategic Objective 6.3

"Maintain a well governed, transparent, high performing, ethical and accountable organisation."

Strategy 6.3.3

"Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making."

This report supports the above Council Plan strategic objective and strategy.

ASSEMBLY OF COUNCILLORS – 7 JULY 2020

MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE (NAME AND POSITION)				CONFLICT/S OF INTEREST OR ACTION ITEMS
IT / Diary Meeting	Name	Attendance	Name	Attendance	
	Cr Bye	Yes	Cr Ripper	Yes	N/A
	Cr Crossley	Yes	Cr Rossetti	Yes	N/A
	Cr Hall	Yes	Cr Stephens	Yes	N/A
	Cr Hole	Yes	David Morcom, CEO	Yes	N/A
	Cr McCubbin	No	Viktoria Pope, EA CEO	Yes	N/A
	Cr Maher	No	Damian Norkus, ICT Operations Officer	Yes	N/A

MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE VIA SKYPE (ONLINE MEETING ONLY)				CONFLICT/S OF INTEREST OR ACTION ITEMS
Workshops	Name	Attendance	Name	Attendance	
	Cr Bye	Yes	Cr Rossetti	Yes	
	Cr Crossley	Yes	Cr Stephens	Yes	
	Cr Hall	Yes	David Morcom, CEO	Yes	
	Cr Hole	Yes	Arthur Skipitaris, GM Corporate Services	Yes	
	Cr McCubbin	No	Sharon Houlihan, GM Community & Culture	Yes	
	Cr Maher	No	Chris Hastie, GM Built & Natural Environment	Yes	
	Cr Ripper	Yes	Brent McAlister, GM Development	Yes	

Workshops (cont.)	MATTERS/ITEMS CONSIDERED AT THE MEETING	OTHERS IN ATTENDANCE VIA SKYPE (ONLINE MEETING ONLY)	SUMMARY & ACTION ITEMS
	<ul style="list-style-type: none"> BRIEF UPDATES Community Group Recovery and Support (Fee Relief) 	<ul style="list-style-type: none"> Nic Hall, Manager Leisure Services Lisa Lyndon, Coordinator Community Committees <i>Conflict of Interest: Nil</i>	Councillors noted update Action: N/A
	1. AQUA ENERGY UPDATE	<ul style="list-style-type: none"> Sharon Houlihan <i>Conflict of Interest: Nil</i>	Councillors noted update Action: N/A
	2. LOCAL GOVERNMENT ACT 2020 UPDATE	<ul style="list-style-type: none"> Arthur Skipitaris, General Manager Corporate Services Denise Teo, Governance Officer <i>Conflict of Interest: Nil</i>	Councillors noted update and actions Action: N/A
	3. REVIEW OF LOCAL LAWS NO. 2-5 AND DOMESTIC ANIMAL MANAGEMENT PLAN	<ul style="list-style-type: none"> Vanessa Ebsworth, Manager Municipal Services Peter Thompson, Coordinator Local Laws <i>Conflict of Interest: Nil</i>	Councillors noted update Action: N/A
	4. BUSHFIRE, DROUGHT AND COVID-19 RELIEF AND RECOVERY FUNDING	<ul style="list-style-type: none"> Paul Johnson, Manager Business Development Mike McStephen, Coordinator Emergency Management <i>Conflict of Interest: Nil</i>	Councillors noted update Action: N/A
	5. RAAF CENTENARY PLANS	<ul style="list-style-type: none"> Paul Johnson, Manager Business Development Sharyn Bolitho, Wing Commander (external presenter) <i>Conflict of Interest: Nil</i>	Councillors noted update Action: N/A

ITEM C2.2**APPROVAL OF DRAFT GOVERNANCE RULES AND AMENDED LOCAL LAW 1 FOR PUBLIC CONSULTATION**

DIVISION: CORPORATE SERVICES
 ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES
 DATE: 21 JULY 2020

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
		✓	✓	✓		✓		✓	

OBJECTIVE

For Council to resolve to advertise, the new Draft Governance Rules including Election Period Policy and Draft Amended Local Law No 1, as attached, and seek community comment and feedback, due to transitional requirements resulting from the introduction of the *Local Government Act 2020* (the Act).

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That Council Resolve to advertise, the new Draft Governance Rules including Election Period Policy and Draft Amended Local Law No 1, as attached, in order to seek community feedback, for a period of 28 days, from 22 July 2020 to 19 August 2020.

BACKGROUND

The introduction of the *Local Government Act 2020* requires the transition of the majority of Council's Local Law No 1 (Processes of Municipal Government) to Governance Rules as detailed in the new Act.

The Governance Rules will incorporate much of the content from Local Law No 1 and some other additions including the Election Period Policy as detailed in the new Act. The amendment of Local Law No 1 relates to the retention of Part 8 Common Seal and Part 9 Enforcement and Penalties which are not provided for under the new Governance Rules.

Under s60(4) of the *Local Government Act 2020* and s233(1)(a)(iii) of the *Local Government Act 1989*, part of the process for making the Governance Rules and amending Local Law No 1, is to conduct a 28-day public consultation period for the community to provide feedback. At the closing of the public consultation period, all feedback and comments will be assessed and incorporated where/if appropriate into the final Governance Rules and Local Law No 1 to be adopted at the Council meeting on 1 September 2020.

OPTIONS

Council has the following options available:

1. Resolve to advertise, the new Draft Governance Rules including Election Period Policy and Draft Amended Local Law No 1, as attached, in order to seek community feedback, for a period of 28 days, from 22 July 2020 to 19 August 2020; or
2. Not Resolve to advertise, the new Draft Governance Rules including Election Period Policy and Draft Amended Local Law No 1, as attached and seek further information, understanding that this may not allow sufficient time to implement the Governance Rules by 1 September 2020 as required by the new *Local Government Act 2020*.

PROPOSAL

Resolve to advertise, the new Draft Governance Rules including Election Period Policy and Draft Amended Local Law No 1, as attached, in order to seek community feedback, for a period of 28 days, from 22 July 2020 to 19 August 2020.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

The process for making Governance Rules and amending Local Law No 1 both require community feedback and engagement. Under the *Local Government Act 2020*, s60(4) states that *"Subject to subsection (5), a Council must ensure that a process of community engagement is followed in developing or amending its Governance Rules"*. S233(1)(a)(iii) of the *Local Government Act 1989* applies to the amendment of Local Law No 1 in conjunction with s27 of the *Interpretation of Legislation Act 1984*, *"The following provisions apply if a person is given a right to make a submission to the Council under this section (whether under this or any other Act) – the Council must publish a public notice – specifying the date by which submissions are to be submitted, being a date which is not less than 28 days after the date on which the public notice is published"*.

COUNCIL POLICY IMPACT

The Election Period Policy and Conflict of Interest Policy are both directly referenced within the Governance Rules. These policies are subject to annual review and any changes may require an amendment of the Governance Rules which will require a community engagement period.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 6 Organisational states the following strategic objective and related strategy:

Strategic Objective 6.3: *"Maintain a well governed, transparent, high performing, ethical and accountable organisation."*

Strategy 6.3.3: *"Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making."*

This report supports the above Council Plan strategic objective and strategy.

COMMUNITY IMPACT

Both the making of the Governance Rules and amendments to Local Law No 1 require a period of 28 days for community engagement and feedback. This provides the community with the opportunity to provide their views and suggestions in relation to these two pieces of work with a focus on public transparency.

ENGAGEMENT IMPACT

A key part of the new Governance Rules is a focus on Council's engagement with the community and to ensure processes of public consultation to foster an environment of transparency.



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

Governance Rules

Adopted XX XXXX 2020

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1. PRELIMINARY

1.1 Title

These Governance Rules are the Wellington Shire Council's processes of municipal government and provide for the Council to consider and make decisions on any matter fairly and on merit. It also provides for a person whose rights are directly affected by a decision to have their views heard and interests considered in the process.

1.2 Objectives of Governance Rules

A Council must develop, adopt and keep in force Governance Rules for or with respect to the following under the *Local Government Act 2020*:

- (a) the conduct of Council meetings;
- (b) the conduct of meetings of Delegated Committees;
- (c) the form and availability of meeting records;
- (d) the election of the Mayor and the Deputy Mayor, including the appointment of an Acting Mayor;
- (e) an election period policy in accordance with section 69;
- (f) the procedures for the disclosure of a conflict of interest by a Councillor or a Member of a Delegated Committee under section 130;
- (g) the procedure for the disclosure of a conflict of interest by a Councillor under section 131;
- (h) the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of section 126(1);
- (i) any other matters prescribed by the regulations.

1.3 Scope of Governance Rules

These Governance Rules apply to Council meetings and meetings of Delegated Committees and Community Asset Committees. They also apply to other Council meetings, such as Audit and Risk Committee meetings, as outlined in the relevant charters and/or terms of reference relevant to the committee.

1.4 Power to make Governance Rules

These Governance Rules replace Local Law No 1 Processes of Municipal Government except for the handling of Council's Common Seal and Infringements and Penalties which will continue in an amended Local Law No 1, operating alongside the Governance Rules. Council may amend its Governance Rules following a process of community engagement however, under section 60(5) of the *Local Government Act 2020*, a community engagement process is not required if Council is adopting a good practice guideline issued by the Minister for Local Government.

1.5 Operational Date of these Governance Rules

These Governance Rules commence on the day following the day on which notice of the making of these rules, including the amended Local Law No 1, are published in the Victoria Government Gazette, and operate throughout the municipal district.

1.6 Date the Governance Rules Cease Operation

These Governance Rules have no cessation date however, in line with Council's good governance framework, will be reviewed once every four year Council period or as required.

1.7 Definitions

1.7.1 In these Governance Rules:

Act means the *Local Government Act 2020*

Advisory committee means a committee established by the *Council*, that provides advice to —

- (a) the *Council*; or
- (b) a member of *Council* staff who has been delegated a power, duty or function of the *Council*;

that is not a Delegated Committee

Agenda means a document containing the date, time and place of a Meeting and a list of business to be transacted at the Meeting

Agreement of Council means indicative agreement of all of the Councillors present, without a vote being conducted. In the event there is any uncertainty about majority of Councillors agreeing, the matter may be put to a vote

Audit and Risk Committee means the Audit and Risk Committee established by a Council under s53

Authorised Officer has the same meaning as in the *Local Government Act 1989* or any other Act

Chairperson means the Chairperson of a Meeting and includes an acting, temporary and substitute Chairperson

Chamber means any room where the Council holds a Council Meeting

Chief Executive Officer means the person occupying the office of Chief Executive Officer of Council, and includes a person acting in that office

Council means Wellington Shire Council

Councillor means a Councillor of Council

Code of Conduct has the same meaning as in s139 of the Act

Council Meeting means a meeting of the Council convened in accordance with s61 of the Act and these Governance Rules and includes scheduled and unscheduled meetings

Delegate means a member of Council staff to whom powers, functions and duties have been delegated by an instrument of delegation

Delegated Committee has the same meaning as in s63 of the Act

Delegated Committee Meeting means a Meeting of a Delegated Committee

Deputy Mayor means the Deputy Mayor of Council and any person appointed by Council to act as Deputy Mayor

General Manager means a senior member of Council staff holding the position of General Manager or another position (however designated) which reports directly to the Chief Executive Officer

Disorder means any disorderly conduct of a member of the gallery or a Councillor and includes:

- interjecting when another person is speaking, except, in the case of where a Councillor is raising a Point of Order;
- making comments that are defamatory, malicious, abusive or offensive;
- refusing to leave the Meeting when requested, ordered or directed to do so by the Chairperson in accordance with the Act and the Governance Rules; and
- engaging in any other conduct which prevents the orderly conduct of the Meeting

Foreshadowed Item means a matter raised in the relevant section of the Council Meeting that a Councillor intends to submit a Notice of Motion for the next Council Meeting

Late Item means a matter that relates to or arises out of a matter which has arisen since distribution of the Agenda and cannot safely or conveniently be deferred until the next Meeting

Majority of the Votes means a majority of Councillors present at the time of a vote voting in favour of a matter

Mayor means the Mayor of Council and any person appointed by Council to be acting as Mayor

Meeting means a Council Meeting or a Delegated Committee Meeting

Member means a member of any committee to which these Governance Rules apply

Minutes means the official record of the proceedings and decisions of a Meeting

Motion means a proposal framed in a way that will result in the opinion of Council being expressed, and a Council decision being made, if the proposal is adopted

Notice of Motion means a notice setting out the text of a Motion which a Councillor proposes to move at a Council Meeting

Notice of Rescission means a Notice of Motion to rescind a resolution made by Council

On Notice means held or deferred to enable preparation of a response

Point of Order means a procedural point (about how the Meeting is being conducted), not involving the substance of a matter before a Meeting

Procedural Motion means a Motion that relates to a procedural matter only and which is not designed to produce any substantive decision but used merely as a formal procedural measure

Resolution means a decision of Council as defined in s59 of the Act

Rule or Sub-rule means a rule or sub-rule included in these Governance Rules

Unscheduled Meeting means a meeting of the Council convened for a particular purpose that cannot be effectively dealt with in the annual schedule of Council meetings set by Council

2. MEETING PROCEDURE

2.1 Purpose of Council Meetings

- (1) Council holds scheduled Meetings and, when required, Unscheduled Meetings to conduct the business of Council.
- (2) Council is committed to transparency in decision making and, in accordance with the Act, Council and Delegated Committee Meetings are open to the public and the community are able to attend.
- (3) Meetings will only be closed to members of the public, in accordance with section 6 of the Act, if:
 - (a) there are clear reasons for particular matters to remain confidential; or
 - (b) a meeting is required to be closed for security reasons; or
 - (c) it is necessary to enable the meeting to proceed in an orderly manner.
- (4) If a meeting is closed to the public for the reasons outlined in sub-rule 3(b) or 3(c), the meeting will continue to be livestreamed. In the event a livestream is not available the meeting may be adjourned, or a recording of the proceedings may be available on Council's website.

2.2 Meeting Roles

Overview: In accordance with sections 61 and 63 of the Act, the Mayor must take the Chair at all Council Meetings at which the Mayor is present. If the Mayor is absent, the Deputy Mayor (if any) must take the Chair and if both are absent, Council must elect one of the Councillors as Chairperson of the meeting. The Act provides for the Mayor to appoint a Councillor as the Chair of a Delegated Committee and any such appointment prevails over any appointment made by Council. While there are no

limitations on exercising that power, the Mayor must always act in a way that is consistent with the adopted Councillor Code of Conduct and transparency commitments of the Council. Additionally, each Member of the Meeting has an obligation to participate in good decision-making.

The way in which Council and Delegated Committee Meetings are conducted makes a significant contribution to good governance. The Chairperson plays a crucial role in facilitating an orderly, respectful, transparent and constructive meeting by ensuring all Councillors and members of Delegated Committees have the opportunity to be heard, matters are adequately discussed, meeting procedures are followed appropriately, and statutory requirements are adhered to.

The Chairperson is an independent leader of meetings and generally does not participate in debate or move or second motions. Specific duties and discretions of the Chairperson are outlined throughout these Governance Rules.

2.2.1 Chairperson and Members

- (1) The Chairperson, Councillors and Members of Delegated Committees will ensure good council decision-making by endeavouring to ensure:
 - (a) decision making is transparent to members and observers;
 - (b) meeting members have sufficient information to make good decisions;
 - (c) every member is supported to contribute to decisions;
 - (d) any person whose rights are affected has their interests considered;
 - (e) debate and discussion are focussed on the issues at hand;
 - (f) meetings are conducted in an orderly manner;
 - (g) decisions should be made on the merits of the matter.

2.2.2 Mayor to Take the Chair

- (1) The Mayor must take the Chair at all Council Meetings at which the Mayor is present under section 61(3)(a) of the Act.
- (2) If the Mayor is not in attendance at a Council Meeting, the Deputy Mayor (if one has been elected) must take the Chair under section 61(3)(b) of the Act.
- (3) If the Mayor and any Deputy Mayor are not in attendance at a Council Meeting, Council must appoint one of the Councillors as Chair of the meeting by resolution under section 61(3)(d) of the Act.

2.2.3 Delegated Committee Chairperson

- (1) At the Meeting at which Council establishes a Delegated Committee it must also appoint a Chairperson under section 63(2) of the Act;
- (2) The Chair of a Delegated Committee must be a Councillor under section 63(2)(a) of the Act;

- (3) For the avoidance of doubt, Sub-Rule (1) does not intend to limit the powers of the Mayor provided in the Act.

2.2.4 The Chairperson's Duties and Discretions

In addition to the specific duties and discretions provided in these Governance Rules, the Chairperson:

- (1) must not accept any Motion, question or statement which is:
 - (a) vague or ambiguous;
 - (b) defamatory, malicious, abusive or objectionable in language or substance;
 - (c) is not relevant to the current agenda item and has not been admitted as a Late Item;
 - (d) intended to be an amendment but is not; or
 - (e) outside the powers of Council;
- (2) must allow the Chief Executive Officer or Chairperson the opportunity to correct factual errors or incorrect assertions that arise during the Meeting;
- (3) must call a person to order if their behaviour is disruptive and interferes with the conduct of the business of Council under section 19(1)(b) and section 318 of the Act;
- (4) may direct that a vote be recounted to be satisfied of the result; and
- (5) must decide on all points of order.

2.2.5 Chief Executive Officer

- (1) The Chief Executive Officer, or Delegate, may participate in the meeting to provide support to the Chairperson.
- (2) The Chief Executive Officer should:
 - (a) immediately advise, to the best of their knowledge, if a proposed resolution or action is contrary to the law;
 - (b) advise if there are operational, financial, legal or risk implications arising from a proposed resolution;
 - (c) help clarify the intent of any unclear resolution to facilitate implementation;
 - (d) on request, assist with procedural issues that may arise.

2.2.6 Councillors and Members of Delegated Committees

- (1) Councillors and Members of Delegated Committees contribute to good governance and decision making by:
 - (a) seeking views of community members and reading the agenda prior to the meeting;

- (b) demonstrating due respect and consideration to community views and the professional/expert advice provided in the agenda papers;
- (c) attending meetings and participating in debate and discussion;
- (d) demonstrating respect for the role of the Chairperson and the rights of other Councillors or members of Delegated Committees to contribute to the decision-making; and
- (e) being courteous and orderly.

2.2.7 Community

- (1) Council Meetings are decision making forums and it is important that they are open to the community to attend and/or view proceedings.
- (2) Community members may only participate in Council meetings in accordance with Rule 7.
- (3) Community members are encouraged to participate in Council's engagement processes.
- (4) Community members may seek to inform individual Councillors of their views by contacting them directly in advance of Meetings.

2.2.8 Apologies and Absences

- (1) Councillors and Members of Delegated Committees who are unable to attend a Meeting may submit an apology:
 - (a) in writing to the Chairperson, who will advise the Meeting;
 - (b) In writing to the Chief Executive Officer, or Delegate, who will advise the Chairperson; or
 - (c) by seeking another Councillor or Member of the Delegated Committee to submit it at the Meeting on their behalf.
- (2) An apology submitted to a meeting will be recorded in the Minutes.
- (3) A Councillor intending to take a leave of absence should submit a request in writing to the Mayor.
- (4) The Mayor will seek to have any leave of absence request received included in the agenda of the next Council Meeting.
- (5) A leave of absence not included in a Council Meeting agenda may still be considered by Council if a written request has been received by the Mayor prior to the Meeting.
- (6) Council will not unreasonably withhold its approval of a leave of absence request.
- (7) A Councillor who has not submitted an apology or had a leave of absence approved who is not in attendance at a Council or Delegated Committee Meeting will be recorded as absent.

2.3 Matters Not Provided For

- (1) Where a procedure or any situation has not been provided for or cannot be dealt with under the Governance Rules, the Council may have regard to the rules, forms and usages of the Victorian Parliament insofar as they are applicable to the proceedings of the Council.

3. NOTICE OF MEETINGS AND AVAILABILITY OF AGENDA

Overview: Council Meetings are held regularly to conduct the ongoing business of the Council and Unscheduled Meetings may be held from time to time. It is important that the community is made aware of the times, dates, and locations of Council and Delegated Committee Meetings and the matters Council will consider. The timing of this notice should give the community adequate time to make arrangements to attend the Meeting or watch via the livestream.

An agenda for each Council Meeting must be provided to Councillors in advance so that they can prepare adequately for the Council Meeting. The agenda contains the order of business and the professional advice of the organisation, with a recommendation for Council to consider. The agenda is made available to the public via Council's website and at Customer Service Centres upon request.

3.1 Date, Time and Place of Council Meetings

- (1) At or before the last Meeting each calendar year, Council must fix the date, time and place of all Council Meetings and any Delegated Committee Meetings for the following calendar year.
- (2) The Council may change the date, time and place of any Council meeting which has been fixed and must provide reasonable notice of the changes to the public.

3.2 Postponement

- (1) In the case of an emergency, the Chief Executive Officer or Delegate or, in the absence of both, a Senior Officer, may postpone a Council Meeting, provided every reasonable attempt is made to notify every Councillor of the postponement.
- (2) The Chief Executive Officer, Delegate or Senior Officer must submit a full written report of the circumstances requiring his or her action in respect of the emergency postponement at the next Council Meeting that is not an Unscheduled Meeting.

3.3 Unscheduled Meetings

- (1) Council may, by resolution, call an Unscheduled Meeting of Council.
- (2) The Mayor, or three Councillors, may by written notice call an Unscheduled Meeting of Council.
- (3) The Chief Executive Officer, following consultation with the Mayor, may call an Unscheduled Meeting.
- (4) A written notice to call an Unscheduled Meeting must:
 - (a) specify the business to be transacted;

- (b) the date and time of the Unscheduled Meeting;
 - (c) be delivered to the Chief Executive Officer or Delegate in sufficient time to enable notice to be given in accordance with Rule 3.4.
 - (d) provide three days' notice of each Unscheduled Meeting to the public or such public notice as practicable given the circumstances.
- (5) The Chief Executive Officer must determine the time and date for the meeting, giving consideration to:
- (a) the urgency of the business to be transacted;
 - (b) the availability of Councillors;
 - (c) a reasonable notice period for persons whose rights or interests may be impacted by the business to be transacted.
- (6) The Chief Executive Officer must arrange for notice of the Unscheduled Meeting on Council's website.
- (7) Any resolution of Council to call an Unscheduled Meeting must specify the date and time of the Unscheduled Meeting and the business to be transacted.
- (8) The date and time of the Unscheduled Meeting must not be prior to 6:00pm on the day following the Council Meeting at which the resolution was made.
- (9) Only the business specified in the Council resolution, or written notice, may be considered at an Unscheduled Meeting, unless all Council, by unanimous resolution determine to admit another matter.

3.4 Notice of Meetings

3.4.1 Council Meetings

- (1) A notice of a Meeting, that is not a Unscheduled Meeting, incorporating or accompanied by an agenda of the business to be dealt with, must be sent electronically to every Councillor for all Council Meetings, at least seven days before the Meeting. A period of less than seven days may be justified if exceptional circumstances exist.
- (2) An agenda for each Council Meeting, that is not an Unscheduled Meeting, will be made available on Council's website at least seven days before the Council Meeting.
- (3) A schedule of Council Meetings must be prepared and published that ensures it is available to a broad section of the community, including on Council's website at least once each year and with such greater frequency as the Chief Executive Officer determines.

3.4.2 Unscheduled Meetings

- (1) Notice of an Unscheduled Meeting must be published on Council's website as soon as practicable after the time and date of the meeting has been determined.

- (2) An agenda for an Unscheduled Meeting must be made available electronically to every Councillor at least three days before the meeting. A period of less than three days may be justified if exceptional circumstances exist.
- (3) An agenda for an Unscheduled Meeting will be made available on Council's website no less than three days before the Council Meeting.

