



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

Council Meeting Agenda

Meeting to be held at

Council Chambers - Wellington Centre

Foster Street, Sale

Tuesday 4 February 2020, commencing at 3pm

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

ORDINARY MEETING OF COUNCIL – 4 FEBRUARY 2020

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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:

4 February 2020

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 17 December 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 17 December 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

ITEM A7(1)

NOTICE OF MOTION – PROVISION OF COACH FOR STUDENT TRAVEL

OFFICER: COUNCILLOR GARRY STEPHENS

DATE: 4 FEBRUARY 2020

I, Councillor Garry Stephens, hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council on 4 February 2020.

That the Mayor write to the Hon Melissa Horne Minister for Public Transport and ask the Minister to review the process for groups of students who need to travel on V/Line coach services so that groups of over 30 students and teachers who use the existing Prepaid Travel Authority system can be allocated a dedicated bus to allow them to travel as one group so as not to suffer another disadvantage of coming from a rural school.

BACKGROUND

During discussions with Yarram Secondary College about access to V/Line Bus Services for large School groups, it became obvious that there is disadvantage for remote rural schools. At present V/Line will not let groups onto normal V/Line bus services even though they have to use a pre-booking service. If V/Line would provide a special bus for large school groups it would save these remote schools a large amount of money i.e. \$1000 and give rural students the same access to public transport as schools with direct access to train travel.



.....
COUNCILLOR GARRY STEPHENS

Dated: 30 January 2020



A - PROCEDURAL

A8 RECEIVING OF PETITIONS OR JOINT LETTERS

ITEM A8(1)

OUTSTANDING PETITIONS

ACTION OFFICER

GOVERNANCE

DATE:

4 February 2020

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			



A - PROCEDURAL

A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS



A - PROCEDURAL

A10 QUESTIONS ON NOTICE



B –REPORT

DELEGATES

DELEGATE REPORT B1 MEETING WITH THE HON ADEM SOMYUREK, MINISTER FOR LOCAL GOVERNMENT

OFFICER: COUNCILLOR GAYLE MAHER

DATE: 4 FEBRUARY 2020

RECOMMENDATION

That the delegates report be noted.

Meeting 29 January 2020 with Minister Somyurek regarding bushfire recovery and its impact on business and community.

Attending on behalf of Wellington Shire Council:

- Councillor Gayle Maher (deputising for Mayor Alan Hall who was attending a similar meeting in Canberra)
- David Morcom, Chief Executive Officer
- Sharon Houlihan, General Manager Community and Culture

Attending on behalf of the State Government:

- The Hon Adem Somyurek, Minister for Local Government and Minister for Small Business
- Judy O'Connell, Small Business Commissioner
- Tim Symons, Small Business Victoria
- Tim McAuliffe, Regional Development Victoria, Gippsland
- Graeme Emonson, Local Government Victoria
- Sharon Fischer, Bushfire Recovery Victoria

Minister Somyurek requested a visit with Wellington Shire Council regarding the summer 2019/20 bushfires. The Minister and senior state government officials were keen to hear our reflections and views.

Items for discussion as advised by the Minister's office:

- impact of bushfires
- current support
- future needs
- any other items (not relating to bushfires)

The following information was discussed with the Minister:

Impact of Bushfires - Direct Impacts

- **Direct bushfire impacts in Wellington:** minimal in terms of direct impacts to people, private property, roads and other infrastructure and the natural environment
- **Economic impact:** huge impact for Wellington Shire has been on tourism with visitor statistics well down on normal summers

- **Community and psychosocial impact:** communities are fearful of bushfires with cumulative effects observed from multiple fires both in the shire / neighbouring shires and remote from Wellington. Fear is manifesting in a number of concerning ways:
 - division amongst community factions regarding adaptation to harsher emergency conditions
 - anger and blame towards authorities regarding fuel management
 - self-evacuation well beyond fire warning areas putting pressure on relief services

Impact of Bushfires – supporting East Gippsland Shire’s relief work

- East Gippsland bushfires burning since 21 November 2019 and from 29 December these fires, along with a new start near Cann River, saw rapid growth which impacted multiple townships, all in neighbouring East Gippsland Shire
- On 29 December, at the request of the Bairnsdale Incident Control Centre, Wellington Shire Council activated its response protocols to support East Gippsland Shire Council’s provision of relief services and people evacuating affected communities to or via Wellington Shire
- Wellington Shire Council’s relief and evacuation support continued 24 hours a day for 12 days until it was scaled back to current ongoing support levels
- Wellington Shire Council ran our planned emergency relief centre out of the Sale Baptist Church as well as an evacuee processing centre out of Gippsland Regional Sporting Complex
- In the 12 days, a total of 1,615 people were recorded through Wellington’s relief and registration centres with records of all these people handed over to East Gippsland Shire to assist them to plan their community recovery

Impact of Bushfires – inter-Council resource sharing arrangements

- The Municipal Association of Victoria has in place a [Protocol for Inter-Council Emergency Management Resource Sharing](#) to which many Victorian councils, including Wellington and East Gippsland Shires are signatories
- Wellington Shire, along with other shires in south east Victoria have supplied, and continue to supply, personnel to fill East Gippsland Shire shifts at emergency relief centres and incident control centres at Bairnsdale and Orbost under the resource sharing protocol
- Also arranged under the resource sharing protocol, Wellington Shire Council currently has three specialty staff seconded to / assisting East Gippsland Shire with emergency management work:
 - Municipal Recovery Manager stationed at the Bairnsdale Incident Control Centre coordinating relief work and advising on recovery planning
 - Caravan Park Manager at Mallacoota
 - Crisis Works (specialist emergency management software) administrator
- We have been proud to assist our neighbours to the east, however there is an impact on business continuity at Wellington Shire as there would be in other shires and most severely in East Gippsland Shire Council itself where many staff have been directly impacted by the bushfires

Community and social recovery

- Community fear and anxiety levels are high and Councils, along with other levels of government are experiencing strong reactions from community about controversial topics such as vegetation management, climate change and so on

- Resourcing is needed for a coordinated approach to having these difficult conversations with community about what needs to happen to live safely with a good quality of life in remote and regional locations and towns

Strategic approach to tourism recovery – regional, tourist routes and localised

Strategic approach and actions should include:

- Regional – whole of Gippsland
- Routes – key tourist routes such as coastal, plains and high country
- Localised – local products and services unique to certain parts of Gippsland

Local government sector

- Rural and regional councils carry great burden regarding emergency management
- Burden is ongoing – before, during and after emergencies, not just in the ‘heat’ of an emergency
- Emergency management capacity and capability varies over time and between councils
- Recovery in particular is not funded ongoing and councils are too small to resource themselves
- Claims process for financial reimbursement is fraught

Summary

The key ‘take away’ points we made to the Minister and his delegation:-

- Wellington has been hit hard by a quadruple ‘whammy’ over past 2-3 years, in the 2017 closure of Hazelwood, the worst drought in over 100 years, the threat to 100’s of local jobs from the recent native logging decision, and now the post bushfire economic downturn;
- Immediate direct support was needed for businesses, and this needed to be direct ‘concierge’ type support to ensure businesses did not fail;
- Council itself needed less support in infrastructure (money for halls, ovals etc) and more assistance with on-the-ground resources to assist businesses, communities etc with planning, business support, and so on.

The meeting was very positive, with the Minister understanding the issues and pledging that he would take our message back to the Government and that they would continue to provide appropriate support for our community.



.....
CR GAYLE MAHER



C1 - REPORT

**CHIEF EXECUTIVE
OFFICER**

ITEM C1.2**DECEMBER 2019 PERFORMANCE REPORT**

DIVISION: CHIEF EXECUTIVE OFFICE
 ACTION OFFICER: CHIEF EXECUTIVE OFFICER
 DATE: 4 FEBRUARY 2020

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

OBJECTIVE

For Council to receive and note the December 2019 Council Performance Report.

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

That Council receive and note the December 2019 Council Performance Report as attached.

BACKGROUND

The December 2019 Council Performance Report comprises key highlights towards achievement of the 2017 -21 Council Plan, progress in relation to Major Initiatives and Initiatives as identified in the 2019/20 Budget together with an overview of Council finances including an Income Statement, a Balance Sheet with commentary regarding any major variances, information on cash balances, the level of rates outstanding and a progress update on Council's Capital Works program.

Section 138(1) of the *Local Government Act 1989* requires that at least every three months, the Chief Executive Officer must ensure that a statement comparing budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to Council at a Council meeting which is open to the public.

OPTIONS

Following consideration of the attached December 2019 Performance Report, Council can resolve to either:

1. Receive and note the December 2019 Council Performance Report; or
2. Not receive and note the December 2019 Council Performance Report and seek further information for consideration at a later Council meeting, which would result in Council not meeting legislative requirements.

PROPOSAL

That Council receive and note the attached December 2019 Council Performance Report.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The attached financial report provides information that informs Council on its financial operations for the December 2019 quarter as well as the expected financial position for the 2019/20 year.

COMMUNICATION IMPACT

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

LEGISLATIVE IMPACT

Section 138(1) of the *Local Government Act 1989* requires that at least every three months, the Chief Executive Officer must ensure that a statement comparing budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to Council at a Council meeting which is open to the public.

COUNCIL POLICY IMPACT

The December 2019 Council Performance Report has been prepared in the context of existing Council policies.

COUNCIL PLAN IMPACT

Strategic Objective 6.3 states that Council will:

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

Strategy 6.3.3 states that Council will:

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

Strategy 6.2.2 states that Council will:

"Actively engage with both internal and external stakeholders to appropriately inform about council business"

DECEMBER 2019 PERFORMANCE REPORT

DECEMBER 2019 COUNCIL PLAN HIGHLIGHTS

New website goes live

Wellington Shire Council's new website that has been designed with a user focus went live in December. The new site has been built all in-house by the Communications and Media Unit and it is responsive, catering to the many different devices used by the visitors. Council's corporate website is one of the primary communication tools, with over half a million-page views per year.

Draft Environmental Sustainability Strategy

Council is seeking community feedback for the draft Environmental Sustainability Strategy 2020-2024 and Action Plan. The Strategy sets out how council will improve environmental sustainability from its operations and services over the next four years, and how council will support and advocate on behalf of the community.

Heyfield Skate Park Survey

Council has already recognised the desire to expand the existing Skate Park in Heyfield to create a space that can be used by a wide range of skills. The Heyfield Skate Park Survey will assist Council understand the use of the Heyfield Skate Park and inform the direction of future development of the Heyfield Youth Play Precinct.

Access to Maps

Public can now access 'Facilities' and 'Property' maps through Council's website which will provide users with the ability to retrieve accurate information regarding planning zones, overlays, road hierarchy, Council facilities and much more. These maps are syncing directly from Council's ArcGis system.

Garden for Life

The new Garden for Life at the Sale Botanic Gardens was open in time for Christmas holidays with a new zero depth water play feature in a stunning new garden setting. This project is an addition to the wonderful botanic gardens, and council look forward to community enjoying the new space and watching it develop over the coming years.

Australia Day Awards Luncheon

Wellington Shire Council's annual Australia Day Awards luncheon was held on 9 December 2019 to celebrate some of the amazing people, community events and local groups doing remarkable work in the shire. Sale's Michael Page OAM was awarded the 2020 Wellington Citizen of the Year for his volunteer contribution to so many organisations and causes and Alex Nicholls of Munro was named Young Citizen of the Year for his contribution to his local farming communities battling the drought. All the recipients will be acknowledged again at Australia Day ceremonies in January.

OH&S Compliance

ISO Consulting conducted an audit, reviewing councils current OH&S compliance against the new AS45001 standards and the results were positive with the organisation hitting 76% overall compliance. An action plan will follow to cater for any audit recommendations.

Christmas Maker's Market

The Art Gallery's highlight for December was the very successful Christmas Maker's Market which was held on Level 2 of the Wellington Centre on 5 December 2019. The market drew around 300 eager shoppers and resulted in a lot of very welcome sales for local arts and crafts artists. The gallery also hosted a two-day teacher professional development session on 4 and 5 December 2019, with a focus on understanding Visual Thinking Strategies (VTS).

Partaking in Christmas Festival

Maffra Library participated in the Christmas Festival on the evening of 18 December 2019 staying open until 8pm, 45 information packs were handed out to interested families. Maffra Library has participated in the festival for the last few years and this was another successful event.

Public Libraries Victoria meeting

Wellington Library Service hosted the quarterly Public Libraries Victoria (PLV) meeting at the Wellington Centre on 9 and 10 December 2019. 44 CEOs, Managers and Coordinators, representing the 48 library systems of Victoria attended and they were very impressed with the facility and its shared operation, services potential for our patrons and architectural features.

Drop-in session for Drought

Stratford Library hosted another drought drop-in session on behalf of the Department of Environment, Water, Land & Planning, with four farmers attending.

Strong utilisation of the Wedge

The Wedge half year ticket sales report shows 18,500 people have already seen a show this financial year. Given that the Wedge usually averages from 19,000 to 20,000 ticket sales for an entire year this is a remarkable achievement and we are looking forward to the end of year result.

GRSC operations update

Activities at Gippsland Regional Sporting Complex (GRSC) were concluded for 2019, providing the perfect opportunity for installation of new LED court lights and preparations for the annual recoating of the timber court floors are underway.

Aqua Energy operations update

Aqua Energy closed for one week following the discovery of asbestos during a building materials audit. Rigorous testing of the entire facility determined that the asbestos was confined to the 25 metre pool hall. After sealing of all floor level air vents in the 25 metre pool hall was completed and external zone fencing was installed, the dry areas of the centre (gym, group fitness studio, change rooms, cafe, reception and offices) reopened. The Sale Outdoor pools continued to operate throughout the Aqua Energy closure.

Capital Project Progress

- Cameron Sporting Complex Stadium Redevelopment project: Construction underway with concrete slabs for new courts and new changerooms poured. Structural steel is currently being erected on new courts. New storerooms and changerooms are being framed. Gymnastics back wall extension stumps are being constructed. Carpark to north of Maffra-Sale Motorcycle Club excavations have commenced. Design options under development for redevelopment of office/kiosk/multipurpose spaces. Project is progressing according to schedule.
- Briagolong Recreation Reserve Pavilion Upgrade project: Complete with final acquittal being finalised.
- Sale Memorial Hall Refurbishment project: Works to front amenities currently underway and are scheduled to be finalised by end February 2020.
- Sale Tennis Redevelopment project: Contractor has been advised to hold works while concerns raised by Sale Tennis Club can be addressed regarding construction specification. Council are working with all project stakeholders to determine a path forward and have formally responded to the Club's concerns.
- Stratford Recreation Reserve Changeroom Redevelopment project: Tender documentation is being finalised and scheduled to be advertised in Jan/Feb 2020.
- Stephenson Park Changeroom Redevelopment project: Consultation is being undertaken with clubs regarding alterations to social provision.
- Pine Lodge Tennis Court Reconstruction project: Works have commenced onsite and are progressing on time against the schedule.

Sporting Infrastructure Plan

The Sporting Infrastructure Plan is underway with the draft for Stage 2 consisting of a site analysis, operational hierarchy and subsidy review currently being reviewed for feedback by Council officers.

Community Infrastructure Plan

The Community Infrastructure Plan quote assessment has been awarded to Michelle Read, Planning for Communities.

Community Committees AGM

Community Committees facilitated an AGM at Sale Memorial Hall, ensuring that process was followed, and conflict was avoided. Will continue to provide advice and support to the new committee to bring their governance in line with the Incorporations Act requirements.

Formal Recognition to WAIAG

The Wellington Access and Inclusion Advisory Group (WAIAG) annual Christmas meeting provided an opportunity to officially recognise the committee and its work, with certificates of appreciation handed out by Cr Carmel Ripper. The committee also farewelled Councillor Ripper as the Councillor representative on the committee, she will be followed by Councillor Crossley in 2020.

Funding for 'This Girl Can'

Funding for the 'This Girl Can' program was successful and will commence in March 2020. This campaign will create a supportive community of women who encourage each other to get out there and get active.

Successful TAC Grants

There has been a successful application to the 2020 Transport Accident Commission (TAC) Safety Grants. The program aims to provide opportunities for local community groups to develop and implement effective road safety projects targeting specific local road safety issues.

Youth Councillors to support ERCs

The Youth Council met for the final time in 2019 with a full discussion with Councillor representatives, including the offer to participate in Emergency Relief Centres (ERC) to work with young people in a support role.

Wellington Multicultural Issues Network

A meeting was held to bring together interested parties to build a network to support new and emerging multicultural communities across Wellington Shire. The meeting was hosted by Latrobe Community Health Services (LCHS) Multicultural Strategic Engagement Coordinator and the conversation covered local initiatives, funding opportunities, potential community projects and partnerships.

