



**WELLINGTON**  
SHIRE COUNCIL

*The Heart of Gippsland*

## **COUNCIL MEETING AGENDA ORDINARY MEETING**

**Meeting to be held at**

**Wellington Centre – Wellington Room**

**Foster Street, Sale and via MS Teams**

**Tuesday 1 August 2023, commencing at 5:00 PM**

**or join Wellington on the Web:  
[www.wellington.vic.gov.au](http://www.wellington.vic.gov.au)**

**ORDINARY MEETING OF COUNCIL  
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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 online webform 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, Councillors and invited online attendees ensure that mobile phones and other electronic devices are turned off or in silent mode for the duration of the meeting.*

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## **MISSION STATEMENT**

*Working together to make a difference. We listen and lead to provide quality services that improve life for all.*

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## **ACKNOWLEDGEMENT OF COUNTRY**

*“Wellington Shire Council acknowledges our offices are located on the traditional lands of the Gunaikurnai nation. We pay our deep respects to their Elders past, present and future and acknowledge their ongoing cultural and spiritual connections to their land and waters.”*

## 1. APOLOGIES

## 2. DECLARATION OF CONFLICT/S OF INTEREST

## 3. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

### 3.1. ADOPTION OF MINUTES OF PREVIOUS COUNCIL MEETING

#### **ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE**

#### **PURPOSE**

To adopt the minutes of the Ordinary Council Meeting of 18 July 2023.

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

#### **RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 18 July 2023.*

#### **CONFLICT OF INTEREST**

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

#### 4. BUSINESS ARISING FROM PREVIOUS MEETINGS

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

#### 5. ACCEPTANCE OF LATE AND URGENT ITEMS

#### 6. NOTICE/S OF MOTION

#### 7. RECEIVING OF PETITION OR JOINT LETTERS

##### 7.1. OUTSTANDING PETITIONS

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

#### 8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

#### 9. QUESTION/S ON NOTICE

##### 9.1. OUTSTANDING QUESTION/S ON NOTICE

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

## 10. DELEGATES REPORT

## 11. GENERAL MANAGER CORPORATE SERVICES

### 11.1. ASSEMBLY OF COUNCILLORS

#### **ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE**

##### **OBJECTIVE**

To report on all assembly of Councillor records received for the period 10 July 2023 to 23 July 2023.

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

#### **RECOMMENDATION**

*That Council note and receive the attached Assembly of Councillor records for the period 10 July 2023 to 23 July 2023.*

##### **BACKGROUND**

Section 80A of the *Local Government Act 1989* required a written record be kept of all assemblies of Councillors, stating the names of all Councillors and Council staff attending, matters considered and any conflict of interest disclosures made by a Councillor. These records were required to be reported at an ordinary meeting of the Council and recorded in the minutes. Under the new *Local Government Act 2020*, this requirement is no longer provided for however, under Council's good governance framework, Council will continue to provide records of assemblies of Councillors to ensure that the community are kept informed of Councillors activity and participation.

Following is a summary of all Assembly of Councillor records received for the period 10 July 2023 to 23 July 2023.

##### **ATTACHMENTS**

1. Assembly of Councillors - Council Day - 18 July 2023 [11.1.1 - 2 pages]

##### **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 10 July 2023 to 23 July 2023.

## **CONFLICT OF INTEREST**

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

## **FINANCIAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNICATION IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **LEGISLATIVE IMPACT**

The reporting of written records of assemblies of Councillors to the Council in the prescribed format complied with Section 80A of the *Local Government Act 1989* however, without prescription under the *Local Government Act 2020*, Council will continue to provide these records as part of Council's good governance framework.

## **COUNCIL POLICY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COUNCIL PLAN IMPACT**

This impact has been assessed and while it does not meet a specific Council Plan strategic outcome, it does align with Council's good governance framework.

## **RESOURCES AND STAFF IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNITY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENVIRONMENTAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENGAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.



## **RISK MANAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## ASSEMBLY OF COUNCILLORS – 18 JULY 2023

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 Stephens	YES	N/A
	Cr Crossley	YES	Cr Tatterson	YES	N/A
	Cr McKenzie	YES	Cr Wood	YES	N/A
	Cr Maher	YES	David Morcom, CEO <i>(on approved leave)</i>	NO	N/A
	Cr Ripper	YES	Leah Carubia, EA	YES	N/A
	Cr Rossetti	YES	Damian Norkus, ICT Operations Officer	YES	N/A

MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE				CONFLICT/S OF INTEREST OR ACTION ITEMS
	Name	Attendance	Name	Attendance	
Workshops	Cr Bye	YES	Cr Tatterson	YES	N/A
	Cr Crossley	YES	Cr Wood	YES	N/A
	Cr McKenzie	YES	David Morcom, CEO <i>(on approved leave)</i>	NO	N/A
	Cr Maher	YES	Arthur Skipitaris, Acting CEO	YES	N/A
	Cr Ripper	YES	Chris Hastie, GM Built & Natural Environment	YES	N/A
	Cr Rossetti	YES	Clemence Gillings, GM Community & Culture	YES	N/A
	Cr Stephens	YES	Andrew Pomeroy, GM Development	YES	N/A

	MATTERS/ITEMS CONSIDERED AT THE MEETING	OTHERS IN ATTENDANCE
<b>Workshops (cont.)</b>	1. <b>ESSO</b>	<ul style="list-style-type: none"> <li>• Andrew Murphy, Manager - ESSO Australia Pty Ltd (external)</li> </ul> <i>Conflict of Interest: Nil</i>
	2. <b>Gelliondale Wind Farm Proposal</b>	<ul style="list-style-type: none"> <li>• Adam Gray, Managing Director - Synergy Wind (external)</li> <li>• Joshua Clydesdale, Acting Manager Land Use Planning</li> </ul> <i>Conflict of Interest: Nil</i>
	3. <b>Development Division Update: Planning, Municipal Services and Economic Development</b>	<ul style="list-style-type: none"> <li>• Andrew Pomeroy, General Manager Development</li> <li>• Joshua Clydesdale, Acting Manager Land Use Planning</li> <li>• Geoff Hay, Manager Economic Development</li> <li>• Vanessa Ebsworth, Manager Regulatory Services</li> </ul> <i>Conflict of Interest: Nil</i>
	4. <b>Review of National Volunteers Week and Plans for 2024 Volunteer Recognition</b>	<ul style="list-style-type: none"> <li>• Sam McPherson, Manager Communities, Facilities and Emergencies</li> <li>• Kimberley Salleh, Coordinator Media and Communications</li> </ul> <i>Conflict of Interest: Nil</i>
	5. <b>Community Facilities Maintenance Renewal Update</b>	<ul style="list-style-type: none"> <li>• Clem Gillings, General Manager Community and Culture</li> <li>• Sam McPherson, Manager Communities, Facilities and Emergencies</li> </ul> <i>Conflict of Interest: Nil</i>

## 11.2. REVIEW OF CONFLICT OF INTEREST, ACCEPTANCE AND DECLARATION OF GIFTS AND HOSPITALITY, AND INVESTMENT COUNCIL POLICIES

### ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE

#### PURPOSE

For Council to approve and adopt revisions to the following Council Policies:

- Conflict of Interest
- Acceptance and Declaration of Gifts and Hospitality
- Investment

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

#### RECOMMENDATION

*That Council adopt the revised Conflict of Interest Policy, Acceptance and Declaration of Gifts and Hospitality Policy, and Investment Policy as attached.*

#### BACKGROUND

Council maintains a policy manual containing policies formally adopted by Council. These policies are also available individually on the Council Policies page of the website.

Periodically, policies are reviewed and modified as required due to legislative, strategic, planning and procedural amendments and the policy manual is updated to reflect these changes.

Council's Audit & Risk Committee also routinely review Council policies that are considered strategic in nature. In response to recommendations from the Audit and Risk Committee, there are amendments to three Council policies. The Summary of Amendments table attached provides an overview of the changes for each policy.

#### ATTACHMENTS

1. Summary of Amendments [11.2.1 - 3 pages]
2. 2.2.2 Investment Policy - August 2023 [11.2.2 - 2 pages]
3. 2.4.6 Conflict of Interest Policy - August 2023 [11.2.3 - 8 pages]
4. 2.4.8 Acceptance and Declaration of Gifts, Benefits and Hospitality Policy - August 2023 [11.2.4 - 6 pages]

## **OPTIONS**

Council has the following options available:

1. To adopt the revised Conflict of Interest Policy, Acceptance and Declaration of Gifts and Hospitality Policy and Investment Policy as attached; or
2. Not adopt the revised Conflict of Interest Policy, Acceptance and Declaration of Gifts and Hospitality Policy or Investment Policy and request further review of the policies for consideration at a future meeting of Council.

## **PROPOSAL**

That Council adopt the revised Conflict of Interest Policy, Acceptance and Declaration of Gifts and Hospitality Policy and Investment Policy as attached.

## **CONFLICT OF INTEREST**

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

## **FINANCIAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNICATION IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **LEGISLATIVE IMPACT**

The revised Council Policies remain consistent with the corresponding provisions within the *Local Government Act 2020*.

