



Minutes

Council Meeting

27 February 2019

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**Baw Baw Shire Council
Council Meeting
27 February 2019
Minutes**

Minutes of the Ordinary Meeting of the Baw Baw Shire Council held in the Trafalgar Council Chambers, commencing at 5:30pm on 27 February 2019.

Present

Cr J Gauci, Cr M Power, Cr K Cook, Cr D Wallace, Cr D Goss, Cr P Kostos, Cr T Jones and Cr J O'Donnell.

In Attendance

Mr M Dupe	Director Corporate and Community Services
Mr C Van der Velde	Director Community Assets
Ms Y Woods	Director Planning and Development
Mr M Hopley	Chief Information Officer
Mr M Kestigian	Manager Communications and Economic Development
Ms A Lisle	Manager Finance
Mr P Harris	Manager Governance
Ms K Baum	Governance Coordinator
Ms D Foenander	Executive Assistant to the Chief Executive Officer

1. OPENING AND RECOGNITION OF TRADITIONAL CUSTODIANS

Cr Power opened the meeting with recognition of the traditional custodians being;

I would like to begin by acknowledging the Traditional Owners of the land on which we are meeting, the Gunaikurnai People. I pay my respects to their Elders both past and present, and Elders of other communities who may be here today.

2. READING OF AFFIRMATION AND PRAYER

Cr Power read the Councillors affirmation, being, 'We now pause to reflect upon the solemn responsibilities conferred on us by the Parliament of Victoria through the *Local Government Act (1989)*.

We acknowledge that it is the responsibility of local government to ensure the peace, order and good governance of our Shire.

We are to be responsible and accountable to our community here in Baw Baw Shire through good governance and leadership.

Almighty God,

Give wisdom and understanding to the members of this Baw Baw Shire Council.

In all our deliberations help each of us to listen carefully, perceive the best course of action have courage to pursue it and grace to accomplish it.

Amen

3. APOLOGIES

Cr M Leaney
Ms Alison Leighton Chief Executive Officer

4. CIVIC CEREMONIES

Cr Power presented Council with a replica frame of the Australia Honours Systems that was gifted to Council by Australia Day Ambassador Paul Wheelton AM KSJ at the recent Baw Baw Australia Day Awards Ceremony.

5. CONFIRMATION OF PREVIOUS MEETING MINUTES

RECOMMENDATION
That the minutes of the Ordinary Council Meeting held on 13 February 2019 be confirmed.
COUNCIL MOTION
Moved: Cr J O'Donnell Seconded: Cr J Gauci
CARRIED

6. COUNCILLORS DECLARATIONS OF INTEREST/CONFLICT OF INTEREST

Cr O'Donnell declared a Conflict of Interest for Items 8.2 (part) & Item 13.3 and left the chamber at 6:10pm returning at 6:15pm for part of Item 8.2 and left the Chamber at 7:55 pm, returning at 7:57 pm for Item 13.3

7. MEETING CLOSED TO THE PUBLIC: RELEASE OF INFORMATION TO THE PUBLIC

7.1 RELEASING OF COUNCIL MOTIONS IN CLOSED TO THE PUBLIC SESSION

Council did not hold a confidential meeting and therefore there is no information to be released to the public.

Nil Reports

8. COMMUNITY PARTICIPATION TIME

8.1 QUESTIONS ON NOTICE

Nil

8.2 SUBMISSIONS

The following persons spoke on an item on the agenda.

Item 10.1

Sally Everett
Madalyn Harberts
Joey Whitehead
Dean Stone
Jessie Kamperman

Item 10.2

Paul Ford

Item 13.3

Kathryn Bordonaro

9. PETITIONS

9.1 PETITION - WARRAGUL LEISURE CENTRE CAR PARKING

SUMMARY

A petition has been submitted to Council requesting the provision of additional and more appropriately located disabled parking at the Warragul Leisure Centre.

RECOMMENDATION

That Council:

1. Receive and note the petition signed by 57 signatories;
2. Refer the matter for a report or appropriate action as required to a future meeting of Council no more than four council meetings ahead, unless the Council agrees to deal with it earlier; and
3. Provide a response directly to the lead petition writer detailing Council's action on this matter.

COUNCIL MOTION

Moved: Cr T Jones
Seconded: Cr P Kostos

CARRIED

9.2 PETITION - PLANNING APPLICATION PLA0216/18 - 220 STOCK ROAD, DROUIN WEST

SUMMARY

A petition has been submitted to Council opposing the application PLA0216/18 – 220 Stock Road, Drouin West.

RECOMMENDATION

That Council:

1. Receive and note the petition signed by 34,389 signatories; and
2. Provide a response directly to the lead petition writer, relaying Council's decision on this matter.

COUNCIL MOTION

Moved: Cr D Goss
Seconded: Cr J O'Donnell

CARRIED

10. VIBRANT COMMUNITIES

10.1 PLA0216/18 - USE AND DEVELOPMENT OF LAND FOR ANIMAL KEEPING - 220 STOCK ROAD DROUIN WEST.

Statutory Planning Coordinator

Directorate: Planning Development

Ward: West Ward

Appendix: 3 attachments

PURPOSE

For Council to consider Planning Application PLA0216/18 at 220 Stock Road, Drouin West.

RECOMMENDATION

Council issue a Notice of Decision to grant a Planning Permit for the Use and Development of Land for Animal Keeping (Dog Breeding) at 220 Stock Road, Drouin West subject to permit conditions.

COUNCIL MOTION

Moved: Cr P Kostos

Seconded: Cr D Wallace

CARRIED

Cr Goss called for a division

For: Crs K Cook, J Gauci, P Kostos, M Power and D Wallace

Against: Crs D Goss and J O'Donnell

Abstained: Cr T Jones

KEY POINTS/ISSUES

- The proposal is seeking approval for the use of the land for animal keeping (Dog breeding) comprising of ten (10) fertile females dogs and four (4) male dogs. The proposal also includes the construction of four sheds with pens required in order to house the dogs.
- The application was amended on 30 January 2019 at the request of the applicant to reduce the number of fertile female dogs to be kept on the land from forty (40) to ten (10). No other changes to the application were made.
- The proposed use is considered appropriate as it is an agricultural use which accords with the purpose and objectives of the Farming Zone. The Farming Zone provides for the agricultural use of land and retention of productive agricultural land.
- The proposed use is unlikely to cause any unreasonable off-site amenity issues to the properties within close proximity to the site. The siting of the proposed sheds and conditions requiring the sheds to be constructed in

accordance with the recommendations of the acoustic report will ensure noise emissions from the use are minimised.

- The Domestic Animals Act and the Code of Practice for the Operation of Breeding and Rearing Business 2014 (the Code) (updated June 2018) deals with issues in relation to animal welfare and the regulation of the breeding and sale of domestic animals. Conditions of the planning permit seek to ensure that the use of the land and the construction of the sheds accords with the Code of Practice.
- Fifty-eight (58) objections have been received. Therefore, the matter is required to be reported to Council as five or more objections have been received.

TRIPLE BOTTOM LINE IMPLICATIONS

Community impact

At the time of preparing the report, 58 objections were received from members of the community. Their grounds of objection relate to:

- The physical, health and mental damage to dogs caused by inadequate care and living environments.
- The concern that dogs would be abandoned or euthanised after they have finished breeding.
- The negative social, economic and tourism impact to the Shire if a permit is granted.
- Increase in animal disease.
- The ethical, moral and social concerns of commercial animal breeding.
- The genetic health problems caused by cross breeding animals.
- Increase in animal dumping and wild/feral canines.
- The industrial scale of breeding and potential number of puppies produced.
- There are too many dogs already needing homes (over-population of dogs).
- Only a money-making, profit driven venture.
- Proposal does not meet animal welfare standards / Victorian legislation.
- Council's should be shutting down such facilities, not approving more.
- The existing Pound facility is already a cost burden to Council.
- People are naïve who buy these puppies (not properly equipped to care for them).
- There is an increase in breeding for animal fighting.
- The site won't be inspected if it is approved.