4. QUORUM

Overview: *No business can be transacted at a Council Meeting or a Delegated Committee Meeting unless a majority of the Councillors or Members of the Delegated Committee (as the case may be) is present thus forming a quorum. If there is no quorum at the commencement of a Meeting or if a quorum cannot be maintained during a Meeting, the Meeting is to be adjourned to another date and/or time. Under section 61(7) of the Act, a quorum is an absolute majority meaning the number of Councillors which is greater than half the total number of the Councillors of Council.*

Table 1: Calculation for Formation of a Quorum

Number of Councillors/Committee Members	Number required for Quorum
11	6
10	6
9	5
8	5
7	4

- (1) Meetings must commence within 30 minutes of the scheduled starting time.
- (2) If, after 30 minutes from the scheduled starting time of any Meeting or adjournment, a quorum cannot be obtained, the Chairperson, or if the Chairperson is not present, those Councillors present or, if there are no Councillors present, the Chief Executive Officer or, in the absence of the Chief Executive Officer, a Senior Officer, may adjourn the Meeting for a period not exceeding seven days from the date of the adjournment.
- (3) If, during any Meeting or any adjournment of the Meeting, a quorum cannot be maintained, the Chairperson, or if the Chairperson is not present, those Councillors present or, if there are no Councillors present, the Chief Executive Officer or, in the absence of the Chief Executive Officer, a Senior Officer, may adjourn the Meeting for a period not exceeding seven days from the date of the adjournment.
- (4) The Chairperson may defer an item of business in respect of which there is, or is likely to be, a disclosure of a conflict of interest by one or more Councillors that will cause a quorum to be lost, and direct the Chief Executive Officer to include that item of business on an agenda for a future Council Meeting.
- (5) If a quorum cannot be achieved or maintained due to the declaration of conflicts of interests by the majority of Councillors, Council will:

- (a) determine the matter will be considered in separate parts, if a quorum can be maintained for each separate part; or
 - (b) determine to make decisions on separate parts of the matter at a meeting where a quorum can be maintained, before making a decision on the whole matter at a meeting for which a quorum can be maintained.
- (6) If a quorum cannot be achieved or maintained due to the declaration of conflicts of interests by the majority of Councillors, and the matter cannot be separated into component parts or prior decisions made, Council will delegate the decision to be made:
- (a) by the Chief Executive Officer; or
 - (b) by a Delegated Committee, established for the purpose of determining the matter, comprised of all the Councillors who have not disclosed a conflict of interest and any other person(s) the Council considers suitable.
- (7) A decision made under delegation due to Council not being able to achieve or maintain a quorum will be reported to the next Council Meeting.
- (8) The Chief Executive Officer must provide written notice, including by electronic means, to each Councillor of any Council Meeting adjourned to another date or time due to an inability to achieve or maintain a quorum.
- (9) Where it is not practicable because time does not permit notice in accordance with Rule 4(8) to occur, then, provided every reasonable attempt is made to contact each Councillor either verbally, or by some other means, it will be sufficient.
- (10) Notice of an adjournment to another date or time must be published on Council's website as soon as practical.

5. ELECTION OF MAYOR

Overview: The role and functions of the Mayor are provided for under sections 25 and 26 of the Act. The holder of this significant office is the Chairperson at Council Meetings, is the leader of the Councillors, acts as the principal spokesperson for Council and carries out civic and ceremonial duties. This section describes how the Mayor, a Deputy Mayor and Acting Mayor are to be elected.

5.1 Chief Executive Officer to set time and date for election of Mayor

- (1) The Chief Executive Officer must determine the most appropriate time and date for the election of the Mayor.
- (2) The election of Mayor must be held no later than one month after the date of the general election (section 26(1)), except that the election of the Mayor must be held in accordance with any provisions contained in the Act.
- (3) The election of the Mayor must be held in accordance with section 25 of the Act and these Governance Rules.
- (4) Where the position of Mayor has become vacant, the Chief Executive Officer will set a date and time within one month of the vacancy.

- (5) Depending on the term of office decided in Rule 5.5, the next election of the Mayor will be held as close as possible to the end of the term.

5.2 Role of the Mayor

- (1) The Mayor will chair the Council meetings.
- (2) The Mayor will promote behaviour among Councillors that meets the standards established in the Councillor Code of Conduct.
- (3) The Mayor will lead engagement with the community.
- (4) The Mayor may direct a Councillor to leave a Council Meeting if the behaviour of the Councillor is preventing the Council from conducting its business.

5.3 Role of the Deputy Mayor

- (1) At the Council Meeting at which the Mayor is to be elected, the Council may resolve to establish the position of Deputy Mayor and elect a Councillor to the position of Deputy Mayor.
- (2) If the Mayor is not in attendance at a Council Meeting the Deputy Mayor must take the Chair.
- (3) The term of a Deputy Mayor is identical to the term of the Mayor as resolved by Council.
- (4) If the Council has not resolved to establish the position of Deputy Mayor, any provisions in these Governance Rules relating to the Deputy Mayor have no effect.

5.4 Method of Voting

The election of the Mayor must be carried out by a show of hands or following a resolution made in accordance with Rule 8.2(1), an electronic method that enables those observing (in attendance and those watching a livestream broadcast) to see who a Councillor has voted for at the time the vote is taken.

5.5 Determining the Election of Mayor / Deputy Mayor

- (1) The Chief Executive Officer will preside during the election of the Mayor.
- (2) Prior to the election of the Mayor and Deputy Mayor Council must determine by resolution the term of office as one year or two years.
- (3) The Chief Executive Officer must invite nominations for the office of Mayor and confirm acceptance of the nomination with the nominee.
- (4) Where in an election for the Mayor:
 - (a) only one candidate has been nominated, that candidate must be declared elected;
 - (b) two candidates have been nominated, a vote must be taken and the candidate who receives the number of votes equal to or greater than half the Councillors of the Council must be declared elected;

- (c) two candidates have been nominated and no candidate receives the number of votes equal to half the Councillors of the Council, a second vote will be conducted.
- (d) where, after a second vote, where two candidates have been nominated and no candidate receives the number of votes equal to half the Councillors of the Council the Chief Executive Officer will seek the meeting to resolve to conduct a new election at a meeting to be held at 6 pm the following day;
- (e) more than two candidates have been nominated and no candidate receives the number of votes equal to or greater than half the Councillors of the Council:
 - (i) the candidate with the fewest number of votes cast must be eliminated;
 - (ii) the names of the remaining candidates must be put to the vote again; and
 - (iii) the procedure in (i) and (ii) above must be continued until there remain only two candidates, at which point the candidate to be declared elected is to be determined by the procedure outlined in Sub-Rule (4)(b).
 - (iv) in the event of two or more candidates having an equality of votes and one of them having to be declared a defeated candidate (where there are three or more candidates with equal votes), the Chief Executive Officer will conduct a vote for one candidate to be defeated.
- (f) where there is an equal division of votes between two candidates, the election will be determined by lot for exclusion and the candidate remaining undrawn will be declared successful.
- (g) If Council resolves to have the office of Deputy Mayor, the provisions of Sub-Rules (3) and (4) apply to the election of the Deputy Mayor with all necessary modifications and adaptations.

5.6 Election of Acting Mayor

- (1) If Council resolves at any time to appoint an Acting Mayor in accordance with section 20B of the Act, the provisions of Rules 5.5(3) and (4) apply to the appointment of the Acting Mayor with all necessary modifications and adaptations.

6. BUSINESS OF MEETINGS

Overview: The business to be transacted at a Council Meeting is contained in the Agenda provided to Councillors and available to the public on Council's website. The Chief Executive Officer oversees preparation of the Agenda and determines the content and order of business to facilitate open, efficient and effective processes of government. The role of the Mayor includes providing advice to the Chief Executive Officer when the Chief Executive Officer is setting the Agenda for Council meetings. Council can admit an item of urgent business if it has arisen after distribution of the Agenda and cannot be reasonably deferred to the next Meeting.

This section also provides time limits for Meetings. A Council Meeting must not continue after three hours unless a majority of Councillors agree, when up to two extensions of 30 minutes can be made.

6.1 Business at Meetings

- (1) The Chief Executive Officer may include any matter on the Agenda for a Council Meeting which he or she thinks should be considered at the Meeting to which the Agenda relates.
- (2) No business can be dealt with at a Meeting unless it is:
 - (a) Contained on the Agenda; or
 - (b) Accepted as a Late Item in accordance with Rule 6.4.

6.2 Order of Business for Council Meetings

- (1) The order of business will be determined by the Chief Executive Officer to facilitate and maintain open, efficient and effective processes of government.
- (2) The order of business for Council meetings may proceed in the following manner:
 - (a) Statement of Acknowledgement and Prayer
 - (b) Apologies
 - (c) Declaration of conflicts of interest
 - (d) Confirmation of Minutes of previous Council Meeting/s
 - (e) Business arising from previous Council Meeting/s
 - (f) Acceptance of Late Items
 - (g) Notices of Motion
 - (h) Receiving of Petitions or Joint Letters
 - (i) Invited Addresses, Presentations or Acknowledgements
 - (j) Questions on Notice
 - (k) Reports of Delegates
 - (l) Officers' Reports
 - (m) Urgent Business
 - (n) Further Gallery and Chat Room Comments
 - (o) In Closed Session

6.3 Change to order of business

- (1) Once an Agenda has been sent to Councillors, the order of business for that Meeting may be altered by a resolution of Council.

6.4 Late Items

- (1) If the agenda for a Meeting makes provision for Late Items, business cannot be admitted as a Late Item other than by resolution of Council and only then if:
 - (a) it relates to or arises out of a matter which has arisen since distribution of the agenda; and
 - (b) deferring the item until the next Meeting will mean a decision on the item will not have any effect on the matter; or
 - (c) the item involves a matter of urgency as determined by the Chief Executive Officer; and
 - (d) it cannot be addressed through an operational service request process; and
 - (e) provided the matter does not:
 - (i) substantially affect the levels of Council service;
 - (ii) commit Council to significant expenditure not included in the adopted budget;
 - (iii) establish or amend Council Policy; or
 - (iv) commit Council to any contractual arrangement.
- (2) A Councillor proposing a matter be admitted as a Late Item must lodge it in writing to the Chief Executive Officer no later than 12:00pm on the day of the Meeting.
- (3) The Chief Executive Officer will advise the Mayor of any matter he or she determines appropriate for Council to consider admitting as a Late Item.

6.5 Time Limits for Meetings

- (1) A Meeting must not continue after three hours from the time it commences unless a majority of Councillors/Members present vote in favour of its extension in accordance with this Rule.
- (2) Extensions of a Meeting will be in block periods of 30 minutes.
- (3) After the initial 30 minute extension the Meeting must not continue unless a majority of Councillors present vote in favour of a further extension.
- (4) A Meeting may only be continued for a maximum of two 30 minute extensions.
- (5) In the absence of such extensions as provided for in Sub-Rules (1), (2) and (3), or in the event there is further business to be transacted at the completion of two extensions, the Meeting must stand adjourned to 6:00pm on the following day.

- (6) Notwithstanding Sub-Rule (5), the Chairperson may seek the agreement of Council not to adjourn the Meeting to the following day, if the Chairperson reasonably believes the remaining business will take less than 10 minutes to transact.

6.6 Chairperson may temporarily adjourn a Meeting exceeding two hours

- (1) The Chairperson may adjourn a Meeting for a 10 minute break at an appropriate point in proceedings after two hours has elapsed.
- (2) Notwithstanding Sub-Rule (1), the Chairperson may seek the agreement of Council not to adjourn the Meeting if the Chairperson reasonably believes the remaining business of the Meeting will take less than 30 minutes to transact.

7. PUBLIC QUESTIONS, COMMENTS AND SUBMISSIONS

Overview: As outlined in the purpose of these Governance Rules, Council Meetings are held for Council to make its decisions. Members of the public do not have a right to address Council, however provisions are made for Council to respond to questions from the community and for the public to make submissions to Council.

At each Meeting there is an opportunity for members of the public gallery to ask questions of the Council. Where the community do not have the opportunity to attend the Council Meeting but still wish to be heard, this can be done via Council's online chat room during the course of the Council Meeting or via the online Questions and Comments form prior to 1:00pm on the day of the Council Meeting. Assistance will be available for any community member seeking or requiring support to write their question(s) where required.

Petitioning is a long-established process for members of the community to demonstrate community support for a request or views on a matter, and for that request or view to be presented directly to Council. Rule 7 sets out the procedures to be followed to submit a question, comment or petition, the circumstances under which a question, comment or petition may be disallowed and the process for addressing and responding to the question, comment or petition at or after the Meeting.

Council Meetings are recorded and broadcasted to the public, this includes community questions and submissions.

7.1 Further Gallery and Chat Room Comments to be Held

- (1) The Council will provide an opportunity during the Further Gallery and Chat Room Comments section of the Council Meeting to allow public submissions, questions of and comments to Council for a time period of three minutes per person however this may be extended at the determination of the Chairperson. Where appropriate, the Mayor or Chief Executive Officer may elect to respond to the submission, question or comment in writing.
- (2) The announcement of each agenda item as it occurs in the order of business is another opportunity for the general public to present to Council on a matter listed on the Agenda.
- (3) The Council may decide to defer the discussion to a later date

- (4) Council Meetings are recorded and broadcasted to the public, this includes public questions, comments and submissions.

7.2 Further Gallery and Chat Room Comments Guidelines

- (1) Rules 7.1(1) and (2) will not apply during any period when the Council has resolved to close the meeting in respect of a matter under section 66(1) of the Act.
- (2) Submissions as part of Further Gallery and Chat Room Comments may be on any matter except if it:
 - (a) is considered malicious, defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance;
 - (b) relates to confidential information as defined under the Act;
 - (c) relates to the personal hardship of any resident or ratepayer; or
 - (d) relates to any other matter which the Council considers would prejudice the Council or any person.
- (3) No more than two questions will be accepted from any person at any one Meeting.
- (4) Where the Chief Executive Officer does not accept a question, the submitter is to be informed of the reason or reasons for which their question was not accepted.
- (5) The Chairperson reserves the right to cease a submission as part of Further Gallery and Chat Room Comments if he or she deems the submission inappropriate.
- (6) Copies of all submissions, questions or comments submitted in writing by a member of the public allowed by the Chief Executive Officer will be provided to all Councillors.
- (7) A submission, question or comment submitted in writing by a member of the public, which has been disallowed by the Chief Executive Officer, will be provided to any Councillor but will not be read out by the Chief Executive Officer during the Further Gallery and Chat Room Comments section.

7.3 Further Gallery and Chat Room Procedure

- (1) Any member of the public addressing Council must extend due courtesy and respect to Council and the processes under which it operates and must take direction from the Chairperson whenever called on to do so.
- (2) The Chairperson will allocate a maximum of three minutes to each person who wishes to address Council.
- (3) The Chairperson or Chief Executive Officer will then invite members of the public gallery who would like to present to Council.
- (4) The person, in addressing the Council:
 - (a) must confine their address to the three minute allocation of time;

- (b) shall extend due courtesy and respect to the Council and the processes under which it operates;
 - (c) shall take direction from the Chairperson whenever called upon to do.
 - (d) there will be no discussion or debate with the attendees in the public gallery however Councillors may ask questions of clarification of the attendee; and
 - (e) Standing Orders do not need to be suspended to allow discussion for the purposes of clarification.
- (5) Where a response to a submission, question or comment raised during the Further Gallery and Chat Room Comments section of the Council Meeting may be provided immediately at the discretion of the Chairperson or Chief Executive Officer.
- (6) If the matter requires further investigation or comment, the submission, question or comment will be referred to the relevant Council Officer for investigation and response if required.
- (7) Council Officers will respond acknowledging the question and providing procedural advice and/or the response within 10 working days of the Council Meeting.

7.4 Petitions and Joint Letters

- (1) A petition or joint letter presented to the Council must lay on the table for a period determined by the Council but not exceeding the next two Council Meetings. No motion, other than to receive the petition or joint letter may be accepted by the Chairperson, unless the Council unanimously agrees to deal with it earlier.
- (2) Every petition submitted to Council must:
- (a) be in legible and in permanent writing;
 - (b) be clear and on each page the matter and action sought from council is stated;
 - (c) not be derogatory, defamatory or objectionable in language or nature;
 - (d) not relate to matters outside the powers of Council; and
 - (e) include the names, addresses and original signatures of 10 or more people and identify a head petitioner with whom Council will communicate any directions or acknowledgements.
- (3) Where a petition has been signed by less than 10 people, it will be treated as a joint letter and forwarded directly to the appropriate member of Council staff for action as an operational item.
- (4) Any Councillor presenting a petition is responsible for ensuring that:
- (a) he or she is familiar with the contents and purpose of the petition; and

- (b) the petition is not derogatory, defamatory or objectionable in language or nature.
- (5) Unless Sub-Rules (6) or (7) apply, the only Motions that may be considered by Council on any petition are:
 - (a) that the petition be received; and
 - (b) that the petition be referred to the Chief Executive Officer or relevant General Manager for consideration and response; or
 - (c) that the petition be referred to the Chief Executive Officer or relevant General Manager for a report to a future Council Meeting.
- (6) If a petition relates to an item listed on the Agenda for the Meeting at which it is submitted, the petition may be dealt with in conjunction with the item.
- (7) If a petition relates to a 'planning matter' or 'statutory matter' which is the subject of a public submissions process in accordance with the relevant legislation, the petition will be treated as a joint submission in relation to the 'planning matter' or the 'statutory matter' (as the case may be).
- (8) The Chief Executive Officer may determine that an electronic or online petition will be submitted to a Council Meeting.
- (9) The number of signatories to an online or electronic petition will be taken to be the number of signatories at the time the petition is provided to Council for submission to a Council meeting.
- (10) An online or electronic petition will not be presented to a Council meeting if it contains signatures that are false or misleading or fails to meet the minimum 10 signatures to constitute a petition.

7.5 Display of Placards and Posters

- (1) Subject to Sub-Rules (2) and (3), a person can display any placards or posters in the Council Chamber or in any building where a Meeting is being, or is about to be, held, including outside the entrance to the building.
- (2) A placard or poster must not:
 - (a) display any offensive, indecent, insulting or objectionable item or words;
 - (b) obstruct the entrance to the Council Chamber or a building where a Meeting is being, or is about to be, held; or
 - (c) obstruct the view of or physically impede any person.
- (3) The Chairperson may order and cause the removal of any placard or poster that is deemed by the Chairperson to be objectionable, disrespectful or otherwise inappropriate.

7.6 Chairperson May Remove

- (1) Members of the public present at a Council Meeting must not interject during the Council Meeting.

- (2) If a person, other than a Councillor, interjects or gesticulates offensively during the Council Meeting, the Mayor may direct:
 - (a) the person to stop interjecting or gesticulating offensively; and
 - (b) if the person continues to interject or gesticulate offensively, the removal of the person.
- (3) The Chairperson may cause the removal of any object or material that is deemed by the Chairperson to be objectionable or disrespectful.
- (4) In causing a person's removal under Sub-Rule (2)(b), or the removal of an object or material under Sub-Rule (3), the Chairperson may ask the Chief Executive Officer, an Authorised Officer of Council or a member of Victoria Police to remove the person, object and/or material.
- (5) Any person who has been called to order, including any Councillor, who fails to comply with the Chairperson's direction will be liable to be removed from the meeting.
- (6) The Chairperson has a discretion to cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction.

8. VOTING

Overview: At the conclusion of debate on a matter before the Meeting, the Chairperson must put the question, Motion or amendment to the vote. Each Councillor is entitled to one vote and voting must be able to be seen by those participating in the Meeting and those observing the Meeting. The vote is determined by a majority of the Councillors present at the Meeting at the time the vote is taken voting in favour of the Motion. If a vote is tied, the Chairperson generally has a casting vote.

Sometimes a Councillor may want his or her vote recorded – this is provided for in this section, along with the procedure when a Councillor calls for a division on a vote which is when how each Councillor voted is recorded.

Provision is made for the introduction of an electronic voting system as long as Council has resolved to implement the system and all participants in the Meeting and those observing a Meeting are able to see which way a Councillor has voted on a matter at the time the vote is taken.

8.1 How a matter is Determined

- (1) To determine a Motion at a Meeting, the Chairperson must first call for those in favour of the Motion and then those opposed to the Motion, and must then declare the result to the Meeting.
- (2) In the event of a tied vote, the Chairperson must, unless the Act provides otherwise, exercise the casting vote.

8.2 Voting must be Seen

- (1) Voting may be by any method resolved by Council that enables those in attendance and those watching a livestream broadcast to clearly see which way a Councillor has voted at the time a vote is taken.

- (2) In the absence of a Council resolving an alternative method, voting on any matter is by show of hands.

8.3 When a Division is Permitted

- (1) A division may be requested by any Councillor on any vote.
- (2) The request must be made to the Chairperson either immediately prior to, or immediately after, the vote has been taken, and may not be made after the Meeting has moved to the next item of business.
- (3) When a division is called, the Chairperson must:
 - (a) ask each Councillor wishing to vote in favour of the motion to indicate their vote and the Chairperson must then state the names of those Councillors to be recorded in the Minutes;
 - (b) ask each Councillor wishing to vote against the motion to indicate their vote and the Chairperson must then state the names of those Councillors to be recorded in the Minutes;
 - (c) ask each Councillor abstaining from voting to indicate that they are abstaining and the Chairperson must then state the names of those Councillors to be recorded in the Minutes; and
 - (d) declare the result of the division.
- (4) Where a division is requested after the original vote has been taken, the Motion is decided on the division and the fact that there may be a difference between the result obtained when the original vote was taken and the result obtained on the division must be disregarded.

8.4 No Discussion once a Vote has been Declared

- (1) Once a vote on a Motion has been declared carried or lost by the Chairperson, no further discussion relating to the Motion is allowed, unless the discussion:
 - (a) involves a Councillor requesting that his or her opposition to a resolution be recorded in the Minutes or calling for a division in accordance with Rule 8.3; or
 - (b) is a Councillor foreshadowing a notice of rescission where a resolution has just been made, or a positive Motion where a resolution has just been rescinded.

9. ADDRESSING THE MEETING

Overview: This section provides for how the Meeting is to be addressed by Councillors and Members of Council Staff. Members of the Community may only address a Meeting in accordance with Rule 7 of these Governance Rules.

9.1 Councillor allowed to Speak Uninterrupted

- (1) A Councillor who has the floor must not be interrupted unless:

- (a) called to order by the Chairperson, when he or she must sit down and remain silent until the Councillor raising the Point of Order has been heard and the Point of Order dealt with; or
- (b) given notice by the Chairperson his or her speaking time has elapsed or is about to elapse.

9.2 Addressing the Meeting

- (1) If the Chairperson so determines:
 - (a) any person addressing the Chairperson must refer to the Chairperson as:
 - (i) Mayor; or
 - (ii) Chairperson,as the case may be;
 - (b) all Councillors, other than the Mayor, must be addressed as Councillor (surname); and
 - (c) all Council staff must be addressed by their official title.
- (2) Except for the Chairperson, any Councillor or person who addresses the Council meeting must stand and direct all remarks through the Chairperson.
- (3) At all other meetings persons may remain seated but must direct remarks through the Chairperson.
- (4) The Chairperson may permit any Councillor or person to remain seated whilst addressing the Chair, for reasons of sickness, infirmity or disability or for any other reason as determined by the Chairperson.

10. MOTIONS AND DEBATE

Overview: This section describes the procedure for introducing a Motion or amendment, the rules of debate, foreshadowing a Motion or amendment and the duty of the Chairperson in relation to accepting Motions and amendments. It also describes the process for a Councillor lodging a Notice of Motion for consideration and/or indicating they will raise a matter at the next Council Meeting (foreshadowing items).

A Councillor may move any Motion related to an item included in the Agenda. In the interest of transparency and informed decision making, Motions or amendments should not introduce new matters to a debate that have not been the subject of the report or background of the Motion being considered by Council. Motions are required to be submitted in writing so they can be displayed to the Meeting.

As a resolution must be able to be acted upon, a Motion must clearly state what is intended and what its effect will be if it becomes the decision. This provides clarity for the implementation of Council decisions.

This section also describes the circumstances and procedures under which a Council decision can be rescinded or altered. It also prescribes a procedure under which a Council policy can be altered or varied.

10.1 Moving a Motion

The procedure for moving any Motion is:

- (1) the mover must outline the Motion without speaking in support of it;
- (2) the Motion must be seconded by a Councillor other than the mover;
- (3) if a Motion is not seconded, the Motion lapses for want of a seconder;
- (4) if the Motion is not opposed, then the Chairperson must call on the mover to speak to the Motion;
- (5) after the mover has spoken to the Motion, the seconder may also speak to the Motion;
- (6) after the seconder has spoken to the Motion (or after the mover has spoken to the Motion if the seconder does not speak to the Motion), the Chairperson must call on any Councillor who wishes to speak against the Motion, then on any Councillor who wishes to speak for the Motion, after waiting until all Councillors wishing to speak to the Motion have spoken; and
- (7) if no Councillor wishes to speak against the Motion, then the Chairperson may put the Motion or call on any other Councillor to speak.

10.2 Chairperson's Duty

The Chairperson must not accept any Motion which:

- (1) is defamatory; or
- (2) is objectionable in language or nature; or
- (3) is vague or unclear in its intention; or
- (4) is outside the powers of Council; or
- (5) is not relevant to an item of business on the agenda and has not been admitted as a Late Item; or
- (6) intends to be an amendment but is not.