## **COUNCIL POLICY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COUNCIL PLAN IMPACT**

This impact has been assessed and while it does not meet a specific Council Plan strategic outcome, it does align with Council's good governance framework.

## **RESOURCES AND STAFF IMPACT**

This impact has been assessed and there is no effect to consider at this time.

### **COMMUNITY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

### **ENVIRONMENTAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

### **ENGAGEMENT IMPACT**

Throughout this review process, the relevant business units have engaged with the Audit & Risk Committee in relation to the suggested changes.

### **RISK MANAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## ATTACHMENT: SUMMARY OF AMENDMENTS

<b><u>Policy number 2.4.6: Conflict of Interest Policy</u></b>
<b>Purpose: To provide information and guidance to Councillors and staff in the identification, disclosure and management of actual, perceived or potential conflicts of interest.</b>
<b>SUMMARY OF AMENDMENTS</b>
Various grammar and punctuation changes made throughout
Addition of <i>Acceptance and Declaration of Gifts, Benefits and Hospitality Policy and Delegations Policy</i> to Related Policies
Addition of <i>Personal Interests Returns</i> to Related Documents
Move <i>(i.e. actual, perceived or potential)</i> from the end of the first paragraph to after conflict of interest
Removal of <i>and duty</i> from the first paragraph
Removal of <i>private</i> from the paragraph above 'The Policy'
Addition of <i>/or</i> to <i>...which Council has a direct and/or ongoing involvement with</i> under 'Conflict of Duty'
Addition of <i>and</i> and removal of <i>or</i> in dot point four under 'Responsibilities of Employees'
Removed <i>immediately prior to consideration of the matter</i> as a standalone point and incorporated into first dot point under 'Responsibilities of Councillors/Committee Members'
New paragraph added under ' <i>Responsibilities of Councillors/Committee Members</i> ' about making a declaration of a conflict during a meeting other than a Council meeting
Table providing conflict of interest legislative guidance under 'Responsibilities of Councillors/Committee Members' has been made into Appendix A and relocated to the end of the policy
Addition of <i>or circumstances</i> in the last sentence of Under 'Monitoring conflicts of interest'.

**Policy number 2.4.8: Acceptance and Declaration of Gifts, Benefits and Hospitality Policy**

**Purpose:** Provide guidance to staff and Councillors relating to the acceptance of gifts and hospitality.

**SUMMARY OF AMENDMENTS**

Various grammar and punctuation changes made throughout.

Clarification provided in relation to The minimum accountabilities state that token offers cannot be worth more than \$50. Sentence has been removed and value has been incorporated into the first sentence: *A token offer is an offer of a gift, benefit or hospitality, valued at no more than \$50, and is of inconsequential or trivial value to both the person making the offer and the individual*

Manager under 'Repeat Offers' section. Clarity has been achieved by noting it is the *individual's Manager* to allow for any level of individual to follow this process i.e. Officers to Manager, GMs to CEO, CEO to Mayor

Explanation of benefits under 'Benefits'. The section has been amended to more clearly identify where examples of benefits may be appropriate to be accepted in the course of carrying out Council duties however noting the onus is on the individual to decline where possible

Removal of a duplicated explanation of exempt hospitality under 'Hospitality'

Example of hospitality has been altered and a clearer explanation has been provided, noting that a conflict of interest triggers a decline.



**Policy number 2.2.2: Investment Policy**

**Purpose:** This policy provides guidance for the investment of Council's surplus funds.

**SUMMARY OF AMENDMENTS**

Minor word changes

Inclusion of [Section 103 of the Local Government Act 2020](#) for clarity.

## INVESTMENT POLICY

<b>Policy Number:</b>	2.2.2
<b>Approved by:</b>	Council
<b>Date Approved:</b>	August 2023
<b>Date of Next Review:</b>	December 2023
<b>Applicable to Unit(s):</b>	Finance
<b>Responsible Officer:</b>	Manager Corporate Finance
<b>Related Policies:</b>	Nil
<b>Related Documents:</b>	Investment Guidelines
<b>Statutory Reference:</b>	<i>Local Government Act 2020</i>

### OVERVIEW

To continue a policy for the investment of Council's surplus funds.

### THE POLICY

Due to the public nature of the Council's activities, prudent management of its monetary assets is essential to mitigate against unnecessary risks. For this reason, Council needs to state conservative and risk averse guidelines for its investments.

1. The interest earned on investments should be maximised while minimising Council's exposure to financial risk.
2. All investments are to be made exercising care, diligence and skill that a prudent person of business would exercise.
3. When acting under the provisions of this policy Council staff should always maintain a professional balance of risk and return and act as a steward of Council funds.
4. Investments are to be denominated in Australian Dollars.
5. Investment of surplus funds shall only be through investment types as permitted by Section 103 of the *Local Government Act 2020* and will comply with all relevant regulations and Ministerial guidelines.

Council may invest any money according to -

- Section 103:
- a) In Government Securities of the Commonwealth;
  - b) in securities guaranteed by the Government of Victoria;
  - c) with an ADI;
  - d) with any financial institution guaranteed by the Government of Victoria;
  - e) on deposit with a money market dealer within the meaning of the Corporations Act; and
  - f) any other manner approved by the Minister, either general or specific.
6. Council has taken a conservative approach over time to limiting investment to "Term Deposit", any variation to this strategy will be in consultation with the Chief Executive.
  7. Short Term Investments (less than or equal to 12 months) will only be made with

financial institutions with a minimum Short-Term Standard & Poor's rating of A-2.

8. Long Term Investments (more than 12 months) will only be made with financial institutions with a minimum Long-Term Standard & Poor's rating of A or stronger. Council will seek the highest rated investment organisation in balancing exposure and risk.
9. This policy will be reviewed by Council's Audit & Risk Committee prior to being presented to Council for consideration annually.

**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.

**REVISION HISTORY**

VERSION	MAJOR / MINOR UPDATE	SUMMARY OF CHANGES
1.0	Not applicable	No changes applicable at this review
1.1	Minor update	Minor word changes and inclusion of the legislation, S103 for clarity

## CONFLICT OF INTEREST POLICY

<b>Policy Number:</b>	2.4.6
<b>Approved by:</b>	Chief Executive Officer
<b>Date Approved:</b>	August 2023
<b>Date of Next Review:</b>	December 2023
<b>Applicable to Unit(s):</b>	Organisation and Councillors
<b>Responsible Officer:</b>	Manager Organisational Performance and Governance
<b>Related Policies:</b>	Acceptance and Declaration of Gifts, Benefits and Hospitality Policy Fraud Control Policy Procurement Policy Delegations Policy Risk Management Policy
<b>Related Documents:</b>	Councillor Code of Conduct Employee Code of Conduct Governance Rules Personal Interests Returns Councillor Conflict of Interest Declaration Form (hardcopy and e-form) Employee Conflict of Interest Declaration and Management Plan
<b>Statutory Reference:</b>	<i>Local Government Act 2020</i> <i>Local Government (Governance and Integrity) Regulations 2020</i>

### OVERVIEW

This policy has been developed to provide information and guidance to Councillors, staff and committee members in the identification, disclosure and management of conflict of interest (i.e. actual, perceived or potential) when carrying out their Council duties.

While conflicts are not wrong in themselves, and indeed cannot always be avoided, the potential for a conflict exists in all aspects of Council operations.

It is important that Councillors, staff and committee members act and are seen to act with integrity and are not inappropriately benefited or influenced by improperly using their position.

The most effective means to address conflicts of interest and duty is to establish a system under which Councillors, staff and committee members are required to disclose and obtain evaluation of any conflict they may have.

The purpose of this policy is to assist Councillors, staff and committee members in the identification and management of conflicts of interest and duty – and to assist in addressing and understanding how to manage any conflict issues. Council has a responsibility to ensure that its activities and those of its Councillors, staff and committee members conform to acceptable standards of integrity and good conduct. It recognises that a well-established system for identifying, disclosing, managing and reporting conflicts increases its public accountability and reduces the risk of corruption, misconduct and bias in its operations and decision-making processes.

Council also recognises that conflicts of interest and duty are not unusual in the exercise of public responsibility and cannot always be avoided. Where a conflict occurs, the interests of the Council will be balanced against the interests of the individual. Unless exceptional circumstances exist, the

balance of interests will be resolved in the Council's favour and Managers, when notified of a conflict of interest or duty, will deal promptly with the conflict and put in place arrangements that protect the integrity of the Council processes.

Conflict of interest and duty is about transparency and accountability. Councillors, staff and committee members hold positions of public trust and should always work to serve the interests of the community, not themselves or someone else's interests.

## **THE POLICY**

It is the responsibility of Councillors, staff and committee members to identify a conflict of interest or duty and disclose this when necessary. Failure to disclose any conflicts is a breach of the *Local Government Act 2020* (the Act) in which penalties can apply.

### **Private Interests**

A conflict of interest exists when private interests could improperly influence, or be seen to influence, decisions or actions in the performance of an individual's public duties.