- The physical conditions of the sheds (concrete, air flow, light).
- It is against the recommendations of peak welfare groups.

Environmental impact

The proposal is not considered to any significant environmental impacts. Issues of noise, waste and odour can all be managed through the implementation of permit conditions.

Financial impact

- The proposal is not considered to have any financial impact on Council unless the applicant or objectors were to seek a review of Council's decision at VCAT.
- Approval of the proposal will require Council officers to undertake regular inspections of the premises in accordance the Code of Practice. Council should inspect all premises registered with a Domestic Animal Business regardless of whether a planning permit is required or not.

CONSULTATION

Notice of the application was given to adjoining landowners and occupiers of the subject site in accordance with the requirements of the *Planning and Environment Act 1987*.

LEGAL/COUNCIL PLAN/POLICY IMPACT

This planning permit application assists with achieving the key strategic objective as set out in the Council Plan 2017-2021:

Strategic Objective 1: *Vibrant Communities*

1.2 *Managing Baw Baw's growth and development.*

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This report will be considered under the *Charter of Human Rights and Responsibilities*. Amendments will be recommended to ensure compatibility if required.

LEGAL

The planning permit application was assessed in accordance with the *Planning and Environment Act 1987*.

POLICY IMPACTS

Nil

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

10.2 COMMUNITY HUB STRATEGY

*Project Manager West Gippsland Arts
Centre*

Directorate: Community Assets

Ward: All

Appendix: 12 attachments

PURPOSE

The purpose of this report is to present to Council the draft Community Hubs Strategy, which consists of the draft Aspirational Community Hubs Strategy 2019 and the Draft Community Hubs Action Plan 2019 - 2024. This document has been developed following a comprehensive Community Hub community engagement process and is ready for public exhibition to seek feedback.

RECOMMENDATION

That Council:

1. Place the draft Community Hubs Strategy, which consists of the Draft Aspirational Community Hubs Strategy 2019 and the Draft Community Hubs Action Plan 2019 - 2024 on public exhibition for a 4-week period.
2. Undertake two Co-Design workshops to further develop the draft recommendation for a new integrated community hub in Drouin.

COUNCIL MOTION

Moved: Cr T Jones

Seconded: Cr J O'Donnell

CARRIED

KEY ISSUES

- Council identified the need to explore the idea of 'Community Hubs' through the Baw Baw 2050 Vision and during the development of the 2017 – 2021 Council Plan.
- The Council Plan indicates that Council would commence the implementation of a Community Hub Strategy in the 2018/19 financial year.
- Due to the various definitions and ideas around what constitutes a 'community hub', it was decided that a Community Hubs strategy should be co-created and developed with community members and service providers to produce a place-based document that reflects the diverse needs across Baw Baw Shire.
- Capire Consulting Group have been engaged to assist Council with the work associated with this project.

- A draft Community Hubs Strategy has been created which consists of a draft Aspirational Community Hubs Strategy 2019 as well as a draft Community Hubs Action Plan 2019 – 2024. The draft aspirational part outlines the recommendations for each region across the municipality based on community feedback whilst the draft action plan outlines how Council will progress the priority recommendations over the next five (5) years.
- Consultation with the community has shaped the draft strategy. Ten (10) popups were conducted in mid 2018, along with a service provider workshop and an online engagement hub. Advertising of these opportunities to ‘have a say’ occurred on a variety of platforms including social media. Over 44,000 potential engagements were made via the Shire’s social media accounts.
- The draft strategy splits the municipality into eight regions. These regions have been defined based on proximity to service centres. This intends to ensure recommendations are relevant to the various regions around the municipality. It will also ensure that a community member can easily find the section of the strategy that relates to their immediate geographical area should they not wish to read the whole document.
- The five year action plan proposes a select number of actions from each geographic area be addressed. These actions have been prioritised based on community feedback from the engagement sessions, current and projected future community needs, other existing related council plans/initiatives and the readiness of each action to be delivered. This prioritisation has considered the recommendations based on the context of each region. The actions suggested for the next five years are:
 - Neerim South, Noojee and Surrounds
 - . Work with community to produce a widely supported proposal for additional community space that may be required in Neerim South
 - . Improve access and connectivity between existing spaces and places in Noojee
 - . Consider improving multi-use functionality in Noojee
 - Erica, Rawson, Walhalla and Surrounds
 - . Consider improvement to mobile community services
 - Hill End and Willow Grove
 - . Support the activation of existing spaces, particularly the Old School in Hill End
 - . Explore multi-use functionality of the Old School including the consideration of mobile services
 - Longwarry
 - . Consider recommendations made in the Longwarry UDF for Bennet Street Reserve

- Drouin and Warragul
 - . Work with community on the desired size and service mix of a new integrated community hub facility in Drouin
 - . Create an integrated master plan for the civic precinct in Warragul
- Yarragon and Surrounds
 - . Consider opportunities to support community-led activation of the old Yarragon Primary School site.
- Trafalgar and Surrounds
 - . Improve access and connectivity between existing spaces and places in Trafalgar
- Towns of the Strzelecki Ranges
 - . Consider improving the multi-use functionality of existing spaces and places to provide for mobile programs and services.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

- The estimated total cost to Council of the proposed actions in the draft aspirational strategy is in the order of \$44 million.
- The estimated total cost to Council of the proposed actions in the five-year implementation plan is \$12.17 million.
- The actions that require significant additional funding relate to Region 4 – Longwarry and Region 5 - Drouin and Warragul areas. High level costings indicate that an additional \$7.17 million of external funding will be required to deliver the proposed actions in these two regions. The estimated costs for each of the major projects will need to be reviewed and approved by Council, following further definition and refinement of each project's scope.
- Council will need to borrow an estimated \$1.84 million in order to achieve the required funding allocation for Region 5 Drouin and Warragul areas.
- The source of external funding is suggested in the draft action plan and relies on suitable grant opportunities arising from the state or federal government. It is expected that the strategy will assist Council in its advocacy for external funding to improve community hubs across the Shire.
- Council is currently undertaking a review of its Long Term Infrastructure Plan and budget. The Long Term Infrastructure Plan should be revised to include progression of the actions in the five year implementation plan.

Environmental Impact

There are no environmental implications from this strategy.

Community Impact

Community members will have an opportunity to provide feedback on the proposed actions suggested by the draft strategy. The proposed actions generally fall within these four categories:

- Improving multi-use functionality of existing spaces
- Activation of existing spaces to respond to community needs and aspirations
- Provision of new built form spaces
- Improving access and connection to and between existing spaces and places

CONSULTATION

- Two Co-Design workshops are recommended to occur to refine the actions related to a new integrated community hub at Drouin. It is suggested that these workshops occur to maximise community and stakeholder input.
- Until these workshops are undertaken and results incorporated into the strategy, it is recommended that the draft be placed on public exhibition to test the suitability of each of the draft recommendations. This will assist the timeframes associated with having a Community Hubs Strategy endorsed by Council.
- The Co-Design workshops will ensure that the community is aware of the funding constraints associated with both a new integrated community hub at Drouin. However, for Baw Baw Shire to be well positioned for external funding opportunities and to better understand the community's needs, further detail and community input is required and recommended.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

The Community Hub Strategy will assist to achieve the key strategic objective of “*Vibrant Communities*” in the 2017-2021 Council Plan. One of the key priorities identified as part of this objective is to “Develop a coordinated approach to community hubs and precincts in the municipality”.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This Draft Community Hub Strategy has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

Some challenges may arise from initiatives relating to multi use facilities given the potential for conflicting requirements and needs of user groups and organisations. This would need careful consideration and the development of agreements to ensure that opportunities for utilisation by each party is clearly understood.

POLICY IMPACTS

This strategic document may impact on the following initiatives:

- The Long Term Infrastructure Plan
- PSP / DCP Plans
- Community Plans

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

10.3 BAW BAW SHIRE ADVOCACY PLAN

Grants and Advocacy Officer

Directorate: Chief Executive Officer

Ward:

Appendix: 1 attachment

PURPOSE

To provide an Advocacy Plan highlighting priority projects Council will be seeking investment in.