Emergency Management Exercise

An internal emergency management exercise was held on 13 December 2019 to test council's emergency management response structure and processes, this completes preparations for the 2019/20 summer bushfire season.



C2 - REPORT

GENERAL MANAGER CORPORATE SERVICES

ITEM C2.1**ASSEMBLY OF COUNCILLORS**

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 4 FEBRUARY 2020

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

OBJECTIVE

To report on all assembly of Councillor records received for the period 11 December 2019 to 25 December 2019.

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

That Council note and receive the attached Assembly of Councillor records for the period 11 December 2019 to 25 December 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 11 December 2019 to 25 December 2019.

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 11 December 2019 to 25 December 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 – 17 December 2019

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

MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE (NAME AND POSITION)				CONFLICT/S OF INTEREST OR ACTION ITEMS
	Name	Attendance	Name	Attendance	
Workshops	Cr Bye	Yes	Cr Rossetti	Yes	N/A
	Cr Crossley	Yes	Cr Stephens	Yes	N/A
	Cr Hall	Yes	David Morcom, CEO	Yes	N/A
	Cr Hole	Yes	Arthur Skipitaris, GM Corporate Services	Yes	N/A
	Cr McCubbin (<i>leave</i>)	No	Sharon Houlihan, GM Community & Culture	Yes	N/A
	Cr Maher	Yes	Chris Hastie, GM Built & Natural Environment	Yes	N/A
	Cr Ripper	Yes	John Websdale, GM Development	Yes	N/A

	MATTERS/ITEMS CONSIDERED AT THE MEETING	OTHERS IN ATTENDANCE (NAME AND POSITION)
Workshops (cont.)	<ul style="list-style-type: none"> • Brief Updates 	<ul style="list-style-type: none"> • Yarram Early Learning Centre – TBC • Cameron Stadium Redevelopment – Sam Matthews <p><i>Conflict of Interest: Nil</i></p>
	<ul style="list-style-type: none"> • New Website Launch (Verbal) 	<ul style="list-style-type: none"> • Wendy Reeves, Coordinator Communications & Media • Craig Brideson Graphic Design & Web Officer <p><i>Conflict of Interest: Nil</i></p>
	<ul style="list-style-type: none"> • Natural Disaster Financial Assistance CLAIM – 2014 write off (Verbal) 	<ul style="list-style-type: none"> • Chris Hastie, GM Built & Natural Environment • Zac Elliman, Acting Manager Built Environment <p><i>Conflict of Interest: Nil</i></p>
	<ol style="list-style-type: none"> 1. Community Managed Facilities Strategy 	<ul style="list-style-type: none"> • Karen McLennan, Manager Community Wellbeing • Bodey Darvill, Coordinator Community Committees <p><i>Conflict of Interest: Nil</i></p>
	<ol style="list-style-type: none"> 2. Development Division Update Planning, Building and Business Development 	<ul style="list-style-type: none"> • Vanessa Ebsworth, Manager Municipal Services • Josh Clydesdale, Manager Land Use Planning • Daniel Gall, Acting Manager Business Development • Barry Nicholl, Municipal Building Surveyor • John Traa, Coordinator Statutory Planning <p><i>Conflict of Interest: Nil</i></p>
	<ol style="list-style-type: none"> 3. Building (Swimming Pool) Regulations 2019 	<ul style="list-style-type: none"> • Vanessa Ebsworth, Manager Municipal Services • Barry Nicholl, Municipal Building Surveyor <p><i>Conflict of Interest: Nil</i></p>
	<ol style="list-style-type: none"> 4. Waste Management Update 	<ul style="list-style-type: none"> • Tim Rowe, Manager Natural Environment & Parks • Sam Nock, Coordinator Waste & Sustainability <p><i>Conflict of Interest: Nil</i></p>
	<ol style="list-style-type: none"> 5. Boisdale Common Effluent System 	<ul style="list-style-type: none"> • Zac Elliman, Acting Manager Built Environment • Sam Pye, Coordinator Infrastructure Development <p><i>Conflict of Interest: Nil</i></p>
	<ol style="list-style-type: none"> 6. Stratford Courthouse Theatre 	<ul style="list-style-type: none"> • Stephen Dempsey, Manager Arts and Culture <p><i>Conflict of Interest: Nil</i></p>

	7. Gippsland Regional Livestock Exchange Quarterly Update - July to September	<ul style="list-style-type: none"> • Daniel Gall, Acting Manager Business Development • Denis Murphy, Senior Commercial Property Officer <i>Conflict of Interest: Nil</i>
	8. Bond Street Renewal Concept	<ul style="list-style-type: none"> • Zac Elliman, Acting Manager Built Environment • Sam Pye, Coordinator Infrastructure Development <i>Conflict of Interest: Nil</i>
	9. Victorian Ombudsman Report - Revisiting Councils and Complaints	<ul style="list-style-type: none"> • John Websdale, General Manager Development <i>Conflict of Interest: Nil</i>

ITEM C2.2**AUDIT & RISK COMMITTEE MINUTES**

DIVISION: CORPORATE SERVICES
 ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES
 DATE: 4 FEBRUARY 2020

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

OBJECTIVE

To receive and note the minutes of the Audit & Risk Committee meeting held on 16 December 2019.

RECOMMENDATION***That:***

- 1. Council receive and note the minutes in brief (Attachment 1) and the confidential attachment at Item F1.1 Audit & Risk Committee Minutes of 16 December 2019;**
- 2. The information contained in the confidential attachment Item F1.1 Audit & Risk Committee Minutes of 16 December 2019 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 Corporate Services on 19 December 2019 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: f) legal advice; and h) any other matter which the Council considers would prejudice the Council or any person; be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989.**

BACKGROUND

Council maintains an Audit & Risk Committee in accordance with section 139 of the *Local Government Act 1989*. The Audit & Risk Committee is an independent advisory Committee to Council and its primary objective is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development. Minutes of the Audit & Risk Committee are reported direct to Council.

A copy of the minutes in brief from the Audit & Risk Committee meeting of 16 December 2019 can be found at Attachment 1 of this report and is provided for the information of Council and the public in general.

OPTIONS

Council has the following options:

1. To receive and note the minutes from the Audit & Risk Committee meeting of 16 December 2019; or
2. To seek further information and consider the minutes at a future meeting.

PROPOSAL

To receive and note the minutes of the Audit & Risk Committee meeting held on 16 December 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 *Local Government Act 1989*, section 139(1) requires Council to establish an audit committee. Council's Audit & Risk Committee is an Advisory Committee to Council and operates within the Terms of Reference and Charter adopted by Council.

The Audit & Risk Committee Terms of Reference require the minutes of the Audit & Risk Committee to be forwarded to an ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes. The Audit & Risk Committee is also required to report annually to the Council summarising the activities of the Committee during the previous financial year.

This report complies with the legislative requirements and the Audit & Risk Committee Terms of Reference requirements.

COUNCIL PLAN IMPACT

The Council Plan 2017–2021 Theme 6 Organisational states the following strategic objective and related strategy:

Strategic Objective

"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.

RISK MANAGEMENT IMPACT

The Audit & Risk Committee Charter identifies the management of risk as one of the primary objectives of the Audit & Risk Committee. The Audit & Risk Committee monitors the risk exposure

of Council by determining if management has appropriate risk management processes and adequate management information systems in place.

AUDIT & RISK COMMITTEE MEETING MINUTES IN BRIEF – 16 DECEMBER 2019

Present: Mr Chris Badger (Chair)
Mr Frank Evans
Ms Kiah Cashman
Councillor Alan Hall
Councillor Garry Stephens

In attendance: Mr David Morcom (Chief Executive Officer)
Mr Arthur Skipitaris (General Manager Corporate Services)
Mr Ian Carroll (Manager Corporate Finance)
Mr Kundai Mtsambiwa (HLB Mann Judd) (via phone)
Mr Chris Hastie (General Manager Built & Natural Environment)
Mr Zac Elliman (Acting Manager Built Environment)
Mrs Sheryl Saynor (Executive Support Officer)

1. Appointment of Acting Chairperson

Cr Stephens nominated Cr Hall as Acting Chairperson. Cr Hall accepted the nomination and assumed the Chair.

2. Welcome

Cr Hall welcomed newly appointed Independent Members Frank Evans and Kiah Cashman to the Committee.

3. Apologies - Nil

4. Closure of Meeting to Public:-

Councillor Stephens/Chris Badger
That the meeting be closed to the public under Section 89(2) of the Local Government Act 1989 to discuss legal advice and any other matter which the Council or special committee considers would prejudice the Council or any person.

CARRIED

5. Declaration of Conflict(s) of Interest:- Nil

6. Adoption of Previous Minutes – 6 September 2019:-

Cr Stephens/Chris Badger
That the Committee adopt the minutes of the previous meeting held on 6 September 2019.

CARRIED

7. Audit & Risk Committee Membership and Election of Chairperson

Councillor Stephens/Councillor Hall

That the Committee recommend to Council that Chris Badger be appointed as Chairperson. That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

8. Action Items from Previous Minutes

Councillor Stephens/Councillor Hall

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

9. Internal Audit: Review of the Management of the Gippsland Regional Livestock Exchange

Kiah Cashman/Frank Evans

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

10. Status of Audit Recommendations

Councillor Hall/Councillor Stephens

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

11. VAGO Performance Audit: Fraud and Corruption Control – Part 2

Councillor Stephens/Kiah Cashman

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

18. Natural Disaster Financial Assistance Claim 2014 Write Off

Councillor Stephens/Frank Evans

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

12. Ombudsman's Request for Information – Ninety Mile Beach Subdivision

Councillor Stephens/Councillor Hall

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

13. Victorian Auditor General's Report: Reporting on Local Government Performance

Councillor Stephens/Councillor Hall

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

14. Victorian Auditor General's Report: Local Government Assets: Asset Management and Compliance

Kiah Cashman/Councillor Hall

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

15. Ombudsman's report: Revisiting Councils and Complaints

Councillor Stephens/Councillor Hall

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

16. IBAC Special Report: Corruption Risks associated with Procurement in Local Government

Frank Evans/Councillor Stephens

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

17. Strategic and Operational Risks

Councillor Stephens/Councillor Hall

That the Audit & Risk Committee recommend to Council that this item be held over until the next meeting.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

18. Natural Disaster Financial Assistance Claim 2014 Write Off

Item 18 was dealt with following Item 11.

19. Information Services Update

Kiah Cashman/Councillor Hall

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

20. Review of Audit & Risk Committee Charter

Frank Evans/Kiah Cashman

That the Audit & Risk Committee recommend to Council that this item be deferred to the next meeting.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

21. Financials, Council Plan Highlights and Progress of Major Initiatives and Initiatives

Councillor Stephens/Kiah Cashman

That the Audit & Risk Committee recommend to Council that it receive the Report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

22. Fraud Report

Councillor Hall/Councillor Stephens

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

23. Excessive Staff Leave

Councillor Hall/Frank Evans

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

24. Current Key Risk Matters

Frank Evans/Kiah Cashman

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 2019 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

f) legal advice;

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

be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.

CARRIED

25. Insurance Report

Councillor Hall/Kiah Cashman

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

26. Register of Commissioned Reports

Councillor Stephens/Frank Evans

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

27. Update on Resignation of Independent Member

Councillor Stephens/Councillor Hall

That the Audit & Risk Committee recommend to Council that it receive the report.

That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 5 December 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

28. General Business

29. Rotating Assessment of and Feedback on Meeting – Cr Hall

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 12.08PM.

ITEM C2.3**ELECTION CARETAKER PERIOD POLICY REVIEW**

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 4 FEBRUARY 2020

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

OBJECTIVE

To approve the Election Caretaker Period policy in its current state as attached.

RECOMMENDATION

That Council approve the attached Election Caretaker Period policy.

BACKGROUND

Under the *Local Government Act 1989*, Victorian councils are required to review, and if required, amend an Election Caretaker Period policy no later than 12 months before the commencement of each general election period.

Due to the proposed changes announced mid-2019 to the *Local Government Act 1989*, and a potential for amendments to the election process, a decision was made to hold off reviewing the Election Caretaker Period Policy until further information was forthcoming regarding potential changes to the legislation. On that basis, and to adhere as closely as we can to the *Local Government Act 1989* requirements, we have decided to review and approve the current policy and adopt any further amendments as required in the lead up to the 2020 General Elections confirmed for 24 October 2020.

Therefore, at this stage, there are no changes proposed to the attached Election Caretaker Period policy.

OPTIONS

Council has the following options:

1. Approve the Election Caretaker Period policy in its current state as attached; or
2. Not approve the Election Caretaker Period policy in its current state and request an immediate review

PROPOSAL

That Council approve the attached Election Caretaker Period policy.

CONFLICT OF INTEREST

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

COUNCIL PLAN IMPACT

The Council Plan 2017–2021 Theme 6 Organisational states the following strategic objective and related strategy:

Strategic Objective

“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.

ELECTION CARETAKER PERIOD

Policy Number:	2.4.9
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Councillors and Organisation
Responsible Officer:	General Manager Corporate Services
Statutory Reference:	<i>Local Government Act 1989</i>

OVERVIEW

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

This policy also commits Council during the caretaker period to:

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

THE POLICY

1. Background

1.1 In the lead up to an election the local government sector adopts a Caretaker Period to avoid actions and decisions that may be interpreted as influencing voters or binding an incoming Council. Specific provisions have been incorporated in the *Local Government Act 1989* (the Act), that prohibit Council from making major policy decisions or publishing or distributing electoral matter in a Caretaker Period.

1.2 Section 93A of the Act prescribes the conduct of a Council during the election period. This policy is seen as a way to ensure that Council complies with the Act and the municipal elections for Wellington Shire Council are conducted in a manner that is fair, equitable, upholds the highest standards of democratic governance and is publicly perceived as such.

2. Definitions

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

3. Election Period (previously referred to as the “Caretaker Period”)

3.1 Starts at midnight on the last day on which nominations for the election can be received; and

3.2 Ends at 6pm on election day.

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

The Chief Executive Officer will ensure that all employees are informed of the requirements of this policy.

4. Decision Making

- 4.1 Careful consideration will be given to what decisions at council or special committee meetings should be made in the 32 days leading up to the general election, so that the incoming Councillors are not unreasonably compromised.
- 4.2 It is an established democratic principle that elected bodies should not unnecessarily bind government during an election period. The Council therefore commits to the principle that it will make every endeavor to avoid making decisions that bind the incoming Council.
- 4.3 This includes a commitment to not only comply with the requirements of Section 93A of the Act, pertaining to major policy decisions, but as well relating to significant decisions as specified within this policy.
- 4.4 The types of decisions that should be avoided are:
 - allocation of community grants or other direct funding to community organisations;
 - major planning scheme amendments;
 - awarding of contracts both civil and service;
 - changes to strategic objective;
 - strategies in the Council Plan;
 - Questions on Notice;
 - Notice of Motions;
 - introduction of late items;
 - decision relating to the employment or remuneration of a Chief Executive Officer, other than a decision to appoint an acting Chief Executive Officer;
 - to terminate the appointment of a Chief Executive Officer.
- 4.5 Ordinary Council Agenda / Special Council Meeting Agenda and / or Special Committee Meeting Minutes are to be carefully vetted by the Chief Executive Officer and / or Corporate Management team to ensure that no agenda item is included in any council agenda during the election period that could potentially influence voters' intentions or encourage candidates to use as part of electioneering.

- 4.6 During the election period, the Chief Executive Officer will ensure that a “Caretaker Statement” is included in every report submitted to an Ordinary Council Meeting and or Special Council Meeting (if required) for a decision.
- 4.7 The “Caretaker Statement” will specify one of the following:
- a) “The recommended decision is not a “Major Policy Decision” as defined in section 93A & 93B of the *Local Government Act 1989* or a “Significant Decision” within the meaning of this policy.
 - b) The recommended decision is a “Significant Decision” within the meaning of this policy, but an exception should be made for the following reason (insert reasons for making an exemption).
 - c) “The recommended decision is to seek an exemption from the Minister because the matter requires a “Major Policy Decision” within the meaning of section 93A of the *Local Government Act 1989*.
 - d) “The recommended decision is a “Major Policy Decision”, as defined in section 93A of the *Local Government Act 1989*, but an extraordinary circumstances exemption was granted by the Minister for Local Government on (insert date).

