



Minutes

Council Meeting

22 May 2019

1. Opening and Recognition of Traditional Custodians	3
2. Reading of Affirmation and Prayer	3
3. Apologies	4
4. Civic Ceremonies	4
5. Confirmation of Previous Meeting Minutes.....	4
6. Councillors Declarations of Interest/Conflict of Interest	4
7. Meeting Closed to the Public: Release of Information to the Public.....	4
8. Community Participation Time.....	5
8.1 Questions on Notice.....	5
8.2 Submissions.....	9
9. Petitions	9
10. Vibrant Communities	10
10.1 PLA0375/18 - 26A Grant Street, Drouin.....	10
10.2 Review of Community Funding Assistance Program Stage 2	13
10.3 Paths and Trails Strategy Development.....	16
10.4 Consideration of Sponsorship - May 2019	25
11. Thriving Economy	28
12. Safe and Sustainable Environments.....	29
12.1 Review of Public Roads Register 2019	29
13. Organisational Excellence	33
13.1 Asset Management Policy Review	33
14. Notices of Motion	36
15. Committee and Delegates Reports	36
16. Assembly of Councillors	37
17. Mayoral Minute	38
18. General Business	38

**Baw Baw Shire Council
Council Meeting
22 May 2019
Minutes**

Minutes of the Ordinary Meeting of the Baw Baw Shire Council held in the Trafalgar Council Chambers, commencing at 5:30pm on 22 May 2019.

Present

Cr J Gauci, Cr M Leaney, 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

Ms A Leighton	Chief Executive Officer
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 acknowledge 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

Nil

4. CIVIC CEREMONIES

Nil

5. CONFIRMATION OF PREVIOUS MEETING MINUTES

RECOMMENDATION
That the minutes of the Ordinary Council Meeting held on 8 May 2019 be confirmed.
COUNCIL MOTION
Moved: Cr J Gauci Seconded: Cr D Wallace
CARRIED

6. COUNCILLORS DECLARATIONS OF INTEREST/CONFLICT OF INTEREST

Nil

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 be public:

Nil Reports

8. COMMUNITY PARTICIPATION TIME

8.1 QUESTIONS ON NOTICE

8.1.1 Response to Questions on Notice submitted by Mr Don McLean

Thank you for the questions on notice you have submitted to tonight's Council Meeting. As these questions relate to Councillor Conduct and the Councillor Code of Conduct, in accordance with Section 73AA of the *Local Government Act 1989* I will, in my position as Mayor address these questions.

1. Following Council meeting 8 May has Council conducted a review of the behaviour by the Deputy Mayor at item 10.1 against the Councillor Code of Conduct?
2. Following Council meeting 8 May has Council conducted a review of the behaviour by the Deputy Mayor at item 10.1 against the Councillor Code of Conduct? *in particular section 6.1.4 The Role of the Mayor and the deputy Mayor, which in part refers to "personal abuse, bullying and/or intimidating behaviours towards members of the public"?*
3. The Councillor Code of Conduct section 18.1 Relationships states in part "The key relationships and their characteristics are as follows:" - please explain why no relationships or characteristics are listed in section 18.1 where you would expect to see 18.1.1, 18.1.2, and so on?
4. Will Council allow public access to the closed Assembly of Councillors meetings where policy decisions are made and confirmed at Council meetings?
5. Will Council conduct an immediate review of the Councillor Code of Conduct to correct errors?

Questions 1 and 2 relate to questioning and comments by the Deputy Mayor at the Council Meeting of 8 May 2019 with respect to item 10.1. You asked whether the behaviour of the Deputy Mayor has been reviewed against the Councillor Code of Conduct.

With the benefit of the recorded footage, I have reviewed the interaction between yourself and the Deputy Mayor. While the Deputy Mayor, in addressing serious allegations made against the Council was forthright in his view, in my opinion (and that of counsel I have sought), there has been no breach by the Deputy Mayor of the Code of Conduct and accordingly, no action will be taken.

Questions 3 and 5 relate to the content and formatting of the Councillor Code of Conduct. We acknowledge that the current document contains administrative formatting errors, which will be corrected and a new version released. Thank you for taking the time to review the document and provide your view. A review of the Councillor Code of Conduct has been scheduled to coincide with the expected introduction of the new Local Government Bill.

In Question 4 you refer to my recent Mayoral Minute, where I spoke about transparency. You linked this to closed Assembly of Councillor meetings and requested that Council allow public access to these meetings. You indicated your belief that policy decisions are made at these meetings and only confirmed at Council meetings.