RECOMMENDATION

That Council endorse the Advocacy Plan and the projects within in as Council's key advocacy priorities.

COUNCIL MOTION

Moved: Cr D Goss
Seconded: Cr D Wallace

CARRIED

KEY ISSUES

- Council's most recent advocacy campaign, Working Together, was launched in 2015.
- Baw Baw Shire is experiencing a period of rapid growth, with pressure placed on existing infrastructure and services a need to provide for our expanding population.
- In order to deliver many of these projects, Council will require Government investment.
- Council Officers have been working with Councillors to identify, discuss and prioritise possible advocacy projects for the updated campaign.
- The projects identified for inclusion in Council's updated Advocacy Plan were:
 - Warragul Drouin traffic management
 - Community Hubs
 - Sporting precincts
 - Female Friendly Sporting Facilities
 - Early Learning Centres
 - Cycling precinct at Logan Park
 - Corporate/Government office relocation
 - Growing Jobs in the Latrobe Valley - Mt Baw Baw Walhalla
 - Longwarry rezoning
 - Indoor stadium

- GRRG roads
 - Rail duplication
 - Police station
 - Mobile and Wi-Fi coverage
 - Primary and secondary schools
 - Higher Education Facilities
 - West Gippsland Hospital
- A draft advocacy document has been prepared highlighting each of these projects.
 - The format of the document for each project is to outline background information, the need for the project, what is needed, and the financial investment required.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

- It is likely that external funding contributions will be required to enable the delivery of advocacy projects.
- If funding for advocacy projects is not received, Council will be required to invest additional funds into projects to enable delivery.
- There will be printing, and design costs involved in producing advocacy documents.

Environmental Impact

Any infrastructure projects will be designed in line with Environmentally Sustainable Design principles.

Community Impact

- Council's advocacy campaign will draw on community support to add support and momentum.
- Projects in the advocacy campaign have a strong community focus. Education and health are areas currently lacking within the shire and are the focus of community led campaigns. Additionally, road and transport projects figure prominently.

CONSULTATION

- Significant community consultation is involved through the planning and delivery of the advocacy campaign.
- For larger projects, Project Reference Groups (PRGs) may be established to gauge the community feedback and to provide information.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This Advocacy campaign assists with the achievement of the key strategic objective as set out in the Council Plan 2017-2021:

Strategic Objective 1: *Vibrant Communities*

Strategy: Quality community focused services, facilities and infrastructure to support a growing community;

Strategy: Managing Baw Baw's growth and development.

Strategy: Thriving town centers, rural and remote communities

Strategic Objective 2: *Thriving Economy*

Strategy: Supporting innovative, thriving and sustainable local business and industry providing local employment.

Strategic Objective 3: *Safe and Sustainable Environments*

Strategy: Efficient roads, transport and parking.

Strategy: Community safety and protection

Strategic Objective 4: *Organisational Excellence*

Strategy: Positive leadership, advocacy and decision making around shared goals

Strategy: Providing community benefit by effectively managing council's resources and finances

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This report will be considered under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

No legal impacts have been identified.

POLICY IMPACTS

Council's advocacy document will be a key driver of priority projects.

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

10.4 PUBLIC ART POLICY

Manager Arts Centre

Directorate: *Planning Development*

Ward: *All*

Appendix: *4 attachments*

PURPOSE

For Councillors to consider the draft Baw Baw Shire Public Art Policy (2019).

RECOMMENDATION

That Council receives the draft of the new Public Art Policy (2019) and puts it forward for public consideration and consultation.

COUNCIL MOTION

Moved: Cr J O'Donnell

Seconded: Cr D Goss

CARRIED

Cr Jones called for a division

For: Crs M Power, D Goss, K Cook, J Gauci, T Jones, P Kostos, J O'Donnell and D Wallace

Against: Nil

KEY ISSUES

- Council's Public Art Policy was adopted in 2007 and it is due for review.
- Council flagged the development of a new Public Art Policy and Public Art Acquisition Strategy in the Council Plan 2017 – 2021.
- A draft of a new policy is offered for consideration.
- The Public Art Acquisition Strategy can proceed after adoption of the Public Art Policy. However, a draft strategy is provided in the appendices, so that Council can have a sense of the potential outcomes which will be underpinned by this Policy.
- The Policy has been drafted to align with the Council Plan (2017 – 2021) and Council's Arts and Culture Advisory Committee has had detailed input into its development.
- The draft Policy addresses a number of issues that are not clearly or sufficiently articulated in the 2007 Policy:
 - Public Art is a 'whole of shire' initiative and should equally consider all communities.
 - In the 2007 Policy, the expression of the means of calculating the funding allocation ('1% for Public Art') is not clear. (1% of Council projects costing more than \$1 million OR 1% of Council's Capital Works budget?)

- The significance, scale and relative value of a \$1 million project is no longer what it was in 2007.
- Public Art activity should not be isolated to installations in or around major Capital Works projects, most of which are located in the main towns rather than Shire wide.
- The draft Policy has been founded on four principles:
 - Public Art projects that are instigated by a community are more likely to have a high level of sustained engagement and produce greater community benefit.
 - Public Art should be delivered across Baw Baw Shire, including the smaller towns and rural communities, and not just in the main centres.
 - Public Art requires maintenance and on-going management.
 - Public Art has the greatest positive impact when it is integrated into major infrastructure projects at their conception and design, not merely viewed as a decorative “add-on”.
- The draft Policy proposes a sustainable and managed funding basis for Public Art, which responds to Council’s forward Capital Works budget and which is scaled in relation to Council’s financial position in any period.
- The draft Policy enables a strategic and planned approach to creation, provision and acquisition of Public Art that engages the community and is subject to Council oversight and accountable to the annual budget process.
- The draft Policy will provide for a strategic process to ensure Council’s Public Arts is conserved and maintained.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

- The financial impact of the Policy on the Capital budget would be managed as part of the annual Capital Works budget process.
- Adoption of the policy would have no new Operational budget implications.

Environmental Impact

There is no environmental impact.

Community Impact

- The Public Art Policy enables Council to be proactive and strategic in considering opportunities for Public Art and to be responsive to communities across the Shire.

- The Policy provides for community engagement in Public Art and allows for projects to have a greater community benefit based on a considered approach which reflects the community's aspirations.
- The Public Art Policy will enable Council to provide the following benefits to the community:
 - Community health, wellbeing and cohesion - creates a sense of ownership and belonging to place.
 - Placemaking/Storytelling - develops a sense of regional character and uniqueness.
 - Iconic places and artworks – inspire economic development, cultural tourism and development of arts business/creative industry.
 - Enhancement of open spaces and public gathering spaces – encourages social interaction.
 - Support for local artists – provides opportunities for development of arts-based businesses.
 - Stimulation, inspiration, conversation, celebration – art encourages an inclusive community and creates discussion while it addresses issues.

CONSULTATION

- Consultation has been through officers meeting with and reporting back to the Arts and Cultural Advisory Committee.
- Council's Arts and Cultural Advisory Committee members represent a wide range of community stakeholders and as well as offering their specific skills and knowledge, they have been integral to broadening the consultation, and to bringing the views of their constituent groups to bear in the development of this strategy.
- Councillors in their role as Chair and Deputy Chair of the Arts and Cultural Advisory Committee have been able to see the consultation process and the resulting development of this strategy.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

The Public Arts Policy (2019) assists with the achievement of the key strategic objective as set out in the Council Plan 2017-2021:

- Strategic Objective: *Vibrant Communities*
 - Build a vibrant community of arts culture and events

Strategies:

- . *Implementation of the Arts Culture and Events Strategy 2017-2021.*
- . *Review the Public Art Policy.*

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

The Public Art Policy will be considered under the *Charter of Human Rights and Responsibilities*. Amendments will be recommended to ensure compatibility if required.