10.3 Right of Reply

- (1) The mover of a Motion, which has not been amended, may, once debate has been exhausted, exercise a right of reply to matters raised during debate.
- (2) After the right of reply has been exercised, the Motion must immediately be put to the vote without any further discussion or debate.
- (3) No new matters may be raised in the right of reply.
- (4) If no Councillor has spoken against a Motion, there will be no right of reply.

10.4 Moving an Amendment

- (1) A motion having been moved and seconded may be amended by leaving out, inserting or adding words which must be relevant to the original motion and do not substantively alter the original intent of the motion.
- (2) An amendment may be proposed or seconded by any Councillor, except the mover and seconder of the original Motion.
- (3) If a Councillor proposes an amendment and the original mover and seconder of the Motion both indicate their agreement with the amendment, the amended Motion becomes the substantive Motion without debate or vote.
- (4) If a Councillor proposes an amendment to which either the mover or seconder does not agree, the following will apply:
 - (a) the amendment must be moved and seconded;
 - (b) a Councillor may speak on any amendment once, whether or not he or she has spoken to the Motion, but debate must be confined to the terms of the amendment;
 - (c) any number of amendments may be proposed to a Motion, but only one amendment may be accepted by the Chairperson at any one time. No second or subsequent amendment, whether to the Motion or an amendment of it, may be taken into consideration until the previous amendment has been dealt with and voted on;
 - (d) if the amendment is carried, the Motion as amended then becomes the Motion before the Meeting (known as the 'substantive Motion'); and
 - (e) the mover of an amendment does not have right of reply.

10.5 Foreshadowing Motions

- (1) At any time during debate a Councillor may foreshadow a Motion so as to inform Council of his or her intention to move a Motion at a later stage in the Meeting, but this does not extend any special right to the foreshadowed Motion.
- (2) A Motion foreshadowed may be prefaced with a statement that, in the event of a particular Motion before the Meeting being resolved in a certain way, a Councillor intends to move an alternative or additional Motion.
- (3) A Motion foreshadowed has no procedural standing and is merely a means to assist the flow of the Meeting.
- (4) The Minutes of the Meeting will not include foreshadowed Motions unless the foreshadowed Motion is subsequently formally moved as a Motion.

10.6 Withdrawal of Motions

- (1) Before any Motion is put to the vote, it may be withdrawn with the Agreement of Council.

10.7 Separation of Motions

- (1) Where a Motion contains more than one part, a Councillor may request the Chairperson to put the Motion to the vote in separate parts.
- (2) The Chairperson may decide to put any Motion to the vote in separate parts.

10.8 Motions in Writing

- (1) All Motions, except Procedural Motions, must be submitted in writing.
- (2) The Chairperson may adjourn a Meeting while a Motion is being written or may request Council to defer the matter until the Motion has been written, allowing the Meeting to proceed uninterrupted.

10.9 Debate must be Relevant to the Motion

- (1) Debate must always be relevant to the Motion before the Meeting, and, if not, the Chairperson must request the speaker to confine debate to the Motion.
- (2) If, after being requested by the Chairperson to confine debate to the Motion before the Meeting, the speaker continues to debate irrelevant matters, the Chairperson may direct the speaker to be seated and not speak further in respect of the Motion before the Chairperson. The speaker must immediately comply with any such direction.

10.10 Adequate and Sufficient Debate

- (1) Adequate debate is required where a matter is contentious in nature. In such a case, every Councillor should be given an opportunity to participate in the debate.
- (2) A Motion has been sufficiently debated if opposing views (where they exist) have been sufficiently put, not so much the number of those who have spoken but whether all minority opposing views have been put.
- (3) Once the views put are representative of the views of all Councillors the debate would be regarded as sufficient.

10.11 Speaking times

- (1) Unless a Motion for an extension of speaking time has been carried, the maximum speaking times are:
 - (a) the mover of a Motion or amendment - three minutes;
 - (b) the mover of a Motion when exercising his or her right of reply - two minutes; and
 - (c) any other speaker - three minutes.
- (2) A Motion for an extension of speaking time must be proposed before the initial speaking time, for that speaker, expires.
- (3) A Motion for an extension of speaking time must not be accepted by the Chairperson if another Councillor has commenced speaking.

- (4) Only one extension of speaking time is permitted for each speaker.
- (5) Any extension of speaking time must not be more than two minutes.

10.12 Procedural Motions

- (1) Unless otherwise prohibited, and subject to Sub-Rule (3), a procedural Motion may be moved at any time and must be dealt with immediately by the Chairperson.
- (2) Procedural Motions require a seconder.
- (3) The Chairperson may reject a procedural Motion if he or she believes the Motion on which it is proposed has not been adequately or sufficiently debated.
- (4) Regardless of any other provision in the Governance Rules, a procedural Motion must be dealt with in accordance with the table at Sub-Rule (8).
- (5) A Procedural Motion may not be moved or seconded by the Chairperson.
- (6) Unless otherwise provided, debate on a procedural Motion is not permitted and the mover does not have a right of reply.
- (7) Unless otherwise provided, a procedural Motion must not be amended.
- (8) Procedural Motions table:

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Motion	Recommended Form	Mover/Seconder	When Prohibited	Effect If Carried	Effect If Lost	Debate Permitted
Deferral of a matter (to a future meeting)	'That the debate on this matter be deferred until (insert meeting/date) to allow (purpose of deferral) ...'	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of the Mayor/Deputy Mayor; (b) During the election of a Chairperson; or (c) When another Councillor is speaking	Consideration/debate on the Motion and/or amendment is postponed to the stated date and the item is re-listed for consideration at the resolved future Meeting, where a fresh Motion may be put and debated	Debate continues unaffected	Yes
Closure (of debate)	'That the motion now be put'	Any Councillor who has not moved or seconded the original Motion or spoken for/against the original Motion	During nominations for a Chairperson	Motion or amendment is put to the vote immediately without further debate, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the Motion	Debate continues unaffected	No
Laying a motion on the table (pausing debate)	'That the motion be laid on the table'	A Councillor who has not spoken for/against the Motion	During the election of the Mayor/Deputy Mayor	Motion not further discussed or voted on until Council resolves to take the question from the table at the same Meeting	Debate continues unaffected	No
Take a motion from the table (resume debate on a matter)	'That the motion in relation to XX be taken from the table'	Any Councillor	When no Motion is on the table	Debate of the item resumes	Debate of the item remains paused	No
Alter the order of business	'That the item listed at XX on the agenda be considered before/after the item listed as XY'	Any Councillor	(a) At a Meeting to elect the Mayor; or (b) During any debate	Alters the order of business for the Meeting	Items are considered in the order as listed in the Agenda	No

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<i>Suspension of Standing Orders</i>	'That Standing Orders be suspended to ...' (reason must be provided)	Any Councillor		The rules of the Meeting are temporarily suspended for the specific reason given in the Motion No debate or decision on any matter, other than a decision to resume Standing Orders, is permitted	The Meeting continues unaffected	No
<i>Resumption of Standing Orders</i>	'That Standing Orders be resumed'	Any Councillor	When Standing Orders have not been suspended	The temporary suspension of the rules of the Meeting is removed	The Meeting cannot continue	No
<i>Consideration of confidential matter(s)</i> <i>(close the meeting to members of the public)</i>	That, in accordance with section 66(2)(a) of the <i>Local Government Act 2020</i> the Meeting be closed to members of the public for the consideration of item XX is confidential as it relates to [insert reason]	Any Councillor	During the election of the Mayor/Deputy Mayor	The Meeting is closed to members of the public	The Meeting continues to be open to the public	Yes
<i>Reopen the meeting</i>	'That the meeting be reopened to members of the public'	Any Councillor		The Meeting is reopened to the public	The Meeting remains closed to the public	No

10.13 Notices of Motion

- (1) A notice of motion cannot be accepted by the Chairperson unless it has been listed on the agenda for the meeting at which it is proposed to be moved.
- (2) A Notice of Motion must be in writing, signed by the Councillor (including by electronic means), and be lodged with the Chief Executive Officer no later than close of business 10 days before the Meeting at which it is intended to be considered to ensure its inclusion in the Agenda.
- (3) The Chief Executive Officer must inform Councillors about the operational, legal, financial and other risks, including non-compliance with statutory obligations of any proposed notice of motion. The Chief Executive Officer may suggest revised wording to the draft notice of motion to facilitate compliance with the requirements for notices of motion under the Governance Rules.
- (4) A Notice of Motion must relate to the objectives, role and functions of Council as outlined in the Act.
- (5) A Notice of Motion must call for a Council report if the Notice of Motion proposes any action that:
 - (a) impacts the levels of Council service;
 - (b) commits Council to expenditure that is not included in the adopted Council Budget;
 - (c) proposes to establish, amend or extend Council policy;
 - (d) proposes to impact the rights of any person who has not had the opportunity to contribute their views;
 - (e) commits Council to any contractual arrangement; or
 - (f) concerns any litigation in respect of which Council is a party.
- (6) The Chief Executive Officer must reject any Notice of Motion which:
 - (a) is too vague;
 - (b) is defamatory;
 - (c) may be prejudicial to any person or Council;
 - (d) is objectionable in language or nature;
 - (e) is outside the powers of Council
 - (f) is submitted during Election Period.
- (7) The Chief Executive Officer may reject a proposed Notice of Motion that:
 - (a) relates to a matter that can be addressed through the operational service request process; or

- (b) relates to a matter that has been previously resolved by Council or is acted upon.
- (8) If rejecting a Notice of Motion, the Chief Executive Officer must inform the Councillor who lodged it of that rejection and the reasons for the rejection no later than nine days before the Meeting at which it is intended to be considered. The Councillor may submit a revised Motion within 24 hours.
- (9) The Chief Executive Officer may advise the Chairperson to consider a notice of motion in a closed meeting of Council if the content/matter of the Notice of Motion is considered to be confidential as defined in section 3(1) of the Act.
- (10) The full text of any Notice of Motion accepted by the Chief Executive Officer must be included in the agenda and outline the policy, financial and resourcing implications if the Notice of Motion is passed.
- (11) The Chief Executive Officer may arrange for comments of members of Council staff to be provided to Councillors prior to the Notice of Motion being published in the agenda for the relevant Council Meeting.
- (12) The Chief Executive Officer must cause all Notices of Motion to be sequentially numbered, dated and entered in a register.
- (13) Unless the notice specifies a particular meeting date or Council resolves otherwise, the Chief Executive Officer will list the notice of motion and if more than one, in the order they were received, on the next appropriate meeting agenda.
- (14) The Motion moved must not be substantially different to the motion published in the Agenda, however, may be amended by resolution of the Council.
- (15) If a Councillor who has lodged a Notice of Motion is absent from the Meeting or fails to move the Motion when called upon by the Chairperson to do so, any other Councillor may move the Motion.
- (16) If a Notice of Motion to confirm a previous resolution of the Council cannot be carried in its original form, it will be lost.
- (17) If a Notice of Motion is lost, a similar Motion cannot again be put before the Council for at least three months from the date it was last lost, unless the Council resolves for the Motion to be re-listed at a future meeting.
- (18) If a Notice of Motion is not moved at the Council Meeting at which it is listed, it lapses.

10.14 Notices of Rescission

- (1) A Councillor may propose a Motion to rescind or alter a previous resolution of Council provided:
 - (a) the previous resolution has not been acted on; and
 - (b) a notice is delivered to the Chief Executive Officer or Delegate setting out:
 - (i) the relevant previous resolution to be rescinded or altered; and

- (ii) the Meeting and date when the relevant previous resolution was carried.
- (2) A Notice of Rescission must be in writing, signed (including by electronic means) by a Councillor and be delivered to the Chief Executive Officer by close of business at least 10 days prior to the next Meeting.
- (3) The Chief Executive Officer, or a member of Council staff with responsibility for the subject matter of a resolution, may implement a resolution of Council at any time after the close of the Meeting at which it was made. A resolution of Council will be deemed to have been acted on if:
 - (a) its contents or substance has been formally communicated to a person whose interests are materially affected by it, including by publishing the proposed Minutes of a Council Meeting on Council's website; or
 - (b) a statutory process has been commenced so as to vest enforceable rights or obligations on Council or any other person.
- (4) Notwithstanding Sub-Rule (3), the Chief Executive Officer or member of Council staff must defer implementing a resolution which:
 - (a) has not been acted on; and
 - (b) is the subject of a Notice of Rescission which has been delivered to the Chief Executive Officer in accordance with Sub-Rule (4), unless deferring implementation of the resolution would have the effect of depriving the resolution of usefulness, giving rise to non-compliance with a legal obligation or placing the Council at operational, legal, financial or other risk.
- (5) If a Motion for rescission is lost, a similar Motion may not be put before Council for at least three months from the date it was last lost, unless Council resolves that the Notice of Rescission be re-listed at a future Meeting.
- (6) If a Motion for rescission is not moved at the Meeting for which it is listed, it lapses.
- (7) A Notice of Rescission listed on an Agenda may be moved by any Councillor present but be moved in the form it was listed and must not be amended.
- (8) The Chief Executive Officer must cause all rescissions to be sequentially numbered, dated and entered in a register.

10.15 Change of Council Policy

- (1) Council reviews its policies to ensure they are current and continue to reflect community expectations and the position held by Council.
- (2) It is good practice for Council to review significant policies at least once in each Council term (every four years) and such reviews may lead to change in policy position.
- (3) Subject to Sub-Rule (4), if Council wishes to change a Council policy, a formal notice of rescission is not required.

- (4) If a policy has been in force in its original or amended form for less than 12 months, any intention to change the policy which may result in a substantial change to the policy's application or operation for members of the public should be communicated to those affected, and their comment sought, prior to the policy being changed.

10.16 Foreshadowed Items

- (1) At the time designated in the Meeting Agenda, a Councillor may foreshadow a Notice of Motion to be submitted for consideration at the next Meeting by indicating, when called on to do so by the Chairperson, the subject matter of the foreshadowed Notice of Motion.
- (2) The subject matter, as indicated by the Councillor, of a Foreshadowed Item will be recorded in the Minutes.
- (3) No discussion or debate is allowed on a Foreshadowed Item.
- (4) A Foreshadowed Item will have no further formal status at that Council Meeting.
- (5) Foreshadowed Items are intended to be used to indicate to Council and the community matters of importance that will be raised at the next Council Meeting.
- (6) If a Councillor does not submit a Notice of Motion for the next Council Meeting, no further action on a Foreshadowed Item will occur.

11. POINTS OF ORDER

Overview: A Point of Order is taken when a Councillor draws the attention of the Chairperson to an alleged irregularity in the proceedings. Valid Points of Order, the process for raising and ruling on a Point of Order, and the procedure if there is dissent on the Chairperson's ruling are described in this section.

11.1 Raising Points of Order

- (1) A Councillor raising a Point of Order must state:
 - (a) the Point of Order; and
 - (b) any section, Rule, paragraph or provision relevant to the Point of Order.
- (2) The Chairperson must decide all points of order by stating the provision, rule, practice or precedent which he or she considers applicable to the Point of Order raised, without entering into any discussion or comment.
- (3) The Chairperson may adjourn the Meeting to consider a Point of Order; otherwise he or she must rule on it as soon as it is raised.
- (4) All other matters before Council are suspended until the Point of Order is decided.

11.2 Dissent in Chairperson's Ruling

- (1) A Motion of dissent in the Chairperson's ruling must, if seconded, be given priority to all other items of business and a substitute Chairperson must be elected to preside while the Motion is being considered.
- (2) The substitute Chairperson must put questions relative to the ruling to the Chairperson first, and then to the mover of the Motion.
- (3) The substitute Chairperson must conduct a debate on the Chairperson's ruling, and the matter must be decided by a majority vote.
- (4) The Chairperson must then resume the Chair for the remainder of the Meeting.

11.3 Valid Points of Order

- (1) A Point of Order may be raised in relation to:
 - (a) a Motion which has not been accepted by the Chairperson;
 - (b) a procedural matter;
 - (c) a Councillor who is not conducting themselves in accordance with the Councillor Code of Conduct;
 - (d) debate that is irrelevant to the matter under consideration;
 - (e) a matter that is outside the powers of Council; or
 - (f) any act of disorder.

11.4 Contradiction or Opinion

- (1) Rising to express a mere difference of opinion or to contradict a speaker is not a Point of Order.

11.5 Disorderly Conduct

- (1) The conduct of Councillors at meetings is governed by the Act, these Rules and the Councillor Code of Conduct.

11.6 Chairperson May Adjourn Disorderly Meeting

- (1) The Chairperson may call a break in a Meeting for either a short time, or to resume another day if:
 - (a) the behaviour at the Council table or in the gallery is significantly disrupting the Meeting; or
 - (b) when a Meeting has been in progress for longer than two hours.
- (2) The break referred to in Sub-Rule (1) is an adjournment.
- (3) Where a Councillor engages in improper or disorderly conduct, or acts in a way that otherwise disrupts the Meeting, and prevents the conduct of Council business:

- (a) Council may, by resolution, suspend that Councillor from a portion of the Meeting or from the balance of the Meeting where the Chairperson has warned the Councillor to cease that behaviour; or
 - (b) The Mayor, under section 19 of the Act, at a Council meeting, having previously warned the Councillor to cease that behaviour, may direct a Councillor to leave the meeting for a period of time or the balance of the Meeting.
- (4) Where Council suspends a Councillor under Sub-rule (3)(a), or the Mayor directs a Councillor to leave the meeting under Sub-rule (3)(b) the Councillor will take no active part in the portion of the Meeting from which he or she has been suspended.
- (5) If a Councillor has been suspended from a meeting or directed to leave in accordance with Sub-rule (3) the Chairperson may ask the Chief Executive Officer, an Authorised Officer of Council or a member of Victoria Police to remove the Councillor.

11.7 Final Ruling on a Point of Order

- (1) The decision of the Chairperson in respect to a point of order raised will not be open for discussion and will be final and conclusive.

12. MINUTES

Overview: The Minutes of a Meeting must contain details of the proceedings and resolutions made, be clearly expressed, be self-explanatory and incorporate relevant reports or a summary of the relevant reports considered in the decision-making process. The Minutes of a Council Meeting must be submitted to the next appropriate Council Meeting for confirmation.

12.1 Keeping of Minutes

- (1) The Chief Executive Officer or Delegate is responsible for the keeping of Minutes on behalf of Council. Those Minutes must record:
- (a) the date, place, time and nature of the Council Meeting;
 - (b) the names of Councillors and whether they are present, an apology, on leave of absence, etc.;
 - (c) the titles of the members of Council staff present who are not part of the gallery;
 - (d) the disclosure of a conflict of interest made by a Councillor in accordance with the Act;
 - (e) the arrivals and departures of Councillors, during the course of the Meeting (including any temporary departures or arrivals);
 - (f) every Motion and amendment moved (including procedural Motions);
 - (g) the outcome of every Motion moved;

- (h) where a division is called, the names of every Councillor and the way their vote was cast (and if they abstained);
- (i) when requested by a Councillor, a record of their support of, opposition to, or abstention from voting on any Motion, noting that under section 61(5) of the Act that a Councillor present at the meeting who does not vote is taken to have voted against the question;
- (j) details of any failure to achieve or maintain a quorum;
- (k) a summary of any question asked and the response provided as part of public question time;
- (l) details of any petitions made to Council;
- (m) the time and reason for any adjournment of the Meeting or suspension of standing orders;
- (n) any other matter, which the Chief Executive Officer thinks should be recorded to clarify the intention of the Meeting or assist in the reading of the Minutes; and
- (o) the time the Council Meeting was opened and closed, including any part of the Council Meeting that was closed to members of the public.

12.2 Confirmation of Minutes

- (1) The Minutes as recorded by the Chief Executive Officer, or Delegate, will be made available as the proposed Minutes to:
 - (a) Councillors, within seven days;
 - (b) members of the public, by publishing them on Council's website within seven days;of the Council Meeting they relate to.
- (2) At every Council Meeting the Minutes of the preceding Council Meeting(s) must be dealt with as follows:
 - (a) a Motion will be moved to confirm the Minutes in the following terms: 'That Council adopt the Minutes and resolutions of the Ordinary Council Meeting of(day).....(month).....';
 - (b) if a Councillor indicates opposition to the Minutes, the Councillor must specify the particular item or items in the Minutes and, after asking any questions to clarify the matter, can only move a Motion to rectify the alleged error(s) in the Minutes by adding the following words to the Motion in Sub-Rule (2)(a) '...subject to the following alteration(s).....';
 - (c) no debate or discussion is permitted on the confirmation of Minutes except as to their accuracy as a record of the proceedings of the Council Meeting to which they relate;

- (d) once the Minutes are confirmed in their original or amended form, the Minutes must, if practicable, be signed by the Chairperson of the Meeting at which they have been confirmed; and
- (e) the Minutes must be entered in the minute book and each item in the minute book must be entered consecutively.

12.3 Recording of Proceedings

- (1) A person in the gallery must not operate film, photographic, tape-recording or other equipment to reproduce sound and/or images at any Meeting without first obtaining the consent of the Chairperson.
- (2) The consent of the Chairperson may be revoked at any time during the course of a Meeting by the Chairperson stating that consent has been revoked and ordering that the recording cease.

13. SUSPENSION OF STANDING ORDERS

Overview: Standing Orders are the rules made to govern the procedure at Council Meetings contained in these Governance Rules. Standing Orders cover a range of matters including the order of business, rules of debate, procedural motions and election procedures. Standing Orders can be suspended to facilitate the business of a meeting.

- (1) To temporarily remove the constraints of formal meeting procedure and allow full discussion or clarification of an issue, Council may, by resolution, suspend standing orders in accordance with the procedural motion table at Rule 10.12.
- (2) No Motion can be accepted by the Chairperson or lawfully be dealt with during any suspension of standing orders, except a Motion to resume standing orders.
- (3) No Motion to suspend standing orders can be accepted by the Chairperson during a second extension of time for a Meeting.

14. DELEGATED COMMITTEES

Overview: Council may establish Delegated Committees as part of its good governance framework. Delegated Committees can comprise Councillors, members of Council staff and others and must be chaired by a Councillor. As Council may delegate specific powers, duties and functions to Committees, their meeting procedures need to be formal.

- (1) If Council establishes a Delegated Committee, these Rules will apply to the Delegated Committee Meetings with any necessary modifications.
- (2) For the purpose of Sub-Rule(1):
 - (a) a Council Meeting is to be read as a reference to a Delegated Committee Meeting;
 - (b) a Councillor is to be read as a reference to a Member of the Delegated Committee; and

- (c) a reference to the Mayor is to be read as a reference to the Chairperson of the Delegated Committee.
- (3) If Council establishes a Delegated Committee, Council may resolve that a provision of these Governance Rules do not apply to that Committee.

15. COMMUNITY ASSET COMMITTEES

Overview: Section 65 of the Act provides for Council to establish a Community Asset Committee for the management of a community asset such as a hall or recreation reserve. Council may appoint members of the community to the committee and delegate to it powers, duties or functions. The powers delegated to a Community Asset Committee must be limited in the amount and purpose of any financial delegation.

- (1) The Governance Rules may apply to any Community Asset Committee established by Council.
- (2) Council may resolve, in establishing a Community Asset Committee which sections of the Governance Rules apply but as a minimum must include Rule 12 Minutes.
- (3) A Community Asset Committee must report the Minutes of all Committee Meetings to the next practicable Council meeting.
- (4) A Community Asset Committee must act in accordance with its adopted Charter, Instrument of Delegation and any Terms of Reference adopted by Council.

16. AUDIT AND RISK COMMITTEE

Overview: The Act provides for Council to establish an Audit and Risk committee to provide oversight.

- (1) The Governance Rules will apply to the Audit and Risk Committee established by Council unless otherwise provided in the Audit and Risk Charter and Terms of Reference.
- (2) Council may resolve, in establishing an Audit and Risk Committee, that the meeting procedure Rules of these Governance Rules do not apply.
- (3) An Audit and Risk Committee must report the Minutes of all Committee Meetings to the next practicable Council meeting.
- (4) An Audit and Risk Committee must act in accordance with its adopted Charter and Terms of Reference adopted by Council.

17. ELECTION PERIOD POLICY

- (1) Council will have in place an Election Period Policy that:
 - (a) governs decision making during a local government election period, including what may be considered at a Council meeting;
 - (b) prohibits the use of Council resources for any election campaign purposes, including Federal, State or Council elections;

- (c) sets out the conditions for any community engagement required to be undertaken during an election period, including consultations and civic events;
 - (d) sets out the requirements for any Council publications during a local government election period – including the website, social media, newsletters and advertising – to ensure Council does not publish materials that relate to issues that are the subject of election campaigns;
 - (e) defines roles and responsibilities in relation to who is the spokesperson for Council during an election period; and
 - (f) sets out the requirements for a Councillor or member of Council staff who is a candidate in an election including a Federal, State or Council election.
- (2) At least once in each Council term and, not later than 12 months prior to the commencement of an election period, Council will review its Election Period Policy.
 - (3) The Election Period Policy forms part of these Governance Rules at Appendix 1.
 - (4) Any outstanding Delegate's Reports may still be reported to a Meeting of Council during this period.
 - (5) Council Committees shall resume meeting following the election and the appointment by the incoming Council of Councillors to each committee.