A private interest means anything that can influence duty. Private interests include direct interests, such as an individual's own personal, family, professional or business interests, as well as indirect interests, such as the personal, family, professional or business interests of individuals or groups with whom an individual is, or was recently, closely associated. Private interests may be financial (pecuniary) or non-financial.

### **Conflict of Duty**

Conflicts of duty arise when an individual is required to fulfil two or more roles that may be in conflict with each other – often known as 'wearing two hats'. For example, a Councillor may hold a position as a member of the board of another public entity or body which Council has a direct and/or ongoing involvement with. The conflict of duty will arise in situations where Council is required to consider and/or make decisions where this public entity or body is involved.

Conflict of duty scenarios are especially common in regional and rural settings due to the smaller size of communities and the existence of specialist industries. As it is not always possible to avoid a situation where a conflict of duty exists, it is vital that these situations are managed appropriately to ensure the public interest is protected.

### **Areas of activity where conflicts may arise**

Conflicts may arise because of the council's involvement in any of the following matters:

- appointing and managing staff;
- providing sponsorships;
- use of resources or assets that could be used for private gain;
- entering into contracts to procure goods or services from the private sector or engaging in projects with the private sector;
- collecting, retaining, accessing or using confidential information;
- providing financial assistance and concessions;
- performing a regulatory role in relation to the monitoring of standards;
- disciplinary role; and
- providing advice.

### **Disclosure and declaration**

All Councillors, staff and committee members must consider the public interest when carrying out their duties and place this above their own private or personal interests. This is achieved by:

- carrying out all duties in accordance with Council and legislative ethical principles as documented in Council's Codes of Conduct
- assessing their own private and personal interest to identify any conflicts of interest or duty
- identifying and declaring all conflicts
- disclosing all conflicts of interest that arise when compiling Council reports and workshop notes
- managing all conflicts of interest in accordance with agreed management strategies
- completion of Council's conflict declaration forms.

The Councillor Conflict of Interest Declaration Form can be found on the Councillor Homepage and the Employee Conflict of Interest Declaration and Management Plan can be found on the Governance page of Council's Intranet.

All levels of management will:

- encourage a culture of disclosure within Council,
- regularly remind employees of their obligation to identify and declare conflicts,
- actively liaise with employees to resolve and manage conflicts, and
- maintain confidentiality with regards to conflict declarations.

### **Responsibilities of Managers**

Managers are responsible for:

- complying with this policy with respect to their own conflicts and potential conflicts;
- ensuring annual completion of training requirements;
- facilitating the compliance of those they manage by:
  - ensuring that the staff they manage complete the annual training module;
  - being aware of the risks of conflicts inherent in the work of the staff they manage;
  - making Councillors, staff and committee members aware of relevant policies and procedures;
  - advising Councillors, staff and committee members about appropriate ways to manage conflicts;
  - recording the receipt of disclosures of conflicts reported to them by staff;
  - assisting staff who disclose conflicts in preparing management strategies; and
  - monitoring the work of staff and the risks to which they are exposed.

### **Responsibilities of Employees**

Employees are responsible for:

- ensuring annual completion of training requirements;
- being aware of their obligation to avoid, where possible, conflicts of interest and duty and manage any conflicts that cannot be avoided;

- assessing their private and personal interests and whether they conflict, or have the potential to conflict, with their official duties;
- disclosing any conflicts they may have in accordance with this policy and specified procedures to their Manager;
- complying with the requirements of this policy or related guidelines and procedures; and
- reporting suspected breaches of this policy by other employees to their Manager and the General Manager Corporate Services.

### **Responsibilities of Councillors/Committee Members**

All Councillors must comply with section 130 of the Act, Governance Rules and the Councillor Code of Conduct when declaring conflicts of interest by undertaking the following:

- disclose any conflicts at the beginning of a Council meeting and immediately prior to consideration of the matter and remove themselves from the meeting for the duration of the discussion/vote;
- if details are private in nature, then the conflict can be declared to the Chair in writing prior to the meeting and the disclosure will simply be the type of interest with a brief and general summary of the details;
- classify the conflict as General (section 127) or specify the type of Material conflict (section 128);
- describe the nature of the conflict;
- where a Councillor or member of a delegated committee has two or more conflicts on matters being considered consecutively, they must disclose the conflicts prior to the first matter being heard;
- while the matter is being considered or any vote is taken in relation to the matter, the Councillor or member of a delegated committee must:
  - leave the room and notify the Mayor or the Chair of the delegated committee that he or she is doing so;
  - remain outside the room; and
  - return to the meeting only when invited to do so.

In meetings other than a Council meeting (i.e. Council workshop or Committee meeting), a similar format for the declaration of a conflict of interest must be undertaken whereby the conflict may be disclosed at the beginning of the meeting and/or immediately prior to consideration of the matter as set out above. Depending on the declaration itself, management of the conflict may also require that the individual remove themselves from the meeting for the duration of the discussion/vote until asked to return. The actual process followed will depend on the type of meeting.

All declarations and mitigation strategies (i.e. leaving the room for the duration of the discussion) must be recorded in the meeting minutes. All reported conflicts of interest and/or duty, including mitigation strategies, must also be recorded in the Conflict of Interest Declaration register maintained by the Governance Officer.

Councillors have full access to various guidance material, including the Councillor Conflict of Interest Guide, which is available on the Councillor Homepage.

Sections 127, 128 and 129 of the Act defines general and material conflicts of interest and provides exemptions for remoteness and interests in common with a substantial proportion of ratepayers along with other specific circumstances as set out in the table at *Appendix A – Conflict of Interest Legislative Guide*.

General and Material conflicts of interest can give rise to the following conflict types:

1. An **actual conflict** occurs when there is a real, current conflict between a public officer's duties and their private interests;
2. A **potential conflict** arises when a public officer's duties could conflict with their private interests. A public officer can anticipate potential conflicts by thinking about how the particular private interests and associations they have might influence the types of functions they carry out and decisions they make in their Council role;
3. A **perceived conflict of interest** is where one or more third parties develop a reasonable view that a public officer's private interests have or could improperly influence their decisions or actions, or the actions or decisions of their organisation, in a particular matter. The perception is that a public officer may not be objective in their dealings as a result of the conflict.

#### **Failure to disclose a conflict of interest**

Councillors, staff and committee members have an obligation to disclose and manage conflicts of interest and duty.

Failure to comply with this policy, including refusal to take any reasonable action as directed, to resolve a conflict may constitute misconduct or serious misconduct which may result in disciplinary action or termination of employment.

#### **Managing conflicts of interest**

The management of conflicts of interest will be determined by the General Manager Corporate Services or by the relevant General Manager for the Division.

The four recommended responses are:

##### **1. Avoid the conflict of interest**

Avoiding a conflict of interest which poses an unacceptable risk to, or impacts upon, Council's interests. This is the preferred strategy.

To avoid a conflict of interest, the staff member concerned may be removed from the decision-making process in relation to the matter concerned or requested to relinquish the interest which is creating the conflict.

##### **2. Accept and reduce the conflict of interest**

A conflict of interest may be reduced by ensuring that the staff member concerned has restrictions placed on their involvement in the relevant matter, or that another staff member or organisational area takes responsibility for the matter.

##### **3. Share the conflict of interest**

A conflict of interest may be shared by involving a third party to oversee part or all of the decision-making process that deals with the relevant matter.

##### **4. Retain the conflict of interest**

A conflict of interest may be retained, and the staff member continues to be involved in the matter concerned, subject to a regular review of the situation.

This response is only suitable for low risk conflicts of interest.



### Monitoring conflicts of interest

All disclosed conflicts of interest must be reviewed by the General Manager Corporate Services, Coordinator Governance and Council Business, the staff member and their Manager on at least an annual basis to ensure that the information remains correct and that the management responses continue to be appropriate and effective. Any change in the arrangements or circumstance must be notified immediately to the relevant Manager.

### Breaches of this Policy

Failure to comply with this policy will constitute a breach of the relevant Codes of Conduct and may result in disciplinary action or other serious sanctions as per the *Local Government Act 2020*.