LEGAL

There are no legal issues to be considered here.

POLICY IMPACTS

This policy should be considered in conjunction with Council's Arts and Culture Policy (2016) and the Arts Culture and Events Strategy 2017 – 2021.

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

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**10.5 PETITION RESPONSE - FRIENDS OF THE OLD DROUIN BUTTER
FACTORY**

Manager Governance

Directorate: Corporate and Community
Services

Ward: West

Appendix:

PURPOSE

To provide a response to the petition tabled at the 14 November Council Meeting in relation to the purchase of the Old Drouin Butter Factory.

RECOMMENDATION

That Council;

1. Does not commit any funds toward the purchase of the Old Drouin Butter Factory; and
2. Writes to the head petitioner informing them of this decision.

COUNCIL MOTION

Moved: Cr T Jones

Seconded: Cr J O'Donnell

CARRIED

KEY ISSUES

- Council has received a petition with 1,168 signatories requesting financial assistance from Council to purchase the Old Drouin Butter Factory (ODBF).
- The petition states; *“This building is the most significant historical building in Drouin. A Community Committee, known as the ‘Old Drouin Butter Factory Incorporated (ODBF Inc.), has been formed to endeavour to achieve the procurement of this building, on behalf of our community, so that it may remain and further develop as a key contributor among the Drouin community’s assets. It is an asset to be used as a community centre, public meeting place, a development centre and much more, by diverse groups of people within the Drouin and neighbouring communities. Drouin does not possess any reasonably-sized, public meeting place within the township, whilst twenty-four such facilities exist throughout the municipality. In fact, only the recently refurbished space(s) within the library complex could be considered “public” spaces. We request your favourable consideration of this petition and your financial support for the procurement of the significant historical community asset both for that significance and for its great potential for development.”*
- The ODBF is considered an iconic site centrally located in Drouin. It forms a direct link to the dairying history of the area. In recent times the current owner has allowed community groups to use the facility for arts and culture related activities. It has been utilised for drama productions, music events, poetry nights and the like. During the Drouin Lights Up festival an indoor market was held in the venue.

- Community Hubs form part of the current Council Plan 2017-2021. Officers are continuing to develop a community hub strategy which will be presented to Council for adoption. Community consultation has been undertaken with Drouin highlighted as a town of focus.
- Members of the ODBF Inc presented their vision and requests for Council support at a community briefing on 12 September, 2018. This centred around funding toward the purchase of the site and officer administrative support to assist with the campaign.
- Following the community briefing to Councillors, a letter of support was provided to the ODBF Inc. Without a Council Resolution, funds nor officer time can be committed to a project such as this. This petition follows the presentation and letter of support and seeks Council's assistance in securing the site for community benefit.
- Council has undertaken some due diligence in relation to the purchase of the site. This includes commissioning two independent certified valuations and CEO Alison Leighton meeting with the owners of the site.
- The valuers report that the building is in very poor condition. The ODBF Inc received a condition assessment which is reported to indicate approximately \$500,000 is required to repair and make the building compliant. If Council were to purchase the building it would need to achieve 9B compliance as a public building. No assessment of ground contamination or ground radar surveys have been undertaken.
- At the time of this report, the site remains for public sale by negotiation and is being handled by a Drouin Real Estate Agent. The last conversation with the agent indicates there is some interest in the property. The asking price is by negotiation and is currently not publicly listed.
- From discussions with the agents handling the sale and the valuations received, it is officers view that the site would be a high risk investment for Council. On top of the current asking price, there are significant unknowns in relation to the post sale costs in order to make this a functional community facility.
- In the past, Council has provided support for Community Groups. Two examples are a Loan Guarantee (Warragul Bowling Club) and purchase of the former Crossover School Site. The option of being loan guarantor or providing an allocation of funds toward the purchase remain open for Council consideration. However, the level of potential financial exposure is relatively high.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

- Council has committed funds from its 2018/19 operating budget in undertaking the due diligence.

- There is no funding provision in the 2018/19 budget for an outright purchase or lump sum contribution toward the ODBF Inc.
- Council could consider a funding contribution through its mid-year budget review process or in the 2019/20 budget.
- The rate capped environment makes it very difficult for Council to commit funds toward projects that are outside of Council's core role.

Environmental Impact

If Council were to commit funds to purchase the site it would be prudent to undertake a full environmental assessment.

Community Impact

- The representatives of the ODBF Inc believe that this is an iconic site within Drouin. They further state that there are no suitably sized community meeting places within Drouin.
- The volume of signatures (1,168) may be interpreted as broad support for the retention of the site within public hands or for a commitment of public funds toward the purchase.

CONSULTATION

To date, the ODBF Inc representatives have met with Councillors and Council Staff have liaised with members of the ODBF Inc. Officers have undertaken due diligence as described in this report and the CEO has met with the site owners.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This report assists with the achievement of the key strategic objective as set out in the Council Plan 2017-2021:

Vibrant Communities

Quality community focused services, facilities and infrastructure to support a growing community and Thriving town centers, rural and remote communities.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This report has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

There are no legal implications with this report.

POLICY IMPACTS

Council's property policy would apply to any decision to purchase and subsequent future management of the site.

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

**10.6 TENDER RECOMMENDATION 21901CT INSTALLATION OF
TRAFFIC SIGNALS INTERSECTION OF QUEEN STREET AND
NAPIER STREET WARRAGUL**

Road Network Engineer, Coordinator
Project Delivery

Directorate: Community Assets, Community
Assets

Ward: Central Ward

Appendix: 2 attachments

PURPOSE

To present a report for Council to award a contract for Tender 21901CT for the installation of traffic signals at the intersection of Queen Street and Napier Street.

RECOMMENDATION

That Council:

1. Accept the conforming tender submitted by Mad Cat Constructions Vic Pty Ltd (ABN 63 112 970 359) for Tender No. 21901CT for the sum of \$374,810.00 (excluding GST).
2. Delegate authority to the CEO to sign the contract documents and execute the award of the contract.

COUNCIL MOTION

Moved: Cr D Goss

Seconded: Cr J Gauci

CARRIED

KEY ISSUES

- Tender 21901CT is for the installation of new traffic signals and associated civil works at the intersection of Queen Street and Napier Street in Warragul.
- Tenders were advertised on Tenderlink and closed Wednesday 23rd January 2019. One tender was received.
- The tender submission has been assessed in accordance with the evaluation criteria stated in the tender document (refer to attachment 'Tender Recommendation Report' for details).
- Mad Cat Constructions (Vic) Pty Ltd is considered to have the necessary experience and will provide value for money for the delivery of this project.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

The budget allocation for this project is \$400,000.

DESCRIPTION	LEDGER No.
Building Our Regions – Small Scale Initiatives Program (VicRoads)	\$100,000
Council Funds	\$300,000
2018/19 Project Budget	\$400,000
Commitments/Expenditure to date – electrical works associated with public lighting delivered by Ausnet Services	\$27,504
Preferred Tender submitted by Mad Cat Construction Pty Ltd (including \$40,000.00 contingency sum)	\$374,810
Total Project Cost	\$402,314
Funds Shortfall	-\$2,314

The project finances above show a shortfall of \$2,314. It is anticipated that the provisional sum would not be fully expended, and the minor shortfall can be covered within the overall Capital Works Program. Alternatively, a small amount could be reallocated from potential savings elsewhere within the Capital Works Program.

Environmental Impact

Contract specifications require the development and implementation of an Environmental Management Plan for the works. This plan includes operational controls and procedures to manage all identified impacts and environmental protection actions to be undertaken.

Community Impact

- Feedback received as part of the wider streetscape consultation revealed that the community is generally accepting that this is a necessary project for the Warragul CBD;
- There is a recorded crash history at this intersection. The installation of traffic signals will provide more acceptable access into and out of the CBD precinct by improving the overall safety of this intersection.
- Pedestrians movements will be improved in the area due to the installation of a designated crossing point as part of the signal project.

