



**WELLINGTON**  
SHIRE COUNCIL  
*The Heart of Gippsland*

## **Council Meeting Agenda**

**Meeting to be held at**

**Council Chambers - Wellington Centre**

**Foster Street, Sale**

**Tuesday 2 April 2019, commencing at 3pm**

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# ORDINARY MEETING OF COUNCIL – 2 APRIL 2019

## AGENDA & TABLE OF CONTENTS

	ITEM	PAGE NUMBER
<b>A</b>	<b>PROCEDURAL</b>	
A1	STATEMENT OF ACKNOWLEDGEMENT AND PRAYER	
A2	APOLOGIES	
A3	DECLARATION OF CONFLICT/S OF INTEREST	
A4	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING	7
A5	BUSINESS ARISING FROM PREVIOUS MEETING/S	8
A6	ACCEPTANCE OF LATE ITEMS	9
A7	NOTICES OF MOTION	10
A8	RECEIVING OF PETITIONS OR JOINT LETTERS	11
	ITEM A8(1) OUTSTANDING PETITIONS	12
	ITEM A8(2) RECEIPT OF PETITION – LAKESIDE BOWLS CLUB	13
A9	INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS	23
A10	QUESTIONS ON NOTICE	24
<b>B</b>	<b>REPORT OF DELEGATES</b>	25
<b>C</b>	<b>OFFICERS' REPORT</b>	
	<b>C1 CHIEF EXECUTIVE OFFICER</b>	26
	<b>C2 GENERAL MANAGER CORPORATE SERVICES</b>	27
	ITEM C2.1 ASSEMBLY OF COUNCILLORS	28

	<b>C3 GENERAL MANAGER DEVELOPMENT</b>	33
	<b>C4 GENERAL MANAGER BUILT &amp; NATURAL ENVIRONMENT</b>	34
	<b>C5 GENERAL MANAGER COMMUNITY AND CULTURE</b>	35
	ITEM C5.1 CAMERON SPORTING COMPLEX COMMITTEE OF MANAGEMENT MEMBERSHIP	36
	ITEM C5.2 GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES	38
	ITEM C5.3 MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES	46
	ITEM C5.4 AGE FRIENDLY STRATEGY	54
	ITEM C5.5 TERMS OF REFERENCE UPDATE FOR SECTION 86 COMMITTEES	86
<b>D</b>	<b>URGENT BUSINESS</b>	149
<b>E</b>	<b>FURTHER GALLERY AND CHAT ROOM COMMENTS</b>	149
<b>F</b>	<b>CONFIDENTIAL ATTACHMENTS</b>	150
	ITEM F1.1 CAMERON SPORTING COMPLEX COMMITTEE OF MANAGEMENT MEMBERSHIP (Refer to Agenda Item C5.1)	151
<b>G</b>	<b>IN CLOSED SESSION</b>	152



## Council Meeting Information

*Members of the Public Gallery should note that the Council records and publishes Council meetings via Youtube to enhance the accessibility of Council meetings to the broader Wellington community. These recordings are also archived and may be published on Council's Website for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, members of the gallery may address the Council at which time their image, comments or submissions will be recorded.*

*Members of the public who are not in attendance at the Council meeting but who wish to communicate with the Council via the webcasting chat room should lodge their questions or comments early in the meeting to ensure that their submissions can be dealt with at the end of the meeting.*

*Please could gallery visitors and Councillors ensure that mobile phones and other electronic devices are turned off or in silent mode for the duration of the meeting.*



## **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:

2 APRIL 2019

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**OBJECTIVE**

To adopt the minutes of the Ordinary Council Meeting of 19 March 2019.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 19 March 2019.*

**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**



## **A - PROCEDURAL**

### **A8 RECEIVING OF PETITIONS OR JOINT LETTERS**

**ITEM A8(1)****OUTSTANDING PETITIONS**

ACTION OFFICER

GOVERNANCE

DATE:

2 APRIL 2019

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ITEM	FROM MEETING	COMMENTS	ACTION BY
Installation of street light Colville Street, Port Albert	5 February 2019	Item to lay on the table until further notice.	Manager Assets & Projects

**ITEM A8(2)****RECEIPT OF PETITION – LAKESIDE BOWLS CLUB**

ACTION OFFICER:

GENERAL MANAGER COMMUNITY &amp; CULTURE

DATE:

2 APRIL 2019

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

**OBJECTIVE**

To present Council with a petition in relation to the relocation of gaming machines from Lakeside Bowls Club to Sporting Legends, Sale.

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

***That Council receive the attached petition in relation to the relocation of gaming machines from Lakeside Bowls Club to Sporting Legends Sale.***

**BACKGROUND**

A petition containing 552 signatures has been received by Council.

A copy of the petition is attached for Council information.

**LEGISLATIVE IMPACT**

Section L6.59 of Wellington Shire Council Processes of Municipal Government (Meetings and Common Seal) Local Law No 1 provides for petitions and joint letters:

“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.”

Total 552

Petition to support the relocation of gaming machines from Lakeside Club, Sale to Sporting Legends, Sale.

Val Kelly	[Signature]
L. Miller	[Signature]
L. Smalley	[Signature]
C.A. Tommsley	C.A. Tommsley
Jessica Wright	Jessica Wright
Bruce Martin	John Hancock
Kim Bost	[Signature]
18702 Lucas	[Signature]
Trish Maher	[Signature]
Eliza Broadbent	[Signature]
Dorothy McKinnon	[Signature]
Helen G.	[Signature]
Jan Hansen	[Signature]
Shireen Martin	[Signature]
Carole Field	[Signature]
Debbie Tompkins	[Signature]
Heather Coles	[Signature]
Julie Anderson	[Signature]
Janis Robson	[Signature]
Keith Baudell	[Signature]
Silvia Richardson	[Signature]
Kim Garrett	[Signature]
Dorcas Proud	[Signature]
Ann Cobb	[Signature]
Caroline Ashby	[Signature]
Tony Wallace	[Signature]
Wendy Anderson	[Signature]
[Signature]	[Signature]
Ross Haslett	[Signature]
Stanley Morris	[Signature]
H.B. Dewart	[Signature]
[Signature]	[Signature]
H. Penger	[Signature]
Nora Morrison	[Signature]
G. Hedington	[Signature]
[Signature]	[Signature]

Help save Our Bowls club.

Petition to support the relocation of gaming machines from Lakeside Club, Sale to Sporting Legends, Sale.

<del>Bar Douglas</del>	<del>[Signature]</del>
Hazel Trewin	Susan Dwyer
Kristelle Higgins	M. Hardy
Verona Palmer	Z. Fitch
Trevor Palmer	Abdulhakim
Margaret	M. D. Luffly
<del>[Signature]</del>	<del>[Signature]</del>
Debra Radzicki	B. Law
Shayne Radzicki	J. How
Robert [unclear]	Cap. M. [unclear]
Pam Smith	John [unclear]
A. B. [unclear]	[unclear]
Natalie Edwards	J. Muller
Brock Whykes	[unclear]
Fiona Birdie	W. [unclear]
R. [unclear]	D. [unclear]
<del>[Signature]</del>	R. SOLE
<del>[Signature]</del>	R. RUSSELL
<del>[Signature]</del>	[unclear]
[unclear]	[unclear]
[unclear]	[unclear]
[unclear]	[unclear]
[unclear]	[unclear]
H. Gordon	[unclear]
[unclear]	[unclear]
[unclear]	[unclear]
L. [unclear]	2 Preston
[unclear]	7 Preston
[unclear]	J. [unclear]
Suzanne Marshall	C. Howarth
[unclear]	K. Bicknell
[unclear]	R. [unclear]
[unclear]	[unclear]
[unclear]	[unclear]
[unclear]	[unclear]
[unclear]	[unclear]




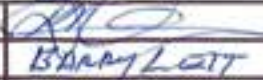

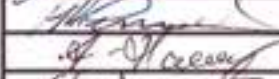
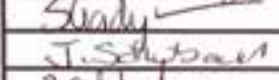
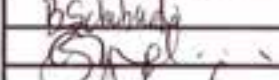
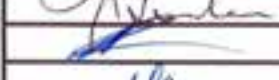
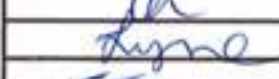

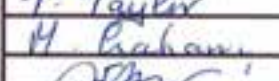

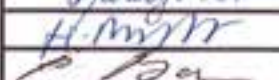
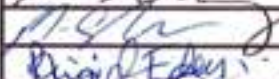
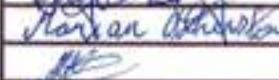
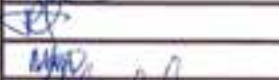

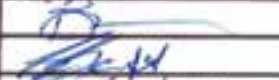
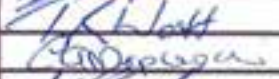










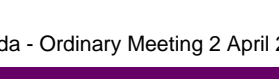







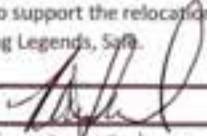


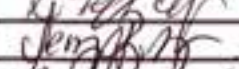
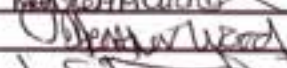
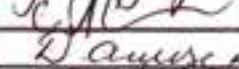
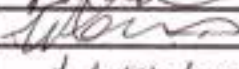
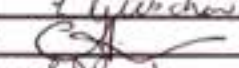

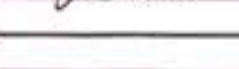
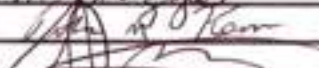
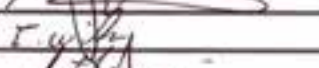
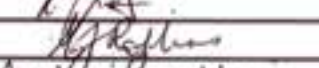
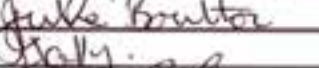
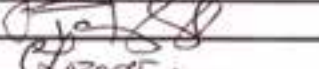
PETTLOX  
 LEIGH BRYANT M  
 H. GRIFFITHS  
 P. GRIFFITHS  
 Alan Reid.  
 Gael Tatterson  
 David Tatterson  
 Kris Mae Alpine  
 CHÉRYL JENNINGS  
 Joan Camm  
 SHEENA BROWN  
 P. White  
 Romy Jones.  
 Liz van der Merwe  
 Peter van der Merwe  
 Mary Jackson  
 Helen Stephenson  
 Ewley A JARVIS  
 Les Jackson.  
 GARY DAVIDSON  
 Pam CARTER  
 Ray Kennedy  
 Les. Brown.

Craig Soney  
 CAROL MAFRICI  
 Warren H. Ammer  
 Ian Cameron.  
 Bruce Hughes  
 Rob MORRIS  
 ALBY JONES  
 Jules. Simic.  
 David Scott  
 VAL SCOTT  
 JIM FELTIS  
 PETER BARNFIELD  
 KEITH PRITCHARD  
 Neville S. Ballinigh.  
 PETER GOULD.  
 Sam. He. Norman.  
 Mike THOMPSON  
 Kenny Davenport  
 PETER GAVIN  
 B Williams  
 DAVID MARSHMAN  
 Jim LINDREA  
 Bruce Melrose.  
 Jim Grant

Petition to support the relocation of gaming machines from Lakeside Club, Sale to Sporting Legends, Sale.

	
	BRADY LATT
	Blair Peacock
	Gabriel Peacock
	Alexander
	Mark A. Hall
	N. Taylor
	Miss H. Hedges
	Janet
	Neeraj
	David
	Jim Linnham
	John Lambourne
	Thomas Williams
	CA Janssen
	Walter Methuente
	
	
	
	
	
	
	
	

Petition to support the relocation of gaming machines from Lakeside Club, Sale to Sporting Legends, Sale

	
S. E. Eales	King Robert
Sally Brown	Shankos
Cwenda Luningstone	Ed Fuld
D. M. Smize	Wm Regal
BEC McNamee	R. Pughitt
A. P. E. N. R. P.	G. Lee
D. N. M. W.	
Maggie McNamee	
	
L. S. M.	D. Amersk
Cheryl H. P.	P. Walsh
K. B. M.	A. Sal
B. Dosterfield	W. H. M.
E. Johnson	R. M.
B. Coulter	T. M.
P. W. M.	
M. B. M.	J. M.
A. M.	
L. H. M.	
E. M.	
M. M.	
A. M.	
	
	
E. M.	
	
J. M.	
	
	
C. M.	
M. M.	
Philip Mee	
T. M.	
SAV. Brown	





## **A - PROCEDURAL**

### **A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS**



## **A - PROCEDURAL**

### **A10 QUESTIONS ON NOTICE**



# **B –REPORT**

# **DELEGATES**



## C1 - REPORT

# CHIEF EXECUTIVE OFFICER



## C2 - REPORT

# GENERAL MANAGER CORPORATE SERVICES

**ITEM C2.1****ASSEMBLY OF COUNCILLORS**

DIVISION:

CORPORATE SERVICES

ACTION OFFICER:

GENERAL MANAGER CORPORATE SERVICES

DATE:

2 APRIL 2019

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 13 March 2019 to 27 March 2019.

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

***That Council note and receive the attached Assembly of Councillor records for the period 13 March 2019 to 27 March 2019.***

**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 13 March 2019 to 27 March 2019.

<b>Assembly of Councillors summary of reports received for the period 13 March 2019 to 27 March 2019.</b>		
<b>Date</b>	<b>Matters considered</b>	<b>Councillors and officers in attendance</b>
19 March 2019	IT / Diary Meeting	Councillor Bye, Councillor Crossley, Councillor Hall, Councillor Hole, Councillor McCubbin, Councillor Maher, Councillor Ripper, Councillor Rossetti, Councillor Stephens David Morcom, Chief Executive Officer Leah Carubia, Executive Assistant CEO Unit Damian Norkus, ICT Operations Officer
19 March 2019	Corporate Management Team Updates Lakeside Bowls Club – Proposal for transfer of gaming machines Development Division Update Planning, Building & Business Development 2019/20 Budget Overview Regional Councils Transformation Program	Councillor Bye, Councillor Crossley, Councillor Hall, Councillor Hole, Councillor McCubbin, Councillor Maher, Councillor Ripper, Councillor Rossetti, Councillor Stephens David Morcom, Chief Executive Officer Arthur Skipitaris, General Manager Corporate Services (Item 1) Chris Hastie, General Manager Built & Natural Environment (Item 1) John Websdale, General Manager Development (Item 1) Sharon Houlihan, General Manager Community & Culture (Item 2) Catherine Vassiliou, Coordinator Social Planning & Policy (Item 2) Joshua Clydesdale, Manager Land Use Planning (Item 3) John Traa, Coordinator Statutory Planning (Item 3) Tom Hams, Senior Statutory Planner (Item 3) Vanessa Ebsworth, Manager Municipal Services (Item 3) Barry Nicholl, Municipal Building Surveyor (Item 3) Paul Johnson, Manager Business Development (Item 3) Daniel Gall, Coordinator Community Committees (Item 3) Ian Carroll, Manager Corporate Finance (Item 4)

## **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 13 March 2019 to 27 March 2019.

## **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

1. **DATE OF MEETING:** 19 March 2019

2. **ATTENDEES**

**Councillors:**

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Bye	✓		Cr Maher	✓	
Cr Crossley	✓		Cr Ripper	✓	
Cr Hall	✓		Cr Rossetti	✓	
Cr Hole	✓		Cr Stephens	✓	
Cr McCubbin	✓				

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO	✓		S Houlihan, GMC&C	✓	
C Hastie, GMB&NE	✓		J Websdale, GMD	✓	
A Skipitaris, GMCS	✓				

Others in attendance: (list names and item in attendance for)	Item No.
Leah Carubia, Damian Norkus	1

3. **Matters/Items considered at the meeting (list):**

1. IT / Diary Meeting

4. **Conflict of Interest disclosures made by Councillors:**

Nil

## ASSEMBLY OF COUNCILLORS

1. **DATE OF MEETING:** 19 March 2019

2. **ATTENDEES**

**Councillors:**

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Bye	✓		Cr Maher	✓	
Cr Crossley	✓		Cr Ripper	✓	
Cr Hall	✓		Cr Rossetti	✓	
Cr Hole	✓		Cr Stephens	✓	
Cr McCubbin	✓				

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO	✓		S Houlihan, GMC&C	✓	
C Hastie, GMB&NE	✓		J Websdale, GMD	✓	
A Skipitaris, GMCS	✓				

Others in attendance: (list names and item in attendance for)	Item No.
Arthur Skipitaris, Chris Hastie, John Websdale	1
Sharon Houlihan, Catherine Vassiliou	2
Joshua Clydesdale, John Traa, Tom Hams, Vanessa Ebsworth, Barry Nicholl, Paul Johnson, Daniel Gall	3
Ian Carroll	4
External Presenter – KPMG, East Gippsland Shire Council Councillors	5

3. **Matters/Items considered at the meeting (list):**

1. Corporate Management Team Updates (*Verbal*)
2. Lakeside Bowls Club – Proposal for transfer of gaming machines
3. Development Division Update Planning, Building & Business Development (*Verbal*)
4. 2019/20 Budget Overview
5. Regional Councils Transformation Program

4. **Conflict of Interest disclosures made by Councillors:**

Workshop 2 - Councillor Bye declared an indirect conflict of interest under section 78B (Conflict of Duty) and left the chamber - Councillor Bye is a Committee member of Sporting Legends Club.



## C3 - REPORT

# GENERAL MANAGER DEVELOPMENT



## C4 - REPORT

# GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT



## **C5 - REPORT**

# **GENERAL MANAGER COMMUNITY AND CULTURE**

**ITEM C5.1****CAMERON SPORTING COMPLEX COMMITTEE OF MANAGEMENT MEMBERSHIP**

DIVISION: COMMUNITY AND CULTURE  
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING  
 DATE: 2 APRIL 2019

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

**OBJECTIVE**

For Council to appoint the nominated Maffra Gymnastic Club member as detailed in the attached confidential report, to the Cameron Sporting Complex Committee of Management for the remainder of the three-year period ending 18 December 2021.

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

- 1. Council appoint the nominated Maffra Gymnastic Club member as detailed in the attached confidential report, to the Cameron Sporting Complex Committee of Management for the remainder of the three-year period ending 18 December 2021;**
- 2. The information contained in the attached document Item F1.1 Cameron Sporting Complex Committee Membership of this Council Meeting Agenda and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Community and Culture on 14 March 2019 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: (h) any other matter which the Council or special committee considers would prejudice the Council or any person; 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 member can be made public.**

**BACKGROUND**

The Cameron Sporting Complex Committee of Management is a Special Committee of Council under Section 86 of the *Local Government Act 1989* and operates within the provisions of a Council approved Instrument of Delegation.

The objectives of the Special Committee are:

1. To manage, operate and maintain the Cameron Sporting Complex for the community in an efficient, effective and practical manner.
2. To undertake activities designed to protect, promote, utilise and develop the Cameron Sporting Complex for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.

3. To keep the Council informed on the operations, improvements and advancements of the Cameron Sporting Complex by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
4. To set, maintain and collect appropriate user charges.
5. To ensure that the Cameron Sporting Complex's capital assets are adequately maintained.
6. To provide advice to Council on matters relating to the Cameron Sporting Complex.

## **OPTIONS**

Council has the following options:

1. Council appoint the nominated Maffra Gymnastic Club member as detailed in the attached confidential report, to the Cameron Sporting Complex Committee of Management for the remainder of the three-year period ending 18 December 2021; or
2. Seek further information to be considered at a future Council Meeting.

## **PROPOSAL**

That Council appoint the nominated Maffra Gymnastic Club member as detailed in the attached confidential report, to the Cameron Sporting Complex Committee of Management for the remainder of the three-year period ending 18 December 2021.

## **CONFLICT OF INTEREST**

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

## **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 5.3.2 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

## **COUNCIL PLAN IMPACT**

The Council Plan 2017-2021 Theme 2 Services and 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.*

**ITEM C5.2****GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES**

DIVISION: COMMUNITY AND CULTURE  
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING  
 DATE: 2 APRIL 2019

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

**OBJECTIVE**

For Council to receive the minutes from the Gordon Street Recreation Reserve Committee of Management’s General Meeting held on 25 February 2019.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

***That Council receive the minutes from the Gordon Street Recreation Reserve Committee of Management’s General Meeting held on 25 February 2019.***

**BACKGROUND**

The Gordon Street Recreation Reserve Committee of Management is a Special Committee of Council under Section 86 of the *Local Government Act 1989* and operates within the provisions of a Council approved Instrument of Delegation.

The objectives of the Special Committee are:

- To manage, operate and maintain the Gordon Street Recreation Reserve for the community in an efficient, effective and practical manner.
- To undertake activities designed to protect, promote, utilise and develop the Gordon Street Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
- To keep the Council informed on the operations, improvements and advancements of the Gordon Street Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
- To set, maintain and collect appropriate user charges.
- To ensure that the Gordon Street Recreation Reserve’s capital assets are adequately maintained.
- To provide advice to Council on matters relating to the Gordon Street Recreation Reserve.