5. Major Policy Decisions

- 5.1 Section 93A of the Act prohibits a Council, a Special Committee or a person acting under a delegation given by the Council from making a major policy decision during the election period for a general election. If Council considers that there are extraordinary circumstances which require the making of a major policy decision during the election period, the Council may apply in writing to the Minister for an exemption.

Section 93A (6) of the Act defines a major policy decision as:

- a) relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer;
- b) to terminate the appointment of a Chief Executive Officer under section 94;
- c) to enter into a contract the total value of which exceeds whichever is the greater of:
 - i. \$100,000 or such higher amount as may be fixed by Order in Council under section 186(1); or
 - ii. 1% of the Council’s revenue from rates and charges levied under section 158 in the preceding financial year.
- d) to exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100,000 or 1% of the Council’s revenue from rates and charges levied under section 158 in the preceding financial year.

6. Significant Decisions

- 6.1 Over and above the decisions specified in section 93A of the Act, the Council will avoid making other decisions during the Caretaker Period that are of a significant nature and would unreasonably bind the incoming Council.

Significant decisions include:

- a) irrevocable decisions that commit the Council to substantial expenditure or major actions; and
- b) irrevocable decisions that will have a major impact on the municipality or the community.

7. Public Consultation

7.1 Definition

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

7.2 Right to Postpone

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

7.3 Statutory Requirements

The requirements of 7.2 (above) do not apply to public consultation required under the *Planning and Environment Act 1987* or matters subject to section 223 of the Act.

8. Council Resources

- 8.1 It is an established democratic principle that public resources must not be used in a manner that would influence the way people vote in elections. Council therefore commits to this principle in that it will ensure Council resources are not used inappropriately during a Council election. This includes a commitment to comply with the following procedures in addition to the requirements of section 55D of the Act.
- 8.2 Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, the matter must be referred to the Chief Executive Officer or his or her delegate.
- 8.3 Council resources, including offices, support staff, hospitality services, equipment and stationery will be used exclusively for normal Council business during the Election Period, and shall not be used in connection with any electioneering activity.
- 8.4 Reimbursements of Councillor's out-of-pocket expenses during the election Caretaker Period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.

- 8.5 No Council logos, letterheads or other corporate branding will be used for, or linked in any way to, a candidate's election campaign.
- 8.6 Photos or images taken or provided by Council are not to be used by Councillors for the purposes of electioneering or in support of their election campaign. This applies equally to images on Council's website that may be copied.
- 8.7 No election material or active campaigning is to be conducted at Council sponsored events or be displayed in any Council building.
- 8.8 In applying these principles, the Council understands that the following will be normal practice during the Election Period:
 - 8.9 Public events will only be organised and run if it is totally unavoidable to conduct such events during the Caretaker Period and then only with the express permission of the Chief Executive Officer;
 - 8.10 Speeches for Councillors will only be prepared by Media & Communications business unit in relation to events that are part of normal services or operation of the Council and such speeches will not be circulated or available for publication;
 - 8.11 Media services, including media releases, will not be provided to Councillors during the Election Period;
 - 8.12 Media releases will not mention or quote any Councillor(s) during the Election Period;
 - 8.13 All Council newsletters will not be printed during the Election Period; and
 - 8.14 Neither the Council logo nor Council stationery will be used by Councillors in any way that relates to the election.

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

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

10. Information

10.1 Candidates' Access to Information

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

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

10.2 Information Request Register

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

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

Only Information that can reasonably be accessed will be released.

11. Misuse and Improper Direction of Position

- 11.1 Section 76D and 76E of the Act prescribes serious penalties for any Councillor who inappropriately makes use of their position or information obtained in the role of a Councillor, to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person or to cause, or attempt to cause, detriment to the Council or another person.

12. Assistance to Candidates

- 12.1 The Council affirms that all candidates for the Council election will be treated equally.
- 12.2 All election related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibility of the Returning Officer (such as the CEO list), to the Chief Executive Officer or a designated member of Council staff.
- 12.3 Candidates will be informed of their obligation to complete a Nomination Form which will be available from the Returning Officer, accompanied by the nomination fee.
- 12.4 Candidates will also be informed of the requirements to complete and submit an "Election Campaign Donation Return Form" to the Chief Executive Officer within 40 days after the Election Day.

An election campaign donation form must:

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

Donation period means the period commencing on whichever is the later of –

- (a) 30 days after the last general election for the Council; or
- (b) 30 days after the last election for the Council at which the person required to give the election campaign donation return was a candidate.

13. Communication

13.1 Council communication will not be used in any way that might influence the outcome of a Council election.

13.2 During the Election Period, no employee will initiate any public statement that relates to an election issue. Public statements are not only formal press releases but also verbal comments at meetings, functions and events where attending as part of their Council role.

13.3 Any requests from Councillors for media advice or assistance during the Election Period will be channeled through the Chief Executive Officer.

13.4 In response to media enquiries the Chief Executive Officer, General Managers or the Media and Public Relations team will only provide a response and such information should relate to current services and operations.

13.5 In the Election Period, no media releases will be issued quoting or featuring any Councillor.

13.6 During the Election Period, Council initiated communications shall be restricted to communication of normal Council activities.

13.7 No media advice or assistance will be provided to Councillors in relation to election campaign matters.

13.8 No publicity will be provided that involves specific Councillors.

13.9 Councillors should not use their position as an elected representative or their access to Council staff and other Council resources or information in support of an election campaign. This includes photos or images provided by Council for past Council activities.

13.10 Contact with the local media will be restricted to the communication of normal Council activities and responding to questions not involving the election or possible election outcomes.

13.11 Publicity of Council events (if any during the Election Period) will be restricted to the communication of factual material and will not mention or quote any Councillor.

13.12 Councillor participation at Council sponsored events (if any during the Election Period) should not be used to gain attention in support of an election campaign. Council sponsored events includes launches, events, and any other public forum outside of the normal Council meeting cycle – the easiest way to deal with these is to simply not have them during the Election Period.

14. Council Publications

14.1 Section 55D of the Act places limitations on Council from printing, publishing or distributing or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer.

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

14.2 The Chief Executive Officer must not intentionally or recklessly certify an electoral advertisement, handbill, pamphlet or notice during the election period unless it only contains information about the election process. – it is an offence for the Chief Executive Officer to contravene this requirement.

14.3 Electoral matter is any matter that is intended or likely to affect voting in an election.

14.4 Despite section 98(2), certification by the Chief Executive Officer must be in writing and cannot be delegated. Certification wording – over the Chief Executive Officers signature – should be as follows: ***“Certified by the Chief Executive Officer in accordance with section 55D of the Local Government Act 1989.”***

14.5 A Councillor or member of Council staff must not intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed an electoral advertisement, handbill, pamphlet or notice during the election period on behalf of, or in the name of, the Council or on behalf of, or in the name of, a Councillor using Council resources if the electoral advertisement, handbill, pamphlet or notice has not been certified by the Chief Executive Officer.

14.6 The interpretation of section 55D is extremely broad. Even though section 55D refers specifically to “an advertisement, handbill, pamphlet or notice”, it has been interpreted to refer to documents produced for the purpose of communicating with the community, including:

- Council newsletters;
- Advertisements and notices, for example job advertisements and public notices of contracts;
- Media releases;
- Leaflets and brochures;
- Mailouts to multiple addresses.

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

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

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

- 14.7 Section 55D also applies to the publication of material specified in 13.5 (above) on Council's website. This applies to all websites under the auspice of Council. **Any new pages on the website or new material will require certification by the Chief Executive Officer.**
- 14.8 The recommended practice, in line with State and Federal Governments, is where possible; avoid all publication activity during the Election Period except where it is essential for the conduct of Council operations.
- 14.9 A number of Council publications with reference to either current Councillors or candidates, both on the website and public display will be withdrawn from display during the Election Period.
- 14.10 During the Election Period, Council's website will not contain material which is precluded by this policy or the statutory requirements relating to publications. Any references to the election will only relate to the election process.
- 14.11 Profiles of the current Mayor and Councillors will be removed from Council's website during the Election Period but retain their contact details for their day-to-day role as a Councillor i.e. names, photos and mobile phone numbers.
- 14.12 Any new material published on Council's website during the election caretaker period that may be considered to be an advertisement, handbill, pamphlet or notice must also be subject to the certification process.
- 14.13 Council is required by the Act to produce an annual report, and the annual report may be published during the Election Period. The annual report will not contain any material that could be regarded as overt electioneering or that inappropriately promotes individual Councillors but will fulfill its statutory obligations on reporting matters. In accordance with the requirements of section 134 of the Act, Council may be required to consider the annual report at a meeting of Council held during the Election Period.
- 14.14 Social media – any publication on social media sites such as Facebook, Twitter or Council blogs that are under the auspice of Council will also require certification by the Chief Executive Officer.

ATTACHMENT 1

Relevant sections from the *Local Government Act 1989*

Section 3 (1) Election period (Caretaker Period)

In relation to an election, means the period that—

- (a) starts on the last day on which nominations for that election can be received; and
- (b) ends at 6 p.m. on election day;

Electoral advertisement, handbill, pamphlet or notice

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

Publish

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

Section 3(1A) In this Act, “electoral matter” means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the returning officer for the purpose of conducting an election.

Note: **printed electoral matter** has the same meaning.

Section 3(1B) Without limiting the generality of the definition of “electoral matter”, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on-

- (a) The election; or
- (b) A candidate in the election; or
- (c) An issue submitted to, or otherwise before, the voters in connection with the election.

Section 55D Prohibition on Council

- (1) A Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer.
 - (1A) For the purposes of subsection (1), the publication of a document of a kind specified in that subsection does not include:
 - (a) Publication of any document published before the commencement of the election period; and
 - (b) Publication of any document required to be published in accordance with, or under, any Act or regulation.
- (2) The Chief Executive Officer must not intentionally or recklessly certify an electoral advertisement, handbill, pamphlet or notice during the election period unless it only contains information about the election process.

Section 93A Conduct of Council during an Election Period

- (1) Subject to this section, a Council, a special committee or a person acting under a delegation given by the Council must not make a major policy decision during the election period for a general election.
- (2) If a Council considers that there are extraordinary circumstances which require the making of a major policy decision during the election period, the Council may apply in writing to the Minister for an exemption from the application of this section to the major policy decision specified in the application.
- (3) If the Minister is satisfied that there are extraordinary circumstances, the Minister may grant an exemption from the application of this section to the major policy decision specified in the application subject to any conditions or limitations that the Minister considers appropriate.
- (4) A major policy decision made in contravention of this section is invalid.
- (5) Any person who suffers any loss or damage as a result of acting in good faith on a major policy decision made in contravention of this section is entitled to compensation from the Council for that loss or damage.
- (6) In this section, a “major policy decision” means any decision –
 - (a) relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer;
 - (b) to terminate the appointment of a Chief Executive Officer under section 94;
 - (c) to enter into a contract, the total value of which exceeds whichever is the greater of \$100,000 (or such higher amount as may be fixed by Order in Council under section 186(1)) or 1% of the Council’s revenue from rates and charges levied under section 158 in the preceding financial year;
 - (d) to exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100,000 or 1% of Council’s revenue from rates and charges levied under section 158 in the preceding financial year.

Section 95 Conduct Principles

- (1) Council staff must in the course of their employment –
 - (a) act impartially;
 - (b) act with integrity including avoiding conflicts of interest;
 - (c) accept accountability for results; and
 - (d) provide responsive service.
- (2) Nothing in sub-section (1)(c) affects the granting of an indemnity to a member of Council staff in respect of any liability or limits the effect of –
 - (a) any such indemnity, whether granted before or after the commencement of section 67 of the *Local Government (Democratic Reform) Act 2003*; or
 - (b) any immunity conferred on a member of Council staff by or under any Act, whether before or after that commencement.

ATTACHMENT 2 DEFINITIONS

It should be noted that some of the terms used in this policy are defined in the *Local Government Act 1989* (the Act) and their use in this policy is consistent with the Act.

Electoral advertisement, handbill, pamphlet or notice has the same meaning as section 3(1) of the Act, and means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting.

Electoral matter has the same meaning as electoral matter in section 3(1A) of the Act and means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the Returning Officer for the purposes of conducting an election.

Section 3(1B) of the Act further qualifies “electoral matter”.

“3(1B) Without limiting the generality of the definition of “electoral matter” matter is to be taken or be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on:

- (a) The election; or
- (b) A candidate in the election; or
- (c) An issue submitted to, or otherwise before, the voters in connection with the election.”

Major Policy Decision has the same meaning as section 93A of the Act and means any decision:

- (a) Relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer;
- (b) To terminate the appointment of a Chief Executive Officer under section 94;
- (c) To enter into a contract, the total value of which exceeds whichever is the greater of \$100,000 (or such higher amount as may be fixed by Order in Council under section 186(1)) or 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year;
- (d) To exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100,000 or 1% of Council's revenue from rates and charges levied under section 158 in the preceding financial year.

Printed electoral material has the same meaning as section 3(1) of the Act and means an advertisement, handbill, pamphlet or notice that contains electoral matter and is intended or calculated to affect the result of an election and includes a how-to-vote card.

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

Publish has the same meaning as section 3(1) of the Act and means publish by any means including publication on the internet.

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

HUMAN RIGHTS

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

Related Documents

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



C3 - REPORT

GENERAL MANAGER DEVELOPMENT



C4 - REPORT

GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

ITEM C4.1**ROAD CLOSURE – PARTS OF UNUSED GOVERNMENT ROAD EAST OF RIVERSDALE ROAD AT MAFFRA**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS & PROJECTS

DATE: 4 FEBURARY 2020

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

OBJECTIVE

The objective of this report is for Council to consider a request by the Department of Environment, Land, Water and Planning (DELWP) for the discontinuance and sale of parts of an unused Government Road adjoining Lot 1 PS547886 and Lot 2 PS518813 in the Parish of Tinamba, east of Riversdale Road, Maffra.

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

1. ***The property owners be advised in writing that they are required to enter into a Section 173 Agreement under the Planning and Environment Act 1987 on each of their abutting titles to the road to be closed. Entering into an agreement that within three months of the road sales process being completed, that they will consolidate the road titles into the abutting land, prior to consent being provided to close the roads, and once the Section 173 Agreements have been placed on titles Council agrees to the following;***
2. ***Pursuant to section 349 of the Land Act 1958, Council resolves to give its concurrence to the closing of sections of Government road adjoining Lot 1 PS547886 and Lot 2 PS518813 in the Parish of Tinamba and shown red on the attached plans;***
3. ***Pursuant to section 400 of the Land Act 1958, Council gives notice that the portions of Government road adjoining Lot 1 PS547886 and Lot 2 PS518813 in the Parish of Tinamba, are considered to not be required for public traffic and are therefore an unused road.***

BACKGROUND

The owners of the property east of Riversdale Road, Maffra (CA 16D, Lot 1 PS547886 and Lot 2 PS518813) in the Parish of Tinamba, have been in discussion with officers of the Department of Environment, Land, Water and Planning (DELWP) regarding a proposal to close two sections of Government Road and for them to purchase these sections of closed road.

The two sections of Government Road have not been used as a Public Highway as far as can be ascertained for at least 15 years and both roads have been fenced into the adjacent property and

have been used as part of the farming operation. The two sections of Government Road are currently held by the property owners as an unused road grazing licence with DELWP.

Under the *Land Act 1958*, DELWP must obtain consent from Council for the road closure and confirm if these sections of Government road are required for public traffic. DELWP is now seeking consent from Council to the closing of the roads shown in red at Attachment 1. The closure and sale will be done by DELWP and at no cost to Wellington Shire Council. DELWP, at their discretion, may contact adjoining property owners.

The process of closing and selling of the sections of Government Road by DELWP will create a new small parcel of land with a title for each road in the Farm Zone. In addition, it will also landlock two titles which will not have road access.

To support the request from DELWP for consent for the road closure, it is proposed that a Section 173 Agreement under the *Planning and Environment Act 1987* to consolidate the titles should be placed on the abutting land owned by the property owner, prior to Council consent being provided.

The Section 173 Agreement would require the property owners to undertake, on completion of the sale process with DELWP, consolidation of the roads into the abutting land at the property owners' expense within three months.

Placing of Section 173 Agreements on titles also provides for the ability of enforcement for the consolidation under *Planning and Environment Act 1987* should the property owner not complete the consolidation within three months.

OPTIONS

Council has the following options available:

1. Support the discontinuance/closure and advise that the road is not required for public traffic pursuant to sections 349 and 400 of the *Land Act 1958*, once a Section 173 Agreement under the *Planning and Environment Act 1987* has been placed on each abutting title; or
2. Not agree to the discontinuance/closure and advise that the unused Government road may continue to be held under an unused road grazing licence.