CONSULTATION

- Council formed a Project Reference Group (PRG) in November 2015 to assist the development and delivery of the Warragul CBD Streetscape

Project. The PRG comprises representatives of various community groups, key stakeholders, emergency services along with VicRoads.

- Traders have been informed of Councils intention to signalize this intersection through a letter drop earlier this financial year. At this time council officers received a number of general questions from traders, with the majority generally positive about the project.
- Council officers met with Aldi representatives who had raised concerns relating to the proposed design, specifically the required reduction in length of the turning lane into their carpark. Council sought advice from a traffic engineering consultancy about the concern, with the feedback being the proposed layout met the required standards. Aldi are generally supportive of the traffic signals but are not in favour of changes to the turning lane into their carpark.
- Council officers have undertaken consultation with VicRoads through the development of this project. VicRoads is supportive of this project.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This project assists with the achievement of the key strategic objective as set out in the Council Plan 2017-2021:

Strategic Objective 1: *Vibrant Communities*

1.1.1 *Develop a coordinated approach to community hubs and precincts in the municipality.*

1.4.2 *Warragul and Drouin CBD improvement works.*

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This project has been reviewed under the Charter of Human Rights and Responsibilities and is considered compatible.

LEGAL

Legal risks associated with this project are being considered as a part of project development and delivery.

POLICY IMPACTS

The award of this tender will help achieve the outcomes specified in these Council documents:

- Warragul Town Centre Urban Design Framework (May 2010),
- Station Precinct Master Plan (April 2010),
- Town Centre Master Plan (May 2011)

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

11. THRIVING ECONOMY

11.1 REVIEW OF COMMUNITY FUNDING ASSISTANCE PROGRAM

Strategic Planner, Social Planner

Directorate: Planning Development,

Planning Development

Ward: All

Appendix: 4 attachments

PURPOSE

1. To report on the review of the Community Funding Assistance Program.
2. Seek support for the review undertaken to date.
3. Inform Council of proposed changes to the Community Development Grants funding stream.

RECOMMENDATION

That Council

- 1) Endorse a two-stage approach for the Community Funding Assistance Program review.
- 2) Support the recommendation of stage 1 as follows:
 - Retain the policy component of the Community Funding Assistance Program (adopted 11 May 2016) and publish it as a stand-alone document;
 - Support the relocation of Youth, Community Events and Programs from Community Development Grants funding stream to the Sponsorship funding stream.
 - Increase the maximum funds for Environmental Projects to \$5,000.
 - Review and support the Community Development Grants Officer Guidelines (internal document).
 - Make no changes to the funding streams for Rural Tree Grants, Worm Farm and Compost Bin Reimbursements, Town and Rural Community Group Administration Allocations, Australia Day Event Funding and Recreation and Public Hall Maintenance Allocations.
- 3) Consider the second stage of the review at the 10 April 2019 Council Meeting, which includes:
 - The review of Sponsorship and Education Scholarships funding streams, and
 - The review of the budget allocations and delegation of Community Development Grants and Sponsorship.

COUNCIL MOTION

Moved: Cr J Gauci
Seconded: Cr P Kostos

CARRIED

KEY ISSUES

On 25 October 2017 Council resolved: *That Council undertakes a review of Community Assistance Funding Program including Community Development Grants and Sponsorship.*

The Community Funding Assistance Program (CFAP) was adopted by Council on 11 May 2016. The document includes a policy, followed by operational details for eight separate funding streams:

- Community Development Grants.
- Sponsorship.
- Rural Tree Grants.
- Worm Farm and Compost Bin Reimbursements.
- Town and Rural Community Group Administration Allocations.
- Education Scholarship.
- Australia Day Event Funding.
- Recreation and Public Hall Maintenance Allocations.

A summary of the current CFAP funding streams is Attachment 1.

The feedback from a Councillor workshop in November 2018 and a briefing on 6 February 2019 is summarised in Attachment 2. It identified three CFAP funding streams for review:

- Community Development Grants;
- Sponsorship; and
- Education Scholarships.

On 1 October 2018 Council resolved: *That Council launches the 2019/20 Community Development Grants Program on 11 March 2019.* To meet Council's launch date for Community Development Grants, and to adequately review the funding streams, it is necessary that the review of CFAP is handled in two stages. Stage 1 will comprise of a review of Community Development Grants and Stage 2 will review Sponsorship and Education Scholarships, budget allocations and delegation.

The proposed changes to CFAP are:

- Separate the policy and guidelines into two documents. This will allow the policy to remain unaffected by improvements to any of the

guidelines in response to community or budgetary needs (Attachment 3).

- Community Development Grants:
 - Transfer the category for *Youth, Community Events & Programs* into the Sponsorship stream so that the community has multiple opportunities to apply for funds, and the time needed for a decision is shorter which is more appropriate for event and program funding.
 - Reduce the number of required quotes and where possible, applicants provide at least one quote from a business in Baw Baw.
 - Clarify the eligibility criteria with particular reference to applications on Crown land.
 - Do not provide funds for catering expenses.
 - Continue to recommend project funding by order of the assessment score (highest to lowest).
 - Increase the available funds for Environmental Projects to \$5,000.
 - Review the current documents for readability and accessible language.

The revised Community Development Grant Officer Guidelines (internal document) are presented in Attachment 4.

- Make no changes to the funding streams for Rural Tree Grants, Worm Farm & Compost Bin Reimbursements, Town & Rural Community Group Administration Allocations, Australia Day Event Funding and Recreation & Public Hall Maintenance Allocations.
- Explore options in Stage 2 including review of eligibility criteria, acquittals, delegations and budget allocations for CDG and Sponsorship.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

- Nil. This review will not impact on the budget process for allocating funding to the individual streams.
- The SmartyGrants licence used for current grant administration costs \$12,500 for up to \$500,000. If the total value of grants is \$500,000-\$5,000,000 the licence cost will increase to \$20,000.
- A combined budget of \$300,000 has been allocated for the delivery of the CDG and Sponsorship funding streams. Fund distribution between

the two streams has not been specified; expenditure variations in one stream affects the other.

Environmental Impact

Nil

Community Impact

The CFAP is an important program for community to be aware of. Information on eligibility, how to apply and important dates are believed to be the most critical information.

CONSULTATION

- Internal consultation has occurred with officers to understand the process of administering CFAP, and to assess the impact of recommended changes.
- A Councillor workshop was held on 21 November 2018.
- Community consultation on the scope or content of the CFAP review is not recommended.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This CFAP assists with the achievement of the following key strategic objectives as set out in the Council Plan 2017-2021:

“Vibrant Communities”

- Support the community to enhance their health and wellbeing.
- Plan, manage and enhance opportunities for sport, recreation and leisure by developing new plans for growth and infrastructure and delivery of Master Plans.
- Enhancing how Council works with the community to improve social inclusion, access and equity.
- Facilitate the small towns and rural communities’ community planning program.

“Safe and sustainable environments”

- Work with the community and stakeholders to manage the Shire’s environment and biodiversity values.
- Help the community and council to be better placed to adapt to and build resilience to climate change and other extreme events.

“Organisational excellence”

- Improve Council’s customer service and experience of using council’s services.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This CFAP has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

Nil.

POLICY IMPACTS

Nil.

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

12. SAFE AND SUSTAINABLE ENVIRONMENTS

12.1 BAW BAW SHIRE NATIVE VEGETATION OFFSET SCHEME - UPDATE, PRICING REVIEW AND ESTABLISHMENT OF A NEW OFFSET SITE

Environment Sustainability Coordinator

Directorate: Planning Development

Ward: All

Appendix: 3 attachments

PURPOSE

To update Council on the operation of Council's Native Vegetation Offset Scheme, including review of the Scheme's current financial status and trade price, and establishment of a new offset site.