### 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.

### REVISION HISTORY

VERSION	MAJOR / MINOR UPDATE	SUMMARY OF CHANGES
1.0	Minor update	Updated Responsible Officer title  Conflict of Duty has been added to the legislated requirements relating to Conflict of Interest for greater clarity at the recommendation of Council's Audit & Risk Committee; as such the definition of conflict of interest and conflict of duty has been split and various reference to conflict of interest have been updated to include conflict of duty where applicable
1.1	Minor update	Addition of policies to the Related Policies list  Addition of Personal Interests Returns to the Related Documents list  Various minor grammatical updates throughout  New paragraph added under 'Responsibilities of Councillors/Committee Members' to provide clarity for declarations made outside of a Council meeting  Relocation of the conflict of interest legislative guidance table to Appendix A at the end of the policy

APPENDIX A – CONFLICT OF INTEREST LEGISLATIVE GUIDE

Conflict Type	Definitions
<p><b>GENERAL CONFLICT OF INTEREST (Section 127)</b></p> <p>(1) Subject to section 129 (Exemptions), a relevant person has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's <b>private interests</b> could result in that person acting in a manner that is contrary to their <b>public duty</b>.</p>	<p><b>Private Interests (section 127(2))</b></p> <p>Any direct or indirect interest of a relevant person that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief.</p> <hr/> <p><b>Public Duty (section 127(2))</b></p> <p>The responsibilities and obligations that a relevant person has to members of the public in their role as a relevant person</p>
<p><b>MATERIAL CONFLICT OF INTEREST (Section 128)</b></p> <p>(1) Subject to section 129 (Exemptions), a relevant person has a material conflict of interest in respect of a matter if an <b>affected person</b> would gain a benefit or suffer a loss depending on the outcome of the matter.</p> <p>(2) The benefit may arise or the loss incurred -</p> <p>(a) directly or indirectly; or</p> <p>(b) in a pecuniary or non-pecuniary form.</p>	<p><b>Affected Person (section 128(3))</b></p> <p>For the purposes of section 128(3), any of the following is an <b>affected person</b>—</p> <p>(a) the relevant person;</p> <p>(b) a family member of the relevant person;</p> <p>(c) a body corporate of which the relevant person or their spouse or domestic partner is a Director or a member of the governing body;</p> <p>(d) an employer of the relevant person, unless the employer is a public body;</p> <p>(e) a business partner of the relevant person;</p> <p>(f) a person for whom the relevant person is a consultant, contractor or agent;</p> <p>(g) a beneficiary under a trust or an object of a discretionary trust of which the relevant person is a trustee;</p> <p>(h) a person from whom the relevant person has received a <b>Disclosable Gift (section 128(4))</b>:</p> <p>means one or more gifts with a total value of, or more than, \$500 or if an amount is prescribed for the purposes of section 128(4), the prescribed amount, received from a person in the 5 years preceding the decision on the matter -</p> <p>(a) if the relevant person held the office of Councillor, was a member of Council staff or was a member of a delegated committee at the time the gift was received; or</p> <p>(b) if the gift was, or gifts were, or will be, required to be disclosed as an election campaign donation -</p> <p>but does not include the value of any reasonable hospitality received by the relevant person at an event or function that the relevant person attended in an official capacity as a Councillor, member of Council staff or member of a delegated committee.</p>

***Exemptions (section 129)***

A conflict of interest does not arise if any of the following applies—

- (a) the conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the relevant person in relation to the matter;
- (b) the interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the municipal district and does not exceed the interest held by the other residents, ratepayers or electors;
- (c) the relevant person does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances;
- (d) the interest only arises because the relevant person is the representative of the Council on a not-for-profit organisation that has an interest in the matter and the relevant person receives no personal advantage from the not-for-profit organisation;
- (e) the interest only arises because a family member of the relevant person is a member but not an office-holder of a not-for-profit organisation;
- (f) the interest only arises because the relevant person is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter;
- (g) the interest arises in relation to a decision by a Councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations.

## ACCEPTANCE AND DECLARATION OF GIFTS, BENEFITS AND HOSPITALITY POLICY

<b>Policy Number:</b>	2.4.8
<b>Approved by:</b>	Council
<b>Date Approved:</b>	August 2023
<b>Date of Next Review:</b>	December 2023
<b>Applicable to Unit(s):</b>	Organisation and Councillors
<b>Responsible Officer:</b>	Manager Organisational Performance and Governance
<b>Related Policies:</b>	Conflict of Interest Policy Council Expense and Administration Policy Public Transparency Policy
<b>Related Documents:</b>	Gifts, Benefits and Hospitality Declaration Form Gifts, Benefits and Hospitality Declaration Register Councillor Code of Conduct Employee Code of Conduct Municipal Association of Victoria - New Councillor Resource Guide 2016
<b>Statutory Reference:</b>	<i>Charter of Human Rights and Responsibilities Act 2006</i> <i>Local Government Act 2020</i>

### OVERVIEW

To provide Councillors and staff with requirements and guidance relating to the acceptance of gifts, benefits and hospitality.

### THE POLICY

Wellington Shire Council is committed to following sound and transparent business practices in accordance with the *Local Government Act 2020*, Councillor and Employee Codes of Conduct. It recognises the importance of operating in a manner that models transparency, integrity and the highest ethical standards.

This policy is intended to support Councillors and staff in avoiding conflicts of interest, maintaining high levels of integrity and public trust and ensure that any gifts accepted are properly managed and disclosed.

### COUNCILLORS AND COUNCIL STAFF

A gift, benefit or hospitality must not be accepted by Councillors or staff if it is given as a bribe for favourable service or outcomes, or could be perceived as intended to, or likely to, influence the individual in the fair, impartial and efficient discharge of their duties as a Councillor or member of Council staff.

The performance of Council functions including, but not limited to, tenders, planning decisions, recruitment processes and regulatory activity will not be influenced by the offer or inducement of a gift, benefit or hospitality.

Receipt of a gift from a person or organisation can result in a general or material conflict of interest in a matter.

Councillors and staff must not solicit, demand or request gifts or any personal benefit for themselves or another person by virtue of their position.

All gifts, benefits and hospitality of **any** value, whether declined or accepted, must be declared using the appropriate Gifts, Benefits and Hospitality Declaration form and details will be included on Council's Gifts, Benefits and Hospitality Declaration Register. Under **NO** circumstances is cash to be accepted as an applicable gift.

### **Token Offers**

A token offer is an offer of a gift or hospitality, valued at no more than \$50, and is of inconsequential or trivial value to both the person making the offer and the individual. It may include promotional items such as pens and note pads, and modest hospitality which would be considered a basic courtesy, such as light refreshments offered during a meeting or the provision of lunch during the course of a daylong seminar.

Individuals may generally accept token offers as long as the offer does not create a conflict of interest or bring the individual or the organisation into disrepute.

### **Non-token Offers**

Individuals can accept non-token offers if they have a legitimate business reason. All accepted non-token offers must be declared and approved in writing by the General Manager / CEO / Mayor, recorded in the Gifts, Benefits and Hospitality Declaration Register and be consistent with the following requirements:

- it does not raise an actual, potential or perceived conflict of interest or have the potential to bring the individual or Council into disrepute; and
- there is a legitimate business reason for acceptance i.e. it is offered in the course of the individual's official duties, relates to the individual's responsibilities, recognises work undertaken or benefits achieved for the Council.

Individuals may be offered a gift, benefit or hospitality where there is no opportunity to seek written approval prior to accepting. For example, they may be offered a wrapped gift that they later identify as being a non-token gift. In these cases, the individual must seek approval within five (5) business days.

Where the gift would likely bring the individual or the organisation into disrepute, the gift should be returned. If it represents a conflict of interest for the individual or Council, the gift should be returned or transferred to Council to mitigate the risk.

### **Repeat Offers**

Receiving multiple offers (token or non-token) from the same individual or organisation can generate a stronger perception that the individual or organisation could influence you. Individuals should refuse repeat offers from the same source if they create a conflict of interest or may lead to reputational damage. Any repeat offers must also be noted with the individual's Manager.

### **The Gift Test**

When deciding whether to accept an offer, individuals should first consider if the offer could be perceived as influencing them in the performance of their duties or lead to reputational damage. The more valuable the offer, the more likely that a conflict of interest or reputational risk could arise.

The GIFT test (developed by the Victorian Public Sector Commission) is a good example of what to consider when deciding whether to accept or decline a gift, benefit or hospitality.

<b>G</b>	<b>Giver</b>	<b>Who is providing the gift, benefit or hospitality and what is their relationship to me?</b> Does my role require me to select contractors, award grants, regulate industries or determine government policies? Could the person or organisation benefit from a decision I make?
<b>I</b>	<b>Influence</b>	<b>Are they seeking to gain an advantage or influence my decisions or actions?</b> Has the gift, benefit or hospitality been offered to me publicly or privately? Is it a courtesy, a token of appreciation or highly valuable? Does its timing coincide with a decision I am about to make?
<b>F</b>	<b>Favour</b>	<b>Are they seeking a favour in return for the gift, benefit or hospitality?</b> Has the gift, benefit or hospitality been offered honestly? Has the person or organisation made several offers over the last 12 months? Would accepting it create an obligation to return a favour?
<b>T</b>	<b>Trust</b>	<b>Would accepting the gift, benefit or hospitality diminish public trust?</b> How would I feel if the gift, benefit or hospitality became public knowledge? What would my colleagues, family friends or associates think?

## GIFTS

In general, **gifts** are acceptable when:

- the gift is a token offer and estimated to be less than \$50;
- it is customary of the culture to bestow or exchange gifts as thanks for hospitality; or
- gifts are presented by a visiting official and duly authorised by the governing body.

Gifts are sometimes given as a sign of gratitude to recognise outcomes collectively achieved by the Council and/or group of staff. Therefore, as far as is reasonable and practical, such gifts are “pooled” then shared among the Council and/or the working group.

All gifts of **any** value must be declared using the appropriate Gifts, Benefits and Hospitality Declaration form, even if the gift has been declined. Under **NO** circumstances is cash to be accepted as an applicable gift.