PROPOSAL

That:

1. The property owners be advised in writing that they are required to enter into a Section 173 Agreement under the *Planning and Environment Act 1987* on each of their abutting titles to the road to be closed. Entering into an agreement that within three months of the road sales process being completed, they will consolidate the road titles into the abutting land, prior to consent being provided to close the roads, and once the Section 173 Agreements have been placed on titles Council agrees to the following;
2. Pursuant to section 349 of the *Land Act 1958*, Council resolves to give its concurrence to the closing of sections of Government road adjoining Lot 1 PS547886 and Lot 2 PS518813 in the Parish of Tinamba and shown red on the attached plans;
3. Pursuant to section 400 of the *Land Act 1958*, Council gives notice that the portions of Government road adjoining Lot 1 PS547886 and Lot 2 PS518813 in the Parish of Tinamba, is considered to not be required for public traffic and is therefore an unused road.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The roads intended to be discontinued/closed are government roads and will be closed and sold by DELWP. This will be at no cost to Wellington Shire Council.

The Section 173 Agreements would be placed on title at the owners' cost.

LEGISLATIVE IMPACT

Application for Council's consent to the road closure consideration is being undertaken pursuant to sections 349 and 400 of the *Land Act 1958*.

The Section 173 Agreement(s) are placed pursuant to Section 173 of the *Planning and Environment Act 1987*.

COUNCIL POLICY IMPACT

There is no Council policy on the road closure and unused road consideration. Each application is treated on merit.

COUNCIL PLAN IMPACT

The Council Plan 2017 – 2021 Theme 2 Services & Infrastructure states the following Strategic Objectives and Strategies:

Strategic Objectives

"Continued improvement to Wellington Shire's connectivity with further developed, accessible transport networks."

Strategy 2.4.2

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

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

COMMUNITY IMPACT

There will be no negative identifiable community impact as this section of Government road has not been used for many years and is not required for public road purposes.

CONSULTATION IMPACT

Consultation is undertaken with adjacent landowners and the public at the discretion of the Department of Environment, Land, Water and Planning.

**PROPOSED ROAD CLOSURE OF
GOVERNMENT ROAD ADJOINING LOT 1 PS547886, LOT 2 PS518813 and
CROWN ALLOTMENT 16D
PARISH OF TINAMBA**



 **GOVERNMENT ROADS TO BE CLOSED**



Department of Environment,
Land, Water & Planning

REF 15L10.8055

CONSENT TO CLOSING OF ROAD

Section 349, Land Act 1958

A road laid out on land of the Crown which is unused as to the whole or any portion of the length or width may be closed by the Governor in Council as to the whole or any part, as the case may be, by order published in the Government Gazette; but only with the concurrence in writing of the Council of the municipality in whose district the road is located, and of the owners of any land adjoining the road.

If the Council favours the closing of the road described in the next paragraph, its concurrence should be given in writing to satisfy the requirements of the relevant legislation. It is suggested that the form of consent at the foot of this sheet should be used to provide the written concurrence of the Council under seal, or under the hand of the Town Clerk or Shire Secretary.

The description of the road is: **Government road adjoining Lot 1 PS547886, Lot 2 PS518813 and Crown Allotment 16D, in the Parish of Tinamba and shown shaded red on the attached plan.**

CONSENT

At the meeting of the Council of the Wellington Shire Council held on /.... /.... it was resolved that the Council gives its concurrence to the closing of the subject road pursuant to Section 349 of the Land Act 1958. In giving this consent, Council is aware that should the road be closed, the effect will be that:-

- (a) the closing will be absolute;
- (b) the road will be shown as closed on all departmental plans and Office of Titles charts and on the titles of the abutting lands;
- (c) all rights of carriageway enjoyed by the public will cease; and
- (d) the land in the closed road will become unalienated land of the Crown and can be dealt with under the provisions of the Land Act, which includes the sale of the freehold.

Dated this day of..... 20.....

Council seal or signature)
)
of Shire Secretary or Town Clerk)

Note: If Council's consent is provided under delegation a copy of the appropriate "Instrument of Delegation" must be returned with this form

DEPARTMENT OF ENVIRONMENT, LAND, WATER AND PLANNING

SCHEDULE 4

Notice of a municipal council under section 400 that a road is unused.

Secretary to the Department of Environment, Land, Water and Planning

Under Section 400 of the Land Act 1958, the municipal council of the municipal district of

WELLINGTON SHIRE COUNCIL

gives notice that the road described in the Schedule below is considered by Council to not be required for public traffic and is therefore an unused road.

SCHEDULE

PARISH	DESCRIPTION OF LOCATION OF ROAD
<i>Tinamba</i>	<i>Government road adjoining Lot 1 PS547886, Lot 2 PS518813 and Crown Allotment 16D.</i>

As indicated by red shading on the attached plan

* Signed:

Dated:

witness

* The seal of the municipal council of
.....

as affixed to this on

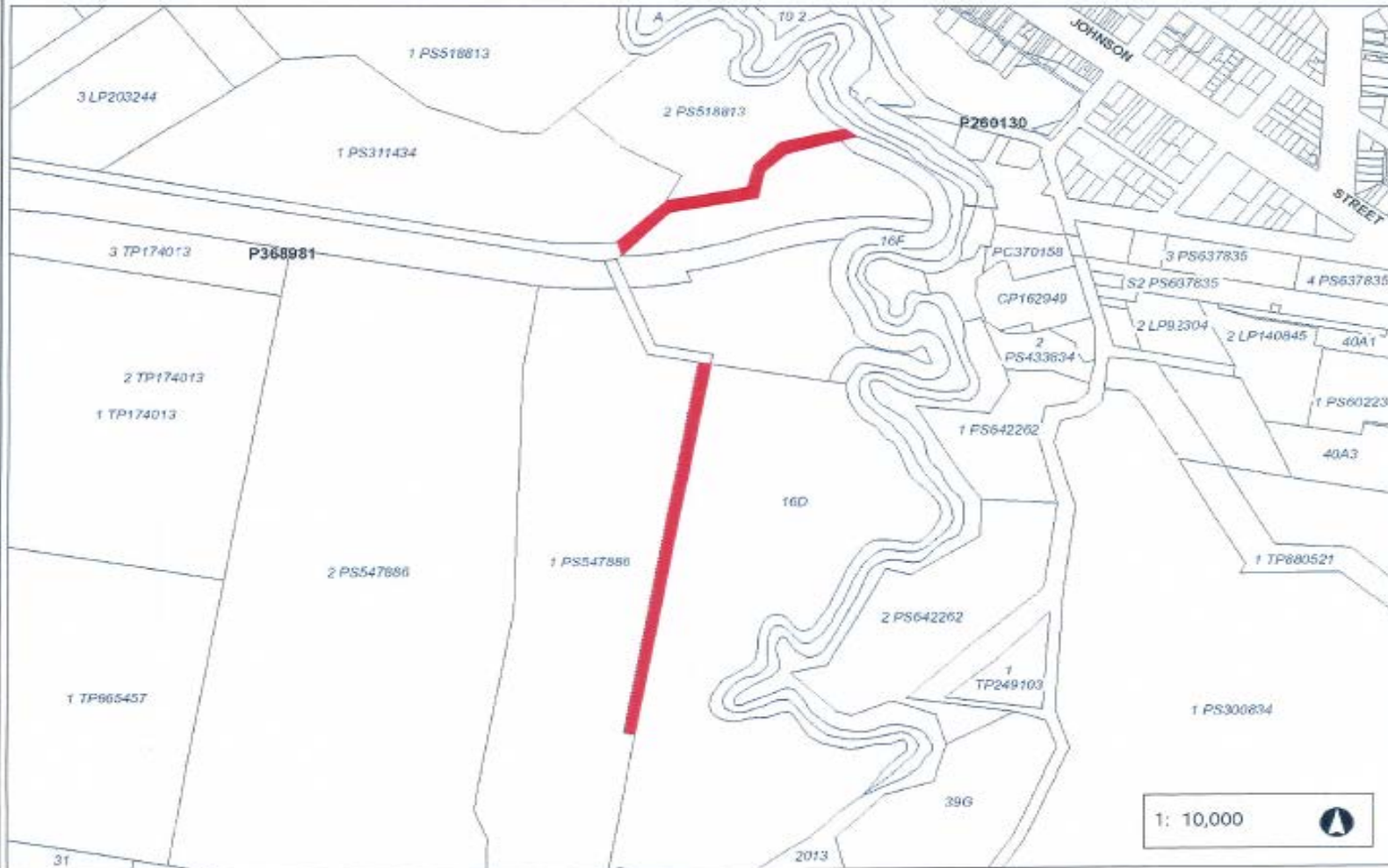
by

witness

* Delete whichever is not applicable

Our ref. 15L10.8055

Consent to closing of road plan



- Legend**
- Parcel
 - Crown Parcel
 - Government Road

1: 10,000

508.0 0 254.00 508.0 Metres

Map Created on 01-Jun-2017

GDA_1994_VICGRID94
© The State of Victoria, Department of Environment, Land, Water and Planning 2016

Disclaimer: This map is a snapshot generated from Victorian Government data. The material may be of assistance to you but the State of Victoria does not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for error, loss or damage which may arise from reliance upon it. All persons accessing this information should make appropriate enquiries to assess the currency of the data.



ITEM C4.2**APPLICATION FOR UNUSED ROAD LICENCE IN THE PARISH OF GIFFARD AT GIFFARD**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

DATE: 4 FEBRUARY 2020

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

OBJECTIVE

The objective of this report is for Council to consider an application that the Government Road south of CA 3 Section B in the Parish of Giffard is not required for public traffic and is therefore an unused road.

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

That pursuant to section 400 of the Land Act 1958, Council give notice that Government Road south of CA 3 Section B, Parish of Giffard is not required for public traffic and is therefore an unused road.

BACKGROUND

The owner of property of CA 3 Section B abutting the Government Road in the Parish of Giffard has made application to Council on behalf of the Department of Environment, Land, Water and Planning (DELWP) to obtain an unused road grazing licence for this section of unused Government Road in Willung.

This Government Road is currently unused and has been fenced into the property for at least 19 years. DELWP is seeking approval from Council confirming that the Government Road is no longer required for public traffic.

DELWP requires an application for an unused road grazing licence to be publicly advertised. A public notice has been placed by the property owner in the Gippsland Times newspaper on 10 December 2019. DELWP have advised that no submissions were received.

Road licences for unused roads are issued by DELWP on either an annual, triennial or 99 year licence and they may be revoked (fully or in part) on written request from Council to DELWP.

OPTIONS

Council has the following options available:

1. Pursuant to Section 400 of the *Land Act 1958*, advise the Department of Environment Land Water and Planning of its approval for issuing the licence as this section of Government Road is not required for public traffic, or;
2. Not agree to the issuing of the licence as the Government Road is required for public traffic.

PROPOSAL

That pursuant to section 400 of the *Land Act 1958*, Council give notice that Government Road south of CA 3 Section B, Parish of Giffard is not required for public traffic and is therefore an unused road.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

There is no financial impact for Council as the road is a Government Road and any licence fee will be paid to DELWP.

LEGISLATIVE IMPACT

Application for issue of the licence(s) has been made pursuant to Section 400 of the *Land Act 1958*.

COUNCIL POLICY IMPACT

There is no Council policy on the closure of unused roads to public traffic. Each application is treated on merit.

COUNCIL PLAN IMPACT

The Council Plan 2017–21 Theme “Service 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.

COMMUNITY IMPACT

The unused Government Road is currently fenced and is used by the applicant as part of their farm enterprise. Issue of the licence will formalise this arrangement. Accordingly, there will be no identifiable community impact.

ENGAGEMENT IMPACT

A public notice in the prescribed format was printed in the Gippsland Times on Tuesday 10 June 2019 as required. DELWP have advised that no submissions or objections were received.

PROPOSED UNUSED GOVERNMENT ROAD LICENCE
PARISH OF GIFFARD



PROPOSED UNUSED ROAD GRAZING LICENCE

ITEM C4.3**MAFFRA STREETScape RENEWAL WORKS (JOHNSON STREET NORTH) CONTRACT 2020-045**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS & PROJECTS

DATE: 4 FEBRUARY 2020

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

OBJECTIVE

The objective of this report is for Council to consider entering into a contract for the renewal of the Maffra CBD Streetscape on the northern service road of Johnson Street, Maffra.

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

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.2 of the Council Meeting Agenda for Maffra Streetscape Renewal Works (Johnson Street North) Contract 2020-045; and***
- 2. The information contained in the confidential document Item F1.2 of the Council Meeting Agenda and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built & Natural Environment on 21 January 2020 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: d) Contractual matters be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

BACKGROUND

The footpaths and kerb and channel in the service roads of Johnson Street, Maffra were identified for replacement between Thomson Street and Foster Street as part of the renewal of streetscapes within the Central Business Districts of Townships within the Municipality.

A contract was let for works on the southern side of the street and works are still currently in progress on this contract, having recently resumed following a halt to the works over the Christmas period to lessen the impact on traders and visitors to Maffra. All concrete works for the western half of the south service road are now complete.

This contract is for all works on the northern side of Johnson Street and works will not commence in areas that are still impacted by the southern works (between Pearson and Foster Streets).

OPTIONS

Council has the following options available:

1. Adopt the recommendations contained in the attached confidential Tender Evaluation Report for Maffra Streetscape Renewal Works (Johnson Street North) Contract 2020-045;
or
2. Not enter into a contract and not proceed with these works at this time.

PROPOSAL

That Council adopt the recommendations contained in the attached confidential Tender Evaluation Report for Maffra Streetscape Renewal Works (Johnson Street North) Contract 2020-045.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

This is a multi-year project and has been partially budgeted for in the 2019/20 Capital Works Program.

LEGISLATIVE IMPACT

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

RESOURCES AND STAFF IMPACT

This project will be undertaken with the resources of the Assets & Projects unit.

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 responsibility, 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.”

Strategy 2.2.3

“Continue to maintain and enhance Council’s built environment for public amenity and long term sustainability.”

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

COMMUNITY IMPACT

These works will produce a positive community impact with the renewal of footpaths and kerb and channel and pavements in the main street of Maffra.

ENVIRONMENTAL IMPACT

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

ENGAGEMENT IMPACT

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

RISK MANAGEMENT IMPACT

It is considered that the proposed contract works will not expose Wellington Shire Council to any significant risks. All OH&S risks will be discussed with the contractor and allocated to the party in the best position to manage each risk.



C5 - REPORT

GENERAL MANAGER COMMUNITY AND CULTURE

ITEM C5.1**GIPPSLAND ART GALLERY ADVISORY GROUP MINUTES**

DIVISION: COMMUNITY AND CULTURE
 ACTION OFFICER: MANAGER ARTS AND CULTURE
 DATE: 4 FEBRUARY 2020

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

OBJECTIVE

To receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 2 December 2019.

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

That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 2 December 2019.

BACKGROUND

The Gippsland Art Gallery Advisory Group is a committee of Council that meets every three months. The membership of the advisory group includes a Councillor and representation from professional artists, art educators, Friends of the Gallery members and the community.

The committee's Instrument of Delegation reflects the desire to seek community input, advice and feedback on the operations of the Gippsland Art Gallery and to present this information to Council.

It is to be noted these minutes have yet to be formally ratified by a future advisory group meeting and are provided as current information for Council.

OPTIONS

Council has the following options:

1. To receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 2 December 2019; or
2. Request additional information and receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 2 December 2019 at a future meeting.

PROPOSAL

To receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 2 December 2019.

CONFLICT OF INTEREST

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

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 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.”

The Council Plan 2017-21 Theme 4 Lifelong Learning states the following strategy:

Strategic Objective 4.1

“Improve people’s access to opportunities to challenge and extend their thinking, promote independence, stimulate ideas, further develop leadership skills and lead meaningful lives.”

Strategy 4.1.3

“Provide accessible cultural opportunities and activities for all sectors of the community.”

This report supports the above Council Plan strategic objectives and strategies.

COMMUNITY IMPACT

Council staff directly manage this community facility, and utilise the input, advice and feedback provided by the Advisory Group regarding the requirements and aspirations of the community with regards to the Gippsland Art Gallery.

ENGAGEMENT IMPACT

The Gippsland Art Gallery Advisory Group comprises a balanced mix of nine community representatives. General community members, practicing artists, Friends of the Gallery delegates and art educators all have a role to liaise with the community, make enquiries, canvas public views and prepare information for recommendation and discussion at the regular meetings regarding the Art Gallery’s programs, activities and exhibitions.