RECOMMENDATION

That Council approve for the:

1. revision of the Scheme's vegetation credit trade price to:
 - a. \$130,000/GHU (large trees absent),
 - b. \$140,000/GHU (large trees present), and
 - c. \$150,000/SHU (large trees absent or present)
2. inclusion of Nangara Reserve as a new site in the Offset Scheme to enable its continued operation beyond 2018/19.

COUNCIL MOTION

Moved: Cr P Kostos

Seconded: Cr D Wallace

CARRIED

KEY ISSUES

- Under the Victorian Planning Provisions (Clause 52.17), a planning permit is required to remove, lop or prune native vegetation, unless exempt.
- Permit holders with approval to remove native vegetation are required to source a native vegetation offset which they can obtain from a third-party provider such as Council's Native Vegetation Offset Scheme (NVOS).
- Due to a lack of third-party offset providers in the Baw Baw region, Council approved for the establishment of a Native Vegetation Offset Scheme (NVOS) in 2011 under the State Government's former BushBroker Program (now Native Vegetation Offset Register).
- To facilitate the operation of NVOS, Council established two native vegetation offset sites located at Lardner and Trafalgar Transfer Stations.

- By securing and maintaining the condition of native vegetation at Lardner and Trafalgar offset sites, NVOS generates vegetation credits to sell to permit holders in the offset market place. These sites are subject to a Department of Environment, Land, Water and Planning (DELWP) on-title Landowner Agreement (Section 69 under the *Conservation, Forests and Lands Act 1987*) and a 10-year Management Plan.
- Council's vegetation credits are registered on the State Government's Native Vegetation Credit Register (NVCR). This Register administers all native vegetation credit trades in Victoria.
- Council's Landowner Agreements for Lardner and Trafalgar offset sites require annual reporting to DELWP to demonstrate that we are implementing management actions contained in 10-year Management Plans for each site
- Since the inception of NVOS in 2011, the Scheme has generated a total income of \$345 k, with initial establishment costs of \$34 k (S 69 on-title agreement, 10-year management plans). The total cost of management and maintenance activities at the two sites to date is \$56 k, with annual costs now reduced to approximately \$3 k.
- Council's NVOS receives 100 % of income from vegetation credit trades with permit holders whilst other private landowners with third party offset sites receive approximately 65% of trade amounts upfront, with the remaining amount held in a DELWP trust account and paid back in increments over the life of 10-year management plans.
- Income generated through NVOS is placed within a dedicated statutory reserve and its operation and governance is regulated through Council's NVOS policy, including responsibilities, probity and criteria for expenditure of funds deemed surplus to the Scheme (see attachment).
- In 2017, Council approved for \$30 k of surplus NVOS funds to be re-invested in vegetation restoration works within the Amberley Bushland Reserve in Drouin. A list of other potential environmental projects within Council reserves in which to re-invest funds deemed surplus to the Scheme is being prepared by the Community Assets – Open Space Maintenance (Natural Reserves team).
- As of the 30 June 2018, NVOS contained \$249 k within its statutory reserve.
- In the 2018/19 year to date, NVOS has traded \$30 k of vegetation credits.
- In December 2017, DELWP revised the 2013 native vegetation removal provisions (*Permitted clearing of native vegetation: biodiversity assessment guidelines 2013*) and replaced them with the *Guidelines for the removal, destruction or lopping of native vegetation 2017*. This revision resulted in the modification of metrics used to prepare and assess permit applications involving vegetation removal as well as vegetation credits held by third-party offset providers.

- Council's vegetation credit trade price under the former 2013 removal provisions was \$240,000/Biodiversity Equivalence Unit (BEU).
- In August 2018, Council received its revised vegetation offset credit statement from DELWP for its Lardner and Trafalgar offset sites under the new 2017 provisions which included the identification of the following new vegetation metrics:
 - General Habitat Units – GHU,
 - Species Habitat Units – SHU,
 - Large Trees.
- A review of third-party offset trades under the new 2017 vegetation metrics within the Port Phillip & Westernport & West Gippsland CMA areas identified the following trade price statistics (excludes broker fees for other third-party trades) (see attachment):
 - Mean GHU price = \$120,748
 - Median GHU price = \$119,000
 - SHU price (one trade only) = \$155,000
- NVOS currently has the following vegetation credits remaining within its account: 0.590 GHUs, 0.893 SHUs and 101 Large Trees. Based on a forecast demand for offset credits in Baw Baw Shire, it is predicted that Council's NVOS will 'draw down' completely on these remaining credits sometime in the 2018/19 financial year.
- For Council to remain as a third-party offset provider in the offset market after 2018/19, a new offset site would have to be established.
- A review of potential new Council offset site locations has identified that Nangara Reserve is a highly suitable site, achieving high vegetation condition and biodiversity scores and having a low risk in relation to future management threats. The reserve is already managed by Council for community use and biodiversity conservation.
- The inclusion of Nangara Reserve as an offset site in NVOS would derive a source of income to assist Council with the future management of the reserve (managed by the Natural Reserves team), with the generation of approximately 2.477 GHU credits (see attachment). At this stage, it is not known if Nangara Reserve would generate SHUs for trading and how many Large Trees are present. Based on the average credit trade price of \$120,000/GHU within the current offset market, the sale of these credits would generate approximately \$300 k over the life of the offset site (~ 4-7 years pending demand).

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

- Establishment of a new offset site within Council's Nangara Reserve, including site assessment and preparation the DELWP landowner

agreement (S 69 agreement) and 10-year management plan would cost approximately \$26 k. These funds would be sourced directly from the NVOS statutory reserve account.

- Revision of Council's NVOS credit trade price to \$130,000/GHU (large trees absent) and \$140,000/GHU (large trees present) would generate \$76,600 - \$82,600, respectively for the remaining 0.590 GHU in the Scheme. Based on NVOS trades under the former 2013 provisions, it is forecast that very few, if any, trades will occur for the remaining 0.893 SHUs.
- If Nangara Reserve were to be established as an offset site within NVOS, the site would generate an additional \$322,000 - \$346,700, respectively, through the trade of GHUs using the above trade prices.
- Income derived through NVOS would be used to implement management activities within Nangara Reserve.

Environmental Impact

- Management of offset sites within Council's NVOS results in bushland reserves that are managed for biodiversity and conservation values, in perpetuity.
- Funds deemed as surplus within NVOS can be re-invested in environmental projects within Council's bushland and public open space reserves following criteria in the NVOS policy (see attachment).

Community Impact

- Council's NVOS provides a service to Baw Baw Shire residents, developers and permit holders by providing the opportunity to source third party vegetation offsets at a competitive market price.
- Baw Baw Shire permit holders generally prefer to source vegetation offsets from Council's NVOS with the knowledge that their payment will be placed in the NVOS statutory reserve account which can be used to re-invest in environmental projects within the Shire.
- Revegetation or restoration conducted within Council reserves utilising NVOS surplus funds ultimately benefits the community through improved reserve amenity.

CONSULTATION

- Consultation is conducted with adjacent property owners prior to the establishment of any approved offset sites with NVOS.
- Consultation is conducted with adjacent property owners prior to implementation of any approved revegetation or restoration projects within Council reserves using surplus NVOS funds.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This Native Vegetation Offset Scheme assists with the achievement of the key strategic objective as set out in the Council Plan 2017-2021:

Objective: *Safe and Sustainable Environments*

Specific Strategy: Work with the community and stakeholders to manage the Shire's environment and biodiversity values.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This Native Vegetation Offset Scheme has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

- Council has signed a DELWP on-title Section 69 Landowner Agreement under the *Conservation, Forests and Lands Act 1987* for Trafalgar and Lardner offset sites. These Agreements identify Council's management obligations at each site, as specified in 10-year management plans and in perpetuity.
- The inclusion of Nangara Reserve into NVOS would involve the establishment of the above agreements and management plans.

POLICY IMPACTS

Council's NVOS policy defines the roles and responsibilities, operational procedures and rules of governance to facilitate the operation and management of the Scheme.