### Disclosable Gift

A **disclosable gift** is a gift that puts the recipient into a material conflict of interest because the donor of the gift has an interest in a matter.

Section 128(4) of the *Local Government Act 2020* defines a disclosable gift as:

- (1) One or more gifts with a total value of, or more than, \$500 or if an amount is prescribed for the purposes of this subsection, the prescribed amount, received from a person in the 5 years preceding the decision on the matter—
  - (a) if the relevant person held the office of Councillor, was a member of Council staff or was a member of a delegated committee at the time the gift was received; or
  - (b) if the gift was, or gifts were, or will be, required to be disclosed as an election campaign donation—

but does not include the value of any reasonable hospitality received by the relevant person at an event or function that the relevant person attended in an official capacity as a

Councillor, member of Council staff or member of a delegated committee.

### Significant Occasion Gift

A **significant occasion gift** is a gift which is presented to the Mayor or a Councillor from Wellington Shire as a gesture of goodwill for official or ceremonial purposes.

- A significant occasion gift to the Mayor must not exceed \$200;
- A significant occasion gift to a Councillor must not exceed \$150.

All significant occasion gifts **must be declared** using the Gifts, Benefits and Hospitality Declaration form and details included on Council's Gifts, Benefits and Hospitality Declaration Register. Individuals must transfer to Council any official gifts or gifts of cultural significance or significant value.

### Ownership of Gifts Offered to Individuals

Non-token gifts with a legitimate business reason that have been accepted by an individual for their work or contribution may be retained by the individual where the gift is not likely to bring the individual or Council into disrepute, and where the General Manager or CEO has provided written approval.

### BENEFITS

In general, **benefits** are only acceptable when a Councillor or staff member can demonstrate that there is a legitimate business reason. Benefits may arise in the carrying out of Council duties such as attendance as a Council representative at promotional or other events.

Examples of benefits may present in the form of preferential treatment, privileged access, favours or other advantage. This can also include invitations to sporting, cultural or social events or access to discounts or loyalty programs. It is the responsibility of the individual to decline the benefit, in the absence of a legitimate business reason.

The value of benefits may be difficult to define in dollars, but as they are valued by the individual, they may be used to influence the individual's behaviour and decision making. As this is the case, **any** benefit of **any** value, whether declined or accepted, must be declared using the appropriate Acceptance and Declaration of Gifts, Benefits and Hospitality Declaration form.

### HOSPITALITY

In general, **hospitality** is acceptable when it is not considered excessive and does not create a conflict of interest or bring the individual or the organisation into disrepute.

A Councillor or staff member may accept hospitality such as attendance as a Council representative at promotional or other events.

All hospitality of **any** value, other than exempt hospitality, must be declared using the appropriate Gifts, Benefits and Hospitality Declaration form.

**Exempt hospitality** is hospitality that is reasonably received in the carrying out of Council duties and can be considered a basic courtesy, including the acceptance of light refreshments during a meeting or lunch during the course of a daylong event. Exempt hospitality does not require the completion of a declaration form.

If the estimated value of the hospitality is over \$50 (non-token offer), a declaration form must be completed, regardless of whether the hospitality is accepted or declined. An example of this is an

offer of a three course lunch at the conclusion of a meeting. If the hospitality represents a conflict of interest for the individual or Council, the hospitality should not be accepted to mitigate the risk.

## **COUNCILLORS SPECIFIC REQUIREMENTS**

### **Disclosable Gift to Councillors**

Where a Councillor has declared a material conflict of interest from the acceptance of a **disclosable gift**, details of the interest will be documented in the meeting minutes which are available for public inspection.

### **Anonymous Gifts Not To Be Accepted**

A Councillor must not accept, directly or indirectly, a gift for the benefit of the Councillor for the amount or value of which is equal to or exceeds the gift disclosure threshold unless:

- a) the name and address of the person making the gift are known to the Councillor; or
- b) at the time when the gift is made
  - i) the Councillor is given the name and address of the person making the gift; and
  - ii) the Councillor reasonably believes that the name and address so given are the true name and address of the person making the gift.

### **Election Campaign Donation Return Gift**

A **donation period** gift is a gift given to an electoral candidate to be used in connection with an election campaign. In accordance with Section 306 of the *Local Government Act 2020*, each candidate, whether successfully elected to Council or not, must give an Election Campaign Donation Return to the Chief Executive Officer within 40 days of election day.

Per Section 308 (2) and (3) of the *Local Government Act 2020*, copies of all election campaign donation returns received are available for inspection at the Desailly Street Service Centre and a summary of all Election Campaign Donation Returns is available on Council's website and will remain available to view until the close of roll for the next general election.

## **DECLARATIONS AND RECORDS MANAGEMENT**

### **Declarations**

Declarations are required to be completed for all gifts, benefits or hospitality received, whether accepted or declined. The Business Unit Manager must review and sign all declarations before providing a copy to Governance for registration.

Where multiple gifts, benefits and hospitality are offered by one person on the same day, only one declaration form should be completed for all the items from that one person. The items must not be split across multiple declarations.

### **Records Management**

Council maintains a register of all gifts, benefits and hospitality received by Council Officers and Councillors. This register details:

- Date of receipt
- Recipient
- Donor



- Estimated Value
- Allocation (declined, donated, pooled, retained, returned, shared)
- Description Of/Reason for Gift.

The register is available for public inspection on request, in line with Council's Public Transparency Policy.

All declarations, whether accepted or declined, will be recorded in Council's Gifts, Benefits and Hospitality Declaration Register.

A summary of the Gifts, Benefits and Hospitality Declaration Register will also be provided to the Audit & Risk Committee twice yearly for review.

### **BREACHES OF THIS POLICY**

Failure to comply with this policy will constitute a breach of the relevant Codes of Conduct and may result in disciplinary action or other serious sanctions as per the *Local Government Act 2020*.

### **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.

### **REVISION HISTORY**

<b>VERSION</b>	<b>MAJOR / MINOR UPDATE</b>	<b>SUMMARY OF CHANGES</b>
1.0	Minor update	Update of Responsible Officer title No changes applicable at this review
1.1	Minor update	Various minor grammatical updates throughout Revision of content under 'Repeat Offers', 'Benefits' and 'Hospitality' to provide further clarity and ease of reference

## 12. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

### 12.1. PROPOSED SALE OF LAND (ROAD) - REAR 268-278 NATIONAL PARK ROAD, LOCH SPORT

#### ACTION OFFICER: MANAGER BUILT ENVIRONMENT

#### PURPOSE

The purpose of this report is for Council to consider the proposed sale of land being a road reserve at the rear of 268-278 National Pak Road, Loch Sport.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

#### RECOMMENDATION

***That:***

- 1. Pursuant to Section 114 of the Local Government Act 2020, Section 206(1) including Clause 3 of Schedule 10 and Section 223 of the Local Government Act 1989, Council resolve to advertise its intention to discontinue and to sell the road abutting the rear of 268-278 National Park Road, Loch Sport by private treaty; and***
- 2. Council place a public notice of the proposal, in a local newspaper and serve a copy of the notice on abutting property owners and statutory authorities; and***
- 3. Council appoint three Councillors plus an alternative representative to form the 'Road Discontinuance Committee – 268-278 National Park Road' that is established by Council under section 223(1)(b)(i) of the Local Government Act 1989, to consider written submissions/objections and to hear any persons who in their written submission under section 223 of the Local Government Act 1989 have requested that they be heard in support of their submission/objection; and***
- 4. In the event of no objections, Council resolve to discontinue the road abutting the rear of 268-278 National Park Road, Loch Sport and place a notice in the Victoria Government Gazette; and***
- 5. Council authorise the Chief Executive Officer to sell the land to the abutting property owner at no less than current market value in accordance with Wellington Shire Council Policy 3.3.5 - Sale, Exchange and Acquisition of Land and to sign and seal any documents to facilitate the transfer of land.***

#### BACKGROUND

The owner(s) of the property at 268-278 National Park Road, Loch Sport have made application to Council regarding a proposal to acquire the unused road abutting the rear of their property, and for them to purchase and include this section of road into their property.

The road of 6.1 metre width was created at the time of subdivision with the apparent purpose of providing a service road along the rear of the small lots set aside for a shopping strip. The majority of these lots have since been consolidated into larger lots for alternate purposes, as

is the case with the applicant's property. This road is currently an unused road and is not listed on Councils register of public roads, the road is used occasionally by the applicant as rear access to their property.

The proposal is for the section of unused road abutting the rear of 268-278 National Park Road to be closed and sold. The road reserve is described as Roads on LP58872 and is contained on Certificate of Title Vol 9875 Fol 368. The land is zoned Commercial 1 Zone (C1Z). The attached plan outlines the proposal.

Following an internal review by Council Officers the proposal was considered reasonable, being an unused road reserve, the land is not required for Council or community purposes in the immediate or foreseeable future. The land to be sold would be subject to its consolidation into the title of 268-278 National Park Road, Loch Sport.

In proceeding with the proposal, a public notice will be placed in the local paper and copies of the public notice will be served on adjacent property owners. It is proposed to notify relevant Statutory Authorities as their assets maybe contained within the road reserve will require to be protected with an easement.