GIPPSLAND ART GALLERY ADVISORY GROUP

Carang Carang Room

Monday 2 December 2019, 5:30pm

MINUTES

Present: Bruce Arnup (Chair), Bianca Taylor, Dr Rob Ziffer, Brian Castles, Robbie Aitken, Klara Jones, Cr. Scott Rossetti
In Attendance: Simon Gregg (Director), Stephen Dempsey (Manager Arts & Culture)

NO	ACTIVITY	DISCUSSION	DECISION	WHO	ACTION
1	ATTENDENCE				
1.1	Apologies	Bianca Taylor, Gillian Kline			
1.2	Assembly of Councillors	Cr Scott Rossetti		Simon Gregg	Form Submitted
2	PREVIOUS MINUTES				
2.1	Minutes	Monday 2 September, 2019	Vote to accept the previous minutes. Moved and carried.	Robbie Aitken & Rob Ziffer	
3	REPORTS				
3.1	Friends Report	The Friends are working to have a greater visual presence during gallery events and openings. Membership numbers are down compared to this time last year. Friends Members wish to hold regular morning and afternoon tea events with guest artists. A letter from the Gallery Director to lapsed members has been encouraging lapsed members to renew.		Klara Jones	
3.2	Director's Report	Director gave report on recent and upcoming events, gallery attendances, the exhibition program, and recent acquisitions		Simon Gregg	
4	BUSINESS ARISING				
4.1	Planning and monitoring of programs, events and activities in the Art Gallery	The Gallery Director discussed upcoming exhibitions and events as part of the Director's report. Also discussed:		Simon Gregg	

		<ul style="list-style-type: none"> Attendance figures are higher than this time last year, generated in part by more repeat visitation. Update on recent and upcoming exhibitions Update on recent and upcoming events including Annemieke Mein book signing on 1 February and GLaWAC Elders visit Update on installation of Adrian Mauriks sculpture at Port grassed area 			
4.2	Expansion and encouraging of volunteer participation and community interest in the Art Gallery, and to assist with promoting the Art Gallery's events and facilities to visitors	<p>The Director updated the Advisory Group on recent news:</p> <ul style="list-style-type: none"> Currently 18 volunteers assisting Annual volunteers Christmas lunch held 29 November was very successful 		Simon Gregg	
4.3.1	Proposed acquisition	<ul style="list-style-type: none"> Zetta Kanta, <i>Wild Woods</i> (purchase) 	All voted in favour of accepting work	Simon Gregg	Action purchase
4.3.2	Proposed acquisition	<ul style="list-style-type: none"> Peter Cole, <i>The Red Tiger</i> (donation) 	All voted in favour of accepting work	Simon Gregg	Inform donor
4.3.3	Proposed acquisition	<ul style="list-style-type: none"> Chris Stubbs, <i>Forgive them Mother</i> (donation) 	All voted in favour of accepting work	Simon Gregg	Inform donor
4.3.4	Proposed acquisition	<ul style="list-style-type: none"> William Young, <i>Remembrance</i> (donation) 	All voted in favour of accepting work	Simon Gregg	Inform donor
4.3.5	Proposed acquisition	<ul style="list-style-type: none"> Hayden Jackson, <i>Untitled</i> (donation) 	All voted in favour of accepting work	Simon Gregg	Inform donor
4.4	Maintenance, augmentation and development of the	Discussion on fundraising for international freight for J.H. Scheltema artworks being donated. Suggestion made to encourage donations when artworks are on display in February.		Simon Gregg	Report on progress at

	permanent collection of the Art Gallery	Suggestion made to reinstate wayfinding signage to Annemieke Mein space from Gallery 1			next meeting
4.5	Cultural and artistic matters relating to the Art Gallery, including promoting cooperation between the Art Gallery and other services of Council	The Director updated the Advisory Group on recent news: <ul style="list-style-type: none"> Indigenous Engagement Officer Angela Chittem making great inroads with Indigenous community Work continuing on creation of Protocol for working respectfully with Gunaikurnai cultural content Cap Ex projects – additional seating and lighting, and relocation of the Melbourne Cup to the Port of Sale Level 2 		Simon Gregg	Report on progress at next meeting
4.6	Utilise networks to obtain support for the Art Gallery, both financial and non-financial, and to assist with philanthropic support of these activities	The Director reported on progress of Foundation. Discussions being held with potential Trustees and financial advisors. James Sullivan acting as legal advisor. Launch to be held on Thursday 28 May with Portside to provide catering.		Simon Gregg	Report on progress at next meeting
5	GIPPSLAND ART GALLERY STRATEGIC PLAN 2020-2024				
5.1	Review and discuss	Advisory Group felt the Plan benefits the community's understanding of the GAG's goals and objectives and provides a common agenda for staff. The Strategic Plan will have 7 pillars (sub plans). The Plan is still at consultation stage and hasn't yet gone of Council. Suggestion from Brian Castles to simplify wordiness or prepare an executive summary. Rob Ziffer said it is well structured and the 'vision' is very valuable. Cr Rossetti said the Plan will be useful when preparing grant applications.		Simon Gregg	Table Strategic Plan at next Council Meeting
6	GENERAL BUSINESS				
6.1	Discussion about wider cultural landscape.	Suggestion made to contact Grainger Museum to enquire about making display of paintings by John Grainger at Port of Sale. General discussion about Water Tower.		Brian Castles, Bianca Taylor, Simon Gregg	
7	NEXT MEETING: Monday 2 March 2020, 5.30pm				

ITEM C5.2**BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIP**

DIVISION: COMMUNITY AND CULTURE
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING
 DATE: 4 FEBRUARY 2020

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

OBJECTIVE

For Council to appoint the nominated representatives to the vacant Committee positions as detailed in the attached confidential report, to the Briagolong Recreation Reserve Committee of Management for a three-year period.

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

That:

- 1. Council appoint the nominated representatives to the vacant Committee positions as detailed in the attached confidential report, to the Briagolong Recreation Reserve Committee of Management for a three-year period;***
- 2. The information contained in the attached document Item F1.3 Briagolong Recreation Reserve 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 20 January 2020 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 Briagolong 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:

1. To manage, operate and maintain the Briagolong Recreation Reserve for the community in an efficient, effective and practical manner.
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.

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.
4. To set, maintain and collect appropriate user charges.
5. To ensure that the Briagolong Recreation Reserve's capital assets are adequately maintained.
6. To provide advice to Council on matters relating to the Briagolong Recreation Reserve.

OPTIONS

Council has the following options:

1. Appoint the nominated representatives to the vacant Committee positions as detailed in the attached confidential report, to the Briagolong Recreation Reserve Committee of Management for a three-year period; or
2. Seek further information to be considered at a future Council Meeting.

PROPOSAL

Council to appoint the nominated representatives to the vacant Committee positions as detailed in the attached confidential report, to the Briagolong Recreation Reserve Committee of Management for a three-year period.

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 2017-2021 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 C5.3**BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES**

DIVISION: COMMUNITY AND CULTURE
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING
 DATE: 4 FEBRUARY 2020

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

OBJECTIVE

For Council:

1. To receive the minutes from the Briagolong Recreation Reserve Committee of Management’s General Meeting held on 25 November 2019 and minutes from the Annual General Meeting held on 3 December 2019; and
2. Approve the Briagolong Recreation Reserve Committee of Management’s Rules for the Reserve (Attachment A) as adopted by the Committee at the Annual General Meeting held on 3 December 2019.

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

That Council:

- ***Receive the minutes from the Briagolong Recreation Reserve Committee of Management’s General Meeting held on 25 November 2019 and minutes from the Annual General Meeting held on 3 December 2019; and***
- ***Approve the Briagolong Recreation Reserve Committee of Management’s Rules for the Reserve (Attachment A) as adopted by the Committee at the Annual General Meeting held on 3 December 2019.***

BACKGROUND

The Briagolong 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 Briagolong Recreation Reserve for the community in an efficient, effective and practical manner.
- 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.
- 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.

- To set, maintain and collect appropriate user charges.
- To ensure that the Briagolong Recreation Reserve's capital assets are adequately maintained.
- To provide advice to Council on matters relating to the Briagolong 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 Briagolong Recreation Reserve Committee of Management are open to the public.

Under item 4.7 of the Terms of Reference of the Briagolong Recreation Reserve Committee, if the committee makes rules for behaviour of users, a copy of these rules are to be provided to Council for approval, after which the rules will have effect and the committee may ensure compliance by whatever lawful means the committee sees fit.

OPTIONS

Council has the following options:

1. Receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 25 November 2019 and minutes from the Annual General Meeting held on 3 December 2019; and
2. Approve the Briagolong Recreation Reserve Committee of Management's Rules for the Reserve (Attachment A) as adopted by the Committee at the Annual General Meeting held on 3 December 2019; or
3. Seek further information to be considered at a future Council Meeting.

PROPOSAL

That Council:

1. Receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 25 November 2019 and minutes from the Annual General Meeting held on 3 December 2019; and
2. Approve the Briagolong Recreation Reserve Committee of Management's Rules for the Reserve (Attachment A) as adopted by the Committee at the Annual General Meeting held on 3 December 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 5.1.4 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.

ATTACHMENT A COMMITTEE'S RULES FOR THE RESERVE ADOPTED AT AGM 3 DECEMBER 2019

Briagolong Recreation Reserve Adopted Rules 2019

Previous Rules of the committee

- No horses on the top oval without prior approval of the committee

New rules of the committee

1. Any damage occurring during use of the reserve by clubs or individuals is to be reported to the committee of management in the first instance
2. The committee may deem the club responsible to make-good damage not deemed 'normal wear and tear'.
3. Each club is to renew their user agreement for *normal* club activities annually on the 1st July by lodgement of the nominated form.
4. Normal activities are those directly related to club 'competitions'
5. Any event outside the User group use must agree to and sign a 'Hire Agreement'.
6. Activities such as presentation nights, fundraising events, social occasions and the like, not directly related to 'competing' are classed as *special* activities.
7. Notification of intended dates for special activities is via the committee of management.
8. User agreement lodgement is to be accompanied by a copy of a current public liability insurance policy
9. The Meeting Room is not deemed for club *normal* use and is reserved for committee and club meetings. Occasional use of this room in circumstances deemed urgent, such as a medical quiet room, is permitted. The club using the facility during the nominated season is deemed responsible for cleanliness, regardless of authorised or unauthorised use occurring.
10. Tennis Club is deemed responsible for cleanliness of their kitchen all year round and the tennis changeroom during the summer season.
11. Junior Football Club is deemed responsible for cleanliness of the whole facility, excluding the Tennis Club kitchen, during their nominated season. During this time Junior Football shall 'utilise' the tennis changeroom for umpires, being responsible for its cleanliness.
12. Cricket Club is deemed responsible for cleanliness of the whole facility, excluding the Tennis Club kitchen and tennis changeroom, during their nominated season.
13. Pony Club is only responsible for the cleanliness of Social Room, toilets and Kitchen areas during normal use
14. Pony Club initial notification of intended use dates is via the committee of management meetings, with logistical and operational arrangements occurring by notification to the Junior Football Club or Cricket Club to allow for agreement on social room set-up/pack-up and cleanliness.
15. The committee of management will inspect the facility monthly at the commencement of the committee meeting and make recommendations to the club representatives for rectification before the following months' meeting.
16. Usage of utility services or consumables deemed excessive by the committee of management as a result of irresponsible club user, whether intentional or not, may have the cost recoupable to the committee of management from the club.
17. Four access cards will be supplied to each User group in addition to a card each to each User Groups representative on the committee. Should the

committee request, any card will be returned to the committee. Should the card not be returned, a lost card fee of \$100 will be charged to the liable club.

18. Cards are not permitted to be transferred, borrowed or leant without prior consent of the committee.
19. Should a card be lost or misplaced by any cardholder, the committee must be notified within 24hrs.
20. Any replacement cards will be charged at \$100ea.
21. There is to be no heavy vehicles or machinery on any oval without any prior approval of the committee
22. There is to be no glass on any oval

BRIAGOLONG RECREATION RESERVE Special Committee of Council

MINUTES

25TH November 2019
Briagolong Community House

Meeting Opened Time: 7:45PM

1. Present / Apologies

Name	Title	Representing	Present / Apology
Carmel Ripper	Councillor	Wellington Shire	Present
Denis Murphy	Chairperson	Cricket Club	Present
Melissa Conway	Secretary	Football Club	Present
Vanessa Randle	Treasurer	Tennis Club	Present
Darren Randle		Community	Present
Josh Harry		Community	Apology
Tracie Binger		Tennis Club	Apology
Tracey Ryan		Pony Club	Present
Briony Padman		Cricket Club	Apology
Rosie Davidson		Football Club	Present
Luke Brayshaw		Pony Club	Present
Jackie Wheeler		Pony Club	Present

Quorum Achieved?

Yes

2. Declaration of Conflicts of Interest.

Nil

3. Confirmation of Minutes of Previous Meeting

Moved: Denis **Seconded:** Rosie **CARRIED**
Chairperson to sign and date previous minutes to be filed by Secretary

4. Business Arising from Previous Minutes

- Fire pit wont be purchased at this stage through a grant. Look at further down the track.
- Bollards installed around the bottom oval
- Soap Dispenser has been fixed
- Irrigator has been paid for at a price of \$4000.
- Open Day has been fully funded by Wellington Shire. Will get a bill for fitting bbq.
- Gas bottle has been purchased and is installed.
- Shed combination needs changing still. Denis will text out new combination.

5. Correspondence In

- Quote on bbq \$1600 – Sale Heating & Leisure
- Emails regarding opening – funding application
- Funding application – positive reply
- Tennis Club regarding lighting
- Emails regarding official opening
- Email from Lisa Linden regarding Energy Efficient Communities Program

6. Correspondence Out – date previous minutes sent to Council

- Email to Laser Plumbing regarding replacement of tree
- Application for grant regarding purchase of BBQ and opening.

7. Reports

7.1 Chairperson’s Report

Open Day wasn’t as well attended as originally hoped for. Weather may have played a part in that. Mick Harrington supplied music. Was a good day for those that attended Official Opening went well. CEO, council officers, Briagolong Primary school all in attendance.

7.2 Treasurer’s Report

See attached.

Current balance is \$12,747.00

Cricket has payed the \$1000 bond for the twilight market - today

Still waiting on audit books from DMG from four weeks ago.

Moved: Vanessa

Seconded: Rosie

Carried:

7.3 User Group Reports

Pony Club

- Eight kids went to pony club equestrian center and competed in games. Kids went way above club expectations. Came overall 9th out of 25 teams. Good for our zone overall.
- Rally was held Sunday week ago. Good turnout. Members from Longford came to the day. Was a successful rally for the club.

Football

- Progressing well with the sponsorship deals.

Cricket

- A and B grade are struggling a little this year
- 4ths are going well
- Under 16s are doing great only loosing 1 game so far
- Under 14s are also struggling.
- Christmas Market is coming up quickly.

Tennis Club

- Lights keep turning off on a Tuesday night while tennis is on. Darren is trying to figure out what is happening and could be classed as a default in the new power box. Denis will also start following it up.
- Block off the grass area at tennis club end so grass can be grown to stop dust etc. Will purchase grass seed and see how it will go.
- Opening of tennis club is on the 9th December at 2pm for the upgrade.

- Saturday tennis going well
- Monday ladies tennis is now finished
- Junior tennis is going well.

Community

- The general store is meant to be changing hands in March 2020.
- The café has also been taken over, will be open on weekends only at this stage.
- There is also a tattoo shop opening in town.

Volunteers -

8. OHS / Risk / Facility Fault Report

- Tennis court surface is still a problem – paint coming off them still
- Purchase four small bins for ladies sanitary in toilets.

9. New Rules of the Committee to be endorsed by Council-

- A suggestion made by Tracey Ryan \$500 bond for weddings/birthdays?? Community events would need to pay a bond. Motorcycle group to not use all facilities but maybe one lot of changing rooms etc. These are ideas put fourth.
- Question raised on if an executive of the user group club should also be an executive member of the Rec Reserve Committee.
- Discussion on rules of “User Group rules for new facility” were read through at the meeting, prompting discussion.
- Denis to email out to the members “User group rules for new facility” for review, for endorsement at the AGM where they will have to be looked over each year at the Rec Reserve AGM and sent to Wellington Shire.