As provided under the Committee’s Instrument of Delegation the minutes of all meetings are to be presented to Council and highlight the day to day activities being undertaken by the Committee.

Conflict of Interest: It was noted that conflicts of interest were called for at the commencement of the Ordinary Meeting, with no conflicts being declared. Meetings held by the Gordon Street Recreation Reserve Committee of Management are open to the public.

## **OPTIONS**

Council has the following options:

1. Receive the minutes from the Gordon Street Recreation Reserve Committee of Management's General Meeting held on 25 February 2019; or
2. Seek further information to be considered at a future Council Meeting.

## **PROPOSAL**

That Council receive the minutes from the Gordon Street Recreation Reserve Committee of Management's General Meeting held on 25 February 2019.

## **CONFLICT OF INTEREST**

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

## **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 5.3.2 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 and 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.

# GORDON STREET RECREATION RESERVE Special Committee of Council

## MINUTES

### MEETING DATE, MEETING TIME MEETING VENUE

Meeting Opened Time: 7.02pm

25/02/2019

Gordon Street Reserve

#### 1. Present / Apologies

Name	Title	Representing	Present / Apology
Malcolm Hole	Councillor		Present
Barbara Cook		Heyfield Vintage Machinery Group	Present
David Reid		Heyfield Junior Football Club	Present
Penny Stokes		Heyfield Junior Netball	Present
Joel Keane		Heyfield Cricket Club	Present
Lee Clarke		Heyfield Traders & Tourism Assn	Present
Scott Anderson		Heyfield Basketball Club	Apology
Tania Burton		Heyfield Tennis Club	Present
Peter Padula		Pigeon Club	Present
Geoffrey Healy		Heyfield Football Netball Club	Present
Brian Brown	President	Community	Present
Patrick Rodaughan	Secretary	Community	Present
Charles Wojcinski	Treasurer	Community	Present
Craig Bennett		Community	Apology
Kelvin Sundermann	Vice President	Community	Present

Bodye Darvill

Guest

Wellington Shire Council

**Quorum Achieved? Yes**

#### 2. Declaration of Conflicts of Interest; Read Chairperson Brian

#### 3. Confirmation of Minutes of Previous Meeting (note any corrections)

Moved: Brian

Seconded: Pat

**CARRIED**

**Chairperson to sign and date previous minutes to be filed by Secretary**

#### 4. Business Arising from Previous Minutes;

CR Hole asked if Tania Burton had received confirmation of her appointment to the committee.

#### 5. Correspondence In:

14.11.18 – Sale Water Specialists – Invoice for sprinklers  
16.11.18 – Lisa Lyndon – Wellington Shire – Returning committee members  
23.11.18 – Lee Clarke – Heyfield Traders & Tourism – Building Permit  
05.12.18 – Julie Baker – Wellington Shire – GSR venue booking  
14.12.18 – Sale Water Specialists – Invoice for filter on irrigation pump  
14.12.18 – Petra Szabo – Wellington Shire – New Community Committees Project Officer introduction  
19.12.18 – Mark Benfield – Wellington Shire – Project design acknowledgement and acceptance  
21.12.18 – Lisa Lyndon – Wellington Shire – GSR Minutes  
21.12.18 – Wellington Shire – Accessibility audit Community facilities  
11.01.19 – Lyn O’Brien – Maffra Concretors – Invoice for concreting pavilion viewing area  
15.01.19 – Southern Rural Water – Jan/Feb MID 2030 newsletter  
17.01.19 – Julie Baker – Wellington Shire – GSR venue booking  
21.01.18 – Lisa Lyndon – Wellington Shire – Council owned facilities Alcohol fact sheet & Casual hire application forms  
21.01.19 – Lyn O’Brien – Maffra Concretors – Revised invoice  
24.01.19 – Lisa Lyndon – Wellington Shire – Feedback for significant strategic plans  
24.01.19 – Petra Szabo – Wellington Shire – Bennett Electrical to look at power board in Stadium  
24.01.19 – Maffra Sheet metal – Invoice for hand rails around pavilion viewing deck  
30.01.19 – Petra Szabo – Wellington Shire – Emergency Plan evacuation diagram template  
30.01.19 – Petra Szabo – Wellington Shire – Meeting re Emergency plans  
04.02.19 – Gardiner Dairy Foundation – FRRR Working in Dairy Communities Grant writing workshop  
10.02.19 – Southern Rural Water – Jan/Feb District update newsletter  
13.02.19 – Petra Szabo – Wellington Shire – Completed Emergency Plans for GSR  
13.02.19 – Petra Szabo – Wellington Shire – Completed Evacuation diagrams for GSR  
18.02.19 – Bodye Darvill – Wellington Shire – 60/40 GSR entrance traffic management plan  
19.02.19 – Lisa Lyndon – Wellington Shire – Copy of Conflict of Interest form  
20.02.19 – Bodye Darvill – Wellington Shire – Gordon Street Terms of Reference update & OHS discussion

#### 6. Correspondence Out

15.11.18 – Pat Rodaughan to Lisa Lyndon – Returning committee members  
26.11.18 – Pat Rodaughan to Lee Clarke – Building permit RV stop  
03.12.18 – Pat Rodaughan to Lee Clarke – Change of venue  
05.12.18 – Pat Rodaughan to Julie Baker – Booking clubrooms for a meeting  
21.12.18 – Pat Rodaughan to Lisa Lyndon – GSR Minutes  
17.01.19 – Pat Rodaughan to Julie Baker – GSR booking  
30.01.19 – Pat Rodaughan to Petra Szabo – Emergency Planning templates  
18.02.19 – Pat Rodaughan to Bodye Darvill – 60/40 traffic management plan  
18.02.19 – Pat Rodaughan to Committee members – GSR Minutes

**Correspondence be accepted: Moved: Pat      Seconded: Barb      Carried**

## **7. Reports**

### **7.1 Chairperson's Report**

Cricket nets have been completed, and the new lights were commissioned last Wednesday. Had a meeting with Wellington Shire Council in regards to the Netball courts and the expected completion date is sometime in April. The watering system has had an overhaul and the filter has been fitted to the pump on the dam. Trees have removed at the Tennis club. The excess material excavated from the Netball courts has been used as fill for the new exit lane at the Fawaz Street entrance and some was placed at various spots around the main oval parking areas. The area under the veranda of the Netball rooms will be asphalted and the Netball poles will be adjustable. The concreting work to the viewing area has been done and handrails have been installed. The 4 x 4 motor vehicle club that visited and stayed at the reserve were most impressed with our facilities and are keen to come back again.

### **7.2 Treasurers Report Attached**

Charlie informed members that Wellington Shire Council have agreed to cover the full cost for the dam pump filter so we will be reimbursed our 40% contribution. The \$300.00 shelving was for the sea container and the Netball rooms to store equipment on.

**Moved: Charlie**

**Seconded: Pat**

**CARRIED**

### **7.3 User Groups Report**

#### **Heyfield Football Netball Club**

First round of Football/Netball on the 6<sup>th</sup> April to be played at home and are worried that the Netball courts will not be finished. They have looked into playing indoors in the stadium but NGFL won't allow it. If they have to switch this round it means they will not have a home game for 4 weeks which poses substantial financial pressure on the club.

#### **Heyfield Traders & Tourism Association**

The planning permit for the amenities block at the RV Stop has been approved as well as the demolition permit to remove the old one. The new unit will be installed before Easter. Traders were able to get a LVA grant of \$87,000 & \$10,000 from the Bendigo Bank.

#### **Heyfield Junior Football Club**

Will be fielding 4 boy's sides this season and will not have a youth girls side.

#### **Heyfield Tennis Club**

Tania asked had the Masterplan been updated recently and what the priority ratings are, so Bodaye will follow it up. Club would like to pursue grants maybe through LVA with the approval of committee.

#### **Heyfield Cricket Club**

Cricket club are concerned with the current cleaning arrangement and want a clearer understanding of what they are being charged for. It was decided to organize a meeting with the contractor and Cricket, Football/Netball and Basketball clubs to define areas and cleaning charges.

### **Heyfield Junior Netball Club**

The Junior Netball Club are now incorporated. They currently have 6 teams entered for the Sale Saturday competition and have 1 team playing in the Monday night competition. They would also like to put some blinds on the windows in the Netball building.

### **Heyfield & District Vintage Machinery Group**

This year's rally will be held on the 18<sup>th</sup> & 19<sup>th</sup> May and Vic Forest have kindly donated a load of logs. The Heyfield rally is now the second largest in the state. A working bee has been scheduled for March.

#### **1. Volunteer**

#### **1. OHS / Risk / Facility Fault Report:**

### **0. New Rules of the Committee to be endorsed by Council**

#### **1. General Business:**

Bodye Darvill was a guest at the meeting to explain changes to the Terms of Reference which include a working with children check and expected behavior guidelines and the dispute resolution process. Bodye went through the new Volunteer OH&S Site Induction Checklist which is now a requirement for committee members to complete. WSC have undertaken an audit of Section 86 facilities regarding accessibility to buildings etc and are currently sorting data and a report will be produced. Improvement works will be funded by Capital and State funds. WSC are currently seeking feedback on their Urban Paths Plan and will be looking 10 sites for development of paths, roads, parking, road widths etc. GSR is one of the sites being looked at site plans will commence on July 1st and scope of works would be in the next 12-24 Months.

CR Hole gave committee an update of our concerns that he tabled at the Council meeting on the 5<sup>th</sup> February. Response to WSC paying for the full cost of concreting the viewing deck was no. The dam pump filter was considered to have been WSC responsibility to provide a failsafe system and have agreed to pay 100% of the cost. Should WSC support buying our committee a lawnmower is being addressed in the development of a Community Managed Facilities Strategy. The other possibly is whether Council should be providing this service through Natural Environment and Parks. They have not completed the research yet to make a recommendation. CR Hole made committee members aware that he has been approached by members of the Netball Club requesting a playground for children to be built at the reserve.

Lee Clarke is investigating the legalities of removing the abandoned caravan from the RV Park.

**12. Next Meeting: 29/04/2019 at 7.00 pm GSR**

**Meeting Closed Time: 8.40 pm**

**These minutes are:**

**Confirmed as true and correct on 12/11/2018...25/02/2019.....  
Date**

**Or**

**Corrections have been made and noted at the meeting on .....  
Date**

**Chairperson Signature**  .....

GORDON STREET RESERVE  
MEETING 25/2/2019

INCOME

TRADERS	\$ 400.00
VINTAGE ENGINES	\$ 640.00
BBALL	\$ 525.00
HBC POWER	\$ 758.64
HFC	\$ 1,785.00
TENNIS	\$ 525.00
CRICKET POWER/RENT	\$ 1,465.25
GST SEPT	\$ 317.63
PIGEON	\$ 260.00
GST OCT	\$ 441.32

EXPENDITURE

GLENMAGGIE TREE LOPP	\$ 10,500.00
GIPPS WATER	\$ 1,849.13
P OBRIEN	\$ 50.00
VERN GRAHAM	\$ 177.40
TIMBERLINE	\$ 217.22
STH RURAL WATER	\$ 284.46
HEYFIELD SIGNS	\$ 115.50
WRIGHT REFRIG	\$ 8.76
VERN GRAHAM	\$ 283.04
TIMBERLINE	\$ 62.13
HEYFIELD TENNIS	\$ 464.00
WAYNE BUTCHER	\$ 50.60
PAULA WOODLAND	\$ 1,400.00
SALE WATER SPEC	\$ 17,579.24
PAUL OBRIEN	\$ 118.00
ENERGY AUST	\$ 311.37
VERN GRAHAM	\$ 130.32
TIMBERLINE	\$ 208.81
ENERGY AUST	\$ 1,971.45
CFA	\$ 141.90
MAFFRA CONCRETORS	\$ 9,532.00
SHELVING(BROWNY)	\$ 300.00
INBRANCH WITHDRAWAL	\$ 1.75

BALANCE 31/10/2018 \$ 51,809.79

BALANCE 31/1/2019 \$ 13,170.55

TOTAL \$ 58,927.63

TOTAL \$ 58,927.63

MOWING ACCOUNT

INCOME

INTEREST NOV/DEC/JAN	\$ 3.90
MOWING	\$ 360.00
BALANCE 31/10/2018	\$ 2,812.10

EXPENDITURE

NIL	
BALANCE 31/1/2019	\$ 3,176.00

TOTAL \$ 3,176.00

TOTAL \$ 3,176.00

*Brian F. Brown*

**ITEM C5.3****MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES**

DIVISION: COMMUNITY AND CULTURE  
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING  
 DATE: 2 APRIL 2019

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

**OBJECTIVE**

For Council to receive the minutes from the Maffra Recreation Reserve Committee of Management’s General Meeting held on 4 February 2019.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

***That Council receive the minutes from the Maffra Recreation Reserve Committee of Management’s General Meeting held on 4 February 2019.***

**BACKGROUND**

The Maffra Recreation Reserve Committee of Management is a Special Committee of Council under Section 86 of the *Local Government Act 1989* and operates within the provisions of a Council approved Instrument of Delegation.

The objectives of the Special Committee are:

- To manage, operate and maintain the Maffra Recreation Reserve for the community in an efficient, effective and practical manner.
- To undertake activities designed to protect, promote, utilise and develop the Maffra Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
- To keep the Council informed on the operations, improvements and advancements of the Maffra Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
- To set, maintain and collect appropriate user charges.
- To ensure that the Maffra Recreation Reserve’s capital assets are adequately maintained.
- To provide advice to Council on matters relating to the Maffra Recreation Reserve.

As provided under the Committee’s Instrument of Delegation the minutes of all meetings are to be presented to Council and highlight the day to day activities being undertaken by the Committee.

Conflict of Interest: It was noted that conflicts of interest were called for at the commencement of the Ordinary Meeting, with no conflicts being declared. Meetings held by the Maffra Recreation Reserve Committee of Management are open to the public.

## **OPTIONS**

Council has the following options:

1. Receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meeting held on 4 February 2019; or
2. Seek further information to be considered at a future Council Meeting.

## **PROPOSAL**

That Council receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meeting held on 4 February 2019.

## **CONFLICT OF INTEREST**

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

## **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 5.3.2 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 and 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.

**MAFFRA RECREATION RESERVE  
Special Committee of Council  
MINUTES**

**04/02/2019, 7.30pm Meeting room Maffra Recreation Function Centre**

President Mat Coleman

Secretary Kath Coggan 0411 098 452

**Present: Cheryl Dowling, Irene Crockford, Jenny Toma, Kath Coggan, Mark Hewlitt, Grant Smith, Paul Bourke, Kevin Christensen, Steve Bragg, Mat Coleman, Lisa Ogilvie.**

1. Apologies: Sonya Ford, Carmel Ripper
2. Declaration of Conflicts of Interest
3. Confirmation of Minutes of Previous Meeting Moved P. Bourke, seconded G. Smith
4. Business Arising from Previous Minutes

Emergency planning. Petra Szarbo working with Kath to update MRR Emergency Plans.

MRR to pay for repairs to the Fryer.

Kath to contact WSC re updating waste management for MRR

Macmillan Rock Hounds fixed water.

**Correspondence In:**

Email WSC re 3 strategic plans for comment, Footpaths, Roads, Boating Facilities

Email WSC Council owned facilities -Alcohol Fact Sheet (forwarded to MRRC)

Email WSC Tractor Repayment 2017-2021

Email Circus Royale requesting usage of grounds 11<sup>th</sup> March till 13<sup>th</sup> March

Email Cheryl Dowling re Roofline extension (forwarded MRRC)

Email MRRC executive re request from EPHC to use grounds Jan (too wet in Dec)

Email WSC re Maffra Rec Reserve emergency management plan.

Email from Bodey Darville requesting MRRC keys be left at Maffra Library for building audit

Email from MFNC requesting invoices for auditing purposes forwarded to L. Ogilvie

Email from Paul Shelton stating his intention to vacate his position on the MRRC

**Correspondence out**

Email WSC re emergency management plans

Email WSC with Nov minutes and financials

Email to MRRC with Nov minutes and Feb agenda

Correspondence accepted Moved Jenny Toma. Seconded Steve Bragg

Treasurer's Report Tabled. Copies to all user groups

Motion "To transfer \$8,000 to the working account" Moved K. Christensen, seconded S. Bragg

Acceptance of Treasurer's Report Moved L.Ogilvie. seconded S. Bragg

Reports

EVPHC-utilised the grounds in Jan in lieu of Dec, cancelled due to bad weather. Feb 9/10 2 day dressage event and trivia fun night. Judges workshop held on 8<sup>th</sup> Feb. Secretary has liased with drainage site manager re safety requirement for Harness events. Club reviewing pay as you go arrangement, maybe to annual fee. Club rooms painted. Researching blind options. Need for more storage options as per tabled letter

MUNICIPAL BAND. New president Rob Woodhouse. Door between band room and Function room off tracks. Built in urn in band room leaking, needs replacing.

MACMILLAN ROCKHOUNDS. All going well

MFNC. Training has commenced

AHTS- Truck show very successful with good attendance. Weather causing repair work for the grounds. Clint Kelly to assist. Thanks to MFNC for support with the use of facilities. Steve stepping back but will stay Rec Reserve representative

KENNEL CLUB- Held executive meeting. All judges approved. Applying for funding, would like letter of support from MRRC.

AG SOCIETY- Very successful show. Had debrief meeting in November to look at issues arising. Have acquitted a WSC Quick Response Grant and an LVA grant. Next meeting 12<sup>th</sup> March. Thank you BBQ for our volunteers to be held Friday Feb 22<sup>nd</sup>.

MAINTENANCE REPORT – Security lights issue. Weeds have been poisoned. Steel props need putting back on Ticket Box. With the new paths and drains there is a need for a whipper snipper (Mark to investigate). Ground watering has commenced manually. Some sprinklers need to be replaced. Damage caused by cement truck on oval. Mark, Paul and Clint to repair. There is need to put more seed on the Demolition Derby area (Ag Society to address) Need assistance with weeds and fertilizing. Patrick Fenney from Elders (agronomist) to be approached to assist. Grass very uneven, needs extra seeding. Impacts of Council project, power outlets for camping still available but camping space restricted, extra seating ,media box, positioning of gates impacting on parking.

DOGS NOT ON LEASHES. Kevin reported that he and his wife were walking their 2 dogs and they were attacked by a dog not on a leash. Kevin has notified the police of this and the owner is cooperating. Motion put forward "That we increase the signage re Dogs on leashes and use advertising outlets to get this information out into the community. Moved J. Toma, seconded S. Bragg. Carried

**Charges for regular user groups for use of the Maffra Recreation Function Centre. The Ag Society raised the issue of being sent an account from the MFNC for use of the Recreation Centre. This has not happened before. It was generally felt that the annual fee paid by user groups entitled them to use the facilities free of charge. Paul and Kevin to take up issue at next MFNC meeting**

**General Business**

**Drainage update**

**Emergency Plans for Maffra Rec Reserve buildings**

**Next meeting 04/03/2019 7.30 pm at Maffra Recreation Function Centre.**

7:34 PM  
16/06/14

**Maffra Recreation Reserve  
Reconciliation Summary**  
Bendigo Bank - Investment Acc., Period Ending 31/01/2019

	<u>Jan 31, 19</u>
Beginning Balance	33,081.89
Cleared Transactions	
Deposits and Credits - 1 Item	4.22
Total Cleared Transactions	<u>4.22</u>
Cleared Balance	<u>33,086.11</u>
Register Balance as of 31/01/2019	33,086.11
Ending Balance	33,086.11

7:31 PM  
16/06/14

**Maffra Recreation Reserve  
Reconciliation Summary**  
Bendigo Bank - General Account, Period Ending 31/01/2019

	<u>Jan 31, 19</u>
Beginning Balance	31,938.86
Cleared Transactions	
Cheque and Payments - 4 Items	<u>-28,684.73</u>
Total Cleared Transactions	<u>-28,684.73</u>
 Cleared Balance	 <u>3,254.13</u>
 Register Balance as of 31/01/2019	 3,254.13
Ending Balance	3,254.13

7:27 PM  
16/06/14  
Cash Basis

**Maffra Recreation Reserve**  
**Profit & Loss**  
January 2019

	<u>Jan 19</u>	<u>Jul 18 - Jan 19</u>
<b>Income</b>		
<b>Electricity contributions</b>		
Maffra Football & Netball Club	0	3,988
<b>Total Electricity contributions</b>	<u>0</u>	<u>3,988</u>
Hire of Reserve	0	964
Interest Received (Bendigo)	4	29
<b>Rentals</b>		
Camping (Kennel Club)	0	1,486
CWA	0	164
East Vic Pleasure Harness Club	0	121
Kennel Club	0	617
Maffra Football & Netball Club	0	5,058
McKay Lease	0	273
<b>Total Rentals</b>	<u>0</u>	<u>7,719</u>
<b>Total Income</b>	4	12,700
<b>Expense</b>		
Cleaning of Reserve	0	175
Cleaning Supplies (Milestone)	0	150
Electricity & Gas (Cannon)	0	45
Electricity & Gas (Origin)	2,777	7,550
<b>Fuel and Oil</b>		
Tractor/ Ride-On (MG Trading)	195	431
<b>Total Fuel and Oil</b>	<u>195</u>	<u>431</u>
Postage & Stationary (Aus Post)	0	205
<b>Repairs and Maintenance</b>		
Buildings (Plumbing)	0	196
Grounds (Murray Goulburn)	27	63
<b>Total Repairs and Maintenance</b>	<u>27</u>	<u>259</u>
Waste Removal (Maffra Waste)	0	1,108
Water Rates (Gippsland Water)	386	839
Water Rates (\$RW)	0	33
<b>Total Expense</b>	<u>3,385</u>	<u>10,795</u>
<b>Net Income</b>	<u>-3,381</u>	<u>1,905</u>

**ITEM C5.4****WELLINGTON AGE-FRIENDLY COMMUNITIES STRATEGY 2018 – 2022**

DIVISION: COMMUNITY AND CULTURE  
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING  
 DATE: 2 APRIL 2019

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

**OBJECTIVE**

For Council to approve the Wellington Age-Friendly Communities Strategy 2018 – 2022 (Attachment A).