Subject to the consideration of public submissions and objections the section of road reserve will be discontinued, and the land sold to the abutting landowner(s) by private treaty at no less than the current market value in accordance Council Policy 3.3.5 - Sale, Exchange and Acquisition of Land.

## **ATTACHMENTS**

1. Proposed Sale of Land (Road) - National Park Road [12.1.1 - 1 page]

## **OPTIONS**

Council has the following options available:

1. Support the sale of road abutting the rear of 268-278 National Park Road, Loch Sport and confirm that the section of road is not required for public traffic pursuant to Section 114 of the *Local Government Act 2020* and Sections 206 and 223 and Schedule 10 of the *Local Government Act 1989*; or
2. Not agree to the sale and discontinuance and advise the property owners that the road abutting the rear of 268 National Park Road, Loch Sport is required for public traffic.

## **PROPOSAL**

That:

1. Pursuant to Section 114 of the *Local Government Act 2020*, Section 206(1) including Clause 3 of Schedule 10 and Section 223 of the *Local Government Act 1989*, Council resolve to advertise its intention to discontinue and to sell the road abutting the rear of 268-278 National Park Road, Loch Sport by private treaty; and
2. Council place a public notice of the proposal, in a local newspaper and serve a copy of the notice on abutting property owners and statutory authorities; and
3. Council appoint three Councillors plus an alternative representative to form the 'Road Discontinuance Committee – 268-278 National Park Road' that is established by

- Council under section 223(1)(b)(i) of the *Local Government Act 1989*, to consider written submissions/objections and to hear any persons who in their written submission under section 223 of the *Local Government Act 1989* have requested that they be heard in support of their submission/objection; and
4. In the event of no objections, Council resolve to discontinue the road abutting the rear of 268-278 National Park Road, Loch Sport and place a notice in the Victoria Government Gazette; and
  5. Council authorise the Chief Executive Officer to sell the land to the abutting property owner at no less than current market value in accordance with Wellington Shire Council Policy 3.3.5 - Sale, Exchange and Acquisition of Land and to sign and seal any documents to facilitate the transfer of land.

### **CONFLICT OF INTEREST**

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

### **FINANCIAL IMPACT**

There are no costs to Council, with all costs borne by the property owner. Compensation for the land will be payable to Wellington Shire Council utilising a current market value prepared by an independent licenced valuer.

### **COMMUNICATION IMPACT**

This impact has been assessed and there is no effect to consider at this time.

### **LEGISLATIVE IMPACT**

Community engagement is being undertaken pursuant to Section 114 *Local Government Act 2020*. Any submissions will be considered under Section 223 of the *Local Government Act 1989*. The proposed road discontinuance is being undertaken pursuant to Section 206(1) of the *Local Government Act 1989* including Clause 3 of Schedule 10.

### **COUNCIL POLICY IMPACT**

There is no Council policy on the closure of roads to public traffic, with each application being treated on merit. Council's policy on the Sale, Exchange and Acquisition of Land Council outlines the principles in dealing with land transactions.

### **COUNCIL PLAN IMPACT**

This impact has been assessed and while it does not meet a specific Council Plan strategic outcome, it does align with Council's good governance framework.

### **RESOURCES AND STAFF IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNITY IMPACT**

There will be no negative identifiable community impact. The road abutting the rear of 268-278 National Park Road, Loch Sport is a non-maintained roads under Council's Road Management Plan. The road reserve forming the proposal has no formed road pavement or public vehicular access along this road excepting for providing occasional rear access to 268 National Park Drive, Loch Sport.

## **ENVIRONMENTAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENGAGEMENT IMPACT**

A public notice will be published in the local newspaper and served on the abutting property owners and statutory authorities.

## **RISK MANAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

268-278 NATIONAL PARK ROAD, LOCH SPORT

PROPOSED ROAD CLOSURE & SALE TO THE ABUTTING PROPERTY OWNER



Subject Land

Proposed Road to be closed & sold (approx. 220 sqm.) shown:

## 13. GENERAL MANAGER COMMUNITY AND CULTURE

### 13.1. QUICK RESPONSE GRANTS - MARCH 2023 TO JUNE 2023

#### **ACTION OFFICER: MANAGER COMMUNITIES, FACILITIES AND EMERGENCIES**

##### **PURPOSE**

For Council to note the information regarding applications received under the Quick Response Grant Scheme (QRGS) for the period March 2023 to June 2023 as shown in Attachment 1.

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

#### **RECOMMENDATION**

*That Council note the information regarding applications received under the Quick Response Grant Scheme (QRGS) for the period March 2023 to June 2023 as listed in the attached documents.*

##### **BACKGROUND**

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

Not-for-profit community groups operating in Wellington Shire can apply for up to \$2,500. Up to \$500 is available in the Individual Sponsorship category, and up to \$1,500 is available in the Teams and Community groups category.

Applications included in this Council report were assessed between March 2023 to June 2023.

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

##### **ATTACHMENTS**

1. March to June 2023 - Applications [**13.1.1** - 3 pages]
2. 2022-2023 - Guidelines Assessment Criteria [**13.1.2** - 5 pages]
3. 2022-2023 - Individual Team Community Group Guidelines [**13.1.3** - 4 pages]

## OPTIONS

Council has the following options available:

1. Note the information regarding successful and unsuccessful applications received under the Quick Response Grant Scheme for the period March 2023 to June 2023 (as attached); or
2. Request further information and reconsider at a future Council meeting.

## PROPOSAL

For Council to receive the information regarding successful and unsuccessful applications under the Quick Response Grant Scheme for the period March 2023 to June 2023 (as attached).

## CONFLICT OF INTEREST

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

## FINANCIAL IMPACT

These applications have been funded through the Community Grant Scheme within the Community Wellbeing budget. A total of \$14,870 was allocated to successful QRG applications for the period March 2023 to June 2023.

Together with Community Assistance Grants that were funded in the August 2022 round and March 2023 round, the Community Grant Scheme \$367,400 annual 2022/23 budget has been fully expended.

The table below is a summary of the funding allocation, a detailed list of applications is shown in the attached.

Successful applications				Unsuccessful Applications	
		Amount requested	Amount recommended		
Activities	7	\$14,200	\$12,870	1	\$2,500
Individual Sponsorship	3	\$1,500	\$1,500	NIL	
Energy Audit Rebate	1	\$500	\$500	NIL	
<b>TOTAL</b>	<b>11</b>	<b>\$16,200</b>	<b>\$14,870</b>	<b>1</b>	<b>\$2,500</b>



## **COMMUNICATION IMPACT**

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

## **LEGISLATIVE IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COUNCIL POLICY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COUNCIL PLAN IMPACT**

The Council Plan 2021-25 Theme 3 "Liveability and Wellbeing" states the following strategic outcomes:

**Strategic Outcome 3.1:** *"An inclusive, diverse, and resilient community."*

**Strategic Outcome 3.3:** *"Opportunities for everyone to work, learn, create, play, and share."*

This report supports the above Council Plan strategic outcomes.

## **RESOURCES AND STAFF IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNITY IMPACT**

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

## **ENVIRONMENTAL IMPACT**

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

## **ENGAGEMENT IMPACT**

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

## **RISK MANAGEMENT IMPACT**

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

## Quick Response Grant Scheme Applications – March 2023 to June 2023

Successful applications					
Organisation		Activity Title	Amount requested	Amount approved	Activity Description
1	Rosedale Cemetery Trust	Installation of security surveillance cameras	\$2,070.00	\$2,070.00	Due to increased damage and vandalism at the cemetery a advanced security surveillance system will be installed.
2	Woodside Football Netball Club	Family Fun Day and Show and Shine	\$2,000.00	\$2,000.00	Event will include Junior football and netball clinics, petting zoo, jumping castles, face painting and plaster painting, car show. Canteen available, and senior football and netball practice matches.
3	Sale Combined Kindergartens	Removal and Replacement of unsafe swing frame.	\$2,500.00	\$2,500.00	Current swing frame has rotted at the footings
4	Yarram Rotary	Concert Risk Cover	\$1,330.00	\$0.00	The Australian Songbook by Mick Harrington concert; guarantee against loss for artist costs.  <i>* Acquittal report identified funding was not required (no loss incurred).</i>
5	Port Albert Progress Association	Easter Sunday Picnic in the Park	\$2,500.00	\$2,500.00	A family friendly free event in Rutters Park, Port Albert with live music, food vans, kids activities, classic car display and end with a lantern festival on the water.
6	Maffra Municipal Band Incorporated	Teddy Bear's Dance Party	\$1,300.00	\$1,300.00	A dance party for the young and young at heart to popular and classical tunes presented by a live 35-piece Maffra Concert Band.