10. General Business

- Pony Club had a meeting and with a silent vote between the voters the pony club are willing to look at other options moving forward regarding upgrading Pony Club area.
- Darren to email out the “User Agreement” form to members.
- Darren has been working on an option for refurbishment of Pony Club area to stop the use of Pony Club using the main oval. Pony Club are happy to investigate exploring this issue and looking at alternatives but Pony Club are not saying they will never want to go on top oval again.
Darren pulled up on the screen a diagram of proposed changes to pony club, bottom oval for discussion by members.
Cost estimate would be approx.. \$165000
Ready for lodgment to LVA as an expression of interest. Pony Club need to be in agreement before anything is sent in to LVA. Rec Reserve committee cant officially apply for the funding but will be the overseer and the leading force. The application will have the pony club as the applicant and the rec reserve will do all the works.
The process for expression of interest LVA grant will go ahead. Was then mentioned by the Pony Club rec reserve reps and Pony Club guest that they already have an LVA grant in motion. This will be followed up over the coming week with Darren and Pony Club looking at it.
- Was mentioned that outside of building has footprints on the walls, should be easy to clean.

- Questioned on if one group club member should be an executive member on the Rec Reserve Committee. This is due to the fact that sometimes emails are sent out where not all user groups are getting emails that are sent out only to the executive members. Was mentioned to rectify this occurring the club that does not have a member holding executive Rec Reserve Office could delegate one of their reps to receive these emails.
- We are still owing the cricket club a reply regarding mediation.
- Vanessa mentioned that she may not be doing Tennis Club rep anymore, Gerard Condon has taken on that role for tennis. Vanessa happy to become Community Rep and guide / teach another member to become Treasurer or continue on as Treasurer as a Community Rep

11. Next Meeting

- Monday 2nd December 2019 or Monday 9th December, depending if Treasurer books are back from the accountants.

Meeting Closed Time:

- 09:28 PM

These minutes are:

Confirmed as true and correct on
Date

Or

Corrections have been made and noted at the meeting on
Date

Chairperson Signature.....

5. Reports

5.1 Chairperson's Report

See attached.

5.2 Treasurer's Report

Auditors Report attached

Current balance as of 2nd December 2019 –

5.3 User Group Reports

Football:

Junior Football was operating from Boisdale senior grounds for the 2019 seasons. Had under Auskick, Under 10 and Under 12. Will have new jumpers for next season. Looking for coaches for under 14s still for 2020 season.

- President: Josh Harry Secretary: Melissa Conway

Cricket:

A grade won premiership, B grade fifth, 4ths came in fifth, no finals for under 14. Same teams this season as last season.

- President: Craig Stewart Secretary: Dianna Annear

Tennis:

4 teams for juniors, 2 ladies teams on Mondays, Tuesday night tennis was successful.

Kristy Harry running hotshots. Aleisha Dignan coaching juniors with Mick Pleydell. 2 ladies Monday teams. 4 junior teams currently running. A Saturday afternoon team for the first time in a long time and Tuesday night tennis still running. Largest event was the Vic Tennis Drought Family Open Day which was very successful.

Upgrades completed through LVA which Darren project managed.

- President: Tracie Binger Secretary: Bec Storke

Pony Club:

Riders have represented the club at zone games, horse trials and show jumping and dressage. Riders have attended State. Nav ride, combined training, pony rides at market day, Pony Club camp at Roseneath was successful and heaps of fun.

- President: Susan Noble Secretary: Kylie Cumming

Community:

Had a visit from Scott Morrison for the funding announcement regarding pavilion.

6. Election of Office Bearers

All positions declared vacant.

6.1 Chairperson

Name: Denis Murphy

Moved: Tracie Binger

Seconded: Rosie Davidson

CARRIED

6.2 Secretary

Name: Melissa Conway

Moved: Tracie Binger

Seconded: Denis Murphy

CARRIED

6.3 Treasurer

Name: Vanessa Randle

Moved: Tracie Binger

Seconded: Melissa Conway

CARRIED

6.4 Special Committee Fact Sheet read

- Office bearers currently have hold of these from previous years.

7. Schedule of Fees

Discussion had regarding putting up of fees. Was decided to be reviewed at next AGM with the possibility of increasing the user fees. The treasurer to have a yearly costing to review next AGM.

- The user group fees for Junior Football, Pony Club, Tennis Club and the Cricket Club will stay at \$750.00 for the year.
- Community user group fees will be \$250 for an activity/event – using the function room and kitchen only. Will be up to the discretion of the Rec Reserve Committee if the bond of up to \$1000 is applied to community user functions/events ie. Parties, funerals.
- Kids Party / meeting for two-three hours would be \$50 plus \$250 bond at the discretion of the committee

8. Committee's Rules for the Reserve (Attached)

Rules have been endorsed with review next AGM

9. Forward Planning Strategies

Tennis courts safety upgrade / lighting
Pony Club proposed refurbishment.

10. Next Calendar Year Meeting Dates

Meetings to be held on the 2nd Monday of each month.

11. Next Annual General Meeting

12th October 2020 – provided audit has been completed and books are back.

Meeting Closed Time: 9:37pm

BRIAGOLONG RECREATION RESERVE
COMMITTEE OF MANAGEMENT
PRESIDENTS REPORT 2019

Firstly I would like to thank the committee for all their hard work especially their attendance at the committee meetings which have been quite lengthy at times. In addition those that have held executive roles and their work outside the meetings.

This year has been exceptionally challenging for the User groups and the committee of management. I wish to congratulate all users of the reserve for their patience whilst our facility was under redevelopment. A special thankyou to the Junior Football Club for relocating their entire season off the reserve and also to the Senior Football Club accommodating their needs.

In addition to the refurbishment of the buildings and in addition to the regular use of the reserve there were a number of events staged at the facility including:

1. Filming of a Masterchef Episode
2. Cricket Club Briagolong Christmas Market
3. Pony Club Mothers Day Navigation ride
4. Pony Club Gymkhana
5. Community Open day
6. Official Facility Opening

Quite an achievement with the inclusion of the refurbishment.

I think everyone would be in agreement that we have had the busiest year financially in the history of the reserve, so another special thankyou to our Treasurer, Vanessa Randle. Over the past 18 months there has been oversight over 110 transactions totalling in excess of \$95,000 and every cent accounted for!

The committee has been quite successful in securing a number of financial 'wins' this year with everything from grant funding to better outcomes for the reserve. These include funding totalling \$18,400 for

1. Masterchef Event Clean up
2. New Dishwasher
3. Re Dress of bottom oval
4. MasterChef Event Rental
5. Top Oval redress
6. Community Opening
7. New BBQ

Through working with Council the committee has also managed to achieve a number of positive outcomes at no cost including:

1. New larger works shed complete with power and water
2. Vinyl through out kitchen
3. Security cabling for cameras
4. Kitchen drainage
5. Additional roof works
6. Additional bollards

The committee has also managed the process of the fitout of the new pavilion with furniture of approx. \$13,000 including indoor furniture, televisions, shed racking and external seating.

With the refurbishment project now complete we look forward to working with Council over the next few years to continue improvements including the carparking and road network project, new tennis courts and working through the proposal for the pony club area redevelopment.

Finally, albeit some challenges, I have enjoyed my tenure as president and watching the reserve develop into what is amazing asset for our community to use.

Yours Sincerely

Denis Murphy

Treasurers Report for meeting held November 25th 2019

Reconciled Statement for October 31 2019

Cash at Bank as at 30/09/2019 8,272.52

Income:

October

WSC - GST return	250.00	
WSC - Oval Repairs reimbursement	3,834.60	
WSC - Community Open Day grant	3,584.00	
		7,668.60

Payments:

October

RP & JM Orchard Backhoe - Excavation of shed area	1,028.50	
Gipps Hire - portable toilet hire (August)	170.50	
Carmody's fuel - mower fuel	59.93	
Gibsons Groundspread	660.00	
Briag Pony Club Bond return	1,000.00	
Energy Australia - power bills	761.65	
Alpine Firewood (Sheilds river redgum) tables balance	1,425.00	
Gippsland Hire - portable toilet hire (September)	178.00	
D Randle - concrete mix & tip fee	74.00	
D Murphy - fuel, table fixings, bins, toilet brushes, hose & fittings	398.82	
		5,754.40

Reconciled Bank Balance to date 10,186.72

unpresented chq's & deposits

Maffra Pre-Mix - front of shed concrete	825.00	
Cassidy Concreting - shed works	990.00	
B Padman - lawn seed	13.58	
Sale Water specialists - sprinkler repair	179.03	
Spider Sprayers	520.00	
A1 Sand Supplies - oval topdressing	3,174.60	
<i>Income - Stephen Walshe - old sprinkler sale</i>	-4,000.00	
		1,702.21

closing balance of accounts to date **8,484.51**

Cheques to be authorised

D Murphy - gas btl, open day food, tap fitting, cabinet keys	309.20	
D Randle - Reimburse for M Harrington music on Community Day	350.00	
Gippsland Water - water rates - Nov	289.77	
Sale Heating & Leisure - Commercial BBQ - Nov	1,599.00	
Jumping Castle - Community Day - Nov	455.00	
		3,002.97
Balance Remaining to date...		5,481.54

correspondence:

BENDIGO ACCOUNT - Balance at 30/09/2019 12,747.00

balance of indoor tables & chairs 5,851.45

Balance as at 31/10/2019 **6,895.55**

Briagolong Recreation Reserve
Statement of Receipts and Expenses
for the year ended June 30, 2019

	2018/19			2017/18				
		CBA A/C	Bendigo A/C		CBA A/C	Bendigo A/C		
CASH AT BANK JULY 1ST	\$	59043.92	41793.92	17250.00	\$	29567.55	22317.55	7250.00
Receipts								
Rent	6080.00	6080.00		4200.00	4200.00			
Wellington Shire - Operating Subsidy	15556.06	15556.06		15251.04	15251.04			
Reimbursements	35203.10	35203.10						
Donations/Contributions	10000.00	2500.00	7500.00	20000.00	10000.00	10000.00		
Interest / Bank account transfers	10000.00		10000.00					
Hire Bonds	1000.00	1000.00						
Misc income (sale of chairs)	130.00	130.00		3476.73	3476.73			
GST Refunds	4647.66	4647.66		466.88	466.88			
TOTAL RECEIPTS	82616.82	65116.82	17500.00	43394.65	33394.65	10000.00		
Expenditure								
Audit Fee	352.00	352.00		341.00	341.00			
Asset purchases (shed + assembly/extras)	36664.10	36664.10						
New Pavilion contribution	40000.00	18000.00	22000.00					
Bank Fees	3.00		3.00					
Cleaning & hospitality	1406.25	1406.25		213.00	213.00			
Gas	55.00	55.00		179.40	179.40			
Electricity	6348.31	6348.31		5781.34	5781.34			
Hire Bond refund	1000.00	1000.00						
Bank account transfers	10000.00	10000.00						
Maintenance/Facilities	12941.83	12941.83		1771.89	1771.79			
Maintenance/Equipment	1409.36	1409.36		1604.09	1604.09			
Miscellaneous items	891.91	891.91		3032.63	3032.63			
Water	1217.91	1217.91		1031.46	1031.46			
GST Paid	0.00							
TOTAL EXPENDITURE	112289.67	90286.67	22003.00	13954.81	13954.71	0.00		
Net Surplus(loss) Year Ending	-29672.85	-29672.85	-25169.85	-4503.00	29439.84	29439.94	19439.94	10000.00
Add: outstanding cheques			378.02	0.00	36.43	36.43	36.43	0.00
BALANCE OF CASH AT BANK JUNE 30TH		29749.09	17002.09	12747.00	59043.92	41793.92	17250.00	
TOTAL OF ALL ACCOUNTS AT 30/06/2019		\$29,749.09						

I hereby certify that the above statement is a true record of the income, expenses and financial activities of the Briagolong Recreation Reserve, the statement is unaudited and amounts presented are inclusive of GST to be consistent with the previous year's reporting.

Treasurer: Vanessa Randle *V. Randle*

Transaction records, Ledger, minutes and treasurers reports of the Briagolong Recreation Reserve, for the 2018/19 financial year, to be audited by:

DMG Financial Pty Ltd
67-71 Foster St, Sale Vic 3850
PH: 51444422



26 November 2019

Special Committee
Briagolong Recreation Reserve
c/- Post Office
Briagolong VIC 3860

Dear Committee Members

Re: Audit of the financial report for the year ending 30 June 2019

The objective and scope of the audit

You have requested that we audit the financial report of the above and we are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audit will be conducted with the objective of our expressing an opinion on whether the financial report is presented fairly in all material respects, in accordance with the applicable financial reporting framework.

The responsibilities of the auditor

We will conduct our audit in accordance with Australian Auditing Standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial report.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, there is an unavoidable risk that some material misstatements may not be detected, even though the audit is properly planned and performed in accordance with Australian Auditing Standards.

In making our risk assessments, we consider internal control relevant to the entity's preparation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies in internal control relevant to the audit of the financial report that we have identified during the audit.

GippsAudit Pty Ltd - Trading as DMG Audit & Advisory - ABN 29 166 656 677

Mail to: PO Box 160, SALE Vic 3853

67-71 Foster Street, SALE Vic 3850

Liability limited by a scheme approved under Professional Standards Legislation

1



AUDIT & ADVISORY

The responsibilities of management and identification of the applicable financial reporting framework

Our audit will be conducted on the basis that management and, where appropriate, those charged with governance acknowledge and understand that they have responsibility:

- (a) For the preparation of the financial report that gives a true and fair view in accordance Australian Accounting Standards;
- (b) For such internal control as management determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error; and
- (c) To provide us with:
 - i.) Access to all information of which the directors and management are aware that is relevant to the preparation of the financial report such as records, documentation and other matters;
 - ii.) Additional information that we may request from the directors and management for the purpose of the audit; and
 - iii.) Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.

As part of our audit process, we will request from management and, where appropriate, those charged with governance, written confirmation concerning representations made to us in connection with the audit.

Independence

We confirm that, to the best of our knowledge and belief, we currently meet the independence requirements of the standards issued by the Accounting Professional and Ethical Standards Board (APESB) in relation to the audit of the financial report. In conducting our audit of the financial report, should we become aware that we have contravened the independence requirements of the APESB, we shall notify you on a timely basis.

The standards issued by the APESB include specific restrictions on the employment relationships that can exist between the audited entity and its auditors. To assist us in meeting the independence requirements of the APESB, and to the extent permitted by law and regulation, we request you discuss with us:

- the provision of services offered to you by our firm prior to engaging or accepting the service; and
- the prospective employment opportunities of any current or former partner or professional employee prior to the commencement of formal employment discussions with the current or former partner or professional employee.

The standards also include restrictions on auditors undertaking management responsibilities including:

- Setting policies and strategic direction;
- Directing and taking responsibility for the actions of the entity's employees;
- Authorising transactions;
- Deciding which recommendations of the Firm or other third parties to implement;
- Taking responsibility for the preparation and fair presentation of the Financial Statements in accordance with the applicable financial reporting framework; and
- Taking responsibility for designing, implementing and maintaining internal control.



AUDIT & ADVISORY

Professional fees and billing arrangements

Our professional fees are based on the level of resources required to complete the audit in accordance with Australian Auditing Standards and will be \$330.

Our fees are based on the audit of the financial report prepared by management. Additional fees may be charged for:

- Assistance with journal entries
- Assistance with reconciling accounts
- Assistance with employee entitlement calculations
- Additional work required to assess the going concern
- Any work of a preparatory nature
- Delays experienced in the audit by not providing requested information in a timely manner

Fees quoted above are exclusive of GST, and GST will be added to our invoices. Invoices will be rendered at the beginning of our audit and as our audit progresses. Our payment terms are 14 days and interest may be charged on overdue accounts. We reserve the right to cease work where accounts remain overdue.

Acknowledgement

Please sign and return the attached copy of this letter to indicate your acknowledgement of, and agreement with, the arrangements for our audit of the financial report including yours and our respective responsibilities. In the event that you request us to proceed with the audit, we will deem this engagement letter to be acknowledged.

We look forward to a strong ongoing working relationship.

Yours sincerely

Rochelle Wigglesworth
Director
GippsAudit Pty Ltd

We hereby acknowledge and agree to the terms of engagement.

Signed

Vanessa Randle

Print Name

Treasurer

Title

INDEPENDENT AUDITOR'S REPORT

To the Briagolong Recreational Reserve

Qualified Opinion

We have audited the accompanying Statement of Receipts and Expenses ("the statement") of Briagolong Recreational Reserve for the year ending 30 June 2019. The statement has been prepared by the committee members based on the financial reporting framework required by the Wellington Shire Council Terms of Reference ("Terms of Reference").

In our opinion, except for the possible effects of the matters described in the Basis for Qualified Opinion paragraph, the financial information in the statement, being the Statement of Receipts and Expenses for the year ending 30 June 2019, is prepared in all material respects in accordance with the Wellington Shire Council Terms of Reference.