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

***That Council approve the Wellington Age-Friendly Communities Strategy 2018 – 2022 (Attachment A).***

**BACKGROUND**

The Wellington Age-Friendly Communities Strategy 2018 – 2022 will guide the Wellington community on an age-friendly approach to population ageing, as developed and encouraged by the World Health Organisation (WHO). This is the first age-friendly strategy developed for Wellington, where the proportion of the community aged 65 and over is expected to increase from 20.2% of the shire’s population in 2016 to 26.7% by 2031 (ABS, 2016).

Council signed the state government’s Age-Friendly Victoria Declaration in 2016 and then delivered the Age-Friendly Wellington Project between September 2016 and June 2018. The Age-Friendly Wellington Project funded 18 place-based community development projects for older people across the shire. These projects focussed on making our local communities more liveable for older people. The projects were also utilised as consultation with community members for the development of the Wellington Age-Friendly Communities Strategy 2018 – 2022.

The Wellington Age-Friendly Communities Strategy 2018 – 2022 will provide further direction to councillors, staff, community members and organisations wishing to partner with Council to make Wellington more age-friendly. The strategy does this by identifying Council’s role and linking it to best-practice for age-friendly communities, as recommended by the WHO across eight age-friendly domains.

Council’s role in these age-friendly domains have been identified as the following:

	<b>Domain</b>	<b>Role</b>
1	Outdoor Spaces and Buildings:	Provider, Advocate
2	Transport:	Advocate
3	Housing:	Regulator
4	Social Participation:	Provider, Regulator, Advocate, Facilitator, Partner, Funder
5	Respect and Social Inclusion:	Provider, Advocate
6	Civic Participation and Employment:	Advocate
7	Communication and Information:	Provider
8	Community Support and Health Services	Provider, Regulator, Partner, Funder

The strategy is developed in three parts:

- Part One – Understanding Local Context
- Part Two – Applying the Age-Friendly Framework
- Part Three – Measuring and Reporting on Success

The draft strategy was released to community formally for consultation and minor adjustments were made in response to this consultation. The draft strategy was very well received.

The roles and recommendations outlined in this strategy will guide future work of Council and partners (including communities) to deliver on the principles in the Age-Friendly Victoria Declaration.

## **OPTIONS**

Council has the following options:

1. Approve the Wellington Age-Friendly Communities Strategy 2018 – 2022 (Attachment A);  
or
2. Seek further information to be considered at a future Council Meeting.

## **PROPOSAL**

That Council approve the Wellington Shire Council Age-Friendly Communities Strategy 2018 – 2022 (Attachment).

## **CONFLICT OF INTEREST**

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

## **COMMUNITY IMPACT**

The approval of this strategy will lead to a positive community impact as the community will be informed of Council's commitment to an Age-Friendly community and empowered to take local action to make Wellington more Age-Friendly.

## ENGAGEMENT IMPACT

Consultation to support the development of this Strategy was undertaken in 2018 over a 3-month period. Types of engagement included:

- Public Submission Process
- Focus Groups with Council Business Units
- Facilitated meetings with Age Friendly Ambassadors and Wellington Age Friendly Steering Committee
- Presentation at Age Friendly Evaluation Session

Community views from previous engagements were also incorporated into the development of this plan including:

- Wellington 2030
- Age-Friendly Wellington Project

## COUNCIL PLAN IMPACT

The Council Plan 2017-2021 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.*

The Council Plan 2017-2021 Theme 2 Services and Infrastructure states the following strategic objective and related strategy:

### Strategic Objective 2.1

*Council services and infrastructure are responsive to identified current and future community needs within budgeted parameters.*

### Strategy 2.1.2

*Provide access to a diverse range of recreational opportunities for all sectors of the community.*

### Strategy 2.1.3

*Establish a strong service planning framework across the organisation that also accounts for seasonal variations in community populations and an ageing community.*

WELLINGTON SHIRE COUNCIL

# Age Friendly Strategy



# Wellington Shire Council Age-Friendly Communities Strategy 2018-22



## Executive summary

This Strategy will assist Wellington Shire Council to implement an Age-Friendly approach to population ageing, as developed and encouraged by the World Health Organisation (WHO), Age-friendly Cities and Communities and the Victorian State Government, Age Friendly Victoria.

Wellington Shire Council signed the state government's Age-Friendly Victoria Declaration in 2016 and this document will provide further direction to Councillors, council staff and organisations wishing to partner with Council to make Wellington more Age-Friendly.

This strategy identifies Council's role and links it to actions recommended by the World Health Organisation across the eight (8) Age-Friendly domains.

Council's role against the WHO Age-Friendly domains have been identified as the following:

<b>Outdoor Spaces and Buildings:</b>	Provider, Advocate
<b>Transport:</b>	Advocate
<b>Housing:</b>	Regulator
<b>Social Participation:</b>	Provider, Regulator, Advocate, Facilitator, Partner, Funder
<b>Respect and Social Inclusion:</b>	Provider, Advocate
<b>Civic Participation and Employment:</b>	Advocate
<b>Communication and Information:</b>	Provider
<b>Community Support and Health Services:</b>	Provider, Regulator, Partner, Funder

The roles and recommendations outlined in this strategy guide the work of Council and partners (including communities) to deliver on the principles in the Age-Friendly Victoria Declaration.

Wellington Shire Council also acknowledges the advantages that a best-practice approach across the 8 Age-Friendly domains offer to all people living in the community regardless of age. Council views the Age-Friendly Strategy as complementary with other Council Strategies promoting universal access and liveability, notably the Wellington Access and Inclusion Plan 2017 – 2022, and looks toward a future of universal access for people of all ages and access requirements.



*The Heart of Gippsland*

**The strategy is developed in three parts:**

- Part One – Understanding Local Context
  - Research, record and recognise the quantitative data related to population ageing in Wellington Shire.
  - Research, record and recognise the qualitative data related to population ageing in Wellington Shire.
  - Community Consultation
- Part Two – Applying the Age-Friendly Framework
  - What is Age-Friendly?
  - Why is Wellington Shire Council committing to become an Age-Friendly Community?
  - Committing to Age-Friendly – nominating Council's role and guiding future action.
- Part Three – Measuring and Reporting on Success
  - Age-Friendly theory of change
  - Reporting
  - Funding
  - Accountability to the community



## Contents

Executive summary .....	1
Part One – Understanding ageing in Wellington .....	5
Ageing in Wellington – the numbers .....	5
Community Consultation that assisted development of this plan .....	7
The Age-Friendly Wellington Project – what local people have told us .....	7
Key themes .....	8
Theme: A clear idea of ageing well .....	8
Theme: The challenges that come with ageing .....	8
Theme: Building on the strengths and capacity within communities .....	8
Part Two – Applying the Age-Friendly framework .....	10
What is Age-Friendly? .....	10
Why is Wellington Shire committing to become an Age-Friendly Community? .....	10
The approach of the Age-Friendly Strategy .....	11
Who does this Age-Friendly Strategy apply to? .....	11
Committing to Age-Friendly – nominating Council's role and guiding future activities .....	12
Outdoor Spaces and Buildings .....	12
Transport .....	14
Housing .....	16
Social participation .....	17
Respect and social inclusion .....	19
Civic participation and employment .....	21
Communication and information .....	22
Community support and health services .....	24
Part Three - Measuring and reporting on success .....	25
Age-Friendly Strategy theory of Change .....	25
Age Friendly - Theory of Change Process .....	26
Reporting .....	27



Funding.....	27
Accountability to the community .....	27
Key reference documents .....	28



## Part One – Understanding ageing in Wellington

### Ageing in Wellington – the numbers

At the 2016 Census 8,674 of Wellington's total population of 42,983 were aged 65 and over. This age group represents 20.2% of our community and is the fastest growing age segment with an increase of 24.3% at the 2016 census, when compared to the 2011 census.

The top six fastest growing 5-year age brackets in Wellington Shire between 2011 and 2016 were all over 65 years.

Rank	Age	Wellington 2011 (Persons)	Wellington 2016 (Persons)	Growth in Persons	% Increase
1	100 years and over	0	3	3	N/A
2	95-99 years	35	85	50	143%
3	65-69 years	2133	3045	912	43%
4	75-79 years	1223	1531	308	25%
5	90-94 years	231	283	52	23%
6	70-74 years	1708	2053	345	20%

**Table 1: Fastest growing age brackets in Wellington Shire between 2011 and 2016 ABS Census 2011 and 2016**

Between 2011 and 2016 the total Wellington population grew by 1,542 persons (3.6%). Within this modest growth the 65 and over age group contributed disproportionately with a total change of approximately 1695 additional persons (4.09%). In contrast, over the same time period of 2011 to 2016 the net change for all other age groups from 0 to 65 years was a reduction of approximately 150 persons (-0.36%).

The growth of this segment of the Wellington community is forecasted to continue, and it is estimated that by 2031 26.7% of the total Wellington population will be over 65 (DELWP, 2016).



## Population by Age

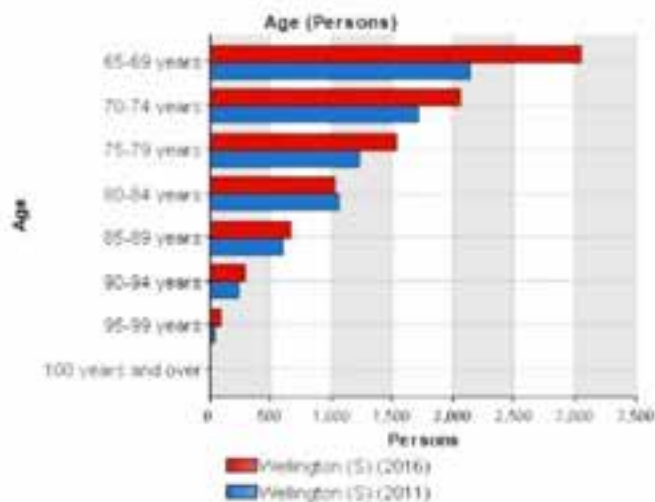


Diagram 1: Population by Age in Wellington Shire 2011 to 2016 ABS Census 2016

The highest numbers of older people are in major townships however many rural and remote localities have high proportions of older people.

Retirement lifestyles are a key contributor to this distribution. Wellington has affordable lifestyle localities that are attractive as retirement destinations. These are spread between the Strzelecki ranges, the high country, lakeside communities and the coast and are reflected in the below table.

Locality	Total Persons	65 and Over (%)	65 and Over (Persons)
Hollands Landing	14	100.00%	14
Staceys Bridge	35	65.71%	23
Hiamdale	31	61.29%	19
Carrajung South	45	57.78%	26
Manns Beach	28	57.14%	16
Gelliondale	34	55.88%	19
Dargo	99	54.55%	54
Madalya	18	50.00%	9
Seacombe	15	46.67%	7
Loch Sport	812	45.57%	370
<b>Sale</b>	<b>13,672</b>	<b>19.7%</b>	<b>2,688</b>

Table 2: Localities ranked by highest proportion of people over 65 years with Sale as a comparison point. ABS Census 2016

### **Community Consultation that assisted development of this plan**

Consultation to support the development of this Plan was undertaken in 2018 over a 3-month period. Types of engagement included:

- Public Submission Process
- Focus Groups with Council Business Units
- Facilitated meetings with Age Friendly Ambassadors and Wellington Age Friendly Steering Committee
- Presentation at Age Friendly Evaluation Sessions

Information gathered from the various forms of engagement has been included in this plan.

### **The Age-friendly Wellington Project – what local people have told us**

The timing to release this strategy is ideal to leverage off the significant work that has been undertaken in the Wellington Shire through the Age-Friendly Wellington Project. The Age-Friendly Wellington Project commenced in September 2016 and was completed 30 June 2018. The Victorian Government's Age-Friendly Communities initiative funded the project with a \$100,000 grant. Over the two-year period this funding started 20 local projects that were informed by extensive community consultation.

This consultation had four strategies for engaging the community that are outlined below. These strategies all provided opportunity to learn what is important to older people in the Wellington Shire and have been incorporated into this strategy.

#### **Project Officer visits**

Council's Age-Friendly Project Officer attended community networks, clubs and events made up predominately of older people.

#### **Ambassador advocacy**

The project recruited five prominent seniors/older people in the community to advocate for the project and spread the word about what was happening through their networks. The ambassadors were all long-term residents of the area and were an invaluable asset. They provided advice, access to networks, and raised the profile of the project across communities in Wellington Shire.

#### **Age-friendly community lunch series**

The community lunch consultations were well attended, with approximately 200 people sharing a meal at five town locations; Sale, Heyfield, Yarram, Stratford, and Loch Sport, during November 2016. Each lunch was followed by a one-hour workshop where participants were guided through a series of questions to gather information about what is currently happening, identifying issues, and a discussion about possible solutions.



### **Leveraging Wellington 2030 consultations**

Wellington 2030 outlines the community and council's strategic vision for the year 2030. During 2016 many varied consultation sessions were held across the Shire with a broad range of people to review the vision.

Over 200 people aged 60 and over contributed feedback. The feedback from older people on their visions for the future included:

- Access to reliable public and community transport options.
- Valuing and promoting the heritage and history within Wellington Shire .
- Intergenerational activities, including building relationships and partnerships with others to plan all ages community events and initiatives.
- Maintaining the small town feel and community support across our smaller towns throughout the shire.

### **Key themes**

Key themes have been developed from analysing all the feedback received through the consultation.

#### **Theme: A clear idea of ageing well**

Staying active, friends, family, community, joining groups, being generous and accepting generosity, telling your stories, volunteering, learning new things, laughing.

#### **Theme: The challenges that come with ageing**

Transport, access to information, advertising groups, losing a partner, health, not mixing with other generations, finding meeting places, personal security, mobility confidence, hearing loss, loss of community, adapting to technology.

#### **Theme: Building on the strengths and capacity within communities.**

The Age-Friendly Wellington Project revealed the existing strength of the seniors community, as well as a high level of support that community members can provide each other through both formal and informal networks.

Below are the highlights from the Age-Friendly Wellington Project that reflect these strengths:

- High numbers of people willing and eager to engage. The project had 300 people engaged in the first 3 months.
- Community groups are passionate and committed. At least 50 community groups were involved in the project.



- Community groups have capacity. At least 13 out of the 20 projects have been sustained beyond the funding period.
- Great spread of projects across the Shire that covered all the major towns in a geographically large Shire. The projects also tended to capture the essence or 'flavour' of a town, for example Boisdale did something rural and historical, Briagolong did something arty, and Golden Beach did something active.
- Large number of diverse projects that reflected a diverse ageing community. 20 projects across 10 locations with very different focuses.
- The community is keen to participate. Estimated that at least 1000 people participated in the Age-Friendly Project.
- High levels of autonomy of older people to pick and drive their own projects. Evidence of this is the number and diversity of the projects.

The detail behind these themes are important considerations for any future projects or initiatives delivered to enhance Wellington as an Age Friendly community.



## Part Two – Applying the Age-Friendly framework

### What is Age-Friendly?

Age-Friendly is the World Health Organisation's policy response to global population ageing. The Age-Friendly framework provides guidance on best practice to local government bodies on eight (8) domains of cities and communities that have an impact on older people.

At its most basic level the Age-Friendly framework suggests a checklist of principles and actions across the following eight (8) domains:

- Outdoor Spaces and Buildings
- Transportation
- Housing
- Social Participation
- Respect and Social Inclusion
- Civic Participation and Employment
- Communication and Information
- Community Support and Health Services

In Victoria Age-Friendly is a key component of the State Government response to population ageing. Wellington Shire Council has signed the Age-Friendly Victoria declaration, and this is the first Age-Friendly strategy to be developed.

### Why is Wellington Shire committing to become an Age-friendly Community?

1. Older people are the fastest growing segment of our community and this strategy outlines how Council is planning on responding to this demographic change.
2. There are significant economic and social benefits to making Wellington an excellent place to live and visit for older people, if this opportunity is managed well.
3. The strategy identifies Council's role, records Wellington's context and provides a framework for improvement in the future.
4. The strategy provides a reference document for community members to frame their discussions with Council regarding funding and service provision.
5. The timing is ideal to leverage the 2016-2018 Age-Friendly Wellington Project.
6. This strategy will make it easier to become an accredited Age-Friendly community through the World Health Organisation.
7. This strategy will help to attract further funding to improve the experience of older people in our community.



### **The approach of the Age-Friendly Strategy**

The strategy identifies Council's role in the Age-Friendly framework and makes the link to the WHO's recommended actions in the future, subject to funding, existing service planning arrangements and community participation.

Council's role has been inferred from the Council Plan 2017-21 and other Council plans and strategies. References to these plans are made explicitly under each domain below.

**Identify Council's role in each domain as one or more of the following (in line with the Council Plan 2017-21):**

<b>Provider</b>	Council directly provides a service
<b>Funder</b>	Council funds other parties to provide a service
<b>Partner</b>	Council has influence through partnerships
<b>Facilitator</b>	Council has influence through networks
<b>Advocate</b>	Council advocates for better outcomes
<b>Regulator</b>	Council regulates activity within the domain

### **Guidance on Best practice: Recommended ways of servicing older people based on the WHO Age – Friendly Communities Guide**

These recommendations are based on the Age-Friendly Communities Guide from the WHO, with consideration made to local context, and will provide a quick reference for Council staff to understand and apply Age-Friendly thinking to their work.

### **Who does this Age-Friendly Strategy apply to?**

All of us! Council Officers, community members and those we partner with need to consider this guide while continuing to build an Age-Friendly community.



## **Committing to Age-Friendly – nominating Council’s role and guiding future activities**

### **Outdoor Spaces and Buildings**

*Seniors live in an environment that includes open spaces, buildings, shaded areas and walkways that are safe and easy to navigate.*

Council has a role as a **Provider** and **Advocate** for outdoor spaces and buildings:

- Council has committed to **Providing** 'open spaces and infrastructure' under strategy 1.1.3, and 'ensure(ing) that Council services, facilities and events promote inclusivity, social connectedness and accessibility' under strategy 1.2.1 of the Council Plan 2017-21.
- Outdoor spaces and buildings should be accessible to older people, people living with a disability, families, and any other residents with different access requirements in line with Council's responsibilities under the Wellington Access and Inclusion Plan 2017 – 2022.
- Council has a role as a community leader and **Advocate** for accessibility issues within our community.

### **Outdoor Spaces and Buildings – Guidance on Best Practice**

#### **Green spaces**

- There are well-maintained and safe green spaces with shelter, toilet facilities and seating that can be easily accessed.

#### **Outdoor seating**

- Outdoor seating is available, particularly in parks, transport stops and public spaces, and spaced at regular intervals; the seating is well-maintained.

#### **Footpaths**

- Footpaths are well-maintained, smooth, level, non-slip and wide enough to accommodate wheelchairs with low street corners that taper off to the road.
- Footpaths are clear of any obstructions and pedestrians have priority of use.

#### **Roads**

- Roads have adequate non-slip, regularly spaced pedestrian access ensuring that it is safe for pedestrians to cross the road.
- Roads have well-designed and appropriately placed physical structures, such as traffic islands, overpasses, or underpasses, to assist pedestrians to cross busy roads.
- Pedestrian crossing lights allow sufficient time for older people to cross the road and have visual and audio signals.