18. CONFLICT OF INTEREST

Overview: The Act defines general and material conflicts of interest and provides exemptions for remoteness and interests in common with a substantial proportion of ratepayers along with other specific circumstances.

The Act also provides Council must include in its Governance Rules procedures for disclosures of Conflicts of Interest, including at meetings conducted under the auspices of Council that are not Council meetings. Meetings conducted under the auspices of Council include those meetings arranged or hosted by Council.

These Rules provide the procedures for disclosures of conflicts of interest.

18.1 Obligations with regard to Conflict of Interest:

- (1) Councillors, Members of Delegated Committees and Council staff are required to:
 - (a) avoid all situations which may give rise to conflicts of interest;
 - (b) identify any conflicts of interest; and
 - (c) disclose or declare all conflicts of interest.

18.2 Councillors and Members of Delegated Committees

- (1) May not participate in discussion or decision-making on a matter in which they have a conflict of interest.

- (2) When disclosing a conflict of interest, Councillors must clearly state their connection to the matter.
- (3) All disclosures of conflicts of interest will be recorded in the Minutes of a Council or Delegated Committee Meeting.
- (4) Council will maintain a Conflict of Interest Register which will be made available upon request.

18.3 Procedure at a Council or Delegated Committee Meeting

- (1) At the time indicated in the Agenda, a Councillor with a conflict of interest in an item on the Agenda must indicate they have a conflict of interest by clearly stating:
 - (a) the item for which they have a conflict of interest;
 - (b) whether their conflict of interest is general or material; and
 - (c) the circumstances that give rise to the conflict of interest.
- (2) Immediately prior to the consideration of the item in which they have a conflict of interest, a Councillor or Member of a Delegated Committee must indicate to the Meeting the existence of the conflict of interest and leave the Meeting.
- (3) A Councillor who is not present at the designated time in the Agenda for disclosures of conflicts of interest, must disclose their conflict of interest in the manner required for the declarations of conflicts of interest at Sub-rule (1) prior to leaving the Meeting.
- (4) A Councillor or Member of a Delegated Committee who discloses a conflict of interest and leaves a Meeting must not communicate with any participants in the Meeting while the decision is being made.

18.4 Procedure at other meetings organised, hosted or supported by Council

- (1) A Councillor who has a conflict of interest must not participate in discussion of matters that will come before Council for a decision, or if a decision will be made by a member of staff acting under delegation.
- (2) At the time indicated on the Agenda, a Councillor with a conflict of interest will indicate the existence of the conflict of interest and the matter in which the conflict of interest arises.
- (3) If there is no Agenda, a Councillor with a conflict of interest will indicate the existence of the conflict of interest as soon the matter arises.
- (4) At the time for discussion of that item, the Councillor will leave the Meeting and not communicate with any members of the meeting for the duration of the discussion.
- (5) The existence of a conflict of interest will be recorded in the Minutes of the meeting.

- (6) If there are no Minutes kept of the meeting, the conflict of interest will be recorded in a meeting record and provided to Council's Governance team for recording in the register of Conflicts of Interest.
- (7) The meeting Minutes or record will also record the times when the Councillor left the Meeting and returned to the meeting.
- (8) Meeting records and reports will be presented to Council for noting and inclusion on the public record.

18.5 Council Staff

- (1) Must act in accordance with the Employee Code of Conduct.
- (2) Must not exercise a delegation or make a decision on any matter where they have a conflict of interest.
- (3) May be permitted to provide advice to a decision maker if a conflict of interest exists, subject to the procedure and disclosure provisions at Rule 18.6 and the Employee Code of Conduct.

18.6 Procedure for Disclosures of Conflicts of Interest by Council Staff

- (1) Council staff must disclose the existence of all conflicts of interest in writing and in the form determined by the Chief Executive Officer.
- (2) All conflicts of interest disclosed by Council staff will be provided to the Governance team for recording in the register of Conflicts of Interest.
- (3) A Council staff member who has disclosed a conflict of interest may provide advice to Council or another staff member acting under delegation if:
 - (a) The number and qualifications of other people providing advice regarding the same matter is equal or greater; or
 - (b) The staff member who has disclosed the conflict of interest is the only staff member with expertise in the area; and
 - (c) The staff member's General Manager determines that the conflict of interest has not influenced the advice provided; and
 - (d) The existence of the conflict of interest is documented in all advice provided by that staff member, and in the case of verbal advice, is documented by the decision maker.

19. JOINT COUNCIL MEETINGS

Overview: Regional collaboration provides benefits through collective procurement, increased advocacy and alignment for major projects. While on some matters that are worked on in partnership it's possible for the participating Councils to make their own decisions and determinations, in some circumstances, it may be beneficial to hold Joint Council Meetings as are provided for at section 62 of the Act.

- (1) Council may resolve to participate in a Joint Council meeting to consider:
 - (a) collaborative projects;

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- (b) collaborative procurement; or
 - (c) emergency response.
- (2) If Council has resolved to participate in a Joint Council meeting, the Chief Executive Officer (or Delegate) will agree on governance rules with the participating Council(s).
 - (3) Where Wellington Shire Council is the lead Council on a matter to be brought for consideration at a Joint Council meeting, the Mayor will be nominated to Chair the Joint Council meeting.
 - (4) A majority of Councillors will be appointed to represent Council at a Joint Council meeting.
 - (5) Consistent information will be provided to Councillors prior to any Joint Meeting and every endeavour will be made by the Chief Executive Officer to facilitate a joint briefing.
 - (6) A joint briefing arranged in accordance with Sub-rule (5) may be held electronically.

REVISION HISTORY AND REVIEW

VERSION	TYPE OF CHANGE	EFFECTIVE DATE	APPROVED BY	SUMMARY OF CHANGES
1	New policy	15 March 2016	Council	Creation of new policy as required by introduction of <i>Local Government Act 2020</i>

APPENDIX 1 – ELECTION PERIOD POLICY



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

Election Period Policy

Adopted XX XXXX 2020

ELECTION PERIOD POLICY

OVERVIEW

The purpose of this policy is to outline the conduct of Council during the Election Period for municipal General Elections. The policy aims to ensure that general elections are conducted in a manner that is ethical, fair and equitable, are publicly perceived as such and support the conduct of good governance for Council and the organisation during the Election Period for municipal General Elections. The policy will also facilitate the continuation of the ordinary business of local government throughout the election period in a responsible and transparent manner, in accordance with statutory requirements and established "Election Period" conventions.

This policy also commits Council during the Election Period to:

- avoid making significant new policies or decisions that could unreasonably bind a future Council; and
- ensure that public resources, including staff resources, are not used in election campaigning or in a way that may improperly influence the result of an election, or improperly advantage existing Councillors as candidates in the election.

THE POLICY

1. Background

- 1.1 In the lead up to an election the local government sector adopts an Election Period Policy to avoid actions and decisions that may be interpreted as influencing voters or binding an incoming Council. Specific provisions have been incorporated in the *Local Government Act 2020* (the Act), that prohibit Council from making major policy decisions or publishing or distributing electoral matter in an Election Period.
- 1.2 Section 69 of the Act prescribes the conduct of a Council during the Election Period. This policy is seen as a way to ensure that Council complies with the Act and the municipal elections for Wellington Shire Council are conducted in a manner that is fair, equitable, upholds the highest standards of democratic governance and is publicly perceived as such.

2. Definitions

- 2.1 It should be noted that where terms used in this policy are defined in the Act, their use in this policy is consistent with the definitions in the Act. Definitions used in this policy are detailed in Appendix 2.

3. Election Period

- 3.1 Starts at midnight on the last day on which nominations for the election can be received; and
- 3.2 Ends at 6:00pm on election day.

This translates to a commencement date of 32 days prior to the General Election and it starts at midnight on the last day on which nominations for that election can be received.

The Chief Executive Officer will ensure that all employees are informed of the requirements of this policy in advance of the Election Period commencing.

4. Decision Making

- 4.1 Careful consideration will be given to what decisions at council or special committee meetings should be made in the 32 days leading up to the general election, so that the incoming Councillors are not unreasonably compromised.
- 4.2 It is an established democratic principle that elected bodies should not unnecessarily bind government during an election period. The Council therefore commits to the principle that it will make every endeavour to avoid making decisions that bind the incoming Council.
- 4.3 This includes a commitment to not only comply with the requirements of Section 93A of the Act, pertaining to major policy decisions, but as well relating to significant decisions as specified within this policy.
- 4.4 Examples of the types of actions that should be avoided are:
 - allocation of community grants or other direct funding to community organisations;
 - major planning scheme amendments;
 - awarding of contracts both civil and service;
 - changes to strategic objective;
 - changes to strategies in the Council Plan;
 - asking Questions on Notice;
 - submitting Notices of Motion;
 - introduction of Late Items;
 - decisions relating to the employment or remuneration of a Chief Executive Officer, other than a decision to appoint an acting Chief Executive Officer (section 69(2)(a) of the Act); or
 - to terminate the appointment of a Chief Executive Officer.
- 4.5 Ordinary Council and Delegated Committee Meeting agendas and Unscheduled Council Meeting agendas and/or minutes are to be carefully vetted by the Chief Executive Officer and/or Corporate Management Team to ensure that no agenda item is included in any council agenda during the election period that could potentially influence voters' intentions or encourage candidates to use as part of electioneering under section 69(2) of the Act.
- 4.6 During the Election Period, the Chief Executive Officer will ensure that a "Election Period Statement" is included in every report submitted to an Ordinary Council Meeting and/or Unscheduled Meeting for a decision.
- 4.7 The "Election Period Statement" will specify one of the following:
 - a) The recommended decision is not a Major Policy Decision or a Significant Decision as defined by Council's Election Period Policy.

- b) The recommended decision is not a Major Policy Decision but is a Significant Decision as defined by Council's Election Period Policy however an exception should be made for the following reason/s: *[insert reasons for making an exemption]*.
- c) The recommended decision is to seek an exemption from the Minister because the matter requires a Major Policy Decision as defined by Council's Election Period Policy.
- d) The recommended decision is a Major Policy Decision, as defined by Council's Election Period Policy, however an extraordinary circumstances exemption was granted by the Minister for Local Government on *[insert date]*.

5. Major Policy Decisions

- 5.1 Section 69 of the Act prohibits a Council, Committee or a person acting under a delegation given by the Council from making a major policy decision during the Election Period for a General Election. If Council considers that there are extraordinary circumstances which require the making of a major policy decision during the election period, the Council may apply in writing to the Minister for an exemption. Rates and charges levied continue to apply under the relevant sections of the *Local Government Act 1989*.

6. Significant Decisions

- 6.1 Council will avoid making other decisions during the Election period that are of a significant nature and would unreasonably bind the incoming Council. Significant decisions include:
 - a) irrevocable decisions that commit the Council to substantial expenditure or major actions; and
 - b) irrevocable decisions that will have a major impact on the municipality or the community.

7. Public Consultation

7.1 Definition

Public consultation means a process which involves an invitation or invitations to individuals, groups, organisations or the community generally to comment on an issue or proposed action, proposed policy, and includes discussion of that matter with the public.

7.2 Right to Postpone

Public consultation may be undertaken during the Election Period to facilitate the day to day business of Council, to ensure matters continue to be proactively managed. Consultation will avoid express or implicit links to the election. In view of the potential for a matter or issue to become contentious or politically sensitive in the course of an Election period, Council reserves the right to postpone a matter if the issue is likely to affect voting.

7.3 Statutory Requirements

The requirements of 7.2 do not apply to public consultation required under the *Planning and Environment Act 1987*.

8. Council Resources

- 8.1 It is an established democratic principle that public resources must not be used in a manner that would influence the way people vote in elections. Council therefore commits to this principle in that it will ensure Council resources are not used inappropriately during a Council election. This includes a commitment to comply with the following procedures.
- 8.2 Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, the matter must be referred to the Chief Executive Officer or his or her delegate.
- 8.3 Council resources, including offices, support staff, hospitality services, equipment such as mobile phones, laptops, tablets and printers, and stationery will be used exclusively for normal Council business during the Election Period, and shall not be used in connection with any electioneering activity.
- 8.4 Reimbursements of Councillor's out-of-pocket expenses during the Election Period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.
- 8.5 No Council logos, letterheads or other corporate branding will be used for, or linked in any way to, a candidate's election campaign.
- 8.6 Photos or images taken or provided by Council are not to be used by Councillors for the purposes of electioneering or in support of their election campaign. This applies equally to images on Council's website that may be copied.
- 8.7 No election material or active campaigning is to be conducted at Council sponsored events or be displayed in any Council building.
- 8.8 In applying these principles, the Council understands that the following will be normal practice during the Election Period:
 - 8.8.1 Public events will only be organised and run if it is totally unavoidable to conduct such events during the Election period and then only with the express permission of the Chief Executive Officer;
 - 8.8.2 Speeches for Councillors will only be prepared by Media & Communications business unit in relation to events that are part of normal services or operation of the Council and such speeches will not be circulated or available for publication;
 - 8.8.3 Media services, including media releases, will not be provided to Councillors during the Election Period;
 - 8.8.4 Media releases will not mention or quote any Councillor(s) during the Election Period;
 - 8.8.5 All Council newsletters will not be printed during the Election Period; and
 - 8.8.6 Neither the Council logo nor Council stationery will be used by Councillors in any way that relates to the election.

9. Equipment and facilities provided to Councillors for the purpose of conducting normal Council business will not be used for campaigning purposes

- 9.1 Where Councillors have Council funded services, such as mobile phones, land lines and internet connections, and where it is impractical for Councillors to discontinue their use of these during the Election Period, Councillors will reimburse the Council for usage of those services during the Election Period that exceeds normal usage levels. Councillors may wish to consider the specific ways to administer this procedure. For instance, Councillors may decide to use a private phone for all election enquiries and publicise such number on election material.
- 9.2 Councillors standing for re-election must not use Council equipment as a resource to assist with election campaigns. This includes photos or images provided by Council for past Council specific activities

10. Information

10.1 Candidates' Access to Information

All election candidates have equal rights to information relevant to their election campaigns from the Council administration. Whilst it is important that sitting Councillors continue to receive information that is necessary to fulfill their existing elected roles, neither Councillors nor candidates will receive information or advice from Council officers that may improperly advantage candidates in the elections.

There will be complete transparency in the provision of all information and advice during the Election Period.

10.2 Information Request Register

An Information Request Register will be maintained by the Corporate Services business unit during the Election Period. This register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the responses given to those requests.

Responses to Councillors and candidate requests, as per clause 9.1, will be provided by the Chief Executive Officer or General Managers. Managers will be required to discuss the request and the proposed response with their General Manager prior to the response being provided.

Only Information that can reasonably be accessed will be released.

11. Misuse and Improper Direction of Position

- 11.1 Section 123 of the Act prescribes serious penalties for any Councillor who inappropriately makes use of their position or information obtained in the role of a Councillor, to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person or to cause, or attempt to cause, detriment to the Council or another person.

12. Assistance to Candidates

- 12.1 The Council affirms that all candidates for the Council election will be treated equally.
- 12.2 All election related enquiries from candidates, whether sitting Councillors or not, will be directed to the Election Manager or, where the matter is outside the responsibility of the Election Manager (such as the CEO list), to the Chief Executive Officer or a designated

member of Council staff.

- 12.3 Candidates will be informed of their obligation to complete a Nomination Form which will be available from the Election Manager and electronically via the Victorian Electoral Commission's website, accompanied by the nomination fee.
- 12.4 Candidates will also be informed of the requirements to complete and submit an "Election Campaign Donation Return Form" to the Chief Executive Officer within 40 days after the Election Day.

An election campaign donation form must:

- (a) Be in the prescribed form; and
- (b) Contain the prescribed detail in respect of any gifts received during the donation period, by the candidate or on behalf of the candidate, to be used for or in connection with the election campaign.

Donation period means the period—

- (a) commencing on whichever is the later of—
 - (i) 30 days after the last general election for the Council; or
 - (ii) 30 days after the last election for the Council at which the person required to give the election campaign donation return was a candidate; and
- (b) ending 30 days after election day in the current election for the Council;

13. Communication

- 13.1 Council communication will not be used in any way that might influence the outcome of a Council election.
- 13.2 During the Election Period, no employee will initiate any public statement that relates to an election issue. Public statements are not only formal press releases but also verbal comments at meetings, functions and events where attending as part of their Council role.
- 13.3 Any requests from Councillors for media advice or assistance during the Election Period will be channelled through the Chief Executive Officer.
- 13.4 In response to media enquiries, the Chief Executive Officer, General Managers or the Media and Public Relations team will only provide a response and such information should relate to current services and operations.
- 13.5 In the Election Period, no media releases will be issued quoting or featuring any Councillor.
- 13.6 During the Election Period, Council initiated communications shall be restricted to communication of normal Council activities.
- 13.7 No media advice or assistance will be provided to Councillors in relation to election campaign matters.
- 13.8 No publicity will be provided that involves specific Councillors.
- 13.9 Councillors should not use their position as an elected representative or their access to Council staff and other Council resources or information in support of an election campaign. This includes photos or images provided by Council for past Council

activities.

- 13.10 Contact with the local media will be restricted to the communication of normal Council activities and responding to questions not involving the election or possible election outcomes.
- 13.11 Publicity of Council events (if any during the Election Period) will be restricted to the communication of factual material and will not mention or quote any Councillor.
- 13.12 Councillor participation at Council sponsored events (if any during the Election Period) should not be used to gain attention in support of an election campaign. Council sponsored events includes launches, events, and any other public forum outside of the normal Council meeting cycle – the easiest way to deal with these is to simply not have them during the Election Period.

14. Council Publications

- 14.1 Council must refrain from printing, publishing or distributing or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer.

This is to ensure that Council does not utilise public funds that may influence or be seen to influence people's voting intentions.

- 14.2 The Chief Executive Officer must not intentionally or recklessly certify an electoral advertisement, handbill, pamphlet or notice during the election period unless it only contains information about the election process. – it is an offence for the Chief Executive Officer to contravene this requirement.
- 14.3 Electoral matter is any matter that is intended or likely to affect voting in an election.
- 14.4 Certification by the Chief Executive Officer must be in writing and cannot be delegated. Certification wording – over the Chief Executive Officers signature – should be as follows:

“Certified by the Chief Executive Officer that this document does not contain electioneering material in accordance with the Local Government Act 2020.”

- 14.5 A Councillor or member of Council staff must not intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed an electoral advertisement, handbill, pamphlet or notice during the election period on behalf of, or in the name of, the Council or on behalf of, or in the name of, a Councillor using Council resources if the electoral advertisement, handbill, pamphlet or notice has not been certified by the Chief Executive Officer.
- 14.6 Electoral material has been interpreted to refer to documents produced for the purpose of communicating with the community, including:
- Council newsletters;
 - Advertisements and notices, for example job advertisements and public notices of contracts;
 - Media releases;
 - Leaflets and brochures;

- Mailouts to multiple addresses.

All the above publications will require certification by the Chief Executive Officer.

Material is definitely electoral matter if it consists of any of the following:

- publicises the strength or weakness of a candidate;
- advocates the policies of the Council or of a candidate;
- responds to claims made by a candidate;
- publicises the achievements of the elected Council;
- publicises matters that have already been the subject of public debate;
- about matters that are known to be contentious in the community and likely to be the subject of election debate;
- dealing with Election Candidates' statements;
- referring to Councillors or candidates by name or by implicit reference.

14.7 The publication of material specified above applies to all of Council's websites under the auspice of Council. ***Any new pages on the website or new material will require certification by the Chief Executive Officer during the Election Period.***

14.8 The recommended practice, in line with State and Federal Governments, is where possible; avoid all publication activity during the Election Period except where it is essential for the conduct of Council operations.

14.9 A number of Council publications with reference to either current Councillors or candidates, both on the website and public display will be withdrawn from display during the Election Period.

14.10 During the Election Period, Council's website will not contain material which is precluded by this policy or the statutory requirements relating to publications. Any references to the election will only relate to the election process.

14.11 Profiles of the current Mayor and Councillors will be removed from Council's website during the Election Period but retain their contact details for their day-to-day role as a Councillor i.e. names, photos and mobile phone numbers.

14.12 Any new material published on Council's website during the Election Period that may be considered to be an advertisement, handbill, pamphlet or notice must also be subject to the certification process via the Chief Executive Officer.

14.13 Council is required by the Act to produce an annual report, and the annual report may be published during the Election Period. The annual report will not contain any material that could be regarded as overt electioneering or that inappropriately promotes individual Councillors but will fulfill its statutory obligations on reporting matters. In accordance with the requirements of section 100 of the Act, Council may be required to consider the annual report at a meeting of Council held during the Election Period.

14.14 Social media – any publication on social media sites such as Facebook, Twitter or

**DRAFT FOR PUBLIC CONSULTATION ONLY
NOT YET ADOPTED BY COUNCIL RESOLUTION**

Council blogs that are under the auspice of Council will also require certification by the Chief Executive Officer.

DRAFT

APPENDIX 1 RELEVANT ACT REFERENCE

Local Government Act 2020

69 Governance Rules to include election period policy

- (1) *A Council must include an election period policy in its Governance Rules.*
- (2) *An election period policy must prohibit any Council decision during the election period for a general election that—*
 - (a) *relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or*
 - (b) *commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or*
 - (c) *the Council considers could be reasonably deferred until the next Council is in place; or*
 - (d) *the Council considers should not be made during an election period.*
- (3) *An election period policy must prohibit any Council decision during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.*
- (4) *A Council decision made in contravention of subsection (2)(a) or (b) is invalid.*
- (5) *Any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid by virtue of subsection (4) is entitled to compensation from the Council for that loss or damage.*

APPENDIX 2 DEFINITIONS

It should be noted that some of the terms used in this policy are defined in the *Local Government Act 2020* (the Act) and their use in this policy is consistent with the Act.

Community engagement principles means the principles specified in section 56 of the Act as follows:

56 The community engagement principles

The following are the community engagement principles—

- (a) *a community engagement process must have a clearly defined objective and scope;*
- (b) *participants in community engagement must have access to objective, relevant and timely information to inform their participation;*
- (c) *participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement;*
- (d) *participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;*
- (e) *participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making.*

Donation period means the period—

- (a) commencing on whichever is the later of—
 - (i) 30 days after the last general election for the Council; or
 - (ii) 30 days after the last election for the Council at which the person required to give the election campaign donation return was a candidate; and
- (b) ending 30 days after election day in the current election for the Council;

Election period means the period that—

- (a) starts at the time that nominations close on nomination day; and
- (b) ends at 6 p.m. on election day;

Electoral material means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper that is only announcing the holding of a meeting.

Electoral matter is not defined in the Act but has the same meaning as matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the Election Manager for the purposes of conducting an election.

Major Policy Decision is not defined under the Act but has the same meaning as any decision:

- (a) the remuneration, appointment or dismissal of a Chief Executive Officer;

- (b) entering into any contracts worth more than 1% of the Council's revenue from rates and charges levied under section 158 of the *Local Government Act 1989* (the 1989 Act) in the previous financial year; and
- (c) the exercise of any entrepreneurial power under section 193 of the 1989 Act if the amount assessed under section 193(5A) of the 1989 Act in respect of the proposal exceeds whichever is greater of \$100,000 or 1% of the Council's revenue from rates and charges levied under section 158 of the 1989 Act in the previous financial year.

Public Consultation is not defined in the Act, but means a process which involves an invitation or invitations to individuals, groups, organisations or the community generally to comment on an issue or proposed action, proposed policy, and includes discussion of that matter with the public.

Publish means publish by any means including by publication on the Internet;

Significant Decision is not defined in the Act, but in this context means an irrevocable decision that significantly affects the municipality.

HUMAN RIGHTS

Wellington Shire Council is committed to upholding the Human Rights principles as outlined in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and referred to in Council's Human Rights Policy. The Human Rights Checklist has been completed and this policy accords with Council's policy commitment to uphold human rights principles.