Basis for Qualified Opinion

Cash Receipts

It is impracticable to establish controls over all monies received prior to entry into the financial records. Accordingly, as the evidence available to audit regarding revenue was limited, our audit procedures were restricted to the amounts recorded in the financial records and we are therefore unable to express an opinion on whether the recorded revenue is free of material misstatement.

Basis of Accounting

Without further modifying our opinion, we draw attention the fact that the statement has been prepared for the purpose of fulfilling the committee members' reporting responsibilities under the Wellington Shire Council Terms of Reference. As a result, the statement may not be suitable for another purpose.

Responsibilities of Management and the Committee for the Financial Report

Management is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards, and for such internal control as management determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

The Committee is responsible for overseeing the Entity's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

We are independent of the Entity in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.



Rochelle Wrigglesworth
Director
GippsAudit Pty Ltd

Date: 27 November 2019
Place: Sale

27 November 2019

Rochelle Wrigglesworth
Director
DMG Audit & Advisory
PO Box 160
Sale VIC 3853

Dear Rochelle

Financial report of the Briagolong Recreation Reserve for the year ended 30 June 2019

This representation letter is provided in connection with your audit of the financial report for the purpose of expressing an opinion as to whether the financial report presented fairly, in all material respects, the financial position at year end and of its financial performance and its cash flow for the year then ended in accordance with applicable Australian Accounting Standards.

We have fulfilled our responsibilities, as set out in the terms of the audit engagement, for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards.

We confirm, to the best of our knowledge and belief and, having made such enquiries as we considered necessary for the purpose of appropriately informing ourselves, the following representations made to you during your audit.

1. We have provided you with:
 - (a) access to all information of which we are aware that is relevant to the preparation of the financial report such as records, documentation and other matters
 - (b) additional information that you have requested from us for the purpose of the audit
 - (c) unrestricted access to persons within the entity from whom you have sought audit evidence
 - (d) minutes of all meetings of boards of management/ directors/ committees of directors
 - (e) details of any off-balance sheet agreements or instruments, or confirmation that no such agreements or instruments exist.
2. All transactions have been recorded in the accounting records and are reflected in the financial report.
3. Proper accounts and records of the transactions and affairs of the entity and such other records as sufficiently explain the financial operations and financial position of the entity have been kept in accordance with legislation, where applicable.
4. We believe the effects of any uncorrected financial report misstatements are not material, both individually and in the aggregate, to the financial report taken as a whole.
5. We have prepared the financial report as a not-for-profit entity for the purpose of reporting under Australian Accounting Standards.
6. We acknowledge responsibility for the design, implementation and maintenance of internal controls designed to prevent and detect fraud.
7. We have disclosed to you the results of our assessment of the risk that the financial report may be materially misstated as a result of fraud.
8. There:
 - (a) has been no fraud involving management or employees who have a significant role in the internal control structure
 - (b) has been no fraud that could have a material effect on the financial report
9. There have been no communications from regulatory agencies concerning non-compliance with, or deficiencies in, financial reporting practices that could have a material effect on the financial report.

10. We acknowledge responsibility for the design and implementation of internal control to prevent and detect error. We have established and maintained an adequate internal control structure to facilitate the preparation of a reliable financial report, and adequate financial records have been maintained. We have disclosed to you details of all deficiencies in internal control that we are aware of.
11. We have no plans or intentions that may materially affect the carrying values or classification of assets and liabilities.
12. Where applicable, the following have been properly recorded or disclosed in the financial report:
 - (a) arrangements involving restrictions on cash balances, compensating balances and line-of-credit or similar arrangements
 - (b) agreements to repurchase assets previously sold
 - (c) losses arising from the fulfilment of, or an inability to fulfil, any sale commitments or as a result of purchase commitments in excess of normal requirements or at prices in excess of prevailing market prices.
13. All known or suspected instances of non-compliance with laws or regulations whose effects should be considered for disclosure when preparing the financial report have been disclosed to the auditor.
14. All known actual or possible litigation and claims whose effects should be considered when preparing the financial report have been disclosed to the auditor and accounted for and disclosed in accordance with the applicable financial reporting framework.
15. Where relevant, the entity has satisfactory title to all assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral. Allowances for depreciation have been adjusted for all important items of property, plant and equipment that have been abandoned or are otherwise unusable.
16. The entity has complied with all aspects of contractual agreements that would have a material effect on the financial report in the event of non-compliance.
17. No events have occurred subsequent to the balance sheet date that would require adjustment to, or disclosure in, the financial report.
18. With respect to publication of the financial report in hard copy, we will ensure that:
 - (a) the financial report accurately reflects the audited financial report and
 - (b) the audit report has been reproduced accurately and in full.
19. With respect to publication of the financial report on our website:
 - (a) we acknowledge that we are responsible for the electronic presentation of the financial report
 - (b) we will ensure that the electronic version of the audited financial report and the auditor's report on the website will be identical to the final signed hard copy version
 - (c) we will clearly differentiate between audited and unaudited information in the construction of the entity's website as we understand the risk of potential misrepresentation
 - (d) we have assessed the controls over the security and integrity of the data on the website and adequate procedures are in place to ensure the integrity of the information published and
 - (e) we will not present the auditor's report on the full financial report with extracts only of the full financial report.

We understand that your examination was made in accordance with Australian Auditing Standards and was, therefore, designed primarily for the purpose of expressing an opinion on the financial report of the entity taken as a whole, and that your tests of the financial records and other auditing procedures were limited to those which you considered necessary for that purpose.

Yours sincerely



Vanessa Randle - Treasurer

Briagolong Recreation Reserve Committee of Management

ITEM C5.4**CAMERON SPORTING COMPLEX COMMITTEE OF MANAGEMENT MINUTES**

DIVISION: COMMUNITY AND CULTURE
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING
 DATE: 4 FEBRUARY 2020

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

OBJECTIVE

For Council to receive the minutes from the Cameron Sporting Complex Committee of Management’s General Meeting held on 17 October 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the minutes from the Cameron Sporting Complex Committee of Management’s General Meeting held on 17 October 2019.

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:

- To manage, operate and maintain the Cameron Sporting Complex for the community in an efficient, effective and practical manner.
- 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.
- 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.
- To set, maintain and collect appropriate user charges.
- To ensure that the Cameron Sporting Complex's capital assets are adequately maintained.
- To provide advice to Council on matters relating to the Cameron Sporting Complex.

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.

Meetings held by the Cameron Sporting Complex Committee of Management are open to the public.

OPTIONS

Council has the following options:

1. Receive the minutes from the Cameron Sporting Complex Committee of Management's General Meeting held on 17 October 2019; or
2. Seek further information to be considered at a future Council meeting.

PROPOSAL

That Council receive the minutes from the Cameron Sporting Complex Committee of Management's General Meeting held on 17 October 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 5.1.4 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.

CAMERON SPORTING COMPLEX

Special Committee of Council

MINUTES

MEETING DATE 17th October 2019, 6.30pm
Cameron Sporting Complex

Meeting Opened Time: 6.30pm

1. Present / Apologies

Name	Title	Representing	Present / Apology
Malcolm Hole	Councillor		*
Peter Anderson	Chairperson	Community	*
Robyn Dowse		Maffra Gymnastics	*
Pat Weatherley	Secretary	Maffra Junior Football	*
Anna Gaw	Treasurer	Community	*
Brad Spinner		Community	*
Tracy Cameron		Community	*
Luke Heyne		Community	*
Craig Sellings		Maffra Cricket	*
Yvonne Higgins		Maffra Basketball	*

Quorum Achieved? Yes

Guests: Sam Matthews, Glenn Findlay, Martin Angliss

Declaration of Conflicts of Interest: Nil

2. Confirmation of Minutes of Previous Meeting (note any corrections)

Moved: B.Spinner Seconded: C.Sellings CARRIED

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

3. Business Arising from Previous Minutes:

- 2 Hot Water Service Quotes received, forwarded to shire, now wish for quotes to state reason for replacement.

4. Correspondence In:

- HWS Quotes: Wellington Plumbing \$11808.50 McCarthy Plumbing \$12870.00
- Essential Safety Measure Manuals distributed
- Community Managed Facilities Survey
- Kurt: GippsWiFi requesting formal agreement for an NBN tower (Telecommunications Lease)

5. Correspondence Out :

6. Reports

6.1 Chairperson's Report: Nil

6.2 Treasurer's Report: As tabled

Moved A. Gaw 2nd: P.Weatherley

6.3 User Group Reports

Gymnastics

We've had a busy couple of months with competitions:

Back in August –

- Our Level 1 & 2 girls both won a competition in Traralgon against their Level 1 & 2's.
- Our Level 8 & 9 girls all came home with medals for various placings at an invitational competition at Eclipse Gymnastics in Ringwood.
- Our Tumblers shone alongside our Trampolinist at the Gippsland Championships we hosted for these disciplines. As well as other placings, we won Level 1, 2, 3S, 4 & 6 in Tumbling as well as Level 5 in Trampoline and DMT.

In September –

- Our Level 3 girls travelled to Knox Gymnastics in Ferntree Gully for an Invitational Competition. We entered 2 teams which both won many apparatus placings including equal 1st on Beam, and then 2nd & 3rd Overall. We also had 2 Level 5 girls compete individually after the Level 3's. Emily Henderson & Emily Svenson had a great comp, with Em S winning Vault and Em H coming in a close 3rd.
- We hosted the Wellington Schools competition which had gymnasts from 15 different schools. It was a fun filled day with Maffra Primary winning the Champion School Shield.
- We hosted the Level 3 – 6 Regional Championships on 14th September, entering 2 Level 3 teams (in different age divisions) and our 2 Level 5 individuals. Both our Level 3 teams won

their division and qualified for the State championship finals. Both Emily's also won their divisions and qualified through to the finals.

- The next day we hosted the level 3 – 10 Women's Gippsland Championships. I was a long day with 3 sessions. We had more success with our gymnasts shining among clubs from Leongatha, Traralgon, Warragul and Bairnsdale. We achieved many placings over different levels & apparatus but came 1st overall in Level 3 & Level 4.
- Unfortunately, we didn't run the 'Come & Play' in the September holidays, due to coach availability.
- We had 2 adult gymnasts travel to Adelaide for the Australian Masters Games last weekend. They had a lot of fun mixing with gymnasts from all over Australia and enjoyed the challenge of the competition.

Coming up –

- This weekend we have male & female gymnasts travelling to Traralgon to compete in the Energetic Cup which is held in the basketball stadium.
- The following weekend we have our tumblers & trampolinists competing in the State All Stars which is a State Championships for levels up to 6.
- After that, our 2 Emily's compete in the State Finals in Geelong.
- Then our Level 3's has their State Finals in Melbourne.
- The next weekend our higher-level tumblers have the State Team Trials in Bendigo hoping to qualify.
- After that we have some weekends off until our club Championships and Display week in December.

Basketball

- Tabled

Junior Football

- Season finished 3 teams in finals no premierships but an excellent season
- New scoreboard completed

Cricket

- Tabled

7. Volunteers

8. OHS / Risk / Facility Fault Report

9. New Rules of the Committee to be endorsed by Council

10. General Business:

- **Motion:** That the gas and electricity accounts are apportioned in relation to previous accounts and the committee will meet the balance over and above whilst the stadium is under construction.

Moved: Y.Higgins 2nd: C.Sellings MOTION CARRIED

- **Motion:** That the CSC Committee submit to council a request to purchase a Junior Vaughan Travelling Irrigator for the watering of the 2 remaining ovals which are not automated. This will result in significant water saving and less labour intensive for volunteers. Approximate costs are:

Irrigator: \$2100 Inc. GST

Hose Fittings \$1200 Inc.GST

Moved: P.Weatherley 2nd C.Sellings MOTION CARRIED

11. Next Meeting: 21ST November 2019

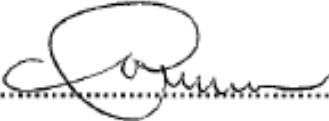
Meeting Closed Time: 7:20pm

These minutes are:

Confirmed as true and correct on
Date

Or

Corrections have been made and noted at the meeting on
Date *21st November 2019*

Chairperson Signature.....


CAMERON SPORTING COMPLEX - COMMITTEE OF MANAGEMENT
FINANCIAL STATEMENT - MONTH ENDED 31st OCTOBER 2019

CHEQUE ACCOUNT
RECEIPTS

	OCTOBER	Y.T.D.
Wellington Shire:		
Maintenance Grant		
Audit Works		\$ 48,411.25
Reimburse Water		\$ 4,736.83
Reimbursements:		
Basketball Association	\$ 3,218.14	\$ 6,390.23
Gymnastics		\$ 3,037.66
Rentals:		
Maffra Junior Football Club		
Maffra Hockey Club		
Maffra Cricket Club		
Schools		
Miscellaneous Rentals		
Other Income:		
Miscellaneous		
GST Reimbursement	\$ 510.03	\$ 1,681.87
GST Collected on Receipts	\$ 321.81	\$ 942.78
Bank Interest		
Transfers:		
From Investment Acc	\$ 30,000.00	\$ 36,000.00
From Term Deposit		\$ 5,000.00

PAYMENTS

	OCTOBER	Y.T.D.
Electricity -	\$ 1,278.88	\$ 6,252.88
Reserve:		
Gippsland Water	\$ 2,867.39	\$ 8,197.44
Origin	\$ 84.24	\$ 179.27
Stadium:		
Origin	\$ 508.68	\$ 1,363.34
Mowing Contract:	\$ 1,881.57	\$ 7,528.28
Contract Cleaning:	\$ 1,688.32	\$ 6,742.26
Maintenance:		
Stadium	\$ 157.00	\$ 313.00
Reserve/Pavilion	\$ 2,128.27	\$ 2,128.27
Miscellaneous:		
Rubbish Collection	\$ 315.00	\$ 1,280.00
Toilet Supplies		\$ 354.58
Audit Costs		\$ 300.00
Sundries:		
PO Box Rental		
Postage		\$ 45.45
Materials		
Equipment		
Bank Charges		
Other Expenses:		
GST on Expenses	\$ 805.21	\$ 2,660.34
GST to Shire		
Transfer:		
To Investment Account	\$ 20,000.00	\$ 65,000.00
Term Deposit		
Electricity - Pump		\$ 137.75

Total Receipts	\$ 34,049.98	\$ 105,200.62	Total Payments	\$ 31,724.56	\$ 102,460.86
Balance 1st July 2019		\$ 2,013.56	Balance 31st October 2019		\$ 4,753.32
Total		\$ 107,214.18	Total		\$ 107,214.18

Bank Reconciliation

Balance as per Bank Statement (copy attached)	\$ 5,563.32
Less unrepresented cheques	
Cheque No. 1922	\$ 810.00

Balance as at 31st October 2019	\$ 810.00
	\$ 4,753.32

SAVINGS ACCOUNT**RECEIPTS**

	OCTOBER	Y.T.D.
Interest	\$ 3.79	\$ 4.79
Transfers In		\$ 45,000.00
Total Receipts	\$ 3.79	\$ 45,004.79
Balance 1st July 2019		\$ 10,086.32
Total		\$ 55,091.11

PAYMENTS

	OCTOBER	Y.T.D.
Bank Charges		
Transfers Out	\$ 30,000.00	\$ 35,000.00
Total Payments	\$ 30,000.00	\$ 35,000.00
Balance 31st October 2019		\$ 20,091.11
Total		\$ 55,091.11

Bank Reconciliation

Passbook Balance as at 31st October 2019

\$ 20,091.11**TERM DEPOSIT****RECEIPTS**

	OCTOBER	Y.T.D.
Interest	\$ 272.43	\$ 865.79
Transfers In	\$ 20,000.00	\$ 20,000.00
Total Receipts	\$ 20,272.43	\$ 20,865.79
Balance 1st July 2019		\$ 62,775.38
Total		\$ 83,641.17

PAYMENTS

	OCTOBER	Y.T.D.
Bank Charges		\$ 5,000.00
Transfers Out		
Total Payments	\$ -	\$ 5,000.00
Balance 31st October 2019		\$ 78,641.17
Total		\$ 83,641.17

Bank Reconciliation

Term Deposit Balance as at 31st October 2019

\$

\$ 78,641.17**ACCOUNT SUMMARY**

Cheque Account	\$ 4,753.32
Savings Passbook	\$ 20,091.11
Term Deposit	\$ 78,641.17
TOTAL 31st October 2019	\$ 103,485.60



034/02251 008925



WELLINGTON SHIRE COUNCIL
PO BOX 618
MAFFRA VIC 3860



Your details at a glance	
BSB number	633-000
Account number	108684895
Customer number	6626006/1601
Account title	WELLINGTON SHIRE COUNCIL-CAMERON SPORTING COMPLEXCOMMITTEE OF MANAGEMENT

Account summary	
Statement period	1 Oct 2019 - 31 Oct 2019
Statement number	248
Opening balance on 1 Oct 2019	\$4,700.62
Deposits & credits	\$34,049.98
Withdrawals & debits	\$33,187.28
Closing Balance on 31 Oct 2019	\$5,563.32

Any questions?