#### **Cycle paths**

- Where possible there are separate cycle paths for cyclists.



**Safety**

- Public safety in all open spaces and buildings is a priority and is promoted by, for example, crime prevention through environmental design (CPTED).

**Buildings**

- Buildings are accessible and have the following features:
  - elevators
  - ramps
  - adequate signage
  - railings on stairs
  - stairs that are not too high or steep
  - non-slip flooring
  - rest areas with comfortable chairs
  - sufficient numbers of public toilets

**Public toilets**

- Public toilets are clean, well-maintained, easily accessible for people with varying abilities, well-signed and placed in convenient locations.



## Transport

*Seniors can get out and about, using a range of affordable, user-friendly transport services.*

Council has a role as an **Advocate** for transportation services within Wellington Shire:

- As an **Advocate**, Council has committed to 'lobby and advocate for improved public transport connectivity' under strategy 2.4.1 of the Council Plan 2017-21.

### **Transport – Guidance on Best Practice**

#### **Affordability**

- Public transportation is affordable to older people.

#### **Reliability and frequency**

- Public transport is reliable and frequent (including services at night and at weekends).

#### **Travel destinations**

- Public transport is available for older people to reach key destinations such as hospitals, health centres, public parks, shopping centres, banks, and seniors' centres.
- Urban areas have well-connected transport routes both within urban areas (including outer areas) and between neighbouring towns.

#### **Age-friendly vehicles**

- Vehicles are accessible, with floors that lower, low steps, and wide and high seats.
- Vehicles are clean and well-maintained.
- Vehicles have clear signage indicating the vehicle number and destination.

#### **Specialised services**

- Sufficient specialised transport services are available for people with disabilities.

#### **Travel alternatives**

- Digital access and outreach services are considered for older people in remote locations.

#### **Safety and comfort**

- Public transport is safe from crime and is not overcrowded.

#### **Transport stops and stations**

- Designated transport stops are near where older people live, are provided with seating and with shelter from the weather, are clean and safe, and are adequately lit.



- Stations are accessible, with ramps, escalators, elevators, appropriate platforms, public toilets, and legible and well-placed signage.
- Transport stops, and stations are easy to access and are located conveniently.

#### **Information**

- Information is provided to older people on how to use public transport and about the range of transport options available.
- Timetables are legible and easy to access.
- Timetables clearly indicate the routes of buses accessible to disabled people.

#### **Community transport**

- Community transport services, including volunteer drivers and shuttle services, are available to take older people to specific events and places.

#### **Driving competence**

- Refresher driving courses are provided and promoted.

#### **Parking**

- Affordable parking is available.
- Priority parking bays are provided for older people close to buildings and transport stops.
- Priority parking bays for disabled people are provided close to buildings and transport stops, the use of which are monitored.
- Drop-off and pick-up bays close to buildings and transport stops are provided for handicapped and older people.



## Housing

*Seniors' housing options are affordable, accessible, and close to transport and community services.*

Council has a role as a **Regulator** of housing within Wellington Shire:

- Council is a **Regulator** of housing through its strategic planning functions as outlined in Council Plan 2017-21 strategy 2.3.2 to 'ensure sufficient land supply to provide for a range of lifestyle options which support housing diversity including affordable housing'.

### **Housing – Guidance on Best Practice**

#### **Affordability**

- Affordable housing is available for older people.

#### **Ageing in place**

- Housing is located close to services and facilities.
- Affordable services are provided to enable older people to remain at home, to "age in place".
- Older people are well-informed of the services available to help them age in place.

#### **Community integration**

- Housing design facilitates continued integration of older people into the community.

#### **Housing options**

- A range of appropriate and affordable housing options is available for older people, including frail and older people with disabilities, in the local area.
- Older people are well-informed of the available housing options.
- There is a range of appropriate services and appropriate amenities and activities in older people's housing facilities.
- Older people's housing is integrated in the surrounding community.
- 



## Social participation

*Seniors are supported to be active in their community, doing the things they enjoy.*

Council has a role as a **Provider, Regulator, Advocate, Facilitator, Partner, and Funder** of opportunities for social participation in Wellington Shire:

- Under strategy 2.1.2 of the Council Plan 2017-21 Council **Facilitates, Provides, Funds, Regulates and Advocates** for 'access to a diverse range of recreational opportunities for all sectors of the community'.
- Council **Funds** social participation opportunities through the Community Assistance Grants, Quick Response Grants, and Maintenance Grants for Community Facilities.
- Council **Facilitates** social participation opportunities through support to committees of management as outlined in the Community Facilities Framework 2016.
- Council is a lead **Partner** in the Healthy Wellington 2017 -21 Municipal Public Health and Wellbeing Plan which commits us to addressing the priority area of 'improving social connection and inclusion'.

## Social participation – Guidance on Best Practice

### Accessibility of events and activities

- The location is convenient to older people in their neighbourhoods, with affordable, flexible transportation.
- Older people have the option of participating with a friend or caregiver.
- Times of events are convenient for older people during the day.

### Affordability

- Events and activities and local attractions are affordable for older participants.
- Voluntary organisations are supported by the public and private sectors to keep the costs of activities for older people affordable.

### Range of events and activities

- A wide variety of activities is available to appeal to a diverse population of older people, each of whom has many potential interests.
- Community activities encourage the participation of people of different ages and cultural backgrounds.

### Facilities and settings

- Gatherings, including older people, occur in a variety of community locations, such as recreation and leisure centres, schools, libraries, community centres in residential neighbourhoods, parks and gardens.



- Facilities are accessible and equipped to enable participation by people with disabilities or by those who require care.

**Promotion and awareness of activities**

- Activities and events are well-communicated to older people, including information about the activity, its accessibility and transportation options.

**Addressing isolation**

- Personal and group invitations are sent to promote activities and encourage participation.
- Events are easy to attend, and no special skills (including literacy) are required.
- Organisations make efforts to engage isolated seniors through, for example, personal visits or telephone calls.

**Fostering community integration**

- Community facilities promote shared and multipurpose use by people of different ages and interests and foster interaction among user groups.
- Local gathering places and activities promote familiarity and exchange among neighbourhood residents.



## Respect and social inclusion

*Seniors from all backgrounds are valued and appreciated, and no one is excluded based on race, geography, culture, language, gender, sexuality, ability or socio-economic status.*

Council has a role as a **Provider** and **Advocate** for the respect and social inclusion for older people in Wellington Shire:

- Council is a **Provider** of social inclusion in line with Council Plan 2017-21 strategy 1.2.1, that 'Ensure(s) Council services, facilities and events promote inclusivity, social connectedness and accessibility'.
- Council is a committed **Advocate** for respect in the whole community through Council Plan 2017-2021 strategic objective 1.2 to 'Celebrate, recognise and acknowledge our diverse community and improve social connections among youth, aboriginal and aged communities'.

## Respect and social inclusion – Guidance on Best Practice

### Respectful and inclusive services

- Older people are consulted by public, voluntary and commercial services on ways to serve them better.
- Public and commercial services provide services and products adapted to older people's needs and preferences.

### Public images of ageing

- The media include older people in public imagery, depicting them positively and without stereotypes.

### Intergenerational and family interactions

- Community-wide settings, activities and events attract people of all ages by accommodating age-specific needs and preferences.
- Older people are specifically included in community activities for "families".
- Activities that bring generations together for mutual enjoyment and enrichment are regularly held.

### Public education

- Learning about ageing and older people is included in primary and secondary school curricula.
- Older people are actively and regularly involved in local school activities with children and teachers.
- Older people are provided opportunities to share their knowledge, history, and expertise with other generations.

### Community inclusion

- Older people are included as full partners in community decision-making affecting them.



- Older people are recognised by the community for their past as well as their present contributions.
- Community action to strengthen neighbourhood ties and support include older residents as key participants and advisers.



## **Civic participation and employment**

*Seniors participate in employment, training, lifelong learning and volunteering opportunities and inform government policies.*

Council has a role as an **Advocate** for the civic participation and employment of older people in Wellington Shire:

- Council has committed to a role as an **Advocate** to 'encourage local volunteering' under Council Plan 2017-21 strategy 1.4.3.

### **Civic participation and employment – Guidance on Best Practice**

#### **Volunteering options**

- There are a range of options for older volunteers to participate.
- Voluntary organisations are well-developed, with infrastructure, training programs and a workforce of volunteers.

#### **Employment options**

- There is a range of opportunities for older people to work.
- There are flexible opportunities, with options for part-time or seasonal employment for older people.
- There are employment programs and agencies for older workers.
- Employers are encouraged to employ and retain older workers.

#### **Training**

- Training in post-retirement opportunities is provided for older workers.
- Retraining opportunities, such as training in new technologies, is available to older workers.
- Voluntary organisations provide training for their positions.

#### **Civic participation**

- Advisory councils, boards of organisations, etc. include older people.
- Support exists to enable older people to participate in meetings and civic events, such as reserved seating, support for people with disabilities, aids for the hard of hearing, the ability to access meetings digitally and transportation.
- Policies, programs and plans for older people include contributions from older people.
- Older people are encouraged to participate.

#### **Valued contributions**

- Older people are respected and acknowledged for their contributions.
- Employers and organisations are sensitive to the needs of older workers.
- The benefits of employing older workers are promoted among employers.

#### **Entrepreneurship**

- There is support for older entrepreneurs and opportunities for self-employment.
- Information designed to support small and home-based business is in a format/s suitable for older workers.



## Communication and information

*Seniors access information they need in a variety of formats to stay informed and connected with their communities, families and friends.*

Council has a role as a **Provider** of access to information for older residents in Wellington Shire:

- Council has committed to '**Provide** user friendly systems, accessible information and efficient processes' under strategy 6.1.1 of the Council Plan 2017-21.

## Communication and information – Guidance on Best Practice

### Information offer

- Information is disseminated to reach older people close to their homes and where they conduct their usual activities of daily life.

### Oral communication

- Oral communication accessible to older people is preferred, for instance through public meetings, community centres, clubs, the broadcast media, digitally and through individuals responsible for spreading the word one-to-one.
- People at risk of social isolation get information from trusted individuals with whom they may interact, such as volunteer callers and visitors, home support workers, hairdressers, door attendants or caretakers.
- Individuals in public offices and businesses provide friendly, person-to-person service on request.

### Printed information

- Printed information, including official forms, video captions (YouTube) and text on visual displays has large lettering and the main ideas are shown by clear headings and bold-face type.

### Plain language

- Print and spoken communication use simple, familiar words in short, straightforward sentences.

### Automated communication and equipment

- Users have the choice of speaking to a real person or of leaving a message for someone to call back.
- Electronic equipment, such as ticket machines, have large buttons and big lettering.

### Computers and the Internet

- There is wide public access to computers and the Internet, at no or minimal charge, in public places such as government offices, community centres and libraries.
- Tailored instructions and individual assistance for users are readily available.



**Emergency planning and care**

- Emergency planning includes older people, considering their needs and capacities in preparing for and responding to emergencies.



### Community support and health services

*Seniors are helped to stay healthy, active, and independent through community support and health services.*

Council has a role as a **Provider, Regulator, Partner** and **Funder** for community support and health services:

- Council is a **Provider, Regulator, and Funder** for 'deliver(ing) services and programs that encourage and foster community wellness and the prevention of disease' under strategy 1.1.1 of the Council Plan 2017-21.
- Council is a **Partner** in planning and providing health services as outlined in the Healthy Wellington 2017 -21 Municipal Public Health and Wellbeing Plan.

### Community support and health services – Guidance on Best Practice

#### Service accessibility

- Health and social services are well-distributed throughout urban areas, are conveniently co-located, and can be reached readily by all means of transportation.
- Residential care facilities, such as retirement homes and nursing homes, are located close to services and residential areas so that residents remain integrated in the larger community.
- Clear and accessible information is provided about the health and social services for older people.
- Administrative and service personnel treat older people with respect and sensitivity.
- Economic barriers impeding access to health and community support services are minimal.

#### Offer of services

- There is a range of health and community services are offered for promoting, maintaining, and restoring health.

#### Voluntary support

- Volunteers of all ages are encouraged and supported to assist older people in a wide range of health and community settings.



### **Part Three - Measuring and reporting on success**

#### **Age-Friendly Strategy theory of Change**

The long-term outcome of implementing this Strategy is to continue to improve the liveability of the Wellington Community for people aged 65 and over.

This is important because of significant demographic change whereby 1 in 4 citizens in Wellington Shire will be aged over 65 by 2031 and older people have some unique or enhanced needs in terms of liveable communities.

Through the activity of adopting and using the Age-Friendly Communities strategy and the best practice guidance to improve services delivered to older people, Wellington Shire Council is striving for the following theory of change.



### Age Friendly - Theory of Change Process



### **Reporting**

Council will ensure that annual reporting is completed, detailing whether the Age Friendly Communities Strategy 2018-2022 has been used to improve the experience of older people in the community. Council business units will share success stories in their annual business reporting as well as feedback on how the strategy can be improved as part of a continuous improvement approach to reporting.

### **Funding**

The success of this strategy can be measured by whether Wellington Shire Council has attracted more external funding to work towards a more Age-Friendly community over the period 2018-2022.

### **Accountability to the community**

To ensure Council keeps the needs of our ageing community as the basis for all planning and decision making, information will be shared with stakeholders and the general community through the Wellington Shire Council Annual Report.



## Key reference documents

- Commissioner for Senior Victorians, 2016. Ageing is Everyone's Business Report – a report on isolation and loneliness among senior Victorians  
<https://www.seniorsonline.vic.gov.au/services-information/commissioner-for-senior-victorians/government-response-to-ageing-is-everyones-business>
- Council of the Ageing (COTA) Victoria, 2017. Age-Friendly Cities and Communities Information Kit.  
<https://cotavic.org.au/2017/12/age-friendly-cities-and-communities-information-kit/>
- (DELWP) Victorian Department of Environment, Land, Water and Planning, 2016. Victoria in Future 2016 Population and household projections to 2051.  
<https://www.planning.vic.gov.au/land-use-and-population-research/victoria-in-future-2016>
- Victorian Department of Health and Human Services, 2016. Age-Friendly Victoria Declaration  
<http://www.mav.asn.au/policy-services/social-community/ageing-disability/ageing/Pages/age-friendly-cities-communities.aspx>
- Wellington Shire Council, 2017. Wellington 2030 Community Vision – Version 2.0 2017  
<http://www.wellington.vic.gov.au/Lists/News-and-Public-Notices/Wellington-2030-Community-Vision-Unlocking-Opportunities-in-our-Region>
- Wellington Shire Council, 2017. Wellington Shire Council Plan 2017-21.  
<http://www.wellington.vic.gov.au/Your-Council/Publications/Council-Plan>
- Wellington Shire Council, 2017. Wellington Access and Inclusion Plan 2017-2022.  
<http://www.wellington.vic.gov.au/Your-Council/Publications/Council-Strategies-and-Plans>
- Wellington Shire Council, 2017. Healthy Wellington 2017-21.  
<http://www.wellington.vic.gov.au/Your-Council/Publications/Council-Strategies-and-Plans>
- World Health Organisation, 2007. Global Age-Friendly Cities: A Guide  
[http://www.who.int/ageing/publications/Global\\_age\\_friendly\\_cities\\_Guide\\_English.pdf](http://www.who.int/ageing/publications/Global_age_friendly_cities_Guide_English.pdf)



**ITEM C5.5****SPECIAL COMMITTEES OF COUNCIL – TERMS OF REFERENCE**

DIVISION: COMMUNITY AND CULTURE  
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING  
 DATE: 2 APRIL 2019

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

**OBJECTIVE**

For Council to adopt the revised Terms of Reference (as attached) for the:

- Briagolong Quarry Reserve Committee of Management
- Briagolong Recreation Reserve Committee of Management
- Cameron Sporting Complex Committee of Management
- Gordon Street Recreation Reserve Committee of Management
- Maffra Recreation Reserve Committee of Management
- Newry Recreation Reserve Committee of Management.

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

*That Council adopt the revised Terms of Reference (as attached) for the:*

- ***Briagolong Quarry Reserve Committee of Management***
- ***Briagolong Recreation Reserve Committee of Management***
- ***Cameron Sporting Complex Committee of Management***
- ***Gordon Street Recreation Reserve Committee of Management***
- ***Maffra Recreation Reserve Committee of Management***
- ***Newry Recreation Reserve Committee of Management.***

**BACKGROUND**

Council has six Section 86 Special Committees of Council (committees) delegated with responsibility for managing community facilities on behalf of Council and operating within an Instrument of Delegation and Terms of Reference. An internal policy change with regard to Child Safety Standards required an update to the Terms of Reference and gave opportunity to undertake further changes to strengthen the understanding of committee roles and responsibilities.

Terms of Reference changes have been communicated with each committee and feedback incorporated in the final version. A summary of changes to the Terms of Reference for all special committees is as follows:

- Definition of “Facility” on page 1 and inclusion of overhead site map (Appendix 3) with defined area of committee responsibility.
- Term of membership (3.3) updated to reflect that current membership ends December 2021.
- Addition of “Child Safety Standards” clause 4.8 in line with Council policy. Includes the requirement for all volunteers to undertake Working with Children Checks.
- Addition of “Expected Behaviours” clause 7 provides advice about the expectation that committee members and volunteers must abide by Council’s Employee Code of Conduct and the Workplace Bullying and Harassment Policy.
- Addition of “Dispute Resolution” clause 8 provides a process for committee members to follow in the event of a dispute.
- Clarification that the operating subsidy will be paid on receipt of reporting requirements (5.1).

A summary of changes to the Terms of Reference for specific committees is as follows:

Cameron Sporting Complex Committee Terms of Reference:

- Membership update - Replacement of hockey representative with volleyball representative to reflect changes in user groups.

Newry Recreation Reserve Committee Terms of Reference:

- Membership update – addition of Newry Hall representative to allow broader community input.

## OPTIONS

Council has the following options:

1. Adopt the revised Terms of Reference (as attached) for the:
  - Briagolong Quarry Reserve Committee of Management
  - Briagolong Recreation Reserve Committee of Management
  - Cameron Sporting Complex Committee of Management
  - Gordon Street Recreation Reserve Committee of Management
  - Maffra Recreation Reserve Committee of Management
  - Newry Recreation Reserve Committee of Management
 or
2. Seek further information to be considered at a future Council meeting.

## PROPOSAL

That Council adopt the revised Terms of Reference (as attached) for the:

- Briagolong Quarry Reserve Committee of Management
- Briagolong Recreation Reserve Committee of Management
- Cameron Sporting Complex Committee of Management
- Gordon Street Recreation Reserve Committee of Management
- Maffra Recreation Reserve Committee of Management
- Newry Recreation Reserve Committee of Management.

## CONFLICT OF INTEREST

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

## **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 and 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.



# WELLINGTON SHIRE COUNCIL

## BRIAGOLONG QUARRY RESERVE COMMITTEE

### TERMS OF REFERENCE SCHEDULE

#### 1. Definitions

In this Schedule unless inconsistent with the context or subject matter;

“Council” means the Wellington Shire Council

“Financial Year” means the period from 1 July to the following 30 June

“Special Committee” means the persons who are appointed and/or elected to the Committee in the manner hereinafter provided

“Facility” means the Briagolong Quarry Reserve located at Quarry Road, Briagolong and as defined by the attached plan - Appendix 3.

#### 2. Objectives

The objectives of the Special Committee shall be:

- 2.1. To manage, operate and maintain the Briagolong Quarry Reserve for the community in an efficient, effective and practical manner.
- 2.2. To undertake activities designed to protect, promote, utilise and develop the Briagolong Quarry Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
- 2.3. To keep the Council informed on the operations, improvements and advancements of the Briagolong Quarry Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
- 2.4. To set, maintain and collect appropriate user charges.
- 2.5. To ensure that the Briagolong Quarry Reserve’s capital assets are adequately maintained.
- 2.6. To provide advice to Council on matters relating to the Briagolong Quarry Reserve.

#### 3. Appointment and Membership of the Committee

The method of appointment and the membership of the Special Committee shall be:

- 3.1 the Special Committee shall consist of a minimum of 5 ordinary members appointed by the Council as follows:
  - a) One Councillor
  - b) Up to ten (10) Representatives of the community of Briagolong.Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve
- 3.2 the Special Committee takes its authority from Section 86 of the Local Government Act 1989.
- 3.3 the term of office of the Members shall be from the date of appointment by Council until 18 December 2021 or as otherwise determined by the Council

- 3.4 in the event of a vacancy on the Special Committee, the Committee may submit nominations to the Council and the vacating member shall be replaced by a person drawn from the same membership category in clause 3.1. The Council may choose to fill the vacancy from the names submitted or call for public nominations.
- 3.5 all nominations and appointments to the Special Committee must be confirmed by the Council and any person appointed as a Member may be removed from that position at any time by resolution of the Council. Any such removal shall cause an extraordinary vacancy which must be filled in accordance with clause 3.4.
- 3.6 the office of a Member may be declared vacant by the Council if that Member fails to attend 3 consecutive meetings without leave being granted by the Special Committee by a resolution duly passed.