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

**12.2 BUILDING RESILIENCE - A GUIDE TO SAFEGUARD YOUR HOME
AGAINST CLIMATE CHANGE AND EXTREME WEATHER.**

Environment Sustainability Officer

Directorate: Planning Development

Ward: All

Appendix: 1 attachment

PURPOSE

To inform Council of the Building Resilience Guide which has been prepared to assist the community in safeguarding their homes against climate change and extreme weather.

RECOMMENDATION

That Council approve for the Building Resilience Guide to be made available for use by the community.

COUNCIL MOTION

Moved: Cr J O'Donnell

Seconded: Cr P Kostos

CARRIED

KEY ISSUES

- The Gippsland region faces a number of varying climate risks including:
 - more frequent and intense heavy rainfalls, causing flooding;
 - harsher bushfires;
 - more days of extreme heat; and
 - more storms, including hailstorms.
- Council has prepared this guide to help homeowners, builders, developers, property buyers and renovators to understand what the risks are and how to make more informed decisions about their home from a range of proposed actions and general information.
- The aim of the guide is to:
 - be a 'one stop shop' for all information regarding the risk of climate, in an easy to read manner; and
 - support the community in protecting one of their biggest assets; their home, as well as themselves, against climate change and extreme weather.
- Building resilience within the community is vast and can be complex; therefore, addressing all aspects in one document is difficult. Consequently, the guide will be a starting point to engage the community by assisting them in understanding climate risk and how to protect their homes.

- Discussions between the Environment Sustainability team and Emergency Management teams has been undertaken to identify ways to take a collaborative approach by utilising one another's work to engage and educate the community. Conversations have also been conducted with Council's Social Planner regarding heat waves and heat stress.
- East Gippsland Shire Council developed a Building Resilience booklet in 2016. The Environment Sustainability team saw potential in developing a similar booklet to minimise the impacts of extreme weather to the community. East Gippsland Shire Council has consented for Baw Baw Shire Council to utilise their booklet's content and design.
- The Building Resilience guide will be made available in hard copy at Council's Civic Centres and placed in new residents' packs on Council's website. The guide will also be provided to community groups and Council's Environmental Voice Advisory Committee.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

- The East Gippsland Shire Council consented for Council to utilise their booklet, therefore there has been no cost in sourcing the booklet's information or for design. Council's Communications team undertook the guide's alterations to ensure it complies with Council's corporate design standards.
- There will be an approximate cost of \$2,000 for printing 1000 copies.

Environmental Impact

By homes becoming more efficient, homeowners can reduce the use of electricity, which can ultimately reduce greenhouse gas emissions.

Community Impact

- There will be substantial benefits for the community in being able to obtain this information in an easy-to-read booklet.
- Implementing actions identified in this guide can assist the community in being more resilient to the impact of extreme weather events and to be more comfortable in their homes.
- Undertaking some of these actions may also save residents money by reducing heating and cooling and other home energy costs.

CONSULTATION

- Council has undertaken some work in the building resilience space, however has not directly engaged with the community on the issues of climate change risk and what the opportunities are to make their homes more resilient to climate impacts. This booklet is an initial way for Council to engage with the community on the risks of climate through a simplistic approach.

- This guide will be utilised as a tool by Council to inform and engage the community on opportunities to address climate risk and extreme weather in the home. Council officers have therefore not undertaken community consultation in developing the Building Resilience guide.
- Considerable internal engagement has been conducted between Environment Sustainability, Emergency Management and Community Planning teams to ensure that the guide can be utilised by all community members.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

Objective 3: *Safe and Sustainable Environments*

3.4 Preparing for the impacts and consequences of climate change.

The Building Resilience guide is a Council Plan Initiative in the 2018/19 year and is listed as an Action in Council's Environmental Sustainability Strategy 2018-2022.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This Building Resilience guide has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

The Building Resilience guide has a robust disclaimer that demonstrates that Council and other associated parties will not accept responsibility for any claim, loss, damage or liability arising out of the use of the information provided.

POLICY IMPACTS

There are no policy impacts.

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

13. ORGANISATIONAL EXCELLENCE

13.1 CUSTOMER SERVICE – STRATEGY, POLICY AND CHARTER

Chief Information Officer

Directorate: Customer Service and
Technology

Ward:

Appendix: 3 attachments

PURPOSE

The purpose of this report is for Council to consider and adopt the Customer Excellence Strategy, Complaints Handling Policy and Customer Service Charter.

RECOMMENDATION

That Council adopts:

1. The Customer Excellence Strategy;
2. The Complaints Handling Policy; and
3. The Customer Service Charter.

COUNCIL MOTION

Moved: Cr D Wallace

Seconded: Cr J Gauci

CARRIED

KEY POINTS/ISSUES

- The Shire soft launched the Customer Service Charter, Customer Excellence Strategy and Complaints Handling policy in June 2018 to evaluate and monitor feedback.
- The Customer Service Strategy outlined a series of actions that would occur over the 2018-2021 period to improve our customer service.
Actions completed in 2018 include:
 - Customer Service Handbook created;
 - 200 staff trained in our approach and commitment to Customer Service;
 - Automation of CRM tasks to improve efficiency; and
 - Implementation of new phone system and document management system to support our staff.
- The Complaints Handling Policy sets out the way Baw Baw Shire will respond to complaint with the aim to resolve all complaints within 28 days.
- The Customer Service Charter set out 4 performance indicators;
 - Phone answered within 30 seconds;

- Online or social media requests responded to in 3 days;
 - Respond to email or mail correspondence within 10 days;
 - Inspect all non-emergency issues (roads, trees etc.) within 10 days.
- Results of performance in 2018 show a great deal of improvement when compared to previous years.

Performance Indicator	Target	Previous Result	2018 Result
Response to social media and online requests	3 days	N/A	55s within business hours 1 day outside business hours
Respond to email or letters	10 days	2017 - 34 days	13 days
Inspect all non-emergency issues (CRM)	10 days	2017 - 15 days	12 days
Phone answered by customer service staff	30 seconds	75 seconds Average 5300 calls per month	59 seconds Average 5600 calls per month

TRIPLE BOTTOM LINE IMPLICATIONS

Community impact

Baw Baw Shire aspires to be a customer centric organization. Implementation of the strategy and regular monitoring of performance will improve our customer service to the community.

Environmental impact

There is no environmental impact.

Financial impact

There is no financial impact.

CONSULTATION

The community engagement framework does not apply.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This Customer Service – Strategy, Policy and Charter assists with the achievement of the key strategic objective as set out in the Council Plan 2017-2021:

Improve Council's customer service and experience of using council's services.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This Customer Service – Strategy, Policy and Charter has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

There is no legal impact.

POLICY IMPACTS

The Complaints Handling Policy has been developed in accordance with the Victorian Ombudsman Good Practice Guide to Handling Complaints – September 2016

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

13.2 QUARTERLY PERFORMANCE REPORT FOR Q2 2018/19

*Manager Corporate Strategy, Finance
Manager*

*Directorate: Corporate and Community
Services, Corporate and Community
Services*

Ward:

Appendix: 3 attachments

PURPOSE

To provide Council with the Quarterly Performance Report for Quarter 2 of the 2018/19 year.

RECOMMENDATION

That Council notes the Quarterly Performance report for Q2 2018/19.

COUNCIL MOTION

Moved: Cr D Goss

Seconded: Cr J Gauci

CARRIED

KEY ISSUES

- A performance report is prepared at the end of each quarter of the financial year, and it briefs the Council and the community on Council's progress towards its strategic objectives as set out in the Council Plan 2017 - 2021.
- The quarterly performance report is made up of:
 - Progress on the actions contained in the Council Plan for the 2018/19 year.
 - Key Performance Indicators including the statutory Local Government Performance Reporting Framework measures contained in the *Local Government Act 1989*.
 - Financial Statements, including income statement, capital works statement, balance sheet, and cash flow statement.
- Targets included for KPIs are based on the average of previous performance, or where a specific target exists in the Council Plan.