Contact Renee Vidler at 146 Johnson Street, Maffra 3860 on **03 5141 1999**, or call **1300 BENDIGO** (1300 236 344).

Bendigo Club Account

Date	Transaction	Withdrawals	Deposits	Balance
Opening balance				\$4,700.62
1 Oct 19	INTEREST		0.00	4,700.62
1 Oct 19	Monthly Transaction Summary			
	CHEQUE WITHDRAWALS (5 @ 0.70)	3.50		
	Total Transaction Fees	3.50		
	ACCOUNT REBATE		3.50	
	Total Rebates		3.50	
	Net Transaction Fees for September 19	0.00		4,700.62
2 Oct 19	CHEQUE 1911	1,926.22		2,774.40
3 Oct 19	DEPOSIT - CHEQUE(S) BASKETBALL #Chq:1		1,923.34	4,697.74
15 Oct 19	CHEQUE 1910	346.50		4,351.24
16 Oct 19	TRANSFER 118182732		30,000.00	34,351.24
16 Oct 19	CHEQUE 1917	890.00		33,461.24
16 Oct 19	CHEQUE 1920	2,867.39		30,593.85

...continued overleaf >

0311071100 / 51410001 / 1300236344

Bendigo Club Account

Date	Transaction	Withdrawals	Deposits	Balance
16 Oct 19	CHEQUE 1921	20,000.00		10,593.85
18 Oct 19	DIRECT CREDIT 4430 Wellington Shire 0929843305		510.03	11,103.88
18 Oct 19	CHEQUE 1915	247.50		10,856.38
18 Oct 19	CHEQUE 1918	2,069.99		8,786.39
21 Oct 19	CHEQUE 1914	2,069.73		6,716.66
22 Oct 19	CHEQUE 1913	1,857.15		4,859.51
23 Oct 19	CHEQUE 1918	566.30		4,293.21
24 Oct 19	CHEQUE 1919	346.50		3,946.71
31 Oct 19	DEPOSIT - CHEQUE(S) #Chq:1		1,616.61	5,563.32
Transaction totals / Closing balance		\$33,187.28	\$34,049.98	\$5,563.32

Bendigo Bank suggests you carefully check all entries on your statement. Apparent errors or possible unauthorised transactions are to be promptly reported to your branch. It is important that you notify Bendigo Bank of any disputed transactions as soon as possible as Bendigo Bank's ability to investigate disputed transactions and to subsequently process a chargeback in your favour is restricted by the time limits imposed under the operating rules of the applicable credit card scheme. If you wish to obtain further information about this product (including your chargeback rights) or you have a question or concern about your account or its operation please contact your local Bendigo Bank Branch (details supplied on the front of the statement).

All card transactions made in currencies other than Australian dollars will incur a fee of 3% of the transaction value. (Additional charges may apply for cash transactions.)

Card Security

For information on how to securely use your card and account please visit bendigobank.com.au/cardsecurity

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ITEM C5.5**MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES**

DIVISION: COMMUNITY AND CULTURE
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING
 DATE: 4 FEBRUARY 2020

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 2 December 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 2 December 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 2 December 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 2 December 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 5.1.4 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.

MAFFRA RECREATION RESERVE
Special Committee of Council
MINUTES
02/12/2019, 7.30pm
Meeting room Maffra Recreation Reserve Function Centre

President Jenny Toma

Secretary Kath Coggan 0411 098 452

Present: Kath Coggan, Jenny Toma, Cheryl Dowling, Michael Coggan, Grant Smith, Carmel Ripper, Mark Hewlitt, Kevin Christensen, Robert Smart, Lisa Ogilvie. Guests Brian Teese, Alison McNair

Apologies: Paul Bourke, Irene Crockford, Mat Coleman, John Burley, Sonya Ford.

Meeting was suspended for an update from the Maffra Dramatic Society re the refurbishment of the old Maffra Football Netball Club Social rooms. Estimate between \$100,000 to \$150,000 to fully renovate the premises to suit their needs. Replace and lift ceiling. Replace facias around the outside, update kitchenette, replace door to McLean Street, upgrade electricals and repair toilets. Replace hot water service. Install reverse cycle heating and cooling. Build a green room. Mostly to be used as a rehearsal space but maybe an occasional theatre restaurant. Will use the local halls as performance spaces. The Maffra Dramatic society would like to be the main user and understand that the building is under the ownership of the WSC and any improvements they make, does not give them ownership rights. They would need a letter of approval from WSC to proceed with these works. Maffra Dramatic Society is happy to share the space with other community groups. To date they have been unsuccessful in obtaining grants. Did not meet the criteria of the WSC Quick Response grant (a copy of the building audit would be useful). Have realized they could not meet the cash co-contribution requirements of the Latrobe Valley Authority. Likewise the Building Better Regions Fund requires a 25% to 50% co contribution. MDS have been doing some fundraising. The rooms are managed by the Maffra Football Netball Club. They are very happy to see these renovations proceed and would draw up an agreement with a peppercorn/nominal rent for the MDS.

Declaration of Conflicts of Interest

Confirmation of Minutes of Previous Meeting. Moved Cheryl Dowling, Seconded Kevin Christensen.

Business Arising from Previous Minutes. Mark looking into grants for defibulator. Portable so it can be moved to areas when events on. No follow on from Sale Dressage and Stratford Pony Club's request to use the Jack Williamson oval (noted we are limited with water for irrigating and this could be an issue) Grants not up for Solar Panels. Signage is a work in progress

CORRESPONDENCE IN

Email Robert Smart re MRRC membership application

Email WSC with results of Community Facilities forwarded to MRRC

Email WSC re building audit (they will pay if we want other buildings audited) forwarded to MRRC

Email WSC re power remuneration from drainage scheme

Email Circus Royale re conditions of grounds and bond return

Remittance from WSC \$13,504.80

Email WSC re Energy Efficient Communities Program (Solar grants)

CORRESPONDENCE OUT

Email WSC re AGM minutes, Unaudited Financials, Oct minutes, Sept financials

Email WSC re membership applications for John Burley and Robert Smart.

Email WSC re reimbursement for expenses MRRC incurred by drainage scheme

Email MRRC re Dec Agenda, AGM minutes, Oct minutes, Sept Financials.

That correspondence be accepted Moved Grant Smith Seconded Mark Hewlitt

TREASURER'S REPORT - Tabled.

Motion "That the MRRC investigate electronic banking and confer with Bodey Darville re our ability to do this" Moved Lisa Ogilvie. Seconded Cheryl Dowling. Carried

REPORTS of User groups.

Kennel Club. All going well. 22 judges organized for next year's show August 21st and 22nd. Xmas break up

Maffra Ag. Society. Show again marred by bad weather. Some events cancelled. Entries high in pavilion, down in arena (competing with a another qualifying event) Acquitted our agricultural grant to line wool pavilion. In the process of applying for a federally funded Rural Agricultural Show Development Grant to construct a 20mx30m Dome Shelter between the cattle pavilions to provide an all weather exhibition space. Consulted with other User groups, WSC, Maffra Business and Tourism and Department of Jobs, Precincts and Regions) Looking for support from this committee **Motion put that "The Maffra Recreation Committee supports the Maffra Agricultural Societies grant application to build a Dome Shelter in the cattle pavilion" Moved Michael Coggan Seconded Cheryl Dowling. Carried**

EVPHC. Delighted to finally have water back on in the club rooms. Xmas break Up held in Club rooms Dec 1st. Planning for next February's annual event weekend under way. The new format will utilize all the Reserve and adjoining properties. Access will be needed from Wednesday Feb 5. The band room will be used as the secretary's office. The Function Centre needed for Saturday evening

McMillan Rockhounds. Has a new member. Have had Xmas break up and will have a break over the holidays.

WSC. Carmel organized footpath behind coaches box to be completed.

MFNC. Have held annual AGM. John Brunt President, Vice Presidents Steve Saunders, Shane Bennett, Jo Gaw Secretary, Kevin Lanigan Treasurer. Electronic scoreboard being erected on the netball courts.

Maffra Municipal band. Xmas carols at the Reserve Dec 22nd. Looking for storage space for a small trailer.

Poultry -no report

American Historical Truck Society. Truck show very successful. 500 people on Saturday and 400 on Sunday

FACILITY FAULTS REPORT

Light fixed on the disabled toilet. Domestic waste being dumped in our cardboard recycling skip. Need to get a lock. Pump is not turning off (will engage Maffra Poly and Pumps). Water is low in dam and suction valve is sitting in mud. Need to enlarge the dam. Missing a lock for Gate C. Waiting for the solar grants to be announced. Need to paint, recarpet and have new lino in the Visitors Change rooms. Will get quotes and do 60/40 with WSC. Work to be completed before next footy season. Gate near the stand is broken (may need new brackets) Hand blower in old social rooms won't switch off (turned off electricity) More dirt is needed to top dress the oval. There is lichen on the roof of the Function Centre.

That reports be accepted **Moved** Cheryl Dowling **Seconded** Kevin Christensen

GENERAL BUSINESS

Waste Disposal. Need to look at recycling at our events. Will invite Raquel Harris from Sustainability officer WSC to our next meeting to canvas options

Fire. In the event of fires locally over summer, Maffra Recreation reserve will be made available for human and animal refuge

Off the leash dog area. Jenny Toma has become aware of grants available through the canine Association for drought affected areas. Could be placed near gate B or possibly the Jack Williamson ring although this may cause the need for repairs before show jumping events. Jenny to investigate

MRRC Contact list updated and will be distributed to committee members and MRR Calendar of events being prepared

Meeting closed 9.17pm

Next meeting 03/02/2020

10:14 PM
02/12/19
Cash Basis

**Maffra Recreation Reserve
Profit & Loss YTD Comparison
November 2019**

	<u>Nov 19</u>	<u>Jul - Nov 19</u>
Income		
60/40 Funding - WSC	0.00	3,993.55
Electricity contributions		
East Vic Pleasure Harness Club	0.00	90.91
Maffra Football & Netball Club	0.00	831.06
Maffra Municipal Band	0.00	201.33
Poultry Club	0.00	384.23
Total Electricity contributions	0.00	1,507.53
Hire of Reserve	1,090.91	1,154.55
Interest Received (Bendigo)	2.13	11.07
Rentals		
Camping (Kennel Club)	0.00	1,781.89
CWA	0.00	141.32
East Vic Pleasure Harness Club	0.00	454.55
Kennel Club	0.00	621.66
Maffra Football & Netball Club	0.00	5,044.00
Maffra Lions Club	0.00	163.64
Maffra Municipal Band	0.00	706.38
McKay Lease	0.00	272.73
Poultry Club	0.00	457.04
Total Rentals	0.00	9,643.21
Wellington Shire		
Operating Grant	13,504.80	13,504.80
Total Wellington Shire	13,504.80	13,504.80
Total Income	14,597.84	29,814.71
Expense		
Bank Fees & Charges (Bendigo)	4.20	4.20
CFA Service	0.00	121.00
Cleaning of Reserve	0.00	85.00
Cleaning Supplies (Milestone)	0.00	92.00
Electricity & Gas (Origin)	2,577.73	5,135.14
Fuel and Oil		
Tractor/ Ride-On (MG Trading)	0.00	315.59
Total Fuel and Oil	0.00	315.59
Grounds (Seed)	0.00	20.45
Postage & Stationary (Aus Post)	0.00	98.18
Repairs and Maintenance		
(General)	38.50	38.50
Buildings (Bennett Electrical)	0.00	422.36
Buildings (BrownWigg)	0.00	24.04
Buildings (General)	0.00	31.82
Buildings (M.Hewlitt)	38.09	38.09

10:14 PM
02/12/19
Cash Basis

Maffra Recreation Reserve Profit & Loss YTD Comparison

November 2019

	<u>Nov 19</u>	<u>Jul - Nov 19</u>
Equipment (Air Conditioner)	0.00	500.00
Equipment (Toilets)	0.00	39.91
Grounds (Bennett Electrical)	345.00	393.02
Grounds (Brown Wigg)	0.00	105.36
Grounds (Elders)	40.00	40.00
Grounds (Grading & Gravel)	0.00	480.00
Grounds (Murray Goulburn)	0.00	11.82
Grounds (Seed)	0.00	272.73
Grounds (Trees)	0.00	3,090.91
Tractor (Service)	0.00	426.64
Tractor / Ride On (Repairs)	0.00	40.00
Total Repairs and Maintenance	461.59	5,955.20
Signwriting	0.00	127.27
Waste Removal (Maffra Waste)	700.00	1,580.00
Water Rates (Gippsland Water)	415.33	840.88
Water Rates (SRW)	147.45	179.52
Total Expense	4,306.30	14,554.43
Net Income	10,291.54	15,260.28

10:19 PM
02/12/19

Maffra Recreation Reserve Reconciliation Summary

Bendigo Bank - Investment Acc., Period Ending 30/11/2019

	<u>Nov 30, 19</u>
Beginning Balance	25,111.77
Cleared Transactions	
Deposits and Credits - 1 item	<u>2.13</u>
Total Cleared Transactions	<u>2.13</u>
 Cleared Balance	 <u><u>25,113.90</u></u>
 Register Balance as of 30/11/2019	 25,113.90
Ending Balance	25,113.90

10:17 PM
02/12/19

Maffra Recreation Reserve
Reconciliation Summary
Bendigo Bank - General Account, Period Ending 30/11/2019

	<u>Nov 30, 19</u>
Beginning Balance	21,581.09
Cleared Transactions	
Cheques and Payments - 7 items	-4,894.78
Deposits and Credits - 2 items	15,704.80
Total Cleared Transactions	<u>10,810.02</u>
 Cleared Balance	 <u>32,391.11</u>
 Uncleared Transactions	
Cheques and Payments - 3 items	-785.45
Total Uncleared Transactions	<u>-785.45</u>
 Register Balance as of 30/11/2019	 <u>31,605.66</u>
 New Transactions	
Cheques and Payments - 1 item	-287.22
Total New Transactions	<u>-287.22</u>
 Ending Balance	 <u>31,318.44</u>

**Maffra Recreation Reserve
Accounts Payable at 02/12/2019**

Murray Goulburn Trading - Fuel	\$117.44
Brown Wigg -Blades & Bolts	\$23.00
	\$140.44



D. URGENT BUSINESS



E. FURTHER GALLERY AND CHAT ROOM COMMENTS

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

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

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

CHAT ROOM –

GALLERY COMMENTS –

Meeting declared closed at: pm

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



F. CONFIDENTIAL ATTACHMENT/S

**F. CONFIDENTIAL
ATTACHMENT/S**

ITEM F1.1 AUDIT & RISK COMMITTEE MINUTES (Refer to Agenda Item C2.2)



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

**ORDINARY COUNCIL MEETING
4 FEBRUARY 2020**

On this 19th day of December 2019, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, Arthur Skipitaris (Delegate) declare that the information contained in the attached document **AUDIT & RISK COMMITTEE MINUTES 16 DECEMBER 2019** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

f) legal advice

h) any other matter which the Council or special committee considers would prejudice the Council or any person.

.....
General Manager Corporate Services (Delegate)

ITEM F1.2 CONTRACT TENDER EVALUATION REPORT FOR MAFFRA STREETSCAPE RENEWAL WORKS (JOHNSON STREET NORTH) CONTRACT 2020-045 (Refer to Agenda Item C4.3)



**ORDINARY COUNCIL MEETING
4 FEBRUARY 2020**

On this 21st day of January 2020, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, Chris Hastie declare that the information contained in the attached document **ITEM F1.2 CONTRACT TENDER EVALUATION REPORT FOR MAFFRA STREETSCAPE RENEWAL WORKS (JOHNSON STREET NORTH) CONTRACT 2020-045** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

- d) contractual matters**



.....
General Manager Built & Natural Environment

ITEM F1.3 BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIPS (Refer to Agenda Item C5.2)



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

**ORDINARY COUNCIL MEETING
4 FEBRUARY 2020**

On this 20th day of January 2020, 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 4 BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIPS** 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;**

A handwritten signature in blue ink, appearing to read 'Shoulihan', is written over a dotted line.

.....
General Manager Community and Culture



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*

IN CLOSED SESSION

COUNCILLOR

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