#### **4. Conditions**

That the Special Committee observe and maintain the following conditions between the Committee and the Council as provided under this Section.

Notwithstanding Clauses below, the Council shall be the arbitrator of any disputed or uncertain maintenance responsibility and the Council's decision will be final.

##### **4.1 Procurement**

The Special Committee is authorised by the Instrument of Delegation to make procurement (purchasing) decisions in relation to the purchase of goods, services and works on behalf of Council. In making procurement decisions, the Committee shall also give consideration to Council's Procurement Policy.

##### **4.2 Works**

- 4.2.1. It is provided that the responsibility for repairs, maintenance and improvements will be divided between the Committee and the Council as provided in Appendix 1.
- 4.2.2. Major maintenance or improvement works will be the responsibility of the Council. Such works will be scheduled within the constraints of the Council's budget capability and will be consistent with any relevant policies and procedures adopted by the Council.
- 4.2.3. Sub-clause (4.2.2) is not intended to prevent the Committee of Management from suggesting or requesting the undertaking of major works which, subject to Council consent, it may do at its cost.
- 4.2.4. Any additions, modifications or improvements made to the property remain the property of the Council.
- 4.2.5. The Committee of Management is responsible for maintenance and replacement of all fittings, furniture and equipment within the facility with the exception of those items listed in accordance with Appendix 1.
- 4.2.6. If it is deemed that any Council supplied equipment (fixed or portable) is no longer available for use due to age or it is unable to be repaired, the Committee shall advise the Council of the condition of the equipment and the Committee's recommendation for the future of the equipment.

##### **4.3 Insurance**

###### **4.3.1 Building and Contents**

The Council will be responsible for the insurance cover of buildings, other identifiable physical structures and Council owned contents. Contents cover does not include sporting equipment and other items owned by the Committee or user groups. The Committee shall ensure that user groups are aware of their responsibility to obtain and maintain insurance on their own equipment.

#### **4.3.2 Committee Members**

Subject to the Special Committee and its members acting within the scope, powers and functions set out in the Instrument of Delegation and these Terms of Reference, the Public Liability insurance held by the Council shall protect individual members from liability other than for criminal matters.

#### **4.3.3 Volunteers**

Any volunteers co opted to assist the Committee to discharge its obligations will be covered by the Council's insurance policies where the names of the volunteers have been recorded in the Committee's Volunteer Register. The Committee will be responsible for ensuring that all volunteers complete a Volunteer Registration Form which is to be held by the Committee.

#### **4.3.4 Hirers / Users**

All regular users/hirers or organised clubs, associations or organisations using the Briagolong Quarry Reserve must have their own public liability insurance cover when using the reserve facilities. Casual hirers, being individuals or unincorporated groups of individuals, will, subject to completion of a documented hire agreement, be covered by the Wellington Shire Council casual hirers insurance policy.

### **4.4 Use of Facility**

4.4.1 The Committee of Management is responsible for the formulation and administration of terms and conditions for use of the facility, including the setting of hire fees and security deposits. All terms and conditions of use and access must be consistent with any Council policy(s).

4.4.2 The Committee of Management must formulate a written Hire Agreement inclusive of an indemnity to be entered into with users of the facility.

4.4.3 The Committee of Management must ensure that all users of the facility, execute the hire agreement and indemnity prior to any use.

### **4.5 Books of Account**

The Committee shall operate such bank accounts and books of accounts as the Committee thinks necessary and may receive all monies and meet routine expenditure in connection with the Conditions set out in Clause 5 and associated with the operation of the various Briagolong Quarry Reserve functions.

### **4.6 Fundraising**

All fundraising activities for or related to the facility, including any undertaken by the Committee of Management, must not occur until after all applicable permits and licences have been obtained.

### **4.7 Rules for Behaviour of Users**

Subject to approval by the Council, the Special Committee may make such rules as it deems expedient for the safety, conduct and well being of people using the Briagolong Quarry Reserve and may ensure compliance by whatever lawful means the Committee considers fit. A copy of such rules shall be supplied to the Council by the Committee within one month of being approved by the Committee. Council may approve or reject such rules as soon as practicable thereafter. If approved by Council, such rules shall have immediate effect thereafter.

### **4.8 Child Safety Standards**

The Committee are bound by Council's Child Safe Policy. Wellington Shire Council is committed to creating a culture of child safety and recognises that protecting children and preventing and responding to child abuse is an organisation wide responsibility.

All employees, contractors, and volunteers who have direct contact with children are required to have a current Working With Children Check.

Changes introduced to the Working With Children Act 2005 on 1 August 2017 have expanded the definition of 'direct contact' with children to include oral, written or electronic communication in addition to face-to-face and physical contact. Direct contact with children is regular, ongoing and is required as a part of their role.

*Consequence of Non-Disclosure and Reporting*

It is an offence for people within an organisation who are aware of a risk of child abuse and had the authority to reduce, remove or report the risk, but negligently failed to do so.

## **5. Reporting**

The following reports shall be provided to Council outlining the activities of the Special Committee:

- 5.1 Copy of all Committee Meeting Minutes (including ordinary meetings, extraordinary meetings and Annual General Meetings), chairperson's report and treasurer's report within a month of the meeting being held.
- 5.2 Monthly GST Returns, detailing total income and expenditure and total GST received and paid during the month [form supplied by Shire]. Returns due within the first week of the month following.
- 5.3 The Annual General Meeting reporting requirements are:
  - Audited financial statements for previous financial year
  - Annual operating budget
  - Works and projects planned for next 12 months
  - Schedule of fees
  - Committee's Rules for the Reserve

## **6. Meetings of the Special Committee**

The following rules and regulations apply to meetings of the Special Committee:

- 6.1 the provisions of Section 86, 87, 89 and 90 of the *Local Government Act 1989* shall apply to this Special Committee (Copy attached at Appendix 2).
- 6.2 the conduct of meetings held by the Special Committee shall be subject to the provisions of Wellington Shire Council – Local Law No. 1, "Processes of Municipal Government (Meeting and Common Seal) Local Law."
- 6.3 the Committee shall appoint the Chairperson, Secretary and Treasurer from the persons appointed by Council to the Special Committee.
- 6.4 the Chairperson, Secretary and Treasurer shall be elected on an annual basis.
- 6.5 the Special Committee shall meet at least 4 times per year on a quarterly basis, or more frequently if so determined by the Committee.
- 6.6 notice specifying the date, time and business of the meeting must be given to all members as least seven days before any meeting of the Special Committee.
- 6.7 no meeting of the Special Committee shall be held and no business shall be transacted unless a majority of members are present (half the membership plus one) creating a quorum. If a quorum is not present within ½ an hour of the time appointed for a meeting, then the meeting shall stand adjourned until the same time and place on the same day of the following week and notice to this effect shall be given to all members.

- 6.8 an extraordinary meeting shall be called by the Chairperson on the written request of any three members, such request specifying the purpose of the extraordinary meeting.
- 6.9 a record of the minutes and proceedings of all meetings together with those present shall be kept in the files of the Committee.
- 6.10 minutes are to be confirmed at the next meeting with or without corrections. Such minutes are to be signed by the Chairperson of the confirmatory meeting and shall be kept in the files of the Committee.

## **7. Expected Behaviours**

As volunteers of Council, members of a Special Committee are expected to abide by Council's policies, including the Employee Code of Conduct and the Workplace Bullying and Harassment Policy. Key expectations are the right for all volunteers to:

- have a healthy and safe environment
- be treated with respect, courtesy and dignity
- have a chance to have a say
- be a part of a group that works together to achieve good outcomes for the community and all user groups
- have access to a process for representatives to take information back to their clubs

Wellington Shire Council will not tolerate:

- bullying, harassment or discrimination against an individual or a group

The definition of these terms and examples of what they include can be reviewed in the Workplace Bullying and Harassment Policy.

## **8. Dispute Resolution**

In the case of a breach of any of the clauses in this Terms of Reference, the following process should be engaged.

- a) The executive (Chairperson, Secretary, Treasurer) should receive the concerns and either deal with them in the meeting or speak to the person(s) afterwards
- b) The Executive should try to work through the issues with the person(s). All information about dates, times, specifics of behaviour and actions should be recorded by the executive.
- c) If the Committee is unable to resolve the issues internally (or in the case that the concerns involve the majority of the executive), the issue will be passed to Council officers who (depending on the circumstances) may:
  - i) Arrange mediation through the Dispute Settlement Centre of Victoria; or
  - ii) Make a recommendation to Council to remove a person(s) from the Committee based on documented behaviour.

## **9. Operating Subsidy**

Council will pay the Special Committee an annual operating subsidy in the amount of no less than \$1,022.00 on receipt of the Annual General Meeting reporting requirements as outlined in Clause 5.3. The operating subsidy must be used by the Special Committee to go towards the costs of operating and maintaining the facility as per the terms and conditions herein.

**10. Review**

This Terms of Reference will be due for review in line with the Instruments of Delegation for Special Committees under Section 81 of the *Local Government Act 1989*, requiring a review within 12 months of a general election.

**MAINTENANCE**

The division of responsibility for the maintenance of the facility is as follows:-

**(1) COMMITTEE OF MANAGEMENT**

- Car Parking On-site (where applicable).
- Cooking Equipment - repair.
- Doors and Door Furniture.
- Electrical Fittings & Fixtures - repair and replacement.
- Fences – repair.
- Fire Fighting Equipment – Portable (eg extinguishers), fire blankets.
- Fire Fighting Equipment inc extinguishers & hose reels - Testing
- Fly-wire screens - repair and replace.
- Floor coverings – carpet – repair & replace.
- Floor coverings – vinyl – repair & replace.
- Floor coverings – other – repair & replace.
- Floor - resurfacing
- Heating Equipment and Air Conditioning – repair & maintenance.
- Hot water systems – repair & maintenance.
- Internal Lining – repairs.
- Lawns, nature strips, gardens, trees, shrubs and play areas within the area defined by the Agreement.
- Light fittings, Globes & Tubes – inc Exit & Emergency lighting and testing.
- Painting – internal & external.
- Paths/Paved areas – repair & maintenance.
- Playground equipment.
- Roof cladding - repairs
- Roof gutters, downpipes & fascias – cleaning and repairs.
- Sanitary fixtures inc toilet cisterns - repair and replacement
- Security.
- Sewerage lines, Septic systems and storm water drains – repair & maintenance inc pump out and clearance of blockages.
- Taps, valves and pipework.
- Windows - frames and glazing.
- Other minor maintenance.
- Essential Safety Measures Manual – keeping records current.

**(2) WELLINGTON SHIRE COUNCIL**

- Cooking equipment – replace fixtures assessed as non repairable or beyond serviceable life.
- Electrical Rewiring where necessary to comply with regulatory requirements.
- External Cladding – full replacement of wall(s).
- Fences – full replacement where assessed as unserviceable.
- Fire Fighting Equipment – Replacement and repair of fixed hose reels and hydrants.
- Floor – replacement or reblocking.
- Heating equipment & air conditioning – replacement of fixed items assessed as non repairable or beyond serviceable life.
- Hot Water Systems - replacement.
- Internal Lining – Full Replacement.
- Paths/Paved areas – replacement.
- Roof Cladding – Full Replacement and major repairs.
- Septic systems – replacement.
- Structural defects (major).

Note: Any maintenance items not identified in either (1) or (2) above will be the subject of discussion and agreement between the Wellington Shire Council and the Committee.

**EXTRACT FROM THE LOCAL GOVERNMENT ACT, SECTIONS 86, 87, 89 AND 90.  
- SPECIAL COMMITTEES OF COUNCIL.**

**86. Special committees of the Council**

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following:
    - (a) Councillors;
    - (b) Council staff;
    - (c) other persons;
    - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
  - (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
  - (3) Except as provided in sub-section (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
  - (4) A Council cannot delegate to a committee the following powers—
    - (a) this power of delegation;
    - (b) to declare a rate or charge;
    - (c) to borrow money;
    - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
    - (e) to incur any expenditure exceeding an amount previously determined by the Council;
    - (f) any prescribed power.
  - (5) A Council may require a special Committee to report to the Council at intervals determined by the Council.
  - (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.
- S. 86(7) inserted by No. 67/2008 s. 37, repealed by No. 63/2012 s. 15.

**87. Special committee meetings**

- (1) The Council must keep a register of delegations to special committees.
- (2) The Council may appoint a Chairperson for a special committee.
- (3) If the Council has not appointed a Chairperson under subsection (2), the members of a special committee must appoint a Chairperson.
- (4) If the Chairperson is not present at a meeting of a special committee the members must appoint a Chairperson for that meeting.
- (5) A meeting of a special committee must be held at a time and place determined by the special committee.
- (6) If the special committee has not appointed a time and place for a meeting under subsection (5), the Chairperson, or if the Chairperson is incapable of doing so, the Council, must fix the time and place of the next meeting.
- (7) Until approved by the Council a decision of a special committee which does not relate to a matter delegated to the special committee cannot be given effect to.
- (8) A Council may specify in the instrument of delegation that a member of a special committee who is a member of the public or of Council staff does not have voting rights on the special committee.

**89. Meetings to be open to the public**

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
  - (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;

- (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
  - (a) an ordinary council meeting; or
  - (b) a special council meeting; or
  - (c) a meeting of a special committee comprised solely of Councillors
 — give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
  - (a) give such public notice as is practicable; and
  - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee.

## **90. Voting**

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
  - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
  - (b) S. 90(1)(b) repealed by No. 63/2012 s. 16(1).
  - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
  - (ca) voting at a meeting that is open to members of the public must not be in secret;
  - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
  - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.





# WELLINGTON SHIRE COUNCIL

## BRIAGOLONG RECREATION RESERVE COMMITTEE

### TERMS OF REFERENCE SCHEDULE

#### 1. Definitions

In this Schedule unless inconsistent with the context or subject matter;

“Council” means the Wellington Shire Council

“Financial Year” means the period from 1 July to the following 30 June

“Special Committee” means the persons who are appointed and/or elected to the Committee in the manner hereinafter provided

“Facility” means the Briagolong Recreation Reserve located at Briagolong Road, Briagolong and as defined by the attached plan - Appendix 3.

#### 2. Objectives

The objectives of the Special Committee shall be:

- 2.1. To manage, operate and maintain the Briagolong Recreation Reserve for the community in an efficient, effective and practical manner.
- 2.2. To undertake activities designed to protect, promote, utilise and develop the Briagolong Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
- 2.3. To keep the Council informed on the operations, improvements and advancements of the Briagolong Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
- 2.4. To set, maintain and collect appropriate user charges.
- 2.5. To ensure that the Briagolong Recreation Reserve’s capital assets are adequately maintained.
- 2.6. To provide advice to Council on matters relating to the Briagolong Recreation Reserve.

#### 3. Appointment and Membership of the Committee

The method of appointment and the membership of the Special Committee shall be:

- 3.1 the Special Committee shall consist of a minimum of 5 ordinary members appointed by the Council as follows:
  - a) One Councillor
  - b) Two Representatives from the Briagolong Junior Football Netball Club
  - c) Two Representatives from the Briagolong Tennis Club
  - d) Two Representatives from the Boisdale-Briagolong Cricket Club
  - e) Two Representatives from the Briagolong & District Pony Club
  - f) Five Representatives of the community of Briagolong.

Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve

- 3.2 the Special Committee takes its authority from Section 86 of the Local Government Act 1989.
- 3.3 the term of office of the Members shall be from the date of appointment by Council until 18 December 2021 or as otherwise determined by the Council.
- 3.4 in the event of a vacancy on the Special Committee, the Committee may submit nominations to the Council and the vacating member shall be replaced by a person drawn from the same membership category in clause 3.1. The Council may chose to fill the vacancy from the names submitted or call for public nominations.
- 3.5 all nominations and appointments to the Special Committee must be confirmed by the Council and any person appointed as a Member may be removed from that position at any time by resolution of the Council. Any such removal shall cause an extraordinary vacancy which must be filled in accordance with clause 3.4.
- 3.6 the office of a Member may be declared vacant by the Council if that Member fails to attend 3 consecutive meetings without leave being granted by the Special Committee by a resolution duly passed.

#### **4. Conditions**

That the Special Committee observe and maintain the following conditions between the Committee and the Council as provided under this Section.

Notwithstanding Clauses below, the Council shall be the arbitrator of any disputed or uncertain maintenance responsibility and the Council's decision will be final.

##### **4.1 Procurement**

The Special Committee is authorised by the Instrument of Delegation to make procurement (purchasing) decisions in relation to the purchase of goods, services and works on behalf of Council. In making procurement decisions, the Committee shall also give consideration to Council's Procurement Policy.

##### **4.2 Works**

- 4.2.1. It is provided that the responsibility for repairs, maintenance and improvements will be divided between the Committee and the Council as provided in Appendix 1.
- 4.2.2. Major maintenance or improvement works will be the responsibility of the Council. Such works will be scheduled within the constraints of the Council's budget capability and will be consistent with any relevant policies and procedures adopted by the Council.
- 4.2.3. Sub-clause (4.2.2) is not intended to prevent the Committee of Management from suggesting or requesting the undertaking of major works which, subject to Council consent, it may do at its cost.
- 4.2.4. Any additions, modifications or improvements made to the property remain the property of the Council.
- 4.2.5. The Committee of Management is responsible for maintenance and replacement of all fittings, furniture and equipment within the facility with the exception of those items listed in accordance with Appendix 1.
- 4.2.6. If it is deemed that any Council supplied equipment (fixed or portable) is no longer available for use due to age or it is unable to be repaired, the Committee shall advise the Council of the condition of the equipment and the Committee's recommendation for the future of the equipment.

### **4.3 Insurance**

#### **4.3.1 Building and Contents**

The Council will be responsible for the insurance cover of buildings, other identifiable physical structures and Council owned contents. Contents cover does not include sporting equipment and other items owned by the Committee or user groups. The Committee shall ensure that user groups are aware of their responsibility to obtain and maintain insurance on their own equipment.

#### **4.3.2 Committee Members**

Subject to the Special Committee and its members acting within the scope, powers and functions set out in the Instrument of Delegation and these Terms of Reference, the Public Liability insurance held by the Council shall protect individual members from liability other than for criminal matters.

#### **4.3.3 Volunteers**

Any volunteers co opted to assist the Committee to discharge its obligations will be covered by the Council's insurance policies where the names of the volunteers have been recorded in the Committee's Volunteer Register. The Committee will be responsible for ensuring that all volunteers complete a Volunteer Registration Form which is to be held by the Committee.

#### **4.3.4 Hirers / Users**

All regular users/hirers or organised clubs, associations or organisations using the Briagolong Recreation Reserve must have their own public liability insurance cover when using the reserve facilities. Casual hirers, being individuals or unincorporated groups of individuals, will, subject to completion of a documented hire agreement, be covered by the Wellington Shire Council casual hirers insurance policy.

### **4.4 Use of Facility**

4.4.1 The Committee of Management is responsible for the formulation and administration of terms and conditions for use of the facility, including the setting of hire fees and security deposits. All terms and conditions of use and access must be consistent with any Council policy(s).

4.4.2 The Committee of Management must formulate a written Hire Agreement inclusive of an indemnity to be entered into with users of the facility.

4.4.3 The Committee of Management must ensure that all users of the facility, execute the hire agreement and indemnity prior to any use.

### **4.5 Books of Account**

The Committee shall operate such bank accounts and books of accounts as the Committee thinks necessary and may receive all monies and meet routine expenditure in connection with the Conditions set out in Clause 5 and associated with the operation of the various Briagolong Recreation Reserve functions.

### **4.6 Fundraising**

All fundraising activities for or related to the facility, including any undertaken by the Committee of Management, must not occur until after all applicable permits and licences have been obtained.

### **4.7 Rules for Behaviour of Users**

Subject to approval by the Council, the Special Committee may make such rules as it deems expedient for the safety, conduct and well being of people using the Briagolong Recreation Reserve and may ensure compliance by whatever lawful

means the Committee considers fit. A copy of such rules shall be supplied to the Council by the Committee within one month of being approved by the Committee. Council may approve or reject such rules as soon as practicable thereafter. If approved by Council, such rules shall have immediate effect thereafter.

#### **4.8 Child Safety Standards**

The Committee are bound by Council's Child Safe Policy. Wellington Shire Council is committed to creating a culture of child safety and recognises that protecting children and preventing and responding to child abuse is an organisation wide responsibility.

All employees, contractors, and volunteers who have direct contact with children are required to have a current Working With Children Check.