Council Plan actions:

- A total of 47 projects are included in the Council Plan report, and these are the key projects nominated in the Council Plan and Budget for the 2018/19 year.
- Of these projects, three are completed, four are not started, 37 are in progress and three are ongoing. No project is noted as being off track.
- Projects completed during the quarter:

- Launch and operation of the newly redeveloped West Gippsland Arts Centre, and
- Implementation of the Council's Gender Equity Plan

Key Performance Indicators and LGPRF:

- WC1 kerbside bin collection requests continues to show an upwards trend which has been noted over the past year. This is currently being investigated with the contractor for the service. The team have also benchmarked the result against other like councils to understand the range of performance for large rural shires.
- R1 Sealed local road requests is currently performing below the long-term average for this measure.
- FS1 Time taken to action food complaints has slightly increased above the long term average for this quarter.
- AM2 number of animals reclaimed is lower than the long-term average for this measure. Comments for this measure indicate that of the 169 animals collected in the quarter, 91 were reclaimed and 48 were rehomed. Taken together this would be 82% of animals either reclaimed or rehomed for the quarter.
- All other services are performing at or above their long term average for their service results.

Financial Statement:

- Financial report for Quarter 2 ended 31 December 2018, including income statement, capital works statement, balance sheet and cash flow statement identifies Council's financial position to date.
 - The Income Statement reports a year to date surplus of \$5.115 million that is a (\$0.106) million variance when compared to the amended budget (adopted budget plus carryover).
 - The Capital Works Statement reports year to date expenditure of \$9.344 million that is a \$5.059 million favourable variance when compared to the amended budget (adopted budget plus carryover).
 - The Cash Flow Statement for Council reports year to date cash of \$46.291 million that represents an increase in cash of \$16.054 million. The favourable variance mainly relates to higher than expected cash balance at the commencement of the financial year due to earlier than expected receipt of Financial Assistance Grants funding and higher than expected cash held for carry forward capital projects.

TRIPLEBOTTOMLINE IMPLICATIONS

The Quarterly Report provides an overview of Council's performance with respect to the Council Plan.

CONSULTATION

The Quarterly Performance Report will be available to the community via the published Council Papers on the Baw Baw Shire Council website.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This Quarterly Performance Report assists with the achievement of the key strategic objective as set out in the Council Plan 2017-2021: *Organisational Excellence*

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This Quarterly Performance Report has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

Council is required to report regularly on its performance. The Quarterly Performance report meets this requirement.

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

13.3 CONSIDERATION OF SPONSORSHIP - FEBRUARY 2019

Social Planner

Directorate: Planning Development

Ward: All

Appendix: 3 attachments

Cr O'Donnell declared a Conflict of Interest and left the chamber at 7:55 pm, returning at 7:57 pm.

PURPOSE

For Council to consider sponsorship applications submitted in accordance with the Community Funding Assistance Program guidelines.

RECOMMENDATION

That Council supports the sponsorship request from Women In Gippsland for \$3,000 for the 2019 event for International Women's Day with the conditions that:

- a. Council is provided with 15 tickets at no cost for staff participation.
- b. Council or its delegate is provided with an opportunity to participate in any public relations activities, launches or proceedings.
- c. Council logo is included in the flyer.
- d. Council has the right to promote or report on the event through its media channels.
- e. Council has the right to work with event organisers to gather information and feedback from patrons.
- f. Evidence that the conditions have been met are provided by email within 30 days of the event.

COUNCIL MOTION

Moved: Cr P Kostos

Seconded: Cr T Jones

CARRIED

KEY POINTS/ISSUES

- At its Ordinary 11 May 2016 Council Meeting, Council resolved to endorse the Community Funding Assistance Program document and launch the Program. The Community Funding Assistance Program included an event sponsorship category.
- There is \$36,554 of available funding in the 2018/19 budget allocation (Attachment 1).
- One application has been received:
 - Women In Gippsland to support an event for International Women's Day 2019. The application was received on 15 February 2019 (Attachment 2).

Women In Gippsland

- The Women In Gippsland application has been assessed by a Council Officer and is deemed eligible for consideration (Attachment 3).
- The Applicant is requesting Level 2 sponsorship (\$3,000) for fixed costs which include venue, promotional material, marketing and insurance.
- Activities will be delivered on 7 March 2019 in Warragul.
- Additional revenue will be sourced through ticket sales priced at \$20 per person.
- The project is aiming to “attract hundreds of women from across the region”.
- Through its sponsorship process, Council granted this applicant \$3000 in 2018 for a similar (but not the same) event. Fourteen Council staff participated in the 2018 event which was reported to have engaged 300 participants. 2019 participation costs were additional to Council’s sponsorship contribution.

TRIPLE BOTTOM LINE IMPLICATIONS

COMMUNITY IMPACT

- Women In Gippsland is a group of local women with strong professional, local and community connections. They report that more than 20 volunteers contribute to their work. It has a substantial social media presence (Facebook: almost 5,000 followers; Instagram: over 2,000).
- The 2019 event will be delivered in a central Baw Baw location at the West Gippsland Arts Centre.
- The applicant has the support of a local Aboriginal Elder who will conduct a Welcome To Country at the event.
- The cost of attending the event may be a barrier for some people to participate.

ENVIRONMENTAL IMPACT

No impacts have been identified.

FINANCIAL IMPACT

- Funding for Sponsorship is included in the \$300,000 Community Development Grant budget allocation for 2018/19.
- Council has allocated \$204,846 through the Community Development Grants program and \$46,100 to Sponsorships.

CONSULTATION

Not required.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This event assists with the achievement of the key strategic objective as set out in the Council Plan 2017-2021:

“*Organisational Excellence*”

Supporting gender equality in the workplace and in the community.

“*Vibrant Communities*”

Support the community to enhance their health and wellbeing.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This event has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

Successful applications for level two, three and four sponsorship are required to enter a sponsorship agreement to ensure funding is appropriately spent.

POLICY IMPACTS

The sponsorship applications have been assessed in accordance with the endorsed Community Financial Assistance Program.

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

14. NOTICES OF MOTION

Nil

15. COMMITTEE AND DELEGATES REPORTS

15.1	SEATS Meeting
	Cr Cook reported on the recent SEATS meeting held 15 February 2019 at the Latrobe Valley Airport.

16. ASSEMBLY OF COUNCILLORS

16.1 ASSEMBLY OF COUNCILLORS

Governance Officer

*Directorate: Corporate and Community
Services*

Ward:

Appendix: 9 attachments

PURPOSE

To present the written records of Assemblies of Councillors that have occurred.

RECOMMENDATION

That Council receives and notes the Assembly of Councillors records tabled for the period from Friday 1 February to Friday 15 February 2019.

COUNCIL MOTION

Moved: Cr J Gauci
Seconded: Cr J O'Donnell

CARRIED

KEY POINTS/ISSUES

The *Local Government Act 1989* requires that the written record of an Assembly of Councillors be, as soon as practicable, reported at an ordinary meeting of the Council and incorporated into the minutes of that meeting.

17. MAYORAL MINUTE

Cr Power stood and acknowledged the recent work undertaken by the GLGN Advocacy Plan and the similarities to the Baw Baw Advocacy Plan adopted this evening.

Furthermore, these plans informed the recent One Gippsland Delegation to Canberra on 18 – 19 February 2019 attended by Mayor Power and CEO Alison Leighton. The delegation also included representatives from Committee for Gippsland and Regional Development Victoria.

Cr Power also recognised the recent visit by the Honourable Linda Dessau AC, Governor of Victoria on the 10-year Anniversary of the 2009 Victorian Bushfires.

Finally, Cr Power presented Council with a Certificate of Appreciation provided to Mr Mark Kestigian from Sri Chinmoy Oneness-Home Peace Run which came through Baw Baw Shire on Wednesday 27 February 2019, visiting Trafalgar and Warragul North Primary Schools.

18. GENERAL BUSINESS

Nil

Meeting closed at 8:05pm

Confirmed at this meeting 13 MARCH 2019

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Cr M Power
Mayor