RELATED DOCUMENTS

Type:	Details:
General	Gifts and Donations Register Employee Code of Conduct Councillor Code of Conduct Human Rights Charter

REVISION HISTORY AND REVIEW

VERSION	TYPE OF CHANGE	EFFECTIVE DATE	APPROVED BY	SUMMARY OF CHANGES
1	New policy	15 March 2016	Council	Creation of new policy as required by updated legislation
2	Minor Review	17 December 2019	Council	Minor formatting
3	Major Review	1 September 2020	Council	Changes to section references and definitions in line with introduction of <i>Local Government Act 2020</i>



The Heart of Gippsland

The Resolution for amending this Local Law was passed at a meeting of the Wellington Shire Council held on XX XXXX 2020

The Common Seal of WELLINGTON)
SHIRE COUNCIL was hereunto affixed)
this day of 2020)
in accordance with Local Law No. 1)
in the presence of;

Chief Executive Officer

Originally adopted 21 October 2014
Revision adopted XX XXXX 2020



**Processes of Municipal Government
(Common Seal and Enforcement and Penalties) Local Law**

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EXPLANATORY NOTES

Local Law No 1 was adopted by Council in July 2014 and will expire in July 2024.

The introduction of the *Local Government Act 2020* (the Act) requires Governance Rules to replace Local Law No 1 which was made under the *Local Government Act 1989*. The aim of the Act is to provide good governance in the modern day which will allow Council to administer local government in a way that is less prescriptive and more inclusive in its strategies and practices.

Under the Act, it is necessary to remake Local Law 1 whereby the majority of the provisions are transitioned to the Governance Rules and the remaining provisions are those that are not provided for under the Act and thus the Governance Rules. Under the *Local Government Act 1989*, the process to remake a local law is the same as making a new local law (s119), requiring engagement under section 223 for 28 days. This process will commence on the date the notice appears in the Victorian Government Gazette.

PART 1

COMMON SEAL, LOGO & LETTERHEAD

L1.1 THE COUNCIL'S COMMON SEAL

- (1) The Chief Executive Officer must ensure the security of the Council's Common Seal at all times.
- (2) The Council's Common Seal may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the Chief Executive Officer or some other senior officer authorised by him or her.
- (3) Any person who uses the Council's Common Seal without authority is guilty of an offence.
- (4) Any person who uses any replica of the Council's Seal without authority is guilty of an offence.
- (5) For Ceremonial documents, the sealing clause may provide for the signature of the Mayor, Councillor and Chief Executive Officer.

Wellington Shire Council Common Seal reads as:

The Common Seal of WELLINGTON)
SHIRE COUNCIL was hereunto affixed)
this day of 2....)
in accordance with Local Law No. 1)
in the presence of:)

.....
Chief Executive Officer

PART 2

ENFORCEMENT AND PENALTIES

L2.1 OFFENCES

- (1) Where any provision in this Local Law requires that something must not be done under any circumstances, any person who does that act is guilty of an offence.
- (2) Where any provision in this Local Law requires that something must be done, any person who fails to do that act is guilty of an offence.

L2.2 PENALTIES

- (1) A person found guilty of an offence under this Local Law is subject to a penalty of 20 penalty units.
- (2) Schedule 1 of this Local Law sets out penalties for infringement notices which may be issued as an alternative to prosecution in respect of offences against this Local Law where Council or its Authorised Officers determine to proceed by infringement notice.

L2.3 INFRINGEMENT NOTICE

- (1) An Authorised Officer may serve an infringement notice under this Local Law in the form of Schedule 2 on any person whom the officer believes has committed an infringement referred to in Schedule 1 requiring the person to pay the penalty for the infringement within 28 days of the issue of the infringement notice.
- (2) If the infringement notice is not withdrawn and the person pays to the Council the amount required by the infringement notice within the period of 28 days or such further period as the Council or an Authorised Officer may allow, no further action will be taken.
- (3) Any person issued with an infringement notice may make a written representation to the Council, marked to the attention of the Chief Executive Officer, officer in charge of Local Laws administration or any other person authorised by the Council to receive such representations within 28 days of the issue of the infringement notice.
- (4) A written representation received by the Council in accordance with sub-clause (3) within 28 days of the issue of the infringement notice must be considered, together with any other relevant information received within that period, by the relevant authorised person under sub-clause (3).
- (5) Subject to sub-clause (11) the decision of the Chief Executive Officer or officer in charge of Local Laws administration or such other person as the Council authorises on any representations received will be final.
- (6) The Council or the Chief Executive Officer or officer in charge of Local Laws administration or such other person as the Council authorises may at any time withdraw an infringement notice either as a result of consideration of any representation made or with a view to prosecuting for an offence.

- (7) Where an infringement notice is withdrawn, the person upon whom it was served must be refunded any payment which that person has made on the infringement notice.
- (8) If the penalty referred to in an infringement notice has been paid within 28 days of its issue and no representation has been received by the Council or its officers, no decision may be made to withdraw the infringement notice and prosecute the offence after the expiry of 28 days from the issue of the infringement notice.
- (9) A withdrawal of an infringement notice must be served in accordance with section 234 of the Act.
- (10) In the event of the failure of a person served with an infringement notice to pay the amount specified within 28 days of the issue of the notice or such further time as the Council or the Authorised Officer may permit, the Council or the Authorised Officer may pursue the matter by prosecuting for an offence or by taking any steps which may be available for enforcing penalties by registration of infringement notices.
- (11) Any person served with an infringement notice under this Local Law is entitled to disregard the notice and defend the prosecution in Court.

SCHEDULE 1

PROCESSES OF MUNICIPAL GOVERNMENT (COMMON SEAL AND ENFORCEMENT AND PENALTIES) LOCAL LAW

WELLINGTON SHIRE COUNCIL

PENALTIES FOR INFRINGEMENT NOTICE PURPOSES IN RESPECT OF OFFENCES AGAINST THIS LOCAL LAW

OFFENCES AGAINST LOCAL LAW NO. 1-2020	PENALTY UNITS
Failure to comply with Chairpersons direction	20
Using Council's Common Seal without authority.....	20

SCHEDULE 2

PROCESS OF MUNICIPAL GOVERNMENT

(COMMON SEAL AND ENFORCEMENT AND PENALTIES) LOCAL LAW

WELLINGTON SHIRE COUNCIL

INFRINGEMENT NOTICE

Will be in the form provided by Council and in compliance with the requirements of Section 117 of the *Local Government Act 1989* (also reflected in Section 81 of the *Local Government Act 2020*).



C3 - REPORT

GENERAL MANAGER DEVELOPMENT

ITEM C3.1**BUILDING QUARTERLY REPORT JANUARY - MARCH 2020**

DIVISION: DEVELOPMENT

ACTION OFFICER: MANAGER MUNICIPAL SERVICES

DATE: 21 JULY 2020

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
	✓	✓	✓	✓					

OBJECTIVE

To provide a report to Council on building permits issued in the Wellington Shire during the quarter January to March 2020, for information.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That Council note the report of building permits issued from 1 January 2020 to 31 March 2020.

BACKGROUND

Building permits are issued by private building surveyors, and copies of permits are provided to Council. The permits, plans and other documents, are filed by Council and recorded on a register of building permits. Building permits are issued for a range of developments, including dwellings, extensions and fences, as well as commercial and industrial buildings.

Attachment 1 provides an overview by township, of the number of permits issued along with the estimated value of construction, for the three-month period ending 31 March 2020.

Attachments 2 and 3 provide a historical representation of the number and value of permits issued in Wellington Shire and compares this data against the broader Gippsland region.

For the period 1 January 2020 to 31 March 2020 there were 215 permits issued with an estimated value of work at \$36,683,794. The major projects include:

- BOISDALE – Upgrades to school
- FULHAM – Prison – Completion (Stage 2) of Health Care Centre
- WOODSIDE BEACH – dwelling extension (large 368sq mt) and is a complicated build, two storey in one area with a lot of steel work involved
- MAFFRA – Major Alterations to age care facility (Stretton Park)
Upgrade/Addition to school (St Marys Primary School)
- TOONGABBIE – Broiler Farm - 8 sheds & offices (Hendersons Rd)
- Dog Racing Facility

In the previous quarter, 1 October to 31 December 2019, there were 258 permits issued with an estimated value of work at \$39,258,637.

OPTIONS

Council has the following options available:

1. Receive this Building Permits report; or
2. Not receive this Building Permits report and seek further information for consideration at a future Council meeting.

PROPOSAL

That Council note the report on building permits issued within Wellington Shire from 1 January 2020 to 31 March 2020.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

COMMUNICATION IMPACT

The quarterly report provides information on the number of building permits, and cost of development per town, within the Wellington Shire. Gippsland-wide building activity is also provided, to demonstrate how the Wellington Shire area performs in comparison.

LEGISLATIVE IMPACT

Building permits are issued in accordance with *Building Act 1993*, Building Regulations 2006 and the Wellington Planning Scheme.

COUNCIL POLICY IMPACT

All building permits issued by private building surveyors are registered and filed as per the timelines set out in the Municipal Services Business Plan.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 2 Services & Infrastructure states the following strategic objective and related strategy:

Strategic Objective 2.3: *"Wellington Shire is well planned, considering long term growth and sustainability."*

Strategy 2.3.1: *"Continue to provide strategic planning to encourage long term growth and sustainability in Wellington Shire."*

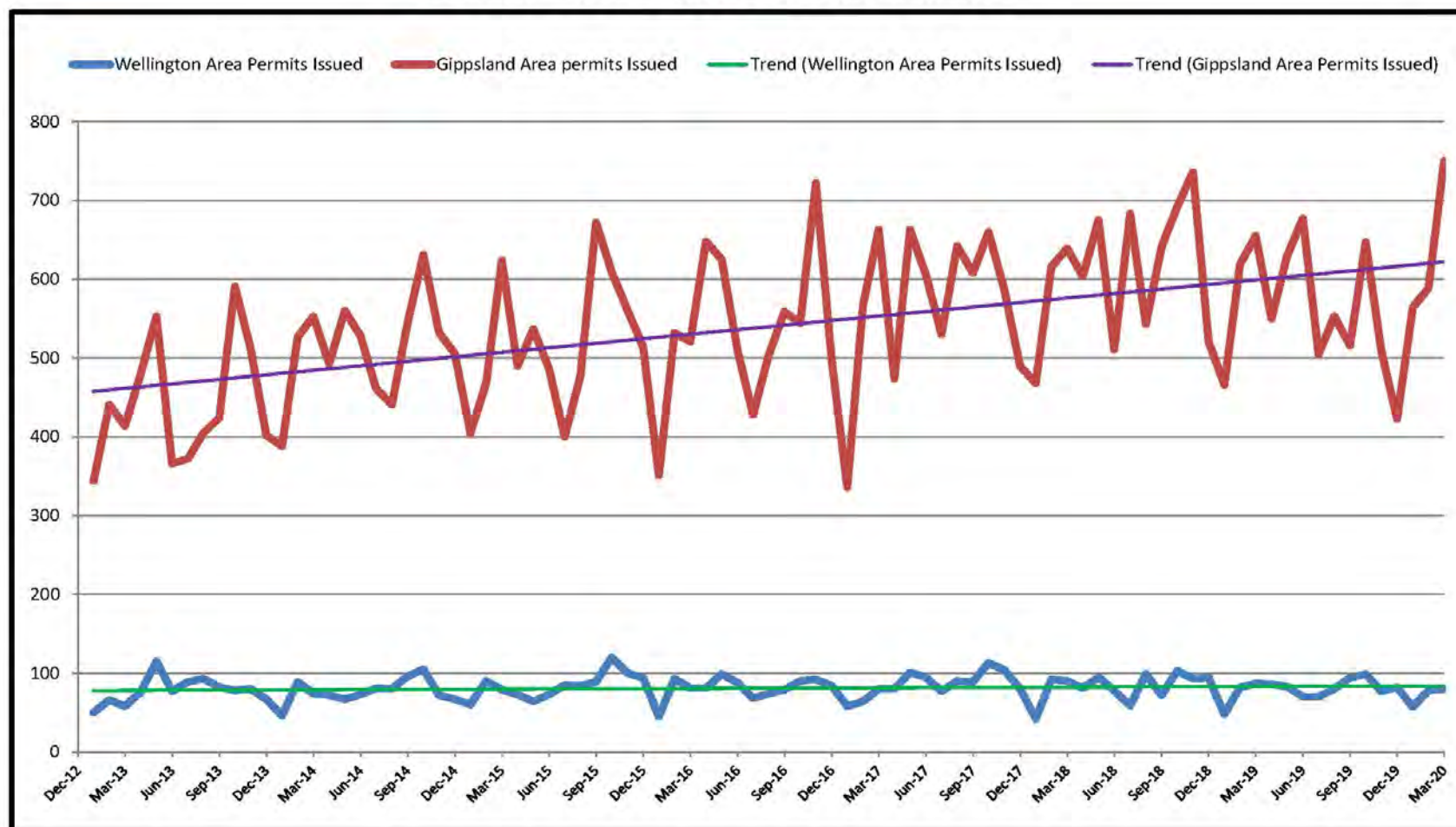
This report supports the above Council Plan strategic objective and strategy.

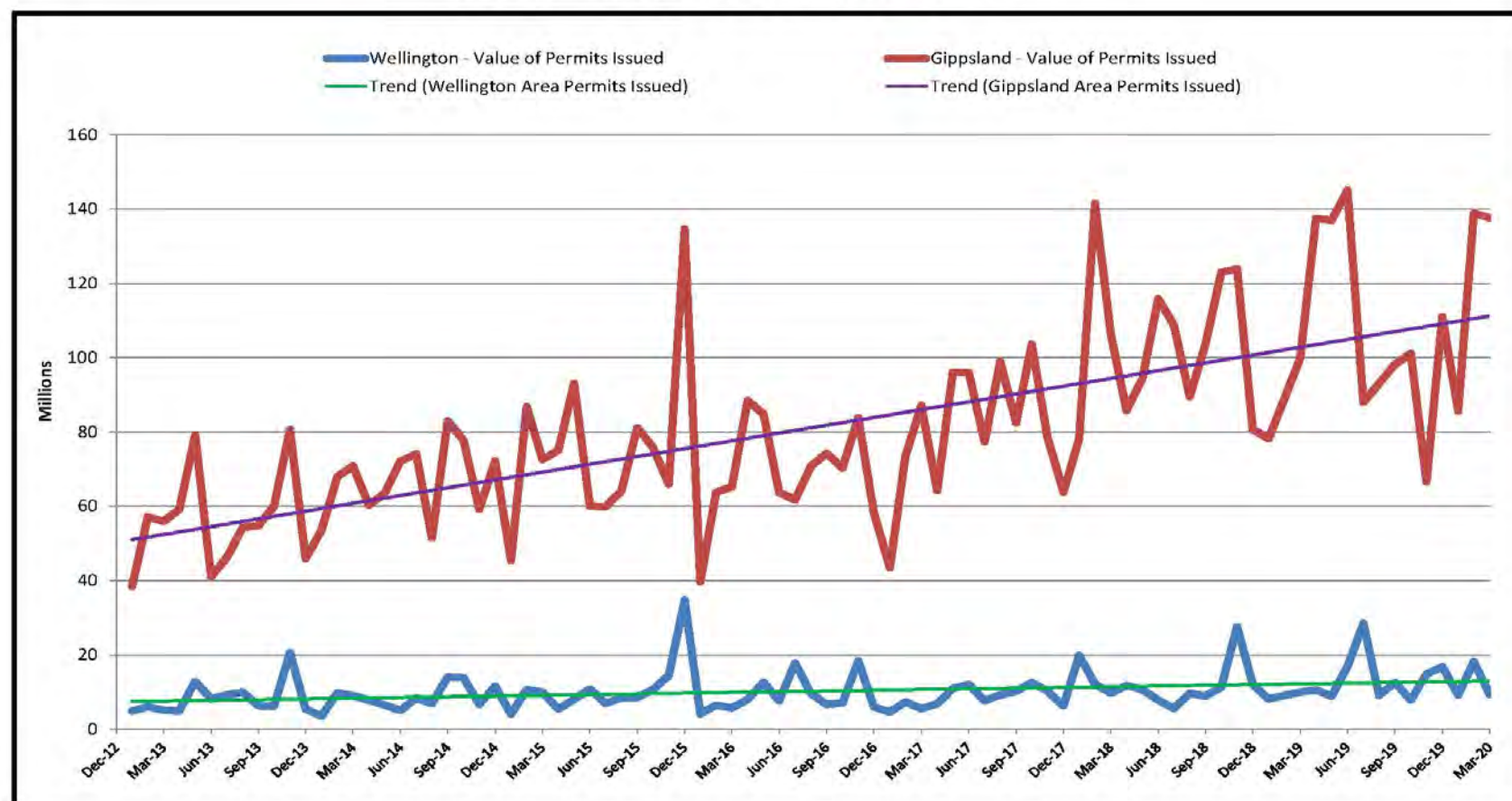
WELLINGTON PERMITS ISSUED
 Number of Applications and their Estimated Value Each Month

	January	February	March	Total
ALBERTON	0	1	0	1.00
	\$0	\$8,320	\$0	\$8,320
ALBERTON WEST	0	1	0	1.00
	\$0	\$7,200	\$0	\$7,200
BOISDALE	2	2	1	5.00
	\$40,090	\$1,493,647	\$78,800	\$1,612,537
BRIAGOLONG	3	2	3	8.00
	\$302,171	\$64,446	\$50,630	\$417,247
CARRAJUNG	1	1	0	2.00
	\$34,018	\$28,000	\$0	\$62,018
COBAINS	1	0	0	1.00
	\$5,000	\$0	\$0	\$5,000
COWWARR	0	1	0	1.00
	\$0	\$120,000	\$0	\$120,000
DENISON	1	0	0	1.00
	\$55,500	\$0	\$0	\$55,500
DEVON NORTH	1	0	0	1.00
	\$44,500	\$0	\$0	\$44,500
FULHAM	1	0	1	2.00
	\$2,696,899	\$0	\$0	\$2,696,899
GIFFARD WEST	0	0	1	1.00
	\$0	\$0	\$12,750	\$12,750
GLENMAGGIE	0	1	1	2.00
	\$0	\$20,000	\$12,000	\$32,000
GOLDEN BEACH	1	2	2	5.00
	\$433,601	\$20,650	\$549,776	\$1,004,027
GORMANDALE	0	1	1	2.00
	\$0	\$13,310	\$31,000	\$44,310
HEYFIELD	3	1	9	13.00
	\$388,318	\$15,500	\$1,086,812	\$1,490,630
JACK RIVER	0	1	0	1.00
	\$0	\$33,825	\$0	\$33,825
KILMANY	0	1	0	1.00
	\$0	\$36,441	\$0	\$36,441

LOCH SPORT	5	5	4	14.00
	\$843,838	\$63,996	\$79,279	\$987,113
LONGFORD	3	2	4	9.00
	\$279,521	\$69,050	\$990,646	\$1,339,217
MADALYA	0	0	1	1.00
	\$0	\$0	\$150,000	\$150,000
MAFFRA	7	7	7	21.00
	\$575,821	\$3,528,003	\$1,074,959	\$5,178,783
MAFFRA WEST UPPER	0	1	0	1.00
	\$0	\$199,298	\$0	\$199,298
MCLOUGHLINS BEACH	0	1	0	1.00
	\$0	\$15,400	\$0	\$15,400
MUNRO	0	0	1	1.00
	\$0	\$0	\$311,414	\$311,414
MYRTLEBANK	0	1	0	1.00
	\$0	\$15,500	\$0	\$15,500
NAMBROK	0	1	0	1.00
	\$0	\$10,090	\$0	\$10,090
PARADISE BEACH	0	0	1	1.00
	\$0	\$0	\$6,600	\$6,600
PORT ALBERT	0	1	1	2.00
	\$0	\$12,500	\$38,238	\$50,738
ROBERTSONS BEACH	0	0	1	1.00
	\$0	\$0	\$22,020	\$22,020
ROSEDALE	4	3	4	11.00
	\$244,220	\$477,836	\$352,655	\$1,074,711
SALE	11	19	15	45.00
	\$1,419,210	\$2,748,275	\$1,417,366	\$5,584,851
SEASPRAY	1	0	1	2.00
	\$8,833	\$0	\$7,100	\$15,933
SEATON	0	1	0	1.00
	\$0	\$14,000	\$0	\$14,000
STRADBROKE	0	0	1	1.00
	\$0	\$0	\$252,614	\$252,614
STRATFORD	2	11	6	19.00
	\$212,345	\$1,087,501	\$1,696,606	\$2,996,452
THE HONEYSUCKLES	2	2	1	5.00
	\$193,263	\$199,677	\$71,000	\$463,940

TOONGABBIE	2	1	1	4.00
	\$692,773	\$6,282,252	\$650,000	\$7,625,025
VALENCIA CREEK	0	0	1	1.00
	\$0	\$0	\$29,425	\$29,425
WOODSIDE BEACH	0	2	0	2.00
	\$0	\$1,339,566	\$0	\$1,339,566
WURRUK	3	1	4	8.00
	\$696,840	\$15,000	\$244,862	\$956,702
YARRAM	3	4	7	14.00
	\$31,616	\$192,064	\$137,518	\$361,198
Total	57.00	78.00	80.00	215.00
	9,198,377	18,131,347	9,354,070	36,683,794

GRAPH: NUMBER OF BUILDING PERMITS

GRAPH: VALUE OF BUILDING WORKS

ITEM C3.2**CENTRAL GIPPSLAND TOURISM (CGT) QUARTERLY REPORT
APRIL - JUNE 2020**

DIVISION: DEVELOPMENT
ACTION OFFICER: MANAGER BUSINESS DEVELOPMENT
DATE: 21 JULY 2020

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
				✓					

OBJECTIVE

To receive the quarterly report from Central Gippsland Tourism (CGT) for the quarter April to June 2020.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That Council receive the report from Central Gippsland Tourism (CGT) for the quarter April to June 2020.

BACKGROUND

CGT is Wellington's Regional Tourism body engaged by the industry to strengthen relationships between tourism boards, Council and tourism businesses in the region.

Council commenced a new 18-month Memorandum of Understanding (MOU) with CGT on 1 October 2019.

The MOU between Council and CGT outlines CGT's key responsibilities including promotion of tourism attributes and operators, visitor attractions and the overall Wellington Shire and Central Gippsland region.

The MOU requires CGT to provide quarterly reporting to Council.

OPTIONS

Council has the following options available:

1. To receive the report from Central Gippsland Tourism (CGT) for the quarter April to June 2020;
2. Request additional information to be considered at a future Council Meeting.

PROPOSAL

That Council receive the report from Central Gippsland Tourism (CGT) for the quarter April to June 2020.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 5 Economy states the following strategic objective and related strategy:

Strategic Objective 5.3: *"Grow Wellington Shire's visitor economy."*

Strategy 5.3.1: *"Work with key stakeholder organisations to increase consumer awareness of Wellington Shire's strengths."*

This report supports the above Council Plan strategic objective and strategy.



Central Gippsland Tourism (CGT) Marketing Activity Update – July 2020

The Central Gippsland Tourism Marketing Action Plan aligns the organisations core objectives, budget and available resources and becomes the work plan for implementation by its staff and board. This marketing plan is a flexible document, allowing us to shift priorities to best utilise opportunities that arise in line with the organisation priorities and goals. The marketing plan has two streams of activity; marketing and event related activity and industry engagement and development.

To achieve our vision and perform our role, we are pursuing five priority areas over the 12 months.

- Maximise the reach of the region through alignment with the new Gippsland brand by making it central to all marketing activity
- Maintain strong relationships and advocate for local operators whilst driving a collaborative, targeted marketing effort to enhance capabilities and reduce duplication.
- Achieve greater digital marketing capability and effectiveness for Central Gippsland and the tourism industry
- Inform and support the local tourism sector by providing media, research, imagery and marketing services to help partners achieve their marketing goals
- Establish a viable commercial plan that will guarantee long term relevance and viability

The below table outlines the approach we are taking, the associated actions, some performance measures and an ongoing YTD status report.