Changes introduced to the Working With Children Act 2005 on 1 August 2017 have expanded the definition of 'direct contact' with children to include oral, written or electronic communication in addition to face-to-face and physical contact. Direct contact with children is regular, ongoing and is required as a part of their role.

#### *Consequence of Non-Disclosure and Reporting*

It is an offence for people within an organisation who are aware of a risk of child abuse and had the authority to reduce, remove or report the risk, but negligently failed to do so.

### **5. Reporting**

The following reports shall be provided to Council outlining the activities of the Special Committee:

- 5.1 Copy of all Committee Meeting Minutes (including ordinary meetings, extraordinary meetings and Annual General Meetings), chairperson's report and treasurer's report within a month of the meeting being held.
- 5.2 Monthly GST Returns, detailing total income and expenditure and total GST received and paid during the month [form supplied by Shire]. Returns due within the first week of the month following.
- 5.3 The Annual General Meeting reporting requirements are:
  - Audited financial statements for previous financial year
  - Annual operating budget
  - Works and projects planned for next 12 months
  - Schedule of fees
  - Committee's Rules for the Reserve

### **6. Meetings of the Special Committee**

The following rules and regulations apply to meetings of the Special Committee:

- 6.1 the provisions of Section 86, 87, 89 and 90 of the *Local Government Act 1989* shall apply to this Special Committee (Copy attached at Appendix 2).
- 6.2 the conduct of meetings held by the Special Committee shall be subject to the provisions of Wellington Shire Council – Local Law No. 1, "Processes of Municipal Government (Meeting and Common Seal) Local Law."
- 6.3 the Committee shall appoint the Chairperson, Secretary and Treasurer from the persons appointed by Council to the Special Committee.
- 6.4 the Chairperson, Secretary and Treasurer shall be elected on an annual basis.

- 6.5 the Special Committee shall meet at least 4 times per year on a quarterly basis, or more frequently if so determined by the Committee.
- 6.6 notice specifying the date, time and business of the meeting must be given to all members as least seven days before any meeting of the Special Committee.
- 6.7 no meeting of the Special Committee shall be held and no business shall be transacted unless a majority of members are present (half the membership plus one) creating a quorum. If a quorum is not present within ½ an hour of the time appointed for a meeting, then the meeting shall stand adjourned until the same time and place on the same day of the following week and notice to this effect shall be given to all members.
- 6.8 an extraordinary meeting shall be called by the Chairperson on the written request of any three members, such request specifying the purpose of the extraordinary meeting.
- 6.9 a record of the minutes and proceedings of all meetings together with those present shall be kept in the files of the Committee.
- 6.10 minutes are to be confirmed at the next meeting with or without corrections. Such minutes are to be signed by the Chairperson of the confirmatory meeting and shall be kept in the files of the Committee.

## 7. **Expected Behaviours**

As volunteers of Council, members of a Special Committee are expected to abide by Council's policies, including the Employee Code of Conduct and the Workplace Bullying and Harassment Policy. Key expectations are the right for all volunteers to:

- have a healthy and safe environment
  - be treated with respect, courtesy and dignity
  - have a chance to have a say
  - be a part of a group that works together to achieve good outcomes for the community and all user groups
  - have access to a process for representatives to take information back to their clubs
- Wellington Shire Council will not tolerate:
- bullying, harassment or discrimination against an individual or a group

The definition of these terms and examples of what they include can be reviewed in the Workplace Bullying and Harassment Policy.

## 8. **Dispute Resolution**

In the case of a breach of any of the clauses in this Terms of Reference, the following process should be engaged.

- a) The executive (Chairperson, Secretary, Treasurer) should receive the concerns and either deal with them in the meeting or speak to the person(s) afterwards
- b) The Executive should try to work through the issues with the person(s). All information about dates, times, specifics of behaviour and actions should be recorded by the executive.
- c) If the Committee is unable to resolve the issues internally (or in the case that the concerns involve the majority of the executive), the issue will be passed to Council officers who (depending on the circumstances) may:
  - i) Arrange mediation through the Dispute Settlement Centre of Victoria; or
  - ii) Make a recommendation to Council to remove a person(s) from the Committee based on documented behaviour.

**9. Operating Subsidy**

Council will pay the Special Committee an annual operating subsidy in the amount of no less than \$15,251.00 on receipt of the Annual General Meeting reporting requirements as outlined in Clause 5.3. The operating subsidy must be used by the Special Committee to go towards the costs of operating and maintaining the facility as per the terms and conditions herein.

**10. Review**

This Terms of Reference will be due for review in line with the Instruments of Delegation for Special Committees under Section 81 of the *Local Government Act 1989*, requiring a review within 12 months of a general election.

**MAINTENANCE**

The division of responsibility for the maintenance of the facility is as follows:-

**(1) COMMITTEE OF MANAGEMENT**

- Car Parking On-site (where applicable).
- Cooking Equipment - repair.
- Doors and Door Furniture.
- Electrical Fittings & Fixtures - repair and replacement.
- Fences – repair.
- Fire Fighting Equipment – Portable (eg extinguishers), fire blankets.
- Fire Fighting Equipment inc extinguishers & hose reels - Testing
- Fly-wire screens - repair and replace.
- Floor coverings – carpet – repair & replace.
- Floor coverings – vinyl – repair & replace.
- Floor coverings – other – repair & replace.
- Floor - resurfacing
- Heating Equipment and Air Conditioning – repair & maintenance.
- Hot water systems – repair & maintenance.
- Internal Lining – repairs.
- Lawns, nature strips, gardens, trees, shrubs and play areas within the area defined by the Agreement.
- Light fittings, Globes & Tubes – inc Exit & Emergency lighting and testing.
- Painting – internal & external.
- Paths/Paved areas – repair & maintenance.
- Playground equipment.
- Roof cladding - repairs
- Roof gutters, downpipes & fascias – cleaning and repairs.
- Sanitary fixtures inc toilet cisterns - repair and replacement
- Security.
- Sewerage lines, Septic systems and storm water drains – repair & maintenance inc pump out and clearance of blockages.
- Taps, valves and pipework.
- Windows - frames and glazing.
- Other minor maintenance.
- Essential Safety Measures Manual – keeping records current.

**(2) WELLINGTON SHIRE COUNCIL**

- Cooking equipment – replace fixtures assessed as non repairable or beyond serviceable life.
- Electrical Rewiring where necessary to comply with regulatory requirements.
- External Cladding – full replacement of wall(s).
- Fences – full replacement where assessed as unserviceable.
- Fire Fighting Equipment – Replacement and repair of fixed hose reels and hydrants.
- Floor – replacement or reblocking.
- Heating equipment & air conditioning – replacement of fixed items assessed as non repairable or beyond serviceable life.
- Hot Water Systems - replacement.
- Internal Lining – Full Replacement.
- Paths/Paved areas – replacement.
- Roof Cladding – Full Replacement and major repairs.
- Septic systems – replacement.
- Structural defects (major).

Note: Any maintenance items not identified in either (1) or (2) above will be the subject of discussion and agreement between the Wellington Shire Council and the Committee.

**EXTRACT FROM THE LOCAL GOVERNMENT ACT, SECTIONS 86, 87, 89 AND 90.  
- SPECIAL COMMITTEES OF COUNCIL.**

**86. Special committees of the Council**

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following:
    - (a) Councillors;
    - (b) Council staff;
    - (c) other persons;
    - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
  - (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
  - (3) Except as provided in sub-section (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
  - (4) A Council cannot delegate to a committee the following powers—
    - (a) this power of delegation;
    - (b) to declare a rate or charge;
    - (c) to borrow money;
    - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
    - (e) to incur any expenditure exceeding an amount previously determined by the Council;
    - (f) any prescribed power.
  - (5) A Council may require a special Committee to report to the Council at intervals determined by the Council.
  - (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.
- S. 86(7) inserted by No. 67/2008 s. 37, repealed by No. 63/2012 s. 15.

**87. Special committee meetings**

- (1) The Council must keep a register of delegations to special committees.
- (2) The Council may appoint a Chairperson for a special committee.
- (3) If the Council has not appointed a Chairperson under subsection (2), the members of a special committee must appoint a Chairperson.
- (4) If the Chairperson is not present at a meeting of a special committee the members must appoint a Chairperson for that meeting.
- (5) A meeting of a special committee must be held at a time and place determined by the special committee.
- (6) If the special committee has not appointed a time and place for a meeting under subsection (5), the Chairperson, or if the Chairperson is incapable of doing so, the Council, must fix the time and place of the next meeting.
- (7) Until approved by the Council a decision of a special committee which does not relate to a matter delegated to the special committee cannot be given effect to.
- (8) A Council may specify in the instrument of delegation that a member of a special committee who is a member of the public or of Council staff does not have voting rights on the special committee.

**89. Meetings to be open to the public**

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
  - (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;

- (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
  - (a) an ordinary council meeting; or
  - (b) a special council meeting; or
  - (c) a meeting of a special committee comprised solely of Councillors— give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
  - (a) give such public notice as is practicable; and
  - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee.

## **90. Voting**

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
  - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
  - (b) S. 90(1)(b) repealed by No. 63/2012 s. 16(1).
  - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
  - (ca) voting at a meeting that is open to members of the public must not be in secret;
  - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
  - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.





# WELLINGTON SHIRE COUNCIL

## CAMERON SPORTING COMPLEX COMMITTEE

### TERMS OF REFERENCE SCHEDULE

#### 1. Definitions

In this Schedule unless inconsistent with the context or subject matter;

“Council” means the Wellington Shire Council

“Financial Year” means the period from 1 July to the following 30 June

“Special Committee” means the persons who are appointed and/or elected to the Committee in the manner hereinafter provided

“Facility” means the Cameron Sporting Complex located at 69 Morrison Street, Maffra and as defined by the attached plan - Appendix 3.

#### 2. Objectives

The objectives of the Special Committee shall be:

- 2.1. To manage, operate and maintain the Cameron Sporting Complex for the community in an efficient, effective and practical manner.
- 2.2. To undertake activities designed to protect, promote, utilise and develop the Cameron Sporting Complex for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
- 2.3. To keep the Council informed on the operations, improvements and advancements of the Cameron Sporting Complex by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
- 2.4. To set, maintain and collect appropriate user charges.
- 2.5. To ensure that the Cameron Sporting Complex’s capital assets are adequately maintained.
- 2.6. To provide advice to Council on matters relating to the Cameron Sporting Complex.

#### 3. Appointment and Membership of the Committee

The method of appointment and the membership of the Special Committee shall be:

- 3.1 the Special Committee shall consist of a minimum of 5 ordinary members appointed by the Council as follows:
  - a) One Councillor
  - b) One Representative from Maffra Gymnastics Inc
  - c) One Representative from Maffra & District Basketball Association
  - d) One Representative from Maffra Cricket Club
  - e) One Representative from Maffra Junior Football Club
  - f) One Representative from Maffra Volleyball Association
  - g) Five Representatives of the community of Maffra.

Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve

- 3.2 the Special Committee takes its authority from Section 86 of the Local Government Act 1989.
- 3.3 the term of office of the Members shall be from the date of appointment by Council until 18 December 2021 or as otherwise determined by the Council.
- 3.4 in the event of a vacancy on the Special Committee, the Committee may submit nominations to the Council and the vacating member shall be replaced by a person drawn from the same membership category in clause 3.1. The Council may chose to fill the vacancy from the names submitted or call for public nominations.
- 3.5 all nominations and appointments to the Special Committee must be confirmed by the Council and any person appointed as a Member may be removed from that position at any time by resolution of the Council. Any such removal shall cause an extraordinary vacancy which must be filled in accordance with clause 3.4.
- 3.6 the office of a Member may be declared vacant by the Council if that Member fails to attend 3 consecutive meetings without leave being granted by the Special Committee by a resolution duly passed.

#### **4. Conditions**

That the Special Committee observe and maintain the following conditions between the Committee and the Council as provided under this Section.

Notwithstanding Clauses below, the Council shall be the arbitrator of any disputed or uncertain maintenance responsibility and the Council's decision will be final.

##### **4.1 Procurement**

The Special Committee is authorised by the Instrument of Delegation to make procurement (purchasing) decisions in relation to the purchase of goods, services and works on behalf of Council. In making procurement decisions, the Committee shall also give consideration to Council's Procurement Policy.

##### **4.2 Works**

- 4.2.1. It is provided that the responsibility for repairs, maintenance and improvements will be divided between the Committee and the Council as provided in Appendix 1.
- 4.2.2. Major maintenance or improvement works will be the responsibility of the Council. Such works will be scheduled within the constraints of the Council's budget capability and will be consistent with any relevant policies and procedures adopted by the Council.
- 4.2.3. Sub-clause (4.2.2) is not intended to prevent the Committee of Management from suggesting or requesting the undertaking of major works which, subject to Council consent, it may do at its cost.
- 4.2.4. Any additions, modifications or improvements made to the property remain the property of the Council.
- 4.2.5. The Committee of Management is responsible for maintenance and replacement of all fittings, furniture and equipment within the facility with the exception of those items listed in accordance with Appendix 1.
- 4.2.6. If it is deemed that any Council supplied equipment (fixed or portable) is no longer available for use due to age or it is unable to be repaired, the Committee shall advise the Council of the condition of the equipment and the Committee's recommendation for the future of the equipment.

### **4.3 Insurance**

#### **4.3.1 Building and Contents**

The Council will be responsible for the insurance cover of buildings, other identifiable physical structures and Council owned contents. Contents cover does not include sporting equipment and other items owned by the Committee or user groups. The Committee shall ensure that user groups are aware of their responsibility to obtain and maintain insurance on their own equipment.

#### **4.3.2 Committee Members**

Subject to the Special Committee and its members acting within the scope, powers and functions set out in the Instrument of Delegation and these Terms of Reference, the Public Liability insurance held by the Council shall protect individual members from liability other than for criminal matters.

#### **4.3.3 Volunteers**

Any volunteers co opted to assist the Committee to discharge its obligations will be covered by the Council's insurance policies where the names of the volunteers have been recorded in the Committee's Volunteer Register. The Committee will be responsible for ensuring that all volunteers complete a Volunteer Registration Form which is to be held by the Committee.

#### **4.3.4 Hirers / Users**

All regular users/hirers or organised clubs, associations or organisations using the Cameron Sporting Complex must have their own public liability insurance cover when using the reserve facilities. Casual hirers, being individuals or unincorporated groups of individuals, will, subject to completion of a documented hire agreement, be covered by the Wellington Shire Council casual hirers insurance policy.

### **4.4 Use of Facility**

4.4.1 The Committee of Management is responsible for the formulation and administration of terms and conditions for use of the facility, including the setting of hire fees and security deposits. All terms and conditions of use and access must be consistent with any Council policy(s).

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### **4.6 Fundraising**

All fundraising activities for or related to the facility, including any undertaken by the Committee of Management, must not occur until after all applicable permits and licences have been obtained.

### **4.7 Rules for Behaviour of Users**

Subject to approval by the Council, the Special Committee may make such rules as it deems expedient for the safety, conduct and well being of people using the Cameron Sporting Complex and may ensure compliance by whatever lawful means

the Committee considers fit. A copy of such rules shall be supplied to the Council by the Committee within one month of being approved by the Committee. Council may approve or reject such rules as soon as practicable thereafter. If approved by Council, such rules shall have immediate effect thereafter.

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The Committee are bound by Council's Child Safe Policy. Wellington Shire Council is committed to creating a culture of child safety and recognises that protecting children and preventing and responding to child abuse is an organisation wide responsibility.

All employees, contractors, and volunteers who have direct contact with children are required to have a current Working With Children Check.

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#### *Consequence of Non-Disclosure and Reporting*

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- be treated with respect, courtesy and dignity
- have a chance to have a say
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- have access to a process for representatives to take information back to their clubs

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The definition of these terms and examples of what they include can be reviewed in the Workplace Bullying and Harassment Policy.

## 8. Dispute Resolution

In the case of a breach of any of the clauses in this Terms of Reference, the following process should be engaged.

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  - i) Arrange mediation through the Dispute Settlement Centre of Victoria; or
  - ii) Make a recommendation to Council to remove a person(s) from the Committee based on documented behaviour.

**9. Operating Subsidy**

Council will pay the Special Committee an annual operating subsidy in the amount of no less than \$46,531.00 on receipt of the Annual General Meeting reporting requirements as outlined in Clause 5.3. The operating subsidy must be used by the Special Committee to go towards the costs of operating and maintaining the facility as per the terms and conditions herein.

**10. Review**

This Terms of Reference will be due for review in line with the Instruments of Delegation for Special Committees under Section 81 of the *Local Government Act 1989*, requiring a review within 12 months of a general election.

**MAINTENANCE**

The division of responsibility for the maintenance of the facility is as follows:-

**(1) COMMITTEE OF MANAGEMENT**

- Car Parking On-site (where applicable).
- Cooking Equipment - repair.
- Doors and Door Furniture.
- Electrical Fittings & Fixtures - repair and replacement.
- Fences – repair.
- Fire Fighting Equipment – Portable (eg extinguishers), fire blankets.
- Fire Fighting Equipment inc extinguishers & hose reels - Testing
- Fly-wire screens - repair and replace.
- Floor coverings – carpet – repair & replace.
- Floor coverings – vinyl – repair & replace.
- Floor coverings – other – repair & replace.
- Floor - resurfacing
- Heating Equipment and Air Conditioning – repair & maintenance.
- Hot water systems – repair & maintenance.
- Internal Lining – repairs.
- Lawns, nature strips, gardens, trees, shrubs and play areas within the area defined by the Agreement.
- Light fittings, Globes & Tubes – inc Exit & Emergency lighting and testing.
- Painting – internal & external.
- Paths/Paved areas – repair & maintenance.
- Playground equipment.
- Roof cladding - repairs
- Roof gutters, downpipes & fascias – cleaning and repairs.
- Sanitary fixtures inc toilet cisterns - repair and replacement
- Security.
- Sewerage lines, Septic systems and storm water drains – repair & maintenance inc pump out and clearance of blockages.
- Taps, valves and pipework.
- Windows - frames and glazing.
- Other minor maintenance.
- Essential Safety Measures Manual – keeping records current.

**(2) WELLINGTON SHIRE COUNCIL**

- Cooking equipment – replace fixtures assessed as non repairable or beyond serviceable life.
- Electrical Rewiring where necessary to comply with regulatory requirements.
- External Cladding – full replacement of wall(s).
- Fences – full replacement where assessed as unserviceable.
- Fire Fighting Equipment – Replacement and repair of fixed hose reels and hydrants.
- Floor – replacement or reblocking.
- Heating equipment & air conditioning – replacement of fixed items assessed as non repairable or beyond serviceable life.
- Hot Water Systems - replacement.
- Internal Lining – Full Replacement.
- Paths/Paved areas – replacement.
- Roof Cladding – Full Replacement and major repairs.
- Septic systems – replacement.
- Structural defects (major).

Note: Any maintenance items not identified in either (1) or (2) above will be the subject of discussion and agreement between the Wellington Shire Council and the Committee.

**EXTRACT FROM THE LOCAL GOVERNMENT ACT, SECTIONS 86, 87, 89 AND 90.  
- SPECIAL COMMITTEES OF COUNCIL.**

**86. Special committees of the Council**

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following:
    - (a) Councillors;
    - (b) Council staff;
    - (c) other persons;
    - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
  - (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
  - (3) Except as provided in sub-section (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
  - (4) A Council cannot delegate to a committee the following powers—
    - (a) this power of delegation;
    - (b) to declare a rate or charge;
    - (c) to borrow money;
    - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
    - (e) to incur any expenditure exceeding an amount previously determined by the Council;
    - (f) any prescribed power.
  - (5) A Council may require a special Committee to report to the Council at intervals determined by the Council.
  - (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.
- S. 86(7) inserted by No. 67/2008 s. 37, repealed by No. 63/2012 s. 15.

**87. Special committee meetings**

- (1) The Council must keep a register of delegations to special committees.
- (2) The Council may appoint a Chairperson for a special committee.
- (3) If the Council has not appointed a Chairperson under subsection (2), the members of a special committee must appoint a Chairperson.
- (4) If the Chairperson is not present at a meeting of a special committee the members must appoint a Chairperson for that meeting.
- (5) A meeting of a special committee must be held at a time and place determined by the special committee.
- (6) If the special committee has not appointed a time and place for a meeting under subsection (5), the Chairperson, or if the Chairperson is incapable of doing so, the Council, must fix the time and place of the next meeting.
- (7) Until approved by the Council a decision of a special committee which does not relate to a matter delegated to the special committee cannot be given effect to.
- (8) A Council may specify in the instrument of delegation that a member of a special committee who is a member of the public or of Council staff does not have voting rights on the special committee.

**89. Meetings to be open to the public**

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
  - (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;

- (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
  - (a) an ordinary council meeting; or
  - (b) a special council meeting; or
  - (c) a meeting of a special committee comprised solely of Councillors— give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
  - (a) give such public notice as is practicable; and
  - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee.