<b>Successful applications</b>						
<b>Organisation</b>		<b>Activity Title</b>	<b>Amount requested</b>	<b>Amount approved</b>	<b>Activity Description</b>	
7	Sale Maffra Badminton Association	Sale Maffra Veterans Badminton Tournament	\$2,500.00	\$2,500.00	Annual Badminton tournament for Veteran players (aged 35+) held over two days.	
<b>TOTAL</b>			<b>\$14,200.00</b>	<b>\$12,870.00</b>		

<b>Successful Individual Sponsorship and Team/Community Group Sponsorship</b>					
<b>Individual or Group Name</b>		<b>Supporting Organisation</b>	<b>Activity Title</b>	<b>Amount</b>	
1	Cassie Farley	Athletics Australia	2023 Australian Junior under 13-18 Track & Field Championships, Brisbane QLD	\$500.00	
2	Xanthe Wade	Global Amateur Tour Show jumping	Global Amateur Show jumping Tour, France	\$500.00	
3	Tess O'Toole	Gymnastics Australia	Australian Gymnastics Championships, Gold Coast, QLD	\$500.00	
<b>TOTAL</b>				<b>\$1,500.00</b>	

<b>Successful Energy Audit Rebate applications</b>			
<b>Organisation</b>	<b>Facility</b>		<b>Amount</b>
1	Boisdale Recreation Reserve CoM	Boisdale Recreation Reserve	\$500.00
<b>TOTAL</b>			<b>\$500.00</b>

**Quick Response Grant Scheme - Unsuccessful Applications – March 2023 to June 2023**

<b>Organisation</b>	<b>Activity Title</b>	<b>Activity Description</b>	<b>Comment</b>
The Hive Community Collective	Easter Carnival	Family friendly carnival. Affordable, open to all, fundraiser to support local groups and schools.	<ul style="list-style-type: none"> <li>• Ineligible – application submitted after due date.</li> <li>• Event Coordinator assigned to follow up.</li> </ul>

# Quick Response Grants 2022/23

## Guidelines and Assessment Criteria



### Introduction

Our Quick Response Grants Scheme encourages community outcomes in line with Council's Wellington 2031 vision, the Council Plan 2021-25, and Healthy Wellington 2021-25.

It aims to build community capacity by encouraging:

- Participation and inclusion
- Growing community partnerships
- Providing learning opportunities
- Supporting social connectedness, and
- Activating our community spaces such as parks, halls and other facilities.

### Overview

- Not for profit community groups operating in the Wellington Shire can apply for a Quick Response Grant of up to \$2,500.
- The grants are open all year round. Applications must be received 3 weeks prior to the commencement of your activity.

### Important things to note

- What will not be funded:
  - Scholarships, awards, trophies or prizes for participating and/or attending.
  - Activities that deliver a direct and focused religious or political party message.
  - Activities associated with or hosted at areas/facilities with or designed for gaming machines, gambling and betting.
- Wages will not be funded but can be used as evidence of contribution towards the project.
- The not-for-profit community group applying for the grant will be referred to as the 'organisation' throughout the application.
- The applicant is the organisation, not the individual representative or person completing the application form.
- The event or project will be referred to as 'activity' in the Assessment Criteria and Guidelines, Application Form, Funding Agreement and Acquittal Report

## Criteria – General

After reading the funding guidelines, please contact the **Grants Officer 1300 366 244** to seek feedback on your proposal. This will ensure you are eligible to apply and your application meets the guidelines.

1. Grants are available to not for profit community groups operating in the Wellington Shire.
2. Schools are not eligible to be an applicant, however, can be a community partner in project proposal.
  - a. Grants are available to Volunteer groups associated with Schools are eligible to apply, applicants will be required to demonstrate the benefits and outcomes to the broad community outside the school community.
3. Applicants must be incorporated bodies or have an established legal entity. If your organisation is not incorporated or doesn't have an ABN you will be required to provide the details of an auspice organisation. The auspice organisation will receive the grant funding on your behalf and will ultimately be responsible for the Acquittal Report.
4. If your organisation is incorporated but does not have an ABN, a 'Statement by a Supplier – Reason for Not Quoting an ABN' form must be included with your funding agreement. This form is available from the Australian Tax Office website.
5. Activities must be administered in the Wellington Shire, please note activities at licensed venues, applicants will be asked to demonstrate that there is no appropriate alternative venue and that they have considered the potential impact to participants.
6. **Applicants who have previously been successful in receiving funding MUST have completed all Acquittal Reports and complied with Council requirements prior to being considered for the current funding round.**
7. All applicants must provide a copy of a current Public Liability Insurance certificate of currency with activity/event details, where applicable. (For an event the P/L certificate of currency must include the event name, date and location).
8. All activities **MUST** align with Key Council Plans and Strategies:
  - a. Wellington Shire Council's Plan 2021-25
  - b. Healthy Wellington 2021-2025
  - c. Sustainability Strategy 2020-25
9. All activities must ensure inclusivity, social connectedness and accessibility has been considered.
10. All activities are encouraged to consider the waste that will be produced through delivering their grant outcomes and have appropriate measures in place to manage waste.
11. Multiple applications for the same activity will not be accepted.
12. A limit of three Quick Response Grant applications per financial year for different activities will be accepted.
13. Applications must be completed in full and have sufficient evidence to make a reasonable assessment of the application. Council reserves the right to further investigate aspects of the application. Applications and Acquittal Reports must be on the correct form.
14. Where possible, the goods and services used in the funded activity (suppliers and contractors) be sourced from within the Wellington Shire.
15. Activities that are primarily for the purpose of fundraising will be required to demonstrate the Community benefits in addition to the fundraising outcome.
16. No set amount of contribution will be required. A contribution (monetary, donated or volunteer labour) will assist with assessment. Applicants will be required to identify their contribution capacity.

17. For all expenditure items of \$1,000 or more you must include a quote or evidence of the item cost.
18. Applications deemed to be for commercial benefit will not be considered. This will be determined on a case-by-case basis. This will include applications where the main beneficiary is a business.
19. Funding must not be regarded as a recurrent commitment from Council. There is no guarantee a recurring activity will be funded in the future. Funding is limited.
20. The applicant is responsible for all ongoing maintenance and running costs of any equipment purchases resulting from a successful application.
21. Council may reduce the amount allocated to you if the funding applied for is considered unsubstantiated and/or excessive.
22. Council may reduce the amount allocated to you if the funding allocation is oversubscribed; additionally, if Council is aware of an alternative option available to you, it will recommend it as an alternative to funding.
23. Successful applicants will be required to complete a Funding Agreement, which includes the conditions of grant funding. You may also be asked to comply with additional conditions.
24. You are required to acknowledge Wellington Shire Council's support of your activity as specified in the Funding Agreement.
25. Funding must be returned if the activity is not completed in line with the Funding Agreement. Any excess funding must be returned.
26. 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 has referred to Council's Human Rights Policy to develop the WSC CAG & QRG program Guidelines and Assessment Criteria.
27. Applications must be completed and returned 3 weeks prior to the commencement date of your project. You will be notified in writing of the outcome of your grant 10 business days after the submission date. You are welcome to contact the Grants officer for further feedback. Once you receive confirmation it can take 6 to 8 working weeks for the funding to arrive in your bank.

## **Assessment Process**

Applications undergo an initial eligibility check to determine whether they meet the funding guidelines and will then be scored against the criteria.

<b>Criteria</b>	<b>Maximum Points 100%</b>
Planning and Capacity	45%
Benefits to the Community	45%
Contribution	10%

Based on the score received against the assessment criteria, applications are prioritised by a panel from the Wellington Shire Council. This panel provides advice and recommendations to Council. During a Council meeting, Councillors make the final decision on which applications will be funded under the scheme.

Applicants can have special funding conditions placed on their application. These conditions will be included on the Funding Agreement form. These can be conditions that must be met prior to receiving funding and included in the Acquittal Report phase of the activity to ensure compliance.



## Assessment Criteria and Assessment scoring details

<b>Planning, Capacity and Benefit to the Community</b> 90% of the application assessment	
<b>Organisation and/or Committee details</b>	
Poor details and information provided about the organisation.	<b>1</b>
Limited details and information provided about the organisation.	<b>2</b>
Standard details and information provided about the organisation.	<b>3</b>
Above standard details and information provided about the organisation	<b>4</b>
Very high standard of details and information provided about the organisation. Detailed evidence provided, additional information provided eg strategic plan, alignment with strategic plan, participation plan, governance overview, succession plan, copies of articles, etc.	<b>5</b>
<b>Activity details</b>	
Poor demonstration of activity details and how the activity will benefit the community.	<b>1</b>
Limited demonstration of activity details and how the activity will benefit the community.	<b>2</b>
Standard demonstration of activity details and how the activity will benefit the community.	<b>3</b>
Above standard demonstration of activity details and how the activity will benefit the community.	<b>4</b>
Very high standard demonstrated of activity details and how the activity will benefit the community. Detailed evidence provided; additional information provided eg project or event plan, activity risk management plan, volunteer, ABS data, letter/s of support from beneficiaries, etc.	<b>5</b>
<b>Marketing</b>	
Poor details of promotion and marketing initiatives.	<b>1</b>
Limited details of promotion and marketing initiatives.	<b>2</b>
Adequate details of promotion and marketing initiatives.	<b>3</b>
Above standard details of promotion and marketing initiatives.	<b>4</b>
Very high standard of detail provided of promotion and marketing initiatives. Detailed evidence provided, additional information provided eg draft media articles, copies of previous marketing, marketing or promotion strategy, etc.	<b>5</b>
<b>Evaluation</b>	
Poor details of evaluation planning have been presented and considered.	<b>1</b>
Limited details of evaluation planning have been presented and considered.	<b>2</b>
Standard details of evaluation planning have been presented and considered.	<b>3</b>
Above standard details of evaluation planning have been presented and considered.	<b>4</b>
Very high standard of detail of evaluation planning have been presented and considered. Detailed evidence provided; additional information provided eg. Survey examples, previous survey results, committee review meeting notes, etc	<b>5</b>
<b>Accessibility and Inclusivity</b>	
Poor demonstration of Access and Inclusion considerations.	<b>1</b>
Limited demonstration of Access and Inclusion considerations.	<b>2</b>
Standard demonstration of Access and Inclusion considerations.	<b>3</b>
Above standard demonstration of Access and Inclusion considerations.	<b>4</b>
Very high demonstration of Access and Inclusion considerations. Detailed and evidence provided, additional information provided eg accessible action plan, images, signage, etc	<b>5</b>