Approach	Actions	Performance Measure	Status report
Maximise the reach of the region through alignment with the new Gippsland brand by making it central to all marketing activity	<ul style="list-style-type: none"> Launch new consumer website for Central Gippsland 	<p>Website and general marketing collateral consistent with Gipps Central Wonder Land branding.</p> <p>Website analytics</p> <ul style="list-style-type: none"> - New Users: 25% increase <ul style="list-style-type: none"> ○ AUG19 = 61,423 - Sessions: 25% increase <ul style="list-style-type: none"> ○ AUG19 = 77,560 - Session time: 2.00 mins <ul style="list-style-type: none"> ○ AUG19 = 1.14 - Bounce rate: 60% <ul style="list-style-type: none"> ○ AUG19 = 74.04% - Pages per session: 2.5 <ul style="list-style-type: none"> ○ AUG19 = 1.73 	<p>Complete with new content generation ongoing (See Appendix 1)</p> <p>As at 03/07/20</p> <ul style="list-style-type: none"> - New Users: 1881 - Sessions: 3835 - Session time: 1.49 mins - Bounce rate: 63.34% - Pages per session: 2.06 - 31% 29-34 year olds - 65% Female (See Appendix 2)
	<ul style="list-style-type: none"> Rebrand CGT social media platforms 	<p>Facebook and Instagram consistent with Gipps Central Wonder Land branding.</p>	<p>Complete (See Appendix 3)</p> <p>Stage 1 of 3 social content campaign completed with 4 x new clips created highlighting CG pillars. (See Appendix 4)</p> <p>Stages 2 and 3 of campaign being worked on currently</p>

Maintain strong relationships and advocate for local operators whilst driving a collaborative, targeted marketing effort to enhance capabilities and reduce duplication.	<ul style="list-style-type: none"> Support beneficial strategic marketing initiatives as delivered by Destination Gippsland and fund where required 	TBC	Ongoing
	<ul style="list-style-type: none"> Provide Destination Gippsland with key local content and assets to promote Central Gippsland visitation 	Ongoing update of CGT content with DG	Ongoing
	<ul style="list-style-type: none"> Development of CGT industry Facebook page 	Page set up	Complete with 214 members currently (See appendix 5)
	<ul style="list-style-type: none"> Meet with all relevant BTAs 	Meet with: <ul style="list-style-type: none"> - Wellington - Stratford - Maffra BTA - Sale BTA - Yarram Traders Assoc - Heyfield - Tarra Territory Tourism 	Pending Will be completed following Covid restrictions
	<ul style="list-style-type: none"> Drive understanding and uptake of Australian Tourism Data Warehouse (ATDW) listings and opportunities 	30 Listings	In Progress with 28 current listings
	<ul style="list-style-type: none"> Represent Central Gippsland and industry at trade shows that reflect the region's competitive strengths 	Attend three trade shows	Ongoing Number of trade shows cancelled in 2020
	<ul style="list-style-type: none"> Develop and support a suite of events hosted in Central Gippsland with a focus on drawing new visitors to the region 	Implementation of innovative strategies to increase visitation to new or existing events, including event development and marketing	Pending
	<ul style="list-style-type: none"> Proactively invest in the promotion of Central Gippsland through the organisation and hosting of the Annual Central Gippsland People's Choice Awards 	Successful event execution	Event has been postponed due to current lock down

CGT Marketing Activity Council Update July 2020

2

	<ul style="list-style-type: none"> Demonstrate broad promotion of subsidised advertising opportunities throughout CGT's business tourism network Support the economic recovery of fire and drought affected areas across Central Gippsland 	<p>Execute at least 3 campaigns designed to boost operator buy in and in kind support.</p> <p>Distribution of information, marketing support and direct application for grant funding</p>	<p>Postponed due to covid</p> <p>Ongoing</p> <p>President Nathan Smith representing CGT on Business Boost working group</p>
Achieve greater digital marketing capability and effectiveness for Central Gippsland and the tourism industry	<ul style="list-style-type: none"> Regular posts on Facebook and Instagram with content sourced from tourism operators, BTAs, visitors, operators and council Develop a social media strategy inline with Destination Gippsland, linking outcomes to the Gippsland Visitor economy digital strategy 	<p>Social analytics</p> <ul style="list-style-type: none"> - FB likes to reach 4,100 AUG19 = 3,115 - Engaged users: up 20% AUG19 = 40,772 - FB total imps: up 10% AUG19 = 375,622 - Instagram to reach 1200 follows AUG19 = 717 	<p>Ongoing</p> <p>YTD stats as at 03/07</p> <ul style="list-style-type: none"> - 3,627 - 16,180 - 535,984 - 1504
Inform and support the local tourism sector by providing media, research, imagery and marketing services to help partners achieve their marketing goals	<ul style="list-style-type: none"> Develop a database of tools and templates including photography, video and advertising assets Attract journalists to Central Gippsland from publications that result in articles/ exposure in print/online publications Deliver a range of short and practical training workshops relevant to local operators the tourism industry 	<p>Maintenance and distribution of asset library</p> <p>3 articles/exposure in print/online publications with circulation over 100,000 viewers or target markets aligned with CG's competitive strengths</p> <p>Deliver at least 3 seminars or workshops</p>	<p>In Progress</p> <p>Pending</p> <p>Pending Bushfire workshop in Nov19 cancelled due to poor numbers and Socials workshop in Apr20 postponed</p>

CGT Marketing Activity Council Update July 2020

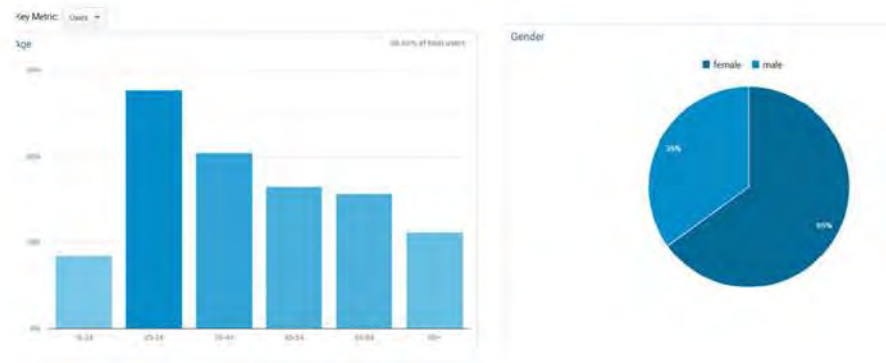
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	<ul style="list-style-type: none"> • Raise awareness of the significance of Tourism and its operators through the delivery of a Local Hero's campaign • Conduct an industry survey to understand satisfaction, industry trends and ensure operator buy in. 	<p>Local media uptake of at least 6 profiles</p> <p>Conduct industry satisfaction survey to seek feedback on external marketing activities and industry development</p>	<p>Launched in Feb with fortnightly articles ongoing</p> <p>Due December</p>
Establish a viable commercial plan that will guarantee long term relevance and viability	<ul style="list-style-type: none"> • Review of past and existing model followed by the design and delivery of a robust commercial plan outlining long term revenue streams (membership, events, sponsorship, grants etc) and desired outcomes 	Delivery of commercial plan	Pending

Appendix 1



Appendix 2



Appendix 3



Appendix 4



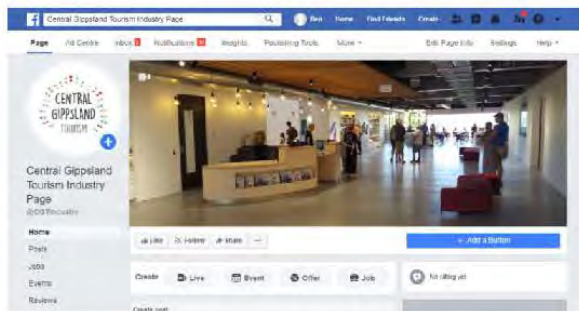
from the mountains
to the sea
and a million experiences
in between



from the mountains
to the sea
and a million experiences
in between



Appendix 5





C4 - REPORT

GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

ITEM C4.1**ECONOMIC STIMULUS MEASURES IN THE CONSERVATION AND LAND MANAGEMENT SECTOR**

DIVISION: BUILT AND NATURAL ENVIRONMENT
 ACTION OFFICER: MANAGER NATURAL ENVIRONMENT AND PARKS
 DATE: 21 JULY 2020

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
✓	✓			✓		✓	✓		

OBJECTIVE

To seek Council support for State and Federal Government investment in a job's rich conservation and land management stimulus package as part of the economic response to COVID-19 as outlined by a partnership of over 70 farming and conservation groups across Australia.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That Council;

- 1. Support State and Federal Government investment in a job's rich conservation and land management stimulus package as part of the economic response to COVID-19; and***
- 2. Authorise the Chief Executive Officer to write to local Federal and State Members of Parliament expressing support for this proposal.***

BACKGROUND

Council has received correspondence from Pew Charitable Trusts in support of over 70 farming and conservation groups across Australia, including Landcare, the National Farmers Federation, NRM Regions Australia, the Australian Land Conservation Alliance and the Australian Association of Bush Regenerators. These organisations have come together to call on state and federal government to invest in a job's rich conservation and land management stimulus package as part of the economic response to COVID-19. They are seeking Local Government support in their advocacy targeting state and federal governments.

The proposed program presents important opportunities for safe, meaningful and socially beneficial work as part of a "bridge to recovery", while leaving enduring benefits for the environment, tourism and farm businesses.

The proposed program aligns to the objectives of Council's Sustainability Strategy 2020-2024.

Practical conservation activities that are proposed to be undertaken across public and private land include, but not limited to: a surge in weed control efforts, river and wetland restoration, national park infrastructure, bushfire recovery and resilience activities, invasive animal control, tree planting

and habitat restoration, funding for private land conservation, coastal habitat restoration and monitoring, plastic and marine debris clean up, and funding for indigenous rangers.

The program would capitalise on existing land management capabilities across the non-profit sector, private sector, and local, state and federal governments. The requested \$4 billion combined federal and state economic stimulus package would indicatively provide jobs to 24,000 workers at its peak.

OPTIONS

Council has the following options available:

1. Support State and Federal Government investment in a job's rich conservation and land management stimulus package as part of the economic response to COVID-19 and authorise the Chief Executive Officer to write to local Federal and State Members of Parliament expressing support for this proposal; or
2. Do not support the State and Federal Government Stimulus Package.

PROPOSAL

That Council;

1. Support State and Federal Government investment in a job's rich conservation and land management stimulus package as part of the economic response to COVID-19; and
2. Authorise the Chief Executive Officer to write to local Federal and State Members of Parliament expressing support for this proposal.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

There is no impact to council in expressing support, however Council plays a pivotal role in delivering conservation and land management work, such as controlling weeds, protecting and restoring habitat, and managing public land and are ideally placed to manage a surge in effort for on ground conservation work and to manage any possible future funding arrangements.

COMMUNICATION IMPACT

The proposed program will require advocacy from council in the form of written correspondence to State and Federal Members.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 3 Natural Environment states the following strategic objective and related strategy:

Strategic Objective 3.1: *"Conserve and protect our natural environment through responsible and sustainable management practices."*

Strategy 3.1.2: *"Work in partnership to protect and preserve Wellington Shire's natural environment, biodiversity, resources and environmental heritage."*

The Council Plan 2017-21 Theme 5 Economy states the following strategic objective and related strategy:

Strategic Objective 5.1: *"Support and develop our existing businesses."*

Strategy 5.1.2: *"Leverage from our existing business and assets to diversify the economy through value adding activities, identifying opportunities and building on our strengths."*

The Council Plan 2017-21 Theme 5 Economy states the following strategic objective and related strategy:

Strategic Objective 5.2: *"Use a targeted approach to attract new business investment to Wellington Shire, to support population growth."*

Strategy 5.2.1: *"Create a supportive investment environment that encourages new development and job growth."*

This report supports the above Council Plan strategic objective and strategy.

COMMUNITY IMPACT

While there is no direct impact on community in expressing such support, this program could provide positive outcomes for our local community, particularly for our rural and farming community and those that have suffered job losses or underemployment due to Covid-19. A large-scale environmental restoration program would also financially benefit tourism and local business.

ENVIRONMENTAL IMPACT

Such a program would build upon long term efforts into conservation already undertaken since the early days of Landcare, consolidating previous investment by local, state and federal governments.

Economic stimulus measures in the conservation and land management sector

In light of the current and anticipated impacts of COVID-19 across every sector of society, it is clear that decisive action and unprecedented investment is needed to temper the worst social and economic impacts of this crisis. We recognise and welcome the measures taken by federal and state governments to date, particularly in relation to the immediate health and economic threats posed by the rapid spread of the disease.

We recognise that the road to recovery will be a long one, which will require each sector of society to contribute in its own way. We stand ready to help in any way we can.

Right now, hundreds of thousands of workers have lost their job across the country and we write in the interest of assisting government to find ways to give these people security of employment over the next couple of years. It is in this spirit that we share these ideas on the role that the conservation and land management sector could play in immediate, medium and long-term economic stimulus efforts.

Investment in a jobs-rich conservation and land management program, as part of broader economic stimulus measures, presents important opportunities for safe, meaningful and socially beneficial work during the period of economic crisis, while leaving enduring benefits for the environment, tourism and farm businesses.

During the period of economic recovery, there is scope for tens of thousands of skilled and unskilled workers to be employed in the conservation and land management sector in roles that are:

- practical and labour intensive;
- located in both regional and metropolitan areas;
- appropriate for repurposing existing workforces which are under pressure, including tradespeople and workers in the tourism, fisheries and forestry sectors; and,
- will not create long-term structural commitments in the budget.

Practical conservation activities that could be undertaken across public and private land include:

- **a surge in weed control efforts**, focussed on containment and preventing cross-tenure spread;
- **river and wetland restoration**, including fencing, revegetation and erosion control;
- **national park infrastructure**, track maintenance and park management (fire, weeds, feral animals);
- **bushfire recovery and resilience activities**, including infrastructure repairs and habitat restoration;
- **invasive animal control**, including deer and pigs which impact on farming and threatened species;
- **tree planting and habitat restoration** in metropolitan, suburban, peri-urban and rural areas;
- **funding for private land conservation**, putting money in the hands of farmers and other land managers;
- **coastal habitat restoration and monitoring**, in partnership with the fishing industry and local communities;
- **plastics and marine debris clean up**, including research to inform future policy decisions; and
- **funding for Indigenous rangers** to deliver jobs directly to vulnerable communities using a proven model.

This investment would be low risk, especially if the planning occurs during the current 'lock down' as part of the stimulus measures. It would allow people who are newly unemployed or underemployed to have meaningful and secure employment for at least 12 months as soon as social distancing measures are eased, giving an immediate boost to economy confidence and security. In addition, this investment would:

- provide much needed income and economic confidence for bulldozer and other machine operators, weed-sprayers, shooting and trapping contractors, fencers, nursery growers, hardware suppliers, local and Indigenous land managers and bush regenerators;
- have significant economic multipliers, especially in regional communities, with work generated for local suppliers and hospitality businesses; and
- capitalise on existing organisational and land management capabilities across the non-profit sector, private sector and local, state and federal government.

For more information, contact Pepe Clarke, Pew Charitable Trusts, 0420 425 471, pclarke@pewtrusts.org

Program design considerations

Developing this package early will allow for good **program design** and the opportunity to learn the lessons of past programs. If funding is committed, then the 'lock down' period is an opportunity to develop projects, seek partners and allow people to apply for positions, so that the program can hit the ground running. We would welcome the opportunity to collaborate with the government in the detailed design of this program.

The **geographic focus** of investment could be refined as the economic and social impacts of COVID-19 become clearer over time, including identification of regions experiencing particularly high unemployment, but could range from national park maintenance, bushfire recovery and river restoration in Western Sydney to weed control and coastal restoration in North Queensland communities affected by a rapid decline in tourism.

The program would provide an **immediate economic stimulus** with 90% of funding expended across the first two years. The remaining 10% can be spent in years three to four to **maintain and consolidate** the gains in any short-term stimulus program. Jobs could be directed to areas where existing funding can be leveraged, including through ongoing government programs and donations from the recent bushfire disaster.

Indicative return on investment

Research into employment outcomes from stimulus spending in the United States (Edwards et al. 2013) found that conservation, land management and habitat restoration provide a **high return on investment**, relative to other sectors. The labour-intensive nature of the work, combined with relatively low capital and overhead costs, results in a high proportion of investment flowing to the employees and contractors delivering the work (and, in turn, to their families and businesses in their local community).

The ratio between salary, operational and capital costs will vary by activity, location and program, but we estimate that investment in conservation land management would support about **1,000 full-time equivalent positions per \$100 million invested** (including salaries, on-costs, operational and capital expenditure).¹

We believe the conservation and land management sector – including non-profit organisations, local governments and state conservation agencies – can support delivery of up to \$4 billion in combined federal and state economic stimulus over the forward estimates, **employing up to 24,000 workers**. These positions would span a range of skill levels, from unskilled labourers to professional conservation land managers.

Table 1. Illustrative employment benefits associated with a \$4 billion federal and state investment

	Year 1	Year 2	Year 3	Year 4	Total
Number of workers	24,000	12,000	2,000	2,000	
Employee expenses (\$ million) (\$60,000 avg, on-costs)	1,800	900	150	150	3,000
Capital and operational expenditure (\$ million)	600	300	50	50	1,000
Proportion of expenditure	60%	30%	5%	5%	100%

Based on extensive conservation land management experience across the country, we anticipate that a high proportion of operational and capital expenditure would stay in the local community, providing income for hardware stores, plant nurseries, pest control contractors and other local businesses.

This investment could be delivered as a series of thematic initiatives, or as a broader employment and conservation initiative, reminiscent of the highly popular [US Civilian Conservation Corps](#) (1933-1942), which provided work for millions of young, unemployed men during the Great Depression. More recently, economic stimulus measures by the US Government in response to the 2008 recession included US\$3 billion for natural resource conservation, creating tens of thousands of jobs and delivering long-term environmental benefits.

This proposal is for an immediate stimulus package in response to the current crisis and is not intended as a substitute for the need for a longer-term package of measures to support the environment to recover after the bushfires, save threatened species and increase natural capital on our farms and in our landscapes.

¹ This estimate is informed by consultation with conservation organisations with large field teams. It is based on an average salary of \$60,000 pa, plus 25% on-costs (\$75,000 total cost per worker). This reflects pay rates for a range of positions, from unskilled labourers to professional conservation land managers, with a skew towards the lower paid, physical labour roles. The ratio between salary, operational and capital costs will vary by activity, location and program, but is typically around 3:1 (75% salary and on-costs, 25% capital and operational costs).

ITEM C4.2**MACARTHUR STREET AND MARKET STREET ROUNDABOUT CONSTRUCTION**

DIVISION: BUILT AND NATURAL ENVIRONMENT
 ACTION OFFICER: MANAGER ASSETS AND PROJETS
 DATE: 21 JULY 2020

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
✓		✓		✓		✓	✓	✓	✓

OBJECTIVE

The purpose of this report is for Council to consider entering into a contract for the construction of a roundabout at the corner of Macarthur Street and Market Street, Sale.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION*****That:***

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2020-059 Market and Macarthur Street Roundabout Construction; and***
- 2. The information contained in the confidential attachment F1.1 Contract 2020-059 Macarthur Street and Market Street Roundabout Construction of this Council Meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built & Natural Environment on 3 July 2020 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: c) Contractual matter be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

BACKGROUND

The intersection of Macarthur Street and Market Street, Sale, has a significant crash history. In the period from 1 January 2013 to 31 December 2017 there were six recorded crashes at this intersection which included two serious injury crashes and four other injury crashes.

In early 2019, an application was made through the State Governments Safe Travel in Local Streets (STiLS) program to install a single-lane roundabout at the intersection of Macarthur and Market Streets. This program is supported by the Transport Accident Commission (TAC), Towards Zero and the Victorian Government and is administered by VicRoads and Regional Roads Victoria.

The project will involve:

- installation of a single-lane roundabout;
- provision of separated cycling and pedestrian connections;
- provision of pedestrian refuges;
- upgrade of street lighting at the intersection; and
- associated landscaping and signage.

OPTIONS

Council has the following options available:

1. Adopt the recommendations contained in the attached confidential Tender Evaluation Report for Contract 2020-059 Macarthur Street and Market Street Roundabout Construction; or
2. Not enter into a contract and not proceed with these works at this time

PROPOSAL

That Council adopt the recommendations contained in the attached confidential Tender Evaluation Report for Contract 2020-059 Macarthur Street and Market Street Roundabout Construction.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

This project is being funded under the Victorian Government's STiLS program which is supported by the TAC and Towards Zero and is administered by Regional Roads Victoria.

LEGISLATIVE IMPACT

Wellington Shire Council is committed to ensuring the contract tendering process complies with the *Victorian Local Government Act 1989* and the Victorian Local Government Code of Tendering.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 2 Services & Infrastructure states the following strategic objective and related strategy:

Strategic Objective 2.2: *"Council assets are responsibly, socially, economically and sustainably managed."*

Strategy 2.2.2: *"Ensure that community facilities within the municipality continue to meet the expectations and service needs of all current and future residents."*

This report supports the above Council Plan strategic objective and strategy.

RESOURCES AND STAFF IMPACT

Resources to deliver this project will come from the Assets and Projects Team.

COMMUNITY IMPACT

These works are expected to produce a positive community impact and reduce vehicle trauma crashes with the construction of a roundabout at this cross intersection.

ENVIRONMENTAL IMPACT

The proposed works will have minimal environmental impact, with the contractors providing an Environmental Management Plan which will be strictly monitored.

ENGAGEMENT IMPACT

Wellington Shire Council's standard consultation practices will be implemented on this project.

RISK MANAGEMENT IMPACT

Risks will be managed through the construction phase by assigning risks to the party most able to implement the necessary controls and is detailed in the contract.

ITEM C4.3**LLOYD ST (NORTH) SPECIAL CHARGE STREET CONSTRUCTION SCHEME – DECLARATION OF SCHEME**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS AND PROJETS

DATE: 21 JULY 2020

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

OBJECTIVE

The purpose of this report is for Council to consider to formally proceed with the proposed 'Lloyd Street (North) Special Charge Street Construction Scheme Number 1902' by way of formal declaration as a Special Charge Scheme under section 163(1) of the *Local Government Act 1989* for the construction of Lloyd Street (North) in Stratford.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION*****That:***

- 1. Council, having considered that no submissions were received and no objections were lodged and having complied with the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 (the Act), and otherwise according to law, and having, so far as can be ascertained from available records and can reasonably be concluded, ascertained that Lloyd Street (North), Stratford (Street) or any component of the Street has not previously been constructed by way of a special rate or charge], hereby proceeds to declare a Special Charge Scheme under section 163(1) of the Act (Scheme) in accordance with the Declaration of Special Charge (Declaration) attached to and forming a part of this Report, such Declaration being for the purposes of constructing the Street and providing all and any ancillary works, including underground drainage and vehicle crossings.***
- 2. Council directs that, under cover of a letter, a written notice, enclosing a notice of levy, be sent to all owners of properties included in the Scheme, including those who have made a submission and/or lodged an objection in writing, of the decision of Council to make the Declaration, and the reasons for the decision***
- 3. For the purposes of resolution 2, the reasons of Council for making the Declaration are that –***
 - (a) There is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the Scheme from property owners;***
 - (b) Council considers that it is acting in accordance with the functions, powers and objectives conferred on it under the Act, particularly in relation to the provision of proper, safe and suitable roads and property services in and for the Scheme area;***

- (c) *All property owners who are liable or required to pay the Special Charge and the properties respectively owned and occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties;*
- (d) *The basis of distribution of the Special Charge amongst the property owners who are liable or required to pay the Special Charge is considered to be fair and reasonable;*
- (e) *The works proposed by the Scheme are consistent with all and any policies and/or objectives set out in the planning scheme for the area; and*
- (f) *The works proposed for the construction and drainage of the Street are necessary, reasonable, not excessive, sufficient, suitable and not costly, having regard to the locality or environment and the probable use of the Street.*
4. *The Chief Executive Officer (or any person for the time being acting in that position) be authorised to carry out any and all other administrative procedures necessary to enable Council to give effect to this resolution, including in relation to the levying of the Special Charge.*

BACKGROUND

Lloyd Street in Stratford is located within the residential area of Stratford (**Street**). Currently the section of road south of Redbank Road consists of an ill-formed and unsealed gravel pavement of approximately 160m in length with irregular table drains. The formation of this road is primarily of a rural type road. This section of the road is managed and maintained by Wellington Shire Council.

A formal investigation of a special charge scheme (**Scheme**) commenced following ongoing property owner concerns in relation to the maintenance and the maintenance grading regime for this street and has included preparation of concept designs and a cost estimation.

The proposed Lloyd Street (North) Construction Scheme would provide for the construction and sealing of the road to a 7.3m width with a Cul de sac at the southern end. Kerb and channeling, pavement construction and sealing, improved drainage and stormwater management will form part of the proposed works.

The construction and sealing of Lloyd Street (North) would reduce Council's need for maintenance intervention, while providing a higher level of service and safety for these abutting properties as well as the general public.

Specifically, it is considered that the properties which abut this section of Lloyd Street will derive a special benefit by the proposed upgrade works, as a result of:

- A reduction in dust
- An enhancement the amenity of the area
- The creation of improved riding surfaces
- An improvement in access and egress from properties, and
- An improvement in drainage.

Following further investigation of potential methods to facilitate street construction works in Lloyd Street (North), it was concluded that a Special Charge Scheme, generally in line with Council's Residential Road and Street Construction Plan, was the preferred approach. As this process requires public advertising and community engagement and was otherwise considered to be an open and transparent process which informed the community of Council's financial contribution.