## **90. Voting**

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
  - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
  - (b) S. 90(1)(b) repealed by No. 63/2012 s. 16(1).
  - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
  - (ca) voting at a meeting that is open to members of the public must not be in secret;
  - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
  - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.





# WELLINGTON SHIRE COUNCIL

## GORDON STREET RECREATION RESERVE COMMITTEE

2.7.

### TERMS OF REFERENCE SCHEDULE

#### 1. Definitions

In this Schedule unless inconsistent with the context or subject matter;

“Council” means the Wellington Shire Council

“Financial Year” means the period from 1 July to the following 30 June

“Special Committee” means the persons who are appointed and/or elected to the Committee in the manner hereinafter provided

“Facility” means the Gordon Street Recreation Reserve located at Gordon Street, Heyfield and the reserve known as “Middle Oval” located at Macfarlane Street, Heyfield and as defined by the attached plan - Appendix 3.

#### 2. Objectives

The objectives of the Special Committee shall be:

- 2.1. To manage, operate and maintain the Gordon Street Recreation Reserve for the community in an efficient, effective and practical manner.
- 2.2. To undertake activities designed to protect, promote, utilise and develop the Gordon Street Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
- 2.3. To keep the Council informed on the operations, improvements and advancements of the Gordon Street Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
- 2.4. To set, maintain and collect appropriate user charges.
- 2.5. To ensure that the Gordon Street Recreation Reserve’s capital assets are adequately maintained.
- 2.6. To provide advice to Council on matters relating to the Gordon Street Recreation Reserve.

#### 3. Appointment and Membership of the Committee

The method of appointment and the membership of the Special Committee shall be:

- 3.1 the Special Committee shall consist of a minimum of 5 ordinary members appointed by the Council as follows:
  - a) One Councillor
  - b) One Representative from the Heyfield Cricket Club
  - c) One Representative from the Heyfield Football Netball Club
  - d) One Representative from the Heyfield Junior Football Club
  - e) One Representative from the Heyfield Junior Netball Club
  - f) One Representative from the Heyfield Basketball Club

- g) One Representative from the Heyfield Vintage Machinery Group
- h) One Representative from the Heyfield Pigeon Club
- i) One Representative from the Heyfield Tennis Club
- j) One Representative from the Heyfield Traders & Tourism Association
- k) Five representative of the Community of Heyfield.

Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve

- 3.2 the Special Committee takes its authority from Section 86 of the Local Government Act 1989.
- 3.3 the term of office of the Members shall be from the date of appointment by Council until 18 December 2021 or as otherwise determined by the Council.
- 3.4 in the event of a vacancy on the Special Committee, the Committee may submit nominations to the Council and the vacating member shall be replaced by a person drawn from the same membership category in clause 3.1. The Council may chose to fill the vacancy from the names submitted or call for public nominations.
- 3.5 all nominations and appointments to the Special Committee must be confirmed by the Council and any person appointed as a Member may be removed from that position at any time by resolution of the Council. Any such removal shall cause an extraordinary vacancy which must be filled in accordance with clause 3.4.
- 3.6 the office of a Member may be declared vacant by the Council if that Member fails to attend 3 consecutive meetings without leave being granted by the Special Committee by a resolution duly passed.

#### **4. Conditions**

That the Special Committee observe and maintain the following conditions between the Committee and the Council as provided under this Section.

Notwithstanding Clauses below, the Council shall be the arbitrator of any disputed or uncertain maintenance responsibility and the Council's decision will be final.

##### **4.1 Procurement**

The Special Committee is authorised by the Instrument of Delegation to make procurement (purchasing) decisions in relation to the purchase of goods, services and works on behalf of Council. In making procurement decisions, the Committee shall also give consideration to Council's Procurement Policy.

##### **4.2 Works**

- 4.2.1. It is provided that the responsibility for repairs, maintenance and improvements will be divided between the Committee and the Council as provided in Appendix 1.
- 4.2.2. Major maintenance or improvement works will be the responsibility of the Council. Such works will be scheduled within the constraints of the Council's budget capability and will be consistent with any relevant policies and procedures adopted by the Council.
- 4.2.3. Sub-clause (4.2.2) is not intended to prevent the Committee of Management from suggesting or requesting the undertaking of major works which, subject to Council consent, it may do at its cost.
- 4.2.4. Any additions, modifications or improvements made to the property remain the property of the Council.

- 4.2.5. The Committee of Management is responsible for maintenance and replacement of all fittings, furniture and equipment within the facility with the exception of those items listed in accordance with Appendix 1.
- 4.2.6. If it is deemed that any Council supplied equipment (fixed or portable) is no longer available for use due to age or it is unable to be repaired, the Committee shall advise the Council of the condition of the equipment and the Committee's recommendation for the future of the equipment.

### **4.3 Insurance**

#### **4.3.1 Building and Contents**

The Council will be responsible for the insurance cover of buildings, other identifiable physical structures and Council owned contents. Contents cover does not include sporting equipment and other items owned by the Committee or user groups. The Committee shall ensure that user groups are aware of their responsibility to obtain and maintain insurance on their own equipment.

#### **4.3.2 Committee Members**

Subject to the Special Committee and its members acting within the scope, powers and functions set out in the Instrument of Delegation and these Terms of Reference, the Public Liability insurance held by the Council shall protect individual members from liability other than for criminal matters.

#### **4.3.3 Volunteers**

Any volunteers co opted to assist the Committee to discharge its obligations will be covered by the Council's insurance policies where the names of the volunteers have been recorded in the Committee's Volunteer Register. The Committee will be responsible for ensuring that all volunteers complete a Volunteer Registration Form which is to be held by the Committee.

#### **4.3.4 Hirers / Users**

All regular users/hirers or organised clubs, associations or organisations using the Gordon Street Recreation Reserve must have their own public liability insurance cover when using the reserve facilities. Casual hirers, being individuals or unincorporated groups of individuals, will, subject to completion of a documented hire agreement, be covered by the Wellington Shire Council casual hirers insurance policy.

### **4.4 Use of Facility**

- 4.4.1 The Committee of Management is responsible for the formulation and administration of terms and conditions for use of the facility, including the setting of hire fees and security deposits. All terms and conditions of use and access must be consistent with any Council policy(s).
- 4.4.2 The Committee of Management must formulate a written Hire Agreement inclusive of an indemnity to be entered into with users of the facility.
- 4.4.3 The Committee of Management must ensure that all users of the facility, execute the hire agreement and indemnity prior to any use.

### **4.5 Books of Account**

The Committee shall operate such bank accounts and books of accounts as the Committee thinks necessary and may receive all monies and meet routine expenditure in connection with the Conditions set out in Clause 5 and associated with the operation of the various Gordon Street Recreation Reserve functions.

#### **4.6 Fundraising**

All fundraising activities for or related to the facility, including any undertaken by the Committee of Management, must not occur until after all applicable permits and licences have been obtained.

#### **4.7 Rules for Behaviour of Users**

Subject to approval by the Council, the Special Committee may make such rules as it deems expedient for the safety, conduct and well being of people using the Gordon Street Recreation Reserve and may ensure compliance by whatever lawful means the Committee considers fit. A copy of such rules shall be supplied to the Council by the Committee within one month of being approved by the Committee. Council may approve or reject such rules as soon as practicable thereafter. If approved by Council, such rules shall have immediate effect thereafter.

#### **4.8 Child Safety Standards**

The Committee are bound by Council's Child Safe Policy. Wellington Shire Council is committed to creating a culture of child safety and recognises that protecting children and preventing and responding to child abuse is an organisation wide responsibility.

All employees, contractors, and volunteers who have direct contact with children are required to have a current Working With Children Check.

Changes introduced to the Working With Children Act 2005 on 1 August 2017 have expanded the definition of 'direct contact' with children to include oral, written or electronic communication in addition to face-to-face and physical contact. Direct contact with children is regular, ongoing and is required as a part of their role.

#### *Consequence of Non-Disclosure and Reporting*

It is an offence for people within an organisation who are aware of a risk of child abuse and had the authority to reduce, remove or report the risk, but negligently failed to do so.

### **5. Reporting**

The following reports shall be provided to Council outlining the activities of the Special Committee:

- 5.1 Copy of all Committee Meeting Minutes (including ordinary meetings, extraordinary meetings and Annual General Meetings), chairperson's report and treasurer's report within a month of the meeting being held.
- 5.2 Monthly GST Returns, detailing total income and expenditure and total GST received and paid during the month [form supplied by Shire]. Returns due within the first week of the month following.
- 5.3 The Annual General Meeting reporting requirements are:
  - Audited financial statements for previous financial year
  - Annual operating budget
  - Works and projects planned for next 12 months
  - Schedule of fees
  - Committee's Rules for the Reserve

## **6. Meetings of the Special Committee**

The following rules and regulations apply to meetings of the Special Committee:

- 6.1 the provisions of Section 86, 87, 89 and 90 of the Local Government Act 1989 shall apply to this Special Committee (Copy attached at Appendix 2).
- 6.2 the conduct of meetings held by the Special Committee shall be subject to the provisions of Wellington Shire Council – Local Law No. 1, “Processes of Municipal Government (Meeting and Common Seal) Local Law.”
- 6.3 the Committee shall appoint the Chairperson, Secretary and Treasurer from the persons appointed by Council to the Special Committee.
- 6.4 the Chairperson, Secretary and Treasurer shall be elected on an annual basis.
- 6.5 the Special Committee shall meet at least 4 times per year on a quarterly basis, or more frequently if so determined by the Committee.
- 6.6 notice specifying the date, time and business of the meeting must be given to all members as least seven days before any meeting of the Special Committee.
- 6.7 no meeting of the Special Committee shall be held and no business shall be transacted unless a majority of members are present (half the membership plus one) creating a quorum. If a quorum is not present within ½ an hour of the time appointed for a meeting, then the meeting shall stand adjourned until the same time and place on the same day of the following week and notice to this effect shall be given to all members.
- 6.8 an extraordinary meeting shall be called by the Chairperson on the written request of any three members, such request specifying the purpose of the extraordinary meeting.
- 6.9 a record of the minutes and proceedings of all meetings together with those present shall be kept in the files of the Committee.
- 6.10 minutes are to be confirmed at the next meeting with or without corrections. Such minutes are to be signed by the Chairperson of the confirmatory meeting and shall be kept in the files of the Committee.

## **7. Expected Behaviours**

As volunteers of Council, members of a Special Committee are expected to abide by Council’s policies, including the Employee Code of Conduct and the Workplace Bullying and Harassment Policy. Key expectations are the right for all volunteers to:

- have a healthy and safe environment
- be treated with respect, courtesy and dignity
- have a chance to have a say
- be a part of a group that works together to achieve good outcomes for the community and all user groups
- have access to a process for representatives to take information back to their clubs

Wellington Shire Council will not tolerate:

- bullying, harassment or discrimination against an individual or a group

The definition of these terms and examples of what they include can be reviewed in the Workplace Bullying and Harassment Policy.

## **8. Dispute Resolution**

In the case of a breach of any of the clauses in this Terms of Reference, the following process should be engaged.

- a) The executive (Chairperson, Secretary, Treasurer) should receive the concerns and either deal with them in the meeting or speak to the person(s) afterwards
- b) The Executive should try to work through the issues with the person(s). All information about dates, times, specifics of behaviour and actions should be recorded by the executive.
- c) If the Committee is unable to resolve the issues internally (or in the case that the concerns involve the majority of the executive), the issue will be passed to Council officers who (depending on the circumstances) may:
  - i) Arrange mediation through the Dispute Settlement Centre of Victoria; or
  - ii) Make a recommendation to Council to remove a person(s) from the Committee based on documented behaviour.

## **9. Operating Subsidy**

Council will pay the Special Committee an annual operating subsidy in the amount of no less than \$32,063.00 on receipt of the Annual General Meeting reporting requirements as outlined in Clause 5.3. The operating subsidy must be used by the Special Committee to go towards the costs of operating and maintaining the facility as per the terms and conditions herein.

## **10. Review**

This Terms of Reference will be due for review in line with the Instruments of Delegation for Special Committees under Section 81 of the *Local Government Act 1989*, requiring a review within 12 months of a general election.

**MAINTENANCE**

The division of responsibility for the maintenance of the facility is as follows:-

**(1) COMMITTEE OF MANAGEMENT**

- Car Parking On-site (where applicable).
- Cooking Equipment - repair.
- Doors and Door Furniture.
- Electrical Fittings & Fixtures - repair and replacement.
- Fences – repair.
- Fire Fighting Equipment – Portable (eg extinguishers), fire blankets.
- Fire Fighting Equipment inc extinguishers & hose reels - Testing
- Fly-wire screens - repair and replace.
- Floor coverings – carpet – repair & replace.
- Floor coverings – vinyl – repair & replace.
- Floor coverings – other – repair & replace.
- Floor - resurfacing
- Heating Equipment and Air Conditioning – repair & maintenance.
- Hot water systems – repair & maintenance.
- Internal Lining – repairs.
- Lawns, nature strips, gardens, trees, shrubs and play areas within the area defined by the Agreement.
- Light fittings, Globes & Tubes – inc Exit & Emergency lighting and testing.
- Painting – internal & external.
- Paths/Paved areas – repair & maintenance.
- Playground equipment.
- Roof cladding - repairs
- Roof gutters, downpipes & fascias – cleaning and repairs.
- Sanitary fixtures inc toilet cisterns - repair and replacement
- Security.
- Sewerage lines, Septic systems and storm water drains – repair & maintenance inc pump out and clearance of blockages.
- Taps, valves and pipework.
- Windows - frames and glazing.
- Other minor maintenance.
- Essential Safety Measures Manual – keeping records current.

**(2) WELLINGTON SHIRE COUNCIL**

- Cooking equipment – replace fixtures assessed as non repairable or beyond serviceable life.
- Electrical Rewiring where necessary to comply with regulatory requirements.
- External Cladding – full replacement of wall(s).
- Fences – full replacement where assessed as unserviceable.
- Fire Fighting Equipment – Replacement and repair of fixed hose reels and hydrants.
- Floor – replacement or reblocking.
- Heating equipment & air conditioning – replacement of fixed items assessed as non repairable or beyond serviceable life.
- Hot Water Systems - replacement.
- Internal Lining – Full Replacement.
- Paths/Paved areas – replacement.
- Roof Cladding – Full Replacement and major repairs.
- Septic systems – replacement.
- Structural defects (major).

Note: Any maintenance items not identified in either (1) or (2) above will be the subject of discussion and agreement between the Wellington Shire Council and the Committee.

**EXTRACT FROM THE LOCAL GOVERNMENT ACT, SECTIONS 86, 87, 89 AND 90.  
- SPECIAL COMMITTEES OF COUNCIL.**

**86. Special committees of the Council**

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following:
    - (a) Councillors;
    - (b) Council staff;
    - (c) other persons;
    - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
  - (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
  - (3) Except as provided in sub-section (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
  - (4) A Council cannot delegate to a committee the following powers—
    - (a) this power of delegation;
    - (b) to declare a rate or charge;
    - (c) to borrow money;
    - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
    - (e) to incur any expenditure exceeding an amount previously determined by the Council;
    - (f) any prescribed power.
  - (5) A Council may require a special Committee to report to the Council at intervals determined by the Council.
  - (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.
- S. 86(7) inserted by No. 67/2008 s. 37, repealed by No. 63/2012 s. 15.

**87. Special committee meetings**

- (1) The Council must keep a register of delegations to special committees.
- (2) The Council may appoint a Chairperson for a special committee.
- (3) If the Council has not appointed a Chairperson under subsection (2), the members of a special committee must appoint a Chairperson.
- (4) If the Chairperson is not present at a meeting of a special committee the members must appoint a Chairperson for that meeting.
- (5) A meeting of a special committee must be held at a time and place determined by the special committee.
- (6) If the special committee has not appointed a time and place for a meeting under subsection (5), the Chairperson, or if the Chairperson is incapable of doing so, the Council, must fix the time and place of the next meeting.
- (7) Until approved by the Council a decision of a special committee which does not relate to a matter delegated to the special committee cannot be given effect to.
- (8) A Council may specify in the instrument of delegation that a member of a special committee who is a member of the public or of Council staff does not have voting rights on the special committee.

**89. Meetings to be open to the public**

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
  - (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;

- (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
  - (a) an ordinary council meeting; or
  - (b) a special council meeting; or
  - (c) a meeting of a special committee comprised solely of Councillors— give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
  - (a) give such public notice as is practicable; and
  - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee.

## **90. Voting**

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
  - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
  - (b) S. 90(1)(b) repealed by No. 63/2012 s. 16(1).
  - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
  - (ca) voting at a meeting that is open to members of the public must not be in secret;
  - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
  - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.





# WELLINGTON SHIRE COUNCIL

## MAFFRA RECREATION RESERVE COMMITTEE

### TERMS OF REFERENCE SCHEDULE

#### 1. Definitions

In this Schedule unless inconsistent with the context or subject matter;

“Council” means the Wellington Shire Council

“Financial Year” means the period from 1 July to the following 30 June

“Special Committee” means the persons who are appointed and/or elected to the Committee in the manner hereinafter provided

“Facility” means the Maffra Recreation Reserve located cnr Edward Street & McLean Street, Maffra and as defined by the attached plan - Appendix 3.

#### 2. Objectives

The objectives of the Special Committee shall be:

- 2.1. To manage, operate and maintain the Maffra Recreation Reserve for the community in an efficient, effective and practical manner.
- 2.2. To undertake activities designed to protect, promote, utilise and develop the Maffra Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
- 2.3. To keep the Council informed on the operations, improvements and advancements of the Maffra Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
- 2.4. To set, maintain and collect appropriate user charges.
- 2.5. To ensure that the Maffra Recreation Reserve’s capital assets are adequately maintained.
- 2.6. To provide advice to Council on matters relating to the Maffra Recreation Reserve.

#### 3. Appointment and Membership of the Committee

The method of appointment and the membership of the Special Committee shall be:

- 3.1 the Special Committee shall consist of a minimum of 5 ordinary members appointed by the Council as follows:
  - a) One Councillor
  - b) Two Representatives from the Maffra Football Club
  - c) Two Representatives from the Maffra Agricultural Society
  - d) One Representative from the District Kennel Club
  - e) One Representative from the Poultry Club
  - f) One Representative from the Maffra Municipal Band
  - g) One Representative from the Maffra Rockhounds
  - h) One Representative from the Eastern Victorian Pleasure Harness Club Inc

- i) One Representative from the American Truck Historical Society (Australian Charter)
- j) Four representatives of the Community of Maffra.

Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve

- 3.2 the Special Committee takes its authority from Section 86 of the Local Government Act 1989.
- 3.3 the term of office of the Members shall be from the date of appointment by Council until 18 December 2021 or as otherwise determined by the Council.
- 3.4 in the event of a vacancy on the Special Committee, the Committee may submit nominations to the Council and the vacating member shall be replaced by a person drawn from the same membership category in clause 3.1. The Council may chose to fill the vacancy from the names submitted or call for public nominations.
- 3.5 all nominations and appointments to the Special Committee must be confirmed by the Council and any person appointed as a Member may be removed from that position at any time by resolution of the Council. Any such removal shall cause an extraordinary vacancy which must be filled in accordance with clause 3.4.
- 3.6 the office of a Member may be declared vacant by the Council if that Member fails to attend 3 consecutive meetings without leave being granted by the Special Committee by a resolution duly passed.

#### **4. Conditions**

That the Special Committee observe and maintain the following conditions between the Committee and the Council as provided under this Section.

Notwithstanding Clauses below, the Council shall be the arbitrator of any disputed or uncertain maintenance responsibility and the Council's decision will be final.

##### **4.1 Procurement**

The Special Committee is authorised by the Instrument of Delegation to make procurement (purchasing) decisions in relation to the purchase of goods, services and works on behalf of Council. In making procurement decisions, the Committee shall also give consideration to Council's Procurement Policy.

##### **4.2 Works**

- 4.2.1. It is provided that the responsibility for repairs, maintenance and improvements will be divided between the Committee and the Council as provided in Appendix 1.
- 4.2.2. Major maintenance or improvement works will be the responsibility of the Council. Such works will be scheduled within the constraints of the Council's budget capability and will be consistent with any relevant policies and procedures adopted by the Council.
- 4.2.3. Sub-clause (4.2.2) is not intended to prevent the Committee of Management from suggesting or requesting the undertaking of major works which, subject to Council consent, it may do at its cost.
- 4.2.4. Any additions, modifications or improvements made to the property remain the property of the Council.
- 4.2.5. The Committee of Management is responsible for maintenance and replacement of all fittings, furniture and equipment within the facility with the exception of those items listed in accordance with Appendix 1.
- 4.2.6. If it is deemed that any Council supplied equipment (fixed or portable) is no longer available for use due to age or it is unable to be repaired, the

Committee shall advise the Council of the condition of the equipment and the Committee's recommendation for the future of the equipment.