<b>Contribution</b>	
10% of the application assessment	
Has the applicant:	
<ul style="list-style-type: none"> <li>• Demonstrated other contributions towards the activity? (Contributions can be monetary, volunteer hours, in-kind support, and/or sponsorship.</li> <li>• Demonstrated sufficiently the restricted access to funds towards the activity.</li> <li>• Sourced goods and services for the delivery of the activity (suppliers and contractors) from within the Wellington Shire, where possible.</li> <li>• Demonstrated why local suppliers were not used? (Quotes supplied, evidence the service or expertise is not supported in Wellington Shire and/or limited availability).</li> </ul>	
<b>Contribution Assessment questions</b>	
Poor details provided about contribution capacity.	<b>1</b>
Limited details provided about contribution capacity.	<b>2</b>
Standard details provided about contribution capacity.	<b>3</b>
Above standard details provided about contribution capacity.	<b>4</b>
Very high details provided about contribution capacity. Detailed evidence provided, additional information provided eg financial report, documentation provided, etc	<b>5</b>

## Contact

For general grant enquiries or if you require assistance in completing the application form please contact:

Community Facilities Planning and Grants Officer  
 Phone: 1300 366 244  
 Email: [enquiries@wellington.vic.gov.au](mailto:enquiries@wellington.vic.gov.au)

# Quick Response Grant Scheme 2022/23

## Individual Sponsorship & Team/Community Group Guidelines



### Introduction and Aim

The Quick Response Grant scheme aims to fulfil community need by providing a quick turnaround for funding and provides an option for the community to access funding outside the Community Assistance Grant timeline. This scheme supports the delivery of outcomes that have positive impact on the wider Wellington community. Eligible projects submitted under this program will be assessed within two weeks.

We understand that there are circumstances where the community may need some financial assistance to complete a project, run an event or undertake some maintenance on their facility. This grant is provided to support minor initiatives that encourage partnerships, celebrate an occasion, and assist with maintenance of community assets. It is also available for individuals or groups requiring support to attend or participate in a recognised activity or event.

### Overview

Wellington based sporting teams and Community groups can apply for a Quick Response Grant up to \$1,500 under the Team/Community Group category. **The grants are open all year round.** Applications must be received 3 weeks prior to the commencement of your project or event.

Categories	Funding Available For	Funding Amount
Individual Sponsorship	<b>Participation costs</b> - Funding for costs associated with attending and participating in a recognised activity or event.	Up to \$500
Team/ Community group	<b>Participation costs</b> - Funding for costs associated with attending and participating in a recognised activity or event.	Up to \$1,500

## **Overview**

Council funding provides assistance to allow teams or community groups to participate in activities that would not be possible without financial support.

Funding can be used for costs associated with attending and participating in the activity including travel costs, entrance costs associated with participation and accommodation allowances.

Successful applications will be able to demonstrate a community benefit that will be achieved by sharing information and skills learnt through their experiences.

A team or community group will need to decide which is the best way to support those who are participating in the proposed event or activity. There are only two options available, and a team or group is not eligible for both;

1. Up to 3 individuals apply separately to attend or participate in an activity ([use the Individual Sponsorship application form](#)).
- or
2. The team or group apply for group funding and shares it amongst those participating ([use the team/group application form](#)).

## **Criteria**

1. Grants are available to not for profit community or sports group operating in the Wellington Shire.  
Schools are not eligible, although they could be partners in projects.
2. The activity or event must be officially recognised by a national/international governing body or peak body in the field.
3. Application forms must be completed and returned 3 weeks prior to the commencement date of your project. You will be notified in writing of the outcome of your grant 10 business days after the submission date. Once you receive confirmation it can take six working weeks to receive funding. Applications will be accepted a maximum of 3 months prior to the event or activity.
4. Applicants will be eligible for one Quick Response Grant over a 12-month period. Applicants who have previously been successful in receiving Council funding will need to have completed all acquittals and have previously complied with Council requirements
5. Applications must be on a current and correct form. Applications must be completed in full and have sufficient evidence to make a reasonable assessment of the application.
6. Applicants are required to list the financial contribution being made by themselves or others to participate in the event or activity.
7. A representative of the Team or Community group will be required to sign the application form and will be accountable for managing and acquitting the funds.
8. Successful applicants will be required to sign a Funding Agreement, which includes the conditions of grant funding. You may also be asked to comply with additional conditions.
9. Applicants must attach a copy of confirmation of participation in the event activity eg, letter of offer, letter from organisation holding the activity, membership details.
10. Acknowledgment must be given for the support provided by the Wellington Shire Council in any public relations opportunities undertaken by the funded individual.

- Applicants must be willing to brief Council on their activity if they are successful in receiving funding.
- 11.** The applicant must spend the grant funding as detailed in the application unless written approval of Council is obtained prior to any variation.
  - 12.** The applicant will be required to reimburse the Wellington Shire Council the full amount awarded if:
    - The applicant withdraws from the activity or is no longer able to participate.
    - The activity is cancelled.
    - Should it be found that any of the information in the application form was incorrect or misleading?
    - Non-compliance with the Funding Agreement.
  - 13.** You will be notified in writing of the outcome of your grant. You are welcome to contact the Grants officer for further feedback.
  - 14.** Participation in activities that may be perceived to portray a negative image eg, association with alcohol, gambling or smoking are not eligible. This will be determined on a case-by-case basis.
  - 15.** Applications deemed to be for commercial benefit will be considered ineligible. This will be determined on a case-by-case basis. This will include applications where the main beneficiary is a business/es.
  - 16.** Unsuccessful applications will be ineligible to apply for the same project in the future, unless otherwise advised.
  - 17.** The Wellington Shire reserves the right to refuse funding. Once the allocated funds are exhausted during a funding period, no additional funding will be available for sponsorship within that set period.
  - 18.** Funding must not be regarded as a recurrent commitment from council.
  - 19.** Council encourages the sharing of resources in the community as a way of creating partnerships. If Council is aware of an alternative option to you, they will recommend it as an alternative to funding.
  - 20.** 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 has referred to Council's Human Rights Policy to develop the QRG Guidelines and Assessment Criteria.

**Application Process / Assessment**

Your application will be assessed by two Wellington Shire Council coordinators.

Your application will be initially assessed against the criteria above, and then scored out of 30 for the following assessment criteria:

Assessment Criteria	Maximum Points
The applicant has made a reasonable contribution or is being resourceful in seeking financial support.	30
The applicant is applying for funding because it will assist them in attending the event or activity.	
The applicant has demonstrated disadvantage. There are current barriers to participate and/or attend the event or activity.	
The applicant has demonstrated that they will fulfil a community benefit through the sharing of skills and sharing of information learnt by attending the event or activity.	
The applicant is affiliated with an officially recognised national/international governing body or peak body in the field.	
Relevant support material has been included with the application.	

**Contact**

For general grant enquiries or if you require assistance in completing the application form, please contact:

Community Facilities Planning and Grants Officer  
 Phone: 1300 366 244  
 Email: [grants@wellington.vic.gov.au](mailto:grants@wellington.vic.gov.au)

## 14. FURTHER GALLERY AND ONLINE 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.*

ONLINE COMMENTS –

FURTHER GALLERY COMMENTS –

Meeting declared closed at:

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

## **15. IN CLOSED SESSION**

### **COUNCILLOR**

***That the meeting be closed to the public pursuant to Section 66(2) of the Local Government Act 2020 to consider matters under Section 66(5)(b) as defined by Section 3(1) being:***

- a) Council business information***
- b) Security information***
- c) Land use planning information***
- d) Law enforcement information***
- e) Legal privileged information***
- f) Personal information***
- g) Private commercial information***
- h) Confidential meeting information***
- i) Internal arbitration information***
- j) Councillor Conduct Panel confidential information***
- k) Information prescribed by the regulations to be confidential information***
- l) Information that was confidential information for the purposes of section 77 of the Local Government Act 1989***

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**IN CLOSED SESSION**

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### **COUNCILLOR**

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