A public meeting was held on 19 August 2019 to outline the proposal and concept. A follow up letter with survey form was sent to each property owner following the public meeting, along with the apportionment cost, to assess support for, or objection to, the scheme. This was mailed out on 5 September 2019.

Results of the survey:

The results of the survey show that all the property owners replied and 71% of property owners were in favour of the proposed scheme.

	SUPPORT SCHEME		OPPOSE SCHEME		DID NOT REPLY	
Property Owners (7)	5	71%	2	29%	0	0%
Properties (8)	6	75%	2	25%	0	0%

One property owner in Lloyd Street owns two properties. Overall there are 75% of properties in support which exceeds the minimum level of required under the Residential Road and Street Construction Plan 2019' (being 60%), it is considered there was sufficient level of initial support for the proposed Special Charge Scheme to proceed.

FORMAL AND STATUTORY SUBMISSIONS AND OBJECTIONS

Following Council's previous resolution in relation to its intention to commence the statutory process to declare the Special Charge Scheme, a public notice was given in a newspaper circulating generally in the municipal district (Gippsland Times), and a separate written notice was given to all property owners regarding Council's proposal.

As a result of this, Council received no written submission/objection from any property owners within the Scheme area.

This Report now addresses whether or not Council wishes to proceed with the proposed 'Lloyd Street (North) Special Charge Street Construction Scheme Number 1902' by way of formal declaration as a Special Charge Scheme under section 163(1) of the Act for the construction of Lloyd Street (North) in Stratford, and related works, including drainage.

OPTIONS

Council has the following options available:

1. Progress the proposed special charge scheme through a full cost recovery apportionment method, by declaration of the Special Charge Scheme; or
2. Having trialed and considered other methods of apportionment, progress the proposed scheme through the 'fixed fee method' as outlined in Council's Residential Road and Street Construction Plan, by the declaration of the Special Charge Scheme; or
3. To not progress the declaration the Special Charge Scheme.

PROPOSAL

The proposal, which is now presented for Council's determination, is for Council to proceed with the proposed Special Charge Scheme generally through (and in accordance with) the funding framework outlined in Council's 'Residential Road and Street Construction Plan' and to proceed to declare a Special Charge Scheme for the construction of the Lloyd Street (North) in Stratford for the provision of road construction and ancillary works, as outlined in this and the previous reports which have been considered by Council.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

FINANCIAL IMPACT

Total costs applicable to the Special Charge scheme are estimated to be \$450,000. The amount to be recovered under the scheme does not include GST.

Based on the funding framework within the Residential Road and Street Construction Plan and as otherwise considered by Council officers to be fair and reasonable based on total special benefits and community benefits to be provided by the works, \$42,000.00 of the costs are to be apportioned to properties within the Special Charge scheme, with the balance funded by Council.

Amount apportioned to properties within scheme:	\$ 42,000.00
Portion of cost to be recovered from Council as direct costs:	\$ 408,000.00
Total estimated cost of scheme:	\$ 450,000.00

There is one multiple property owner and there is no Crown Land or other non-rateable land located within the scheme boundary.

The resultant financial impact is a cost to Council estimated at \$408,000, to be funded through the Roads to Recovery Program.

The method of apportioning the costs for this scheme is uniform and is based on access.

To confirm the reasonableness, fairness and appropriateness of the funding framework outlined in Council's Residential Road and Street Construction Plan and otherwise (as being the fairest and most reasonable method of distributing the proposed Special Charge amongst all of the property owners in the Scheme), Council Officers first trialed and considered a number of different methods of apportionment of the Special Charge. See **Schedule 2 (Methods 1 & 2) at Attachment 1**.

This has included the completion of a property apportionment based on access only and a combination of access and frontage to the Maximum Total Levy Amount as calculated using the Benefit Ratio calculated for this proposed special charge scheme. See **Attachment 2**.

On this basis, the cost per property under such apportionment methods would have been between either \$21,898 and \$42,127 or \$36,640, considerably more on an average per property owner basis than the method of distribution which is being proposed for Council's present consideration.

Accordingly, and in light of this 'comparative' work undertaken by Council officers, it is recommended to Council that the method of distributing the Special Charge amongst the property owners, as set out in this report (See **Method 3 in Schedule 2 at Attachment 1**), is considered to be fair and reasonable.

Property owners liable to pay under the Special Charge scheme will only be invoiced following satisfactory completion of works. Options for payment include full payment within 45 days or 40 quarterly instalments (ten years), including an interest component aligned to Council's cost of finance.

COMMUNICATION IMPACT

A comprehensive public consultation process has been entered into with affected property owners including information letters, surveys and meetings. If the scheme progresses, then ongoing communication will continue with the recommendations of this report.

LEGISLATIVE IMPACT

This scheme has been prepared in accordance with Section 163, 163A, 163B of the *Local Government Act 1989*. Public notification will be in accordance with Sections 163 and 223 of the *Local Government Act 1989*. Submissions and objections to the scheme will be considered in accordance with Sections 163A, 163B and 223 of the *Local Government Act 1989*.

Section (2) of Section 163 of the *Local Government Act 1989* requires Council to determine:

- (a) The total amount of the Special Charge to be levied; and
- (b) The criteria to be used as the basis for declaring the special charge.

Section (2A) of Section 163 of the *Local Government Act 1989* provides that for the purpose of Section (2) (a) the total amount of the Special Charge to be levied must not exceed the amount "S" where $S = R \times C$ and;

S = is the maximum total amount that may be levied from all the persons who are liable to pay the special rates or special charges.

R = is the benefit ratio determined by the Council in accordance with sub-section (2B).

C = is the total cost of the performance of the function or the exercise of the power under sub-section (1).

A determination for the purposes of complying with the requirements of sections 163(2)(a), (2A) and (2B) of the Act (which also satisfies the requirements of the Ministerial Guidelines) is included in this report as **Attachment 2**.

COUNCIL POLICY IMPACT

The scheme has been prepared in accordance with Council's Special Charge Schemes – Roads, Street & Drainage Development Policy 4.2.4 and the 2019 Residential Road and Street Construction Plan.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 2 Services & Infrastructure states the following strategic objective and related strategy:

Strategic Objective 2.4: *"Continued improvement to Wellington Shire's connectivity with further developed, accessible transport networks."*

Strategy 2.4.2: "Continue to maintain and enhance Council's road assets infrastructure."

This report supports the above Council Plan strategic objective and strategy.

RESOURCES AND STAFF IMPACT

Implementation of the scheme can be undertaken within the resources of the Assets & Projects unit with the assistance of external contract engineering support for the survey and design of the scheme. In the event the scheme is adopted by Council, construction will be carried out by an approved contractor via a tender process.

COMMUNITY IMPACT

Implementation of this scheme will have a general community benefit as it will result in Lloyd Street, Stratford being fully sealed in line with current service standards. Community benefit is reflected in Council contribution toward the works outcome.

ENVIRONMENTAL IMPACT

Implementation of this scheme will have a positive environmental impact arising from the reduction of dust generated by vehicles as well as improved quality of storm water runoff.

ENGAGEMENT IMPACT

A comprehensive public consultation process has been entered into with affected property owners including:

- Information letter advising property owners of street works proposal 7 August 2019
- Public meeting held at Stratford, 19 August 2019
- Mail out survey to all property owners, 5 September 2019
- Formal public notice under sections 163B and 223 of the *Local Government Act 1989*, 14 April 2020.

RISK MANAGEMENT IMPACT

Implementation of the scheme will produce a substantial reduction in risk to motorists, cyclists and other road users through improved visibility (reduction of dust), improved road surfacing, properly identified through lanes and markings.

DECLARATION OF SPECIAL CHARGE

**'Lloyd Street (North), Stratford - Special Charge Street Construction Scheme
Number 1902'**

1. Wellington Shire Council (**Council**) proposes to declare a Special Charge (**Special Charge** or **Scheme**) under section 163(1) of the *Local Government Act 1989 (Act)* for the purpose of defraying any expenses or repaying (with interest) any advance made to or any debt incurred or loan to be raised by Council in relation to the construction of Lloyd Street south of Redbank Road in Stratford (**Street**) and for providing all and any necessary ancillary works associated with the construction of the road, including drainage. The Scheme, if declared, is to be known as the 'Lloyd Street (North), Stratford - Special Charge Street Construction Scheme Number 1902'.
2. The criteria which will form the basis of the declaration of the Special Charge are the ownership of rateable properties in the area of the Scheme (being properties within the 'residential area' of Stratford) and, based on the application of access benefit units, including having regard to the driveway access of those properties in the Scheme to Lloyd Street (as the properties are set out in paragraphs 7 and 8 of the proposed declaration), the overall benefits which it is considered the properties in the Scheme (based on the physical and other benefits) will receive from the works to be provided under the Scheme.
3. In proposing the declaration of the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the Shire of Wellington, in particular the provision of proper, safe and suitable roads and property services within the area for which the proposed Special Charge is to be declared (**Works**).
4. The total cost of the performance of the function and the exercise of the power by Council (in relation to the Works) is \$450,000 and this amount is the total estimated cost of the Works to be undertaken by the Scheme.
5. The total amount to be levied under the Scheme as the Special Charge is \$42,000
6. The Special Charge will commence on the date on which it is levied by Council and will remain in force for a period of 10 years
7. The area for which the proposed Special Charge is to be declared is all of the land shown on the plan set out in the Schedule forming a part of this declaration (being **Schedule 1**)
8. The land in relation to which the proposed Special Charge is to be declared is all that rateable land described in the listing of rateable properties set in the Schedule forming a part of this Declaration of Special Charge (being **Schedule 2**)

9. The Special Charge will be assessed and levied in accordance with the amounts set out alongside each property in the Schedule forming a part of this declaration (being **Schedule 2**), such amounts having been assessed and determined by Council as (and are based on) a fixed charge for each property having regard to access, including and in particular driveway access. Properties which have a shared driveway access to the street to be constructed via common property will have their access benefits calculated on the basis of 100% for the first property and 50% for each additional property (with access being apportioned to each of the properties so as to equal the sum of the percentages divided by the number of properties with common property access), and any other benefits.

(More particularly, the Special Charge is to be apportioned to properties included in the Scheme on the basis of each property having a driveway access to the street to be constructed under the Scheme being apportioned one (1) Access Benefit Unit (ABU) and properties within an Owners Corporation with a shared driveway access to the street via common property being apportioned an Access Benefit Unit calculated on the basis of 100% for the first property and 50% for each additional property. The Access Benefit Unit is otherwise to be apportioned to each of these properties equaling the sum of the percentages divided by the number of properties with common property access.)

10. Subject to any further resolution of Council, the Special Charge will be levied by Council sending a notice in the prescribed form to the owners of the properties in the Scheme by which the Special Charge is to be paid –
- (a) In full amount within 45 days of the notice; or
 - (b) By way of quarterly instalments in the manner set out in paragraph 11.
11. Because the performance of the function and the exercise of the power in respect of which the proposed Special Charge is to be declared and levied relates substantially to the provision of capital works, special ratepayers will be given an instalment plan under which –
- (a) Quarterly instalments are to be paid over a 10 year period, or other such period as negotiated; and
 - (b) Quarterly instalments will include a component for reasonable interest costs, the total of which will not exceed the estimated borrowing costs of Council in respect of the construction of the Road by more than 1 per cent.
12. Council will consider cases of financial and other hardship, and may consider other payment options for the Special Charge.
13. No incentives will be given for the payment of the Special Charge before the due date for payment.
14. Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons over and above, or greater than, the benefit that is available to persons who are not subject to the

proposed Special Charge, and directly and indirectly as a result of the expenditure proposed by the Special Charge, the value and the use, occupation and enjoyment of the properties included in the Scheme will be maintained or enhanced through the provision of proper, safe and suitable roads and property services. Without limitation, Council considers that the Works will –

- (a) Reduce dust;
- (b) Enhance the amenity and character of the land, and local area;
- (c) Create improved riding surfaces for the Road;
- (d) Improve access and egress from properties;
- (e) Improve road drainage; and
- (f) Improve road safety for motorists, cyclists.

15. For the purposes of having determined the total amount of the Special Charge to be levied under the Scheme, Council further considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special and community benefits) that will accrue as special benefits to all persons who are liable to pay the Special Charge is in a ratio of 0.57 or 57%, noting however that, in the exercise of its discretions, Council has chosen to make a further contribution to the cost of the Works so as to arrive at a Revised Maximum Total Levy Amount of \$42,000.

SCHEDULES TO DECLARATION

Schedule 1 - Scheme plan area

Schedule 2 - Listing of all properties with amount of special charges payable and showing manner of calculation of special charge apportionment;

Method 1 - Maximum Levy at 50% Access Benefit & 50% Frontage

Method 2 - Maximum Levy at 100% Access Benefit

Method 3 - Fixed Fee

Schedule 1

**LLOYD STREET (NORTH) – STRATFORD
PLAN OF SPECIAL CHARGE SCHEME AREA.**

Scheme Boundary 



Schedule 2

Method 1 - Maximum Levy at 50% Access Benefit & 50% Frontage

WELLINGTON SHIRE COUNCIL

LLOYD STREET CONSTRUCTION SCHEME (EST. COST) - MAX LEVY AMOUNT - 50% ACCESS & 50% FRONTAGE

ASSESS. No.	PARCEL No.	TITLE DETAILS	STREET ADDRESS	ACCESS BENEFIT UNITS	FRONTAGE	SIDEAGE & REARAGE	TOTAL APPORIONED LENGTH	ESTIMATED COST
LLOYD STREET								
1	411512	Lot 4 PS532269	16 Lloyd Street STRATFORD VIC 3862	1	20	0.00	20.00	\$33,160
2	403485	Lot 3 PS532269	18 Lloyd Street STRATFORD VIC 3862	1	20	0.00	20.00	\$33,160
3	385047	Lot 2 PS532269	20 Lloyd Street STRATFORD VIC 3862	1	30.47	0.00	30.47	\$42,127
4	409516	Lot 1 PS532269	20A Lloyd Street STRATFORD VIC 3862	1	10	0.00	10.00	\$24,596
5	75861	Lot 1 PS328770	1/ 22 Lloyd Street STRATFORD VIC 3862	1	23.02	0.00	23.02	\$35,746
6	75879	Lot 2 PS328770	2/ 22 Lloyd Street STRATFORD VIC 3862	1	13.93	0.00	13.93	\$27,961
7	75887	Lot 3 PS328770	3/ 22 Lloyd Street STRATFORD VIC 3862	1	25.48	0.00	25.48	\$37,853
8	75903	Lot 4 PS328770	4/ 22 Lloyd Street STRATFORD VIC 3862	1	6.85	0.00	6.85	\$21,898
TOTALS				8	149.75	0.00	149.75	\$256,500
TOTAL ESTIMATED COST OF SCHEME								
COUNCIL CONTRIBUTION					\$450,000			
ESTIMATED APPORTIONABLE AMOUNT					\$193,500			
					\$256,500			
AMOUNT APPORTIONED TO ACCESS - 50%								
AMOUNT APPORTIONED TO FRONTAGE - 50%					\$128,250			
					\$128,250			
Apportioned Rate - (Access Benefit Units)					\$16,031	per Access Benefit Unit		
Apportioned Rate - (Abutment Length)					\$856	per Metre		
Contribution Wellington Shire Council								
Contribution Property Owners					\$193,500	43%		
					\$256,500	57%		

Method 2 - Maximum Levy at 100% Access Benefit

WELLINGTON SHIRE COUNCIL

LLOYD STREET CONSTRUCTION SCHEME - APPORTIONMENT OF COST - MAX LEVY AMOUNT - ACCESS ONLY

ASSESS NO.	PARCEL NO.	TITLE DETAILS	STREET ADDRESS	ACCESS BENEFIT UNIT (ABU)	ABU FACTOR APPLIED FOR COMMON	APPORTIONED ABU's	SCHEME CONTRIBUTION RATE	AMOUNT DUE
LLOYD STREET								
1	411512	54071	Lot 4 PS532269	16 Lloyd Street STRATFORD VIC 3862	1	1	\$36,640.00	\$36,640.00
2	403485	54070	Lot 3 PS532269	18 Lloyd Street STRATFORD VIC 3862	1	1	\$36,640.00	\$36,640.00
3	385047	54069	Lot 2 PS532269	20 Lloyd Street STRATFORD VIC 3862	1	1	\$36,640.00	\$36,640.00
4	409516	54068	Lot 1 PS532269	20A Lloyd Street STRATFORD VIC 3862	1	1	\$36,640.00	\$36,640.00
5	75861	27018	Lot 1 PS328770	1/ 22 Lloyd Street STRATFORD VIC 3862	1	0.75	\$36,640.00	\$27,480.00
6	75879	27019	Lot 2 PS328770	2/ 22 Lloyd Street STRATFORD VIC 3862	1	0.75	\$36,640.00	\$27,480.00
7	75887	27020	Lot 3 PS328770	3/ 22 Lloyd Street STRATFORD VIC 3862	1	0.75	\$36,640.00	\$27,480.00
8	75903	27023	Lot 4 PS328770	4/ 22 Lloyd Street STRATFORD VIC 3862	1	0.75	\$36,640.00	\$27,480.00
TOTALS						8	7	\$256,480.00

TOTAL ESTIMATED COST OF SCHEME
COUNCIL CONTRIBUTION
APPORTIONED AMOUNT (Maximum Levy)

\$450,000
\$193,500
\$256,500

Apportioned Rate (ABU) \$36,640 per access benefit

ABU FACTOR CALCULATION FOR COMMON PROPERTY

Calculation - First property at 100% with 50% for each additional property divided by number of properties

Address	First Property	Additional Property	Total No of Properties	Factor
1/22, 2/22 Lloyd St	1	1	2	0.75
3/22, 4/22 Lloyd St	1	1	2	0.75

Method 3 – Fixed Fee – Access Benefit (Revised Maximun Levy)

WELLINGTON SHIRE COUNCIL

LLOYD STREET CONSTRUCTION SCHEME - APPORTIONMENT OF COST - WITH REVISED MAX LEVY - ACCESS ONLY

ASSESS NO.	PARCEL NO.	TITLE DETAILS	STREET ADDRESS	ACCESS BENEFIT UNIT (ABU)	ABU FACTOR APPLIED FOR COMMON	APPORTIONED ABU's	SCHEME CONTRIBUTION RATE	AMOUNT DUE
LLOYD STREET								
1	411512	Lot 4 P5532269	16 Lloyd Street STRATFORD VIC 3862	1		1	\$6,000.00	\$6,000.00
2	403485	Lot 3 P5532269	18 Lloyd Street STRATFORD VIC 3862	1		1	\$6,000.00	\$6,000.00
3	385047	Lot 2 P5532269	20 Lloyd Street STRATFORD VIC 3862	1		1	\$6,000.00	\$6,000.00
4	409516	Lot 1 P5532269	20A Lloyd Street STRATFORD VIC 3862	1		1	\$6,000.00	\$6,000.00
5	75861	Lot 1 P5328770	1/ 22 Lloyd Street STRATFORD VIC 3862	1		0.75	\$6,000.00	\$4,500.00
6	75879	Lot 2 P5328770	2/ 22 Lloyd Street STRATFORD VIC 3862	1		0.75	\$6,000.00	\$4,500.00
7	75887	Lot 3 P5328770	3/ 22 Lloyd Street STRATFORD VIC 3862	1		0.75	\$6,000.00	\$4,500.00
8	75903	Lot 4 P5328770	4/ 22 Lloyd Street STRATFORD VIC 3862	1		0.75	\$6,000.00	\$4,500.00
TOTALS						8		\$42,000.00

TOTAL ESTIMATED COST OF SCHEME \$450,000
 COUNCIL CONTRIBUTION \$408,000
 APPORTIONED AMOUNT (Revised Max. Lev) \$42,000

Apportioned Rate (ABU) \$6,000 per access benefit

ABU FACTOR CALCULATION FOR COMMON PROPERTY

Calculation - First property at 100% with 50% for each additional property divided by number of properties

Address	First Property	Additional Property	Total No of Properties	Factor
1/22, 2/22 Lloyd St	1	1	2	0.75
3/22, 4/22 Lloyd St	1	1	2	0.75

LLOYD STREET (NORTH), STRATFORD – SPECIAL CHARGE STREET CONSTRUCTION SCHEME NUMBER 1902

Determination under Sections 163(2)(a), (2A) and (2B) of the *Local Government Act 1989* – Calculation of Total Amount of Special Charges to be Levied ('Maximum Total Levy')

Introduction

Wellington Shire Council (**Council**) has a legacy of being required to deal with a number of issues associated with sub-standard roads and streets throughout the Shire. A key objective of Council is to renew and improve roads and streets within residential environments with a view to providing proper community infrastructure and improved amenity and liveability, and overall resident satisfaction.

Council has (following a review of its 'Residential Road and Street Construction Plan 2014') adopted the 'Residential Road and Street Construction Plan 2019' (**Plan**). As a strategic policy document, the Plan seeks to provide a sustainable budgetary response to the renewal and improvement of sub-standard roads and streets within residential environments throughout the Shire.

The proposed special charge scheme for the construction and improvement of Lloyd Street and a short section of Scott Street in Stratford (to be known as the 'Lloyd Street (North) - Special Charge Street Construction Scheme Number 1902') (**Special Charge** or **Scheme**) is consistent with, and otherwise supports, the Plan.

This determination is made by Council under and for the purposes of sections 163(2)(a), (2A) and (2B) of the *Local Government Act 1989* (**Act**). It addresses the calculation of the 'benefit ratio' in order to determine the total amount of the special charges that may be levied on those property owners who it is considered will receive a benefit from the proposed works through the imposition of the Special Charge (**'Maximum Total Levy'**).

The calculation of the Maximum Total Levy requires Council to –

- Calculate the total cost of the works; and
- Calculate the 'benefit ratio' based on reasonable estimates being made of –
 - i. The 'total special benefits' to the properties included in the Scheme (TSB(in));
 - ii. The 'total special benefits' to the properties not included in the Scheme (if any) (TSB(out)); and
 - iii. The 'total community benefits' (if any) to be provided by the Scheme (TCB).

A. Define Purpose

The purpose of the Special Charge Scheme is to defray an expense or to repay (with interest) an advance made to or a debt or loan to be raised by Council in connection with the construction, improvement and drainage of Lloyd Street south of Redbank Road in Stratford.

Lloyd Street is located within a residential area and this section of Lloyd St south of Redbank Road, currently consists of an ill formed (but unsealed) gravel pavement of approximately 5m width and 160m in length, with irregular table drains. The road is primarily a rural-type road, with the unsealed section extending for the length of the road. The road is managed and maintained by Council.

A formal investigation of the proposed Special Charge Scheme was commenced following ongoing property owner concerns and complaints in relation to Council's maintenance grading regime, which applied to the road. The initial work undertaken by Council in response to these concerns included a site survey, the preparation of concept designs and an estimate of costs. Property owners were advised that, if implemented, the Scheme would provide for the construction and sealing of the road to a 7.3m width, with barrier kerbing, and improved drainage and stormwater management.

The construction and sealing of Lloyd Street will reduce Council's need for ongoing maintenance intervention, while providing a higher level of service for property owners and the general public. Under Council's Road Management Plan, Lloyd Street is designated as a 'Local Access B Road' and (as required by the Plan) 60% or more of property owners have expressed support for its construction.

Consistent with the Plan, it is considered that the 8 rateable properties which it is proposed will be included in the Scheme (and the general public) will benefit from the proposed works in the following ways –

- Improved amenity and liveability for residents and community through quality infrastructure and streetscape;
- Removal of dust and health related issues currently experienced in unsealed streets;
- Improved safety for motorists and pedestrians with modern road and path infrastructure, that is less exposed to rapid degradation;
- Decreased maintenance costs incurred by Council, through reduced demand associated with upkeep of poorly constructed roads, streets, drains and paths;
- Increased community satisfaction via the provision of infrastructure that meets expectations;
- Improved high density development opportunities in existing urban environments.

Following further investigation of potential methods to facilitate the construction works in Lloyd Street, a further consideration of survey results and further meetings with property owners (who continue to show support for the Scheme), it has been concluded that a Special

Charge Scheme, generally in accordance with and supported by the Plan, is the preferred approach to facilitate the project outcomes.

B. Ensure Coherence

The proposed road and drainage improvement works to be located within the Scheme area will provide a special benefit to the 8 rateable property owners located within the Scheme boundaries, and are otherwise physically connected to the purpose set out in A.

C. Calculate Total Costs

The implementation of the Special Charge is regulated by section 163 of Act. Ministerial Guidelines made pursuant to the Act require Councils to be transparent about how they calculate the 'Maximum Total Levy'.