### **4.3 Insurance**

#### **4.3.1 Building and Contents**

The Council will be responsible for the insurance cover of buildings, other identifiable physical structures and Council owned contents. Contents cover does not include sporting equipment and other items owned by the Committee or user groups. The Committee shall ensure that user groups are aware of their responsibility to obtain and maintain insurance on their own equipment.

#### **4.3.2 Committee Members**

Subject to the Special Committee and its members acting within the scope, powers and functions set out in the Instrument of Delegation and these Terms of Reference, the Public Liability insurance held by the Council shall protect individual members from liability other than for criminal matters.

#### **4.3.3 Volunteers**

Any volunteers co opted to assist the Committee to discharge its obligations will be covered by the Council's insurance policies where the names of the volunteers have been recorded in the Committee's Volunteer Register. The Committee will be responsible for ensuring that all volunteers complete a Volunteer Registration Form which is to be held by the Committee.

#### **4.3.4 Hirers / Users**

All regular users/hirers or organised clubs, associations or organisations using the Maffra Recreation Reserve must have their own public liability insurance cover when using the reserve facilities. Casual hirers, being individuals or unincorporated groups of individuals, will, subject to completion of a documented hire agreement, be covered by the Wellington Shire Council casual hirers insurance policy.

### **4.4 Use of Facility**

4.4.1 The Committee of Management is responsible for the formulation and administration of terms and conditions for use of the facility, including the setting of hire fees and security deposits. All terms and conditions of use and access must be consistent with any Council policy(s).

4.4.2 The Committee of Management must formulate a written Hire Agreement inclusive of an indemnity to be entered into with users of the facility.

4.4.3 The Committee of Management must ensure that all users of the facility, execute the hire agreement and indemnity prior to any use.

### **4.5 Books of Account**

The Committee shall operate such bank accounts and books of accounts as the Committee thinks necessary and may receive all monies and meet routine expenditure in connection with the Conditions set out in Clause 5 and associated with the operation of the various Maffra Recreation Reserve functions.

### **4.6 Fundraising**

All fundraising activities for or related to the facility, including any undertaken by the Committee of Management, must not occur until after all applicable permits and licences have been obtained.

#### **4.7 Rules for Behaviour of Users**

Subject to approval by the Council, the Special Committee may make such rules as it deems expedient for the safety, conduct and well being of people using the Maffra Recreation Reserve and may ensure compliance by whatever lawful means the Committee considers fit. A copy of such rules shall be supplied to the Council by the Committee within one month of being approved by the Committee. Council may approve or reject such rules as soon as practicable thereafter. If approved by Council, such rules shall have immediate effect thereafter.

#### **4.8 Child Safety Standards**

The Committee are bound by Council's Child Safe Policy. Wellington Shire Council is committed to creating a culture of child safety and recognises that protecting children and preventing and responding to child abuse is an organisation wide responsibility.

All employees, contractors, and volunteers who have direct contact with children are required to have a current Working With Children Check.

Changes introduced to the Working With Children Act 2005 on 1 August 2017 have expanded the definition of 'direct contact' with children to include oral, written or electronic communication in addition to face-to-face and physical contact. Direct contact with children is regular, ongoing and is required as a part of their role.

#### *Consequence of Non-Disclosure and Reporting*

It is an offence for people within an organisation who are aware of a risk of child abuse and had the authority to reduce, remove or report the risk, but negligently failed to do so.

### **5. Reporting**

The following reports shall be provided to Council outlining the activities of the Special Committee:

- 5.1 Copy of all Committee Meeting Minutes (including ordinary meetings, extraordinary meetings and Annual General Meetings), chairperson's report and treasurer's report within a month of the meeting being held.
- 5.2 Monthly GST Returns, detailing total income and expenditure and total GST received and paid during the month [form supplied by Shire]. Returns due within the first week of the month following.
- 5.3 The Annual General Meeting reporting requirements are:
  - Audited financial statements for previous financial year
  - Annual operating budget
  - Works and projects planned for next 12 months
  - Schedule of fees
  - Committee's Rules for the Reserve

### **6. Meetings of the Special Committee**

The following rules and regulations apply to meetings of the Special Committee:

- 6.1 the provisions of Section 86, 87, 89 and 90 of the Local Government Act 1989 shall apply to this Special Committee (Copy attached at Appendix 2).
- 6.2 the conduct of meetings held by the Special Committee shall be subject to the provisions of Wellington Shire Council – Local Law No. 1, "Processes of Municipal Government (Meeting and Common Seal) Local Law."

- 6.3 the Committee shall appoint the Chairperson, Secretary and Treasurer from the persons appointed by Council to the Special Committee.
- 6.4 the Chairperson, Secretary and Treasurer shall be elected on an annual basis.
- 6.5 the Special Committee shall meet at least 4 times per year on a quarterly basis, or more frequently if so determined by the Committee.
- 6.6 notice specifying the date, time and business of the meeting must be given to all members as least seven days before any meeting of the Special Committee.
- 6.7 no meeting of the Special Committee shall be held and no business shall be transacted unless a majority of members are present (half the membership plus one) creating a quorum. If a quorum is not present within ½ an hour of the time appointed for a meeting, then the meeting shall stand adjourned until the same time and place on the same day of the following week and notice to this effect shall be given to all members.
- 6.8 an extraordinary meeting shall be called by the Chairperson on the written request of any three members, such request specifying the purpose of the extraordinary meeting.
- 6.9 a record of the minutes and proceedings of all meetings together with those present shall be kept in the files of the Committee.
- 6.10 minutes are to be confirmed at the next meeting with or without corrections. Such minutes are to be signed by the Chairperson of the confirmatory meeting and shall be kept in the files of the Committee.

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As volunteers of Council, members of a Special Committee are expected to abide by Council's policies, including the Employee Code of Conduct and the Workplace Bullying and Harassment Policy. Key expectations are the right for all volunteers to:

- have a healthy and safe environment
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- have access to a process for representatives to take information back to their clubs

Wellington Shire Council will not tolerate:

- bullying, harassment or discrimination against an individual or a group

The definition of these terms and examples of what they include can be reviewed in the Workplace Bullying and Harassment Policy.

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In the case of a breach of any of the clauses in this Terms of Reference, the following process should be engaged.

- a) The executive (Chairperson, Secretary, Treasurer) should receive the concerns and either deal with them in the meeting or speak to the person(s) afterwards
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**10. Review**

This Terms of Reference will be due for review in line with the Instruments of Delegation for Special Committees under Section 81 of the *Local Government Act 1989*, requiring a review within 12 months of a general election.

**MAINTENANCE**

The division of responsibility for the maintenance of the facility is as follows:-

**(1) COMMITTEE OF MANAGEMENT**

- Car Parking On-site (where applicable).
- Cooking Equipment - repair.
- Doors and Door Furniture.
- Electrical Fittings & Fixtures - repair and replacement.
- Fences – repair.
- Fire Fighting Equipment – Portable (eg extinguishers), fire blankets.
- Fire Fighting Equipment inc extinguishers & hose reels - Testing
- Fly-wire screens - repair and replace.
- Floor coverings – carpet – repair & replace.
- Floor coverings – vinyl – repair & replace.
- Floor coverings – other – repair & replace.
- Floor - resurfacing
- Heating Equipment and Air Conditioning – repair & maintenance.
- Hot water systems – repair & maintenance.
- Internal Lining – repairs.
- Lawns, nature strips, gardens, trees, shrubs and play areas within the area defined by the Agreement.
- Light fittings, Globes & Tubes – inc Exit & Emergency lighting and testing.
- Painting – internal & external.
- Paths/Paved areas – repair & maintenance.
- Playground equipment.
- Roof cladding - repairs
- Roof gutters, downpipes & fascias – cleaning and repairs.
- Sanitary fixtures inc toilet cisterns - repair and replacement
- Security.
- Sewerage lines, Septic systems and storm water drains – repair & maintenance inc pump out and clearance of blockages.
- Taps, valves and pipework.
- Windows - frames and glazing.
- Other minor maintenance.
- Essential Safety Measures Manual – keeping records current.

**(2) WELLINGTON SHIRE COUNCIL**

- Cooking equipment – replace fixtures assessed as non repairable or beyond serviceable life.
- Electrical Rewiring where necessary to comply with regulatory requirements.
- External Cladding – full replacement of wall(s).
- Fences – full replacement where assessed as unserviceable.
- Fire Fighting Equipment – Replacement and repair of fixed hose reels and hydrants.
- Floor – replacement or reblocking.
- Heating equipment & air conditioning – replacement of fixed items assessed as non repairable or beyond serviceable life.
- Hot Water Systems - replacement.
- Internal Lining – Full Replacement.
- Paths/Paved areas – replacement.
- Roof Cladding – Full Replacement and major repairs.
- Septic systems – replacement.
- Structural defects (major).

Note: Any maintenance items not identified in either (1) or (2) above will be the subject of discussion and agreement between the Wellington Shire Council and the Committee.

**EXTRACT FROM THE LOCAL GOVERNMENT ACT, SECTIONS 86, 87, 89 AND 90.  
- SPECIAL COMMITTEES OF COUNCIL.**

**86. Special committees of the Council**

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following:
    - (a) Councillors;
    - (b) Council staff;
    - (c) other persons;
    - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
  - (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
  - (3) Except as provided in sub-section (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
  - (4) A Council cannot delegate to a committee the following powers—
    - (a) this power of delegation;
    - (b) to declare a rate or charge;
    - (c) to borrow money;
    - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
    - (e) to incur any expenditure exceeding an amount previously determined by the Council;
    - (f) any prescribed power.
  - (5) A Council may require a special Committee to report to the Council at intervals determined by the Council.
  - (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.
- S. 86(7) inserted by No. 67/2008 s. 37, repealed by No. 63/2012 s. 15.

**87. Special committee meetings**

- (1) The Council must keep a register of delegations to special committees.
- (2) The Council may appoint a Chairperson for a special committee.
- (3) If the Council has not appointed a Chairperson under subsection (2), the members of a special committee must appoint a Chairperson.
- (4) If the Chairperson is not present at a meeting of a special committee the members must appoint a Chairperson for that meeting.
- (5) A meeting of a special committee must be held at a time and place determined by the special committee.
- (6) If the special committee has not appointed a time and place for a meeting under subsection (5), the Chairperson, or if the Chairperson is incapable of doing so, the Council, must fix the time and place of the next meeting.
- (7) Until approved by the Council a decision of a special committee which does not relate to a matter delegated to the special committee cannot be given effect to.
- (8) A Council may specify in the instrument of delegation that a member of a special committee who is a member of the public or of Council staff does not have voting rights on the special committee.

**89. Meetings to be open to the public**

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
  - (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;

- (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
  - (a) an ordinary council meeting; or
  - (b) a special council meeting; or
  - (c) a meeting of a special committee comprised solely of Councillors
 — give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
  - (a) give such public notice as is practicable; and
  - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee.

## **90. Voting**

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
  - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
  - (b) S. 90(1)(b) repealed by No. 63/2012 s. 16(1).
  - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
  - (ca) voting at a meeting that is open to members of the public must not be in secret;
  - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
  - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.





# WELLINGTON SHIRE COUNCIL

## NEWRY RECREATION RESERVE COMMITTEE

### TERMS OF REFERENCE SCHEDULE

#### 1. Definitions

In this Schedule unless inconsistent with the context or subject matter;

“Council” means the Wellington Shire Council

“Financial Year” means the period from 1 July to the following 30 June

“Special Committee” means the persons who are appointed and/or elected to the Committee in the manner hereinafter provided

“Facility” means the Newry Recreation Reserve located at Three Chain Road, Newry and as defined by the attached plan - Appendix 3.

#### 2. Objectives

The objectives of the Special Committee shall be:

- 2.1. To manage, operate and maintain the Newry Recreation Reserve for the community in an efficient, effective and practical manner.
- 2.2. To undertake activities designed to protect, promote, utilise and develop the Newry Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
- 2.3. To keep the Council informed on the operations, improvements and advancements of the Newry Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
- 2.4. To set, maintain and collect appropriate user charges.
- 2.5. To ensure that the Newry Recreation Reserve’s capital assets are adequately maintained.
- 2.6. To provide advice to Council on matters relating to the Newry Recreation Reserve.

#### 3. Appointment and Membership of the Committee

The method of appointment and the membership of the Special Committee shall be:

- 3.1 the Special Committee shall consist of a minimum of 5 ordinary members appointed by the Council as follows:
  - a) One Councillor
  - b) One Representative from the Newry-Nambrok Junior Football Club
  - c) One Representative from the Newry Golf Club
  - d) One Representative from the Maffra-Sale Motorcycle Club
  - e) One Representative from the Upper Maffra Mechanics Institute
  - f) Five Representatives of the community of Newry.

Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve

- 3.2 the Special Committee takes its authority from Section 86 of the Local Government Act 1989.
- 3.3 the term of office of the Members shall be from the date of appointment by Council until 18 December 2021 or as otherwise determined by the Council.
- 3.4 in the event of a vacancy on the Special Committee, the Committee may submit nominations to the Council and the vacating member shall be replaced by a person drawn from the same membership category in clause 3.1. The Council may chose to fill the vacancy from the names submitted or call for public nominations.
- 3.5 all nominations and appointments to the Special Committee must be confirmed by the Council and any person appointed as a Member may be removed from that position at any time by resolution of the Council. Any such removal shall cause an extraordinary vacancy which must be filled in accordance with clause 3.4.
- 3.6 the office of a Member may be declared vacant by the Council if that Member fails to attend 3 consecutive meetings without leave being granted by the Special Committee by a resolution duly passed.

#### **4. Conditions**

That the Special Committee observe and maintain the following conditions between the Committee and the Council as provided under this Section.

Notwithstanding Clauses below, the Council shall be the arbitrator of any disputed or uncertain maintenance responsibility and the Council's decision will be final.

##### **4.1 Procurement**

The Special Committee is authorised by the Instrument of Delegation to make procurement (purchasing) decisions in relation to the purchase of goods, services and works on behalf of Council. In making procurement decisions, the Committee shall also give consideration to Council's Procurement Policy.

##### **4.2 Works**

- 4.2.1. It is provided that the responsibility for repairs, maintenance and improvements will be divided between the Committee and the Council as provided in Appendix 1.
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- 4.2.3. Sub-clause (4.2.2) is not intended to prevent the Committee of Management from suggesting or requesting the undertaking of major works which, subject to Council consent, it may do at its cost.
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#### **4.3.1 Building and Contents**

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Committee considers fit. A copy of such rules shall be supplied to the Council by the Committee within one month of being approved by the Committee. Council may approve or reject such rules as soon as practicable thereafter. If approved by Council, such rules shall have immediate effect thereafter.

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- Floor - resurfacing
- Heating Equipment and Air Conditioning – repair & maintenance.
- Hot water systems – repair & maintenance.
- Internal Lining – repairs.
- Lawns, nature strips, gardens, trees, shrubs and play areas within the area defined by the Agreement.
- Light fittings, Globes & Tubes – inc Exit & Emergency lighting and testing.
- Painting – internal & external.
- Paths/Paved areas – repair & maintenance.
- Playground equipment.
- Roof cladding - repairs
- Roof gutters, downpipes & fascias – cleaning and repairs.
- Sanitary fixtures inc toilet cisterns - repair and replacement
- Security.
- Sewerage lines, Septic systems and storm water drains – repair & maintenance inc pump out and clearance of blockages.
- Taps, valves and pipework.
- Windows - frames and glazing.
- Other minor maintenance.
- Essential Safety Measures Manual – keeping records current.

**(2) WELLINGTON SHIRE COUNCIL**

- Cooking equipment – replace fixtures assessed as non repairable or beyond serviceable life.
- Electrical Rewiring where necessary to comply with regulatory requirements.
- External Cladding – full replacement of wall(s).
- Fences – full replacement where assessed as unserviceable.
- Fire Fighting Equipment – Replacement and repair of fixed hose reels and hydrants.
- Floor – replacement or reblocking.
- Heating equipment & air conditioning – replacement of fixed items assessed as non repairable or beyond serviceable life.
- Hot Water Systems - replacement.
- Internal Lining – Full Replacement.
- Paths/Paved areas – replacement.
- Roof Cladding – Full Replacement and major repairs.
- Septic systems – replacement.
- Structural defects (major).

Note: Any maintenance items not identified in either (1) or (2) above will be the subject of discussion and agreement between the Wellington Shire Council and the Committee.

**EXTRACT FROM THE LOCAL GOVERNMENT ACT, SECTIONS 86, 87, 89 AND 90.  
- SPECIAL COMMITTEES OF COUNCIL.**

**86. Special committees of the Council**

- (1) In addition to any advisory committees that a Council may establish, a Council may establish one or more special committees of the following:
    - (a) Councillors;
    - (b) Council staff;
    - (c) other persons;
    - (d) any combination of persons referred to in paragraphs (a), (b) and (c).
  - (2) A Council may appoint members to a special committee and may at any time remove a member from a special committee.
  - (3) Except as provided in sub-section (4), a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee.
  - (4) A Council cannot delegate to a committee the following powers—
    - (a) this power of delegation;
    - (b) to declare a rate or charge;
    - (c) to borrow money;
    - (d) to enter into contracts for an amount exceeding an amount previously determined by the Council;
    - (e) to incur any expenditure exceeding an amount previously determined by the Council;
    - (f) any prescribed power.
  - (5) A Council may require a special Committee to report to the Council at intervals determined by the Council.
  - (6) The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.
- S. 86(7) inserted by No. 67/2008 s. 37, repealed by No. 63/2012 s. 15.

**87. Special committee meetings**

- (1) The Council must keep a register of delegations to special committees.
- (2) The Council may appoint a Chairperson for a special committee.
- (3) If the Council has not appointed a Chairperson under subsection (2), the members of a special committee must appoint a Chairperson.
- (4) If the Chairperson is not present at a meeting of a special committee the members must appoint a Chairperson for that meeting.
- (5) A meeting of a special committee must be held at a time and place determined by the special committee.
- (6) If the special committee has not appointed a time and place for a meeting under subsection (5), the Chairperson, or if the Chairperson is incapable of doing so, the Council, must fix the time and place of the next meeting.
- (7) Until approved by the Council a decision of a special committee which does not relate to a matter delegated to the special committee cannot be given effect to.
- (8) A Council may specify in the instrument of delegation that a member of a special committee who is a member of the public or of Council staff does not have voting rights on the special committee.

**89. Meetings to be open to the public**

- (1) Unless sub-section (2) applies, any meeting of a Council or a special committee must be open to members of the public.
- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
  - (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;

- (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
- (4) Unless subsection (4A) applies, a Council must at least 7 days before the holding of—
  - (a) an ordinary council meeting; or
  - (b) a special council meeting; or
  - (c) a meeting of a special committee comprised solely of Councillors
 — give public notice of the meeting.
- (4A) If urgent or extraordinary circumstances prevent a Council from complying with subsection (4), the Council must—
  - (a) give such public notice as is practicable; and
  - (b) specify the urgent or extraordinary circumstances which prevented the Council from complying with subsection (4) in the minutes.
- (5) The Chairperson of a special committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the special committee.

## 90. Voting

- (1) A question before a meeting of a Council or special committee is to be determined as follows—
  - (a) each Councillor present at a meeting of the Council and each member of a special committee present at a meeting of the special committee who is entitled to vote is entitled to one vote;
  - (b) S. 90(1)(b) repealed by No. 63/2012 s. 16(1).
  - (c) unless the procedures of a Council or special Committee otherwise provide, voting must be by a show of hands;
  - (ca) voting at a meeting that is open to members of the public must not be in secret;
  - (d) the question is determined in the affirmative by a majority of the Councillors or members of the special committee present at a meeting at the time the vote is taken voting in favour of the question;
  - (e) except where subsection (2) applies, if the number of votes in favour of the question is half the number of Councillors or members of the special committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.
- (2) If there is an equality of votes on a question arising under section 71(1), 87(2), 87(3) or 87(4), the matter is to be determined by lot.





## 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 the Mayor will respond to you in writing within one week if required, 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*

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**



**ORDINARY COUNCIL MEETING  
2 APRIL 2019**

On this 14<sup>th</sup> day of March 2019, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, Sharon Houlihan declare that the information contained in the attached document **ITEM F1.1 CAMERON SPORTING COMPLEX COMMITTEE OF MANAGEMENT MEMBERSHIP** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

- h) any other matter which the Council or special committee considers would prejudice the Council or any person;***



.....  
**Sharon Houlihan General Manager Community & Culture (Delegate)**



## G. IN CLOSED SESSION

# 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*

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IN CLOSED SESSION

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### COUNCILLOR

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