For this project, the Maximum Total Levy has been calculated in accordance with the Act and the Guidelines. The Maximum Total Levy, and other relevant information, is summarised in the table below.

Total Scheme Cost	\$450,000
'Benefit Ratio' Determination	0.57 or 57%
Maximum Total Levy Amount	\$256,500
Further Council Contribution	\$214,500
Revised Maximum Total Levy Amount	\$ 42,000

D. Identify Special Beneficiaries

It is considered that all 8 rateable properties in the Scheme (as they are listed in the apportionment spreadsheet) will receive both road- and drainage-related special benefits from the proposed works.

The relevant special benefits which it is considered each property will receive are –

- Reduction in dust;
- Enhancement of the amenity and character of the land and local area;
- Creation of improved riding surfaces for the street;
- Improvement in access and egress from properties;
- Improved road drainage; and
- Improved road safety for motorists and cyclists.

The Scheme area (showing the 8 properties and the location of the road to be constructed) is shown in on the plan below.



E. Determine Properties to Include

For the purposes of calculating the Benefit Ratio, a notional benefit value – to be called a Benefit Unit (BU) – will be used. A BU is a deemed benefit equal to the *average* benefit for each and every property included in the Scheme. This average benefit is considered to comprise *both* access and amenity benefits.

It is considered that that all of the properties included within the Scheme will receive a benefit from the works to be provided under the Scheme (being 1 BU for each property), regardless (for the purposes of calculating the Benefit Ratio but not for the purposes of the final distribution of the Special Charge amongst the Special Charge contributors) and regardless of whether or not particular properties have subdivision or other development potential (or, in some cases, further subdivision or development potential). The BU so chosen has been broken up equally into both access benefit and amenity benefit (viz., 0.5 BU for 'improved access' and 0.5 BU for 'improved amenity').

F. Estimate Total Special Benefits

Total Special Benefit Units are defined as follows –

Total Special Benefits = Total Special Benefits In + Total Special Benefits Out, that is –

$$(TSB = TSB_{(in)} + TSB_{(out)})$$

$TSB_{(in)}$ has been calculated as follows –

Total Special Benefit Units In ($TSB_{(in)}$)	Access (50%)	Amenity (50%)
Total number of Rateable Properties in Scheme receiving Special Benefit and being required to pay the Special Charge (8)	$0.5 \times 8 = 4 \text{ BU}$	$0.5 \times 8 = 4 \text{ BU}$
$TSB_{(in)} =$	8 BU	

$TSB_{(out)}$ has been calculated as follows –

Because –

- All of the properties in the Scheme (including common property) are rateable; and
- There are no properties in the Scheme receiving a special benefit which are not required to pay the Special Charge –

there are no $TSB_{(out)}$ properties. $TSB_{(out)} = 0$

G. Estimate Total Community Benefit

In addition to establishing the Total Special Benefits for the Scheme, an assessment of any Community Benefit is also required to be undertaken in order to calculate the Maximum Total Levy.

In terms of assessing the level of any Community Benefit, it is generally considered that the works included in the Scheme will primarily benefit only those properties which are included within the Scheme boundary, and that accordingly the level of benefit to the broader community will be limited.

It is considered that the Community Benefit attributable to the proposed Scheme works will be generated from the broader community receiving some benefits which benefits (in the interest of fairness and equity) Council should be pay for (and not the special charge contributors).

The community benefits are considered to be –

- A wider use of Lloyd Street following its construction;
- Improved drainage and water quality; and
- Reduced ongoing maintenance costs for Council.

Broader traffic use

To calculate the level of Community Benefit which it is considered will be attributable to persons who are not accessing or servicing the properties within the Scheme boundary (but who will nevertheless use the road for wider access purposes), an assessment of vehicle movements has been undertaken. It is estimated that there are 60 vehicle movements per day on the road (in its present form).

Based on these traffic movements, it is considered that the majority (if not all) of these vehicle movements relate to use by persons who are accessing or servicing the Special Benefit (in) properties the (based on an average of 6 vehicle movements per day). Therefore, the Total Special Benefits for 'road access' by the Special Benefit (in) properties is determined to be 4 BU (this is based on approximately 48 vehicle movements per day (8 x 6 (averaged out and give or take)).

Based on current traffic volumes (and any projected increases in traffic following construction of the road by persons not receiving special benefits), it is anticipated that the overall traffic on Lloyd Street would not significantly increase, meaning that it is anticipated that there will no additional vehicle movements per day following construction of the road. Despite this, an allowance is made for what may be some increase in traffic movements and, accordingly, any projected increase in external traffic will account for the Total Community Benefit, and this will result in the calculation of the following BU's for any such traffic by the broader community.

Total Community Benefit Units for any broader traffic use of the road is calculated as follows–

$$TCB_{\text{traffic}} = 4 \times (60 / 48)$$

$$TCB_{\text{traffic}} = 5$$

Improved drainage and water quality

Sealing of the roads will result in improved drainage and better water quality. It is recommended therefore that **0.5 BU** be allowed for this benefit, which is however considered to be a marginal benefit.

$$TCB_{\text{drainage}} = 0.5$$

Reduced ongoing maintenance costs

There will be less ongoing maintenance costs for Council in having to care for and manage a sealed road, rather than an unsealed road: It is recommended therefore that **0.5 BU** be allowed for this benefit, which again is considered to be a marginal benefit.

$$TCB_{\text{maintenance}} = 0.5$$

Therefore,

$$\begin{aligned} TCB_{\text{total}} &= TCB_{\text{traffic}} + TCB_{\text{drainage}} + TCB_{\text{maintenance}} \\ &= 5 + 0.5 + 0.5 \end{aligned}$$

$$TCB_{\text{total}} = 6$$

H. Calculating the 'Benefit Ratio'

The Benefit Ratio is calculated as follows –

$$\begin{aligned} R &= \frac{TSB_{(in)}}{TSB_{(in)} + TSB_{(out)} + TCB} \\ &= 8 / (8 + 0 + 6) \\ &= 8 / 14 \end{aligned}$$

$$\text{Benefit Ratio (R)} = 0.57$$

I. Calculating the Maximum Total Levy

The following formula, as set out in the Act, is used to determine the Maximum Total Levy–

$$R \times C = S$$

where –

R is the Benefit Ratio determined by Council;

C is the total Scheme cost; and

S is the Maximum Total Levy

Maximum Total Levy Amount (R x C = S)
0.57 x \$450,000 = \$256,500

Council may levy up to 57% of total costs, or **\$256,500**

J. Other relevant considerations

Council notes that if it levies the Maximum Total Levy Amount of \$256,500 the special charge contributors would be required to pay by way of special charges amounts which exceed the amounts set out in Council's Residential Road and Street Construction Plan 2019¹.

In the exercise of its discretions, and otherwise in accordance with the Plan (and the objectives which the Plan seeks to achieve), Council chooses to allocate a further amount of \$214,500 in and towards the cost of the Scheme works, meaning that the Maximum Levy Amount to be charged to the Scheme will be \$42,000 (***Revised Maximum Total Levy Amount***).

The Revised Maximum Total Levy Amount is to be apportioned amongst the property owners within the scheme area in accordance with the method of distribution of the Special Charge to be determined by Council in the declaration of the Special Charge.

¹ Refer to section 6.2 of the Plan by which a fixed rate contribution model of \$6,000 has been proposed and adopted by Council for Major Urban Centres (like Stratford) where sealed roads are to be provided



C5 - REPORT

GENERAL MANAGER COMMUNITY AND CULTURE

ITEM C5.1**QUICK RESPONSE GRANT MARCH - JUNE 2020**

DIVISION: COMMUNITY AND CULTURE
ACTION OFFICER: MANAGER COMMUNITY WELLBEING
DATE: 21 JULY 2020

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
✓	✓			✓		✓	✓	✓	✓

OBJECTIVE

For Council to receive the information regarding applications received under the Quick Response Grant Scheme for the period March to June 2020 as at Attachment 1.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That Council receives the information regarding applications received under the Quick Response Grant Scheme for the period March to June 2020 as at Attachment 1.

BACKGROUND

The Quick Response Grant Scheme aims to fulfil community need by providing a quick turnaround for funding and provides an opportunity for the community to access funding outside the community grants timeline. The Quick Response Grant Scheme supports the delivery of projects that demonstrate positive impacts on the wider Wellington community. Eligible projects submitted under this program are assessed within two weeks.

Individuals can apply for a quick response grant of up to \$500 under the Individual Sponsorship category. Not-for-profit community groups operating in Wellington Shire can apply for up to \$2,000 from the three minor community funding categories (Events, Projects and Facilities).

Applications included in this report were assessed between March to June 2020.

Applications are assessed by an internal assessment panel. Each application is assessed on its benefit to the community, ability to fulfil a community need, project planning and the capacity of the applicant to deliver the project. The panel allocates funding based on assessment criteria and funding guidelines.

OPTIONS

Council has the following options available:

1. Receive the information regarding successful and unsuccessful applications received under the Quick Response Grant Scheme for the period March to June 2020 as at Attachment 1;
or

2. Request further information and reconsider at a future council meeting.

PROPOSAL

For Council to receive the information regarding successful and unsuccessful applications under the Quick Response Grant Scheme for the period March to June 2020 as at Attachment 1.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

FINANCIAL IMPACT

These applications have been funded through the Community Grant Scheme within the Community Wellbeing budget. A total of \$49,408.00 was allocated to successful QRG applications for the period March to June 2020; after this allocation the year to date total of successful 2019 – 2020 QRG applications is \$128,661.75. Together with Community Assistance Grants that have been funded in August and March rounds, the Community Grant Scheme budget of \$345,00.00 for 2019 - 2020 has been fully expended.

The table below is a summary of the funding allocation, detailed list at Attachment 1.

Applications received and assessed	
• Minor Community Events	5 applications totalling \$9,640.00
• Minor Community Projects	7 applications totalling \$13,608.00
• Minor Community Facilities	14 applications totalling \$26,160.00
• Individual Sponsorship	Nil applications received
Successful Applications	
• Minor Community Events	5 applications totalling \$9,640.00
• Minor Community Projects	7 applications totalling \$13,608.00
• Minor Community Facilities	14 applications totalling \$26,160.00
• Individual Sponsorship	Nil
Unsuccessful Applications	
• Minor Community Events	Nil
• Minor Community Projects	Nil
• Minor Community Facilities	Nil
• Individual Sponsorship	Nil

COMMUNICATION IMPACT

The funding of these grants facilitates positive community relationships for Wellington Shire Council, highlighting Council's commitment to supporting not-for-profit community organisations in the delivery of their activities, projects and events that benefit the wider community.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 1 Communities states the following strategic objective and related strategy:

Strategic Objective 1.2: *"Celebrate, recognise and acknowledge our diverse community and improve social connections among youth, aboriginal and aged communities."*

Strategy 1.2.1: *"Ensure that Council services, facilities and events promote inclusivity, social connectedness and accessibility."*

This report supports the above Council Plan strategic objective and strategy.

COMMUNITY IMPACT

The funding of these grants will have a significant positive effect on the community, providing assistance to increase the range of events and activities that the wider Wellington community can access. Successful applicants have demonstrated a community need that will be filled through receiving the funding and show a community benefit through expected project outcomes.

ENVIRONMENTAL IMPACT

All events and projects are encouraged to consider the waste that will be produced through delivering their grant outcomes and have appropriate measures in place to manage waste. Assistance from Council is offered to all events to minimise landfill waste through the use of recycle bins.

ENGAGEMENT IMPACT

Council officers were involved in consultation with grant applicants to provide advice and assistance in the completion of event grant applications.

RISK MANAGEMENT IMPACT

The events industry is strongly legislated, and all events are encouraged to comply with current OH&S and best practice safety standards. It is the responsibility of applicants to ensure that their project complies with all current rules and regulations.

Quick Response Grant Scheme - Successful Applications – March 2020 to June2020

Organisation		Project Title	Amount	Description
Successful Minor Community Events				
1	Yarram and District Canine Club Inc	Yarram and District Canine Club Inc Inaugural Championship Dog Show	\$2,000.00	Yarram and District Canine Club first championship dog show to be held at the Yarram Recreational Reserve.
2	Lake Wellington Yacht Club	Marlay Point Family Fair	\$1,640.00	A community event during the Marlay Point overnight races, featuring live music, children's activities, displays, food and coffee vans.
3	Boisdale-Briagolong Football Netball Club – postponed*	Boisdale Community Day	\$2,000.00	A community day with market stalls, face painting, jumping castles and free activities.
4	Yarram Agricultural Show Society – postponed*	Bounce and Bop	\$2,000.00	School holiday pop-up indoor play centre featuring various jumping castles, face painting, plaster painting, bungee run, mini cars. Easter egg and biscuit decorating.
5	Rotary Club of Sale - cancelled*	Race the Rubeena	\$2,000.00	A fun run/walk event, competitors racing against the heritage vessel "Rubeena" from the Port of Sale to the Swing Bridge.
Total			\$9,640.00	
Successful Minor Community Projects				
1	Stratford Town Crier	Laptop Upgrade	\$1,918.00	To purchase a new laptop for the Newspaper to continue into the future.
2	Sale Men's Shed	Sale Men's Shed Upgrades	\$1,730.00	To upgrade the thicknesser and joint cutter to allow recycled timber to be used more and safer.
3	Maffra Neighbourhood House – postponed*	Social Isolation Project	\$2,000.00	A community consultation project to address social isolation for older people residing in Maffra.
4	Heyfield Traders and Tourism	Heart Safe Community - outdoor AED's for Heyfield	\$1,960.00	Install 4 outdoor defibrillator cabinets for Gordon St Reserve, Heyfield Community Resource Centre, RSL and Heyfield Hall.

Organisation		Project Title	Amount	Description
5	Sale Elderly Citizens Village Inc	Resident communication with families	\$2,000.00	To purchase 5 Ipads for resident use. An increase of need has become vital during Covid19 for residents to use Ipads for communication and entertainment.
6	Wellington Warriar's Football Club	Club Recruitment Media Campaign	\$2,000.00	A media campaign, utilising a number of media platforms to attract new members to the Club for season 2020 and beyond
7	Maffra Golf Club	Chainsaw Safety and Skills Program	\$2,000.00	A two day chainsaw safety and skills program through Ace Training Centre in Sale for 5 volunteers from the Maffra Golf Course
Total			\$13,608.00	
Successful Minor Community Facilities				
1	Yarram Football Netball Club	Repair Yarram Recreation Reserve oval surface	\$2,000.00	Assistance for urgent works to the oval due to drought.
2	Dargo Heritage Museum	Water Tank Replacement for Public Toilet	\$825.00	Replace the existing dysfunctional water tank.
3	Stratford Football Netball Club	User Friendly Goal Nets	\$2,000.00	To install a rigging system to the fixed football goal post nets to be easily raised and lowered.
4	Rosedale Cemetery Trust	Rosedale Cemetery Water Tank	\$2,000.00	Supply and install a new 3,000 gallon water tank, connecting downpipes from new shed.
5	Fry's Reserve Committee of Management	Fry's Reserve Activation Improvements	\$2,000.00	Install a basketball ring and seating to improve Fry's Reserve and increase visitation.
6	Carrajung Community Group	Carrajung Hall Revival Project	\$2,000.00	Funds towards the group's contribution for Latrobe Valley Authority funding application for the Hall renovation.
7	Boisdale-Briagolong Football Netball Club	Netball Changeroom enhancement	\$2,000.00	Vital upgrades to the existing netball changerooms to increase functionality and address privacy issues.
8	Boisdale Public Hall	Boisdale Public Hall Garden Revival	\$2,000.00	A garden revival project for the Hall incorporating pathways to improve accessibility.
9	Heyfield Football Netball club	Heyfield Football Netball Club Mower contribution	\$2,000.00	Funds towards the group's contribution to purchase a new mower for ground upkeep at the Gordon Street Reserve.
10	Heyfield Cricket Club	Heyfield Cricket Club Mower contribution	\$2,000.00	Funds towards the group's contribution to purchase a new mower for ground upkeep at the Gordon Street Reserve.
11	Loch Sport Bowls Club	Into the Future - lighting efficiency project	\$2,000.00	Exchange the clubroom existing halogen downlight globes to LED light globes to gain more efficiencies.

Organisation		Project Title	Amount	Description
12	Wurruk Community House	Refresh Project - new flooring	\$2,000.00	New flooring project to improve accessibility and enable community activities to happen safely.
13	Sale North Kindergarten	Sandpit improvements	\$2,000.00	Remove existing old sand, replace with new sand and upgrade the old, damaged sand pit cover to keep the sand pit clean and dry.
14	Stradbroke Hall	Hot water system upgrade	\$1,335.00	Replacement of the very old, rusted hot water service.
Total			\$26,160.00	

** Events and Projects cancelled and/or postponed due to Covid19 Australian Government Health Department rules and restrictions for public gatherings and social gatherings. Council's response has been a consistent approach of support, understanding and flexibility for all grant recipients and applicants, who have a variety of needs.*

Successful Individual Sponsorship			
Individual's Name	Supporting Organisation	Activity Title	Amount
Nil			
Total			\$0.00

Quick Response Grant Scheme - Unsuccessful Applications – March 2020 to June2020.

Organisation	Project Title	Description	Comment
Unsuccessful Minor Community Events			
Nil			
Unsuccessful Minor Community Projects			
Nil			
Unsuccessful Minor Community Facilities			

	Nil			
Unsuccessful Individual Sponsorship				
	Nil			

ITEM C5.2**AQUA ENERGY AND GIPPSLAND REGIONAL SPORTS COMPLEX FEE RELIEF**

DIVISION: COMMUNITY AND CULTURE
 ACTION OFFICER: MANAGER LEISURE SERVICES
 DATE: 21 JULY 2020

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
✓		✓	✓	✓					

OBJECTIVE

In acknowledgement of COVID-19 restrictions impacts and in order to encourage ongoing participation in physical activities and sport, for Council to approve temporary fee relief to:

- Aqua Energy members via application of a 15% discount of membership fees while services are limited (or time equivalent added to membership duration); and
- Aqua Energy casual users via retention of 2019/20 fees while services are limited; and
- Gippsland Regional Sports Complex key user groups of either:
 - 15% discount to associations and hockey clubs for the whole of 2020/21, subject to demonstration of financial hardship; or
 - 15% discount to associations for half 2020/21 and to hockey clubs for their 2020/21 season.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

In acknowledgement of COVID-19 restrictions impacts and in order to encourage ongoing participation in physical activities and sport, that Council approves temporary fee relief to:

- ***Aqua Energy members via application of a 15% discount of membership fees while services are limited (or time equivalent added to membership duration); and***
- ***Aqua Energy casual users via retention of 2019/20 fees while services are limited; and***
- ***Gippsland Regional Sports Complex key user groups of either:***
 - ***15% discount to associations and hockey clubs for the whole of 2020/21, subject to demonstration of financial hardship; or***
 - ***15% discount to associations for half 2020/21 and to hockey clubs for their 2020/21 season.***

BACKGROUND

Due to interruptions to service provision, incomplete reactivation of service delivery and the uncertainty of longer-term impacts on services resulting from COVID-19, it is recommended that a range of discounts apply for Aqua Energy and Gippsland Regional Sports Complex (GRSC) 2020/21 fees and charges.

The discount offer is to help offset revenue losses and increased costs due to COVID-19 impacts on members, associations and clubs using Council's key leisure facilities.

Council's Aqua Energy and Gippsland Regional Sports Complex facilities closed, as per Victorian Government's Chief Health Officer directions, from late March to late June and remain restricted in their allowed usage due to the ongoing COVID-19 pandemic.

OPTIONS

Council has the following options available:

1. In acknowledgement of COVID-19 restrictions impacts and in order to encourage ongoing participation in physical activities and sport, approve temporary fee relief to:
 - Aqua Energy members via application of a 15% discount of membership fees while services are limited (or time equivalent added to membership duration); and
 - Aqua Energy casual users via retention of 2019/20 fees while services are limited; and
 - Gippsland Regional Sports Complex key user groups of either:
 - 15% discount to associations and hockey clubs for the whole of 2020/21, subject to demonstration of financial hardship; or
 - 15% discount to associations for half 2020/21 and to hockey clubs for their 2020/21 season; or
2. Seek further information to be considered at a future Council meeting.

PROPOSAL

In acknowledgement of COVID-19 restrictions impacts and in order to encourage ongoing participation in physical activities and sport, that Council approves temporary fee relief to:

- Aqua Energy members via application of a 15% discount of membership fees while services are limited (or time equivalent added to membership duration); and
- Aqua Energy casual users via retention of 2019/20 fees while services are limited; and
- Gippsland Regional Sports Complex key user groups of either:
 - 15% discount to associations and hockey clubs for the whole of 2020/21, subject to demonstration of financial hardship; or
 - 15% discount to associations for half 2020/21 and to hockey clubs for the 2020/21 season.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

FINANCIAL IMPACT

The cost to Council for temporary fee relief to Aqua Energy members and casual users will be approximately \$48,000 to \$58,000. Partially offsetting this is the saving of casual salaries achieved due to the modifications to operating hours.

The indicative cost to Council for temporary fee relief to Gippsland Regional Sports Complex key user groups is:

- approximately \$13,000 if the option of 15% discount for the whole of 2020/21, subject to demonstration of financial hardship, is applied; or
- approximately \$7,000 if the option for 15% discount to associations for half of 2020/21 and for the 2020/21 hockey season (only) is applied.

This 2020/21 financial impact is in addition to revenue losses experienced during 2019/20 due to cancelled usage following COVID-19 restrictions.

COMMUNICATION IMPACT

Fee relief offers will be communicated individually to each affected Gippsland Regional Sports Complex key user group and to Aqua Energy members and users via normal membership communication systems.

LEGISLATIVE IMPACT

This report is in accordance with Section 91(4) of the *Local Government Act 1989*.

COUNCIL POLICY IMPACT

This report is in accordance with Council Policy 5.1.4 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 2 Services & Infrastructure states the following strategic objective and related strategy:

Strategic Objective 2.2: *"Council assets are responsibly, socially, economically and sustainably managed."*

Strategy 2.2.2: *"Ensure that community facilities within the municipality continue to meet the expectations and service needs of all current and future residents."*

This report supports the above Council Plan strategic objective and strategy.

ENGAGEMENT IMPACT

In determining fee relief offers for 2020/21 for Council's key leisure facilities, key user groups were asked to define the financial impacts of COVID-19 restrictions.



D. URGENT BUSINESS



E. FURTHER GALLERY AND CHAT ROOM COMMENTS

Gallery comments are an opportunity for members of the public to raise any particular matter they wish. This allows those in the gallery to speak directly to councillors but is not a forum designed for open discussion or debate. We will listen respectfully to what you have to say and make the commitment that if your query requires a written response, we will advise you that a response will be forthcoming and a copy of that response will be circulated to all Councillors.

This is not a forum for members of the public to lodge complaints against individuals, including councillors and staff, particularly as that individual gets no public right of reply to any matter raised. We take complaints seriously, and in line with the guidance from the Victorian Ombudsman and the local Government Inspectorate, we request that any specific complaint against an individual be put in writing. This way, your concern can be properly dealt with while ensuring fairness to all parties concerned.

If you wish to speak, we remind you that this part of the meeting is being recorded and broadcast on our website. Council's official Minutes will record that you have spoken to Council and the subject you spoke to Council about but will not record specific comments. We ask you to state your name in full, where you are from, and you have three minutes.

CHAT ROOM –

GALLERY COMMENTS –

Meeting declared closed at: pm

The live streaming of this Council meeting will now come to a close.



F. CONFIDENTIAL ATTACHMENT/S

F. CONFIDENTIAL ATTACHMENT/S

**ITEM F1.1 CONTRACT 2020-059 MACARTHUR STREET AND MARKET STREET
ROUNDAABOUT CONSTRUCTION (Refer to Agenda Item C4.2)**



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

**ORDINARY COUNCIL MEETING
21 July 2020**

On this day 03 July 2020 in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, Chris Hastie, General Manager Built and Natural Environment declare that the information contained in the attached document **MACARTHUR STREET AND MARKET STREET ROUNDAABOUT CONSTRUCTION** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

d) contractual matters

.....
CHRIS HASTIE, GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

G. IN CLOSED SESSION

COUNCILLOR

That the meeting be closed to the public pursuant to Section 89(2) of the Local Government Act 1989 to consider:

- a) personnel matters*
- b) the personal hardship of any resident or ratepayer*
- c) industrial matters*
- d) contractual matters*
- e) proposed developments*
- f) legal advice*
- g) matters affecting the security of Council property*
- h) any other matter which the Council or special committee considers would prejudice the Council or any person*

IN CLOSED SESSION

COUNCILLOR

That Council move into open session and ratify the decision made in closed session.