Many of our Assembly of Council meetings are advisory committees of Council, which include members of the public. In this question I believe you are referring to the Council Briefings which are recorded in the Assembly of Council records tabled at each Council Meeting.

The purpose of the confidential briefings is to provide Councillors with the opportunity to learn about the matters they will be required to make decisions on at council meetings. They are not a decision-making forum and do not provide the opportunity to debate different points of view.

Councillors may ask questions or raise concerns that reflect their communities' needs within the briefing meetings, however Councillors must not, and do not, influence council officers' recommendations. Nor do we debate or make decisions in briefing forums. We have no plans to change this approach.

Lastly, as I stated at the March 27 Council Meeting, transparency is important to me personally in my capacity as the Mayor, and to my fellow Councillors, the Executive and Staff of Baw Baw Shire. While we can always improve, we are proud of our collaborative and positive working relationships. We wish to continue this positive culture beyond our own terms on Council and hope that it will always be a hallmark of how Baw Baw Shire works. Baw Baw Shire is an exciting and challenging Shire to live and work in. It is our desire as a Council, and here I speak for the staff also, to serve and make decisions in the best interests of our community.

Yours faithfully

Cr Mikaela Power
Mayor

8.1.2 Response to Questions on Notice submitted by Mr John Hart

Thank you for the Questions on Notice you have submitted to tonight's Council meeting. Please see the below response to your questions that have been prepared for Agenda Item 8. Community Participation Time, 8.1 Questions on Notice.

1. Rural Land Use Review

This review was initiated by the 2012-16 Council in 2015/16 and draft reports were issued for public consultations and submissions in 2016, the last of which was put on public exhibition by the the previous Council for six weeks including the 2016 council election period. The present Council held a Special Council Meeting early in 2017 to hear submissions made in that consultation period. Since the SCM there has been no further public announcement or discussion that I'm aware of. I now ask:

Has the Rural Land Use Review been terminated?

In short, no, the review hasn't been terminated.

The State Government are currently in a transitional process of requiring the form and content of planning schemes to be altered, the main aspect of which is the form and functionality of policy within all Planning Schemes. State and Local policies are to be merged into a single Planning Policy Framework. The State Government are also in the process of developing planning mechanisms to protect "Strategic Agricultural Land" – the planning implications of this review are likely to over-ride any local policy in relation to agricultural land – however the exact outcomes and planning mechanisms will not be known till late 2019/2020. Further information on the State Government's process can be found at www.engage.vic.gov.au/protecting-melbournes-ag-land.

Council is awaiting the outcomes of these State Government initiatives prior to concluding the review.

2. Council Meeting Chamber

With commencement in 2016/17 of construction work for the West Gippsland Arts Centre redevelopment, which included incorporation of the Civic Place council chamber space into the enlarged WGAC, Council transferred its public meetings to the former Narracan Shire Council Chamber in Trafalgar. The then-Mayor, Cr Gauci, indicated that this was a transitional arrangement pending Council consideration of a new permanent location for Council meetings. The requirement for relocation of the Baw Baw Shire Council Chamber would, of course, have been evident much earlier, during the planning stage of the Arts Centre redevelopment project. I now ask:

Has Council determined where its future meetings will be held?

Council has not yet made a formal decision in relation to a location for Council meetings, for the foreseeable future meetings will remain in Trafalgar.

3. Dogs-off-leash areas

Last year, Council decided to formalise a number of public park spaces around the Shire where dogs will be permitted to run off leash, subject to review of detail in several of the proposed areas. Since then, the Warragul & Drouin Gazette reported that a revised plan for the Trafalgar fenced area had been proposed, but I've seen no announcement with respect to the other two areas questioned. It was noted by Cr Wallace at the time of the decision that there was no budgeted provision for implementation of permanent dogs-off-leash areas. I now ask:

Have the specifications of all permanent dogs-off-leash areas been finally determined, and has provision been made in the 2019/20 budget to cover the cost of full implementation next year?

Council has allocated \$90,000 in the draft 19/20 budget to go towards the implementation and delivery of 3 off-leash fenced dog parks within the Shire in the townships of Drouin, Warragul and Trafalgar. If this allocation is included in the adopted budget, design and specifications will commence in the new financial year.

Yours faithfully

Alison Leighton
Chief Executive Officer

8.2 SUBMISSIONS

The following persons spoke on an item on the agenda.

- Item 10.1**
David Kennedy
Luke Dowdle
- Item 10.4**
Andrea Elliot
Heather Baird
- Item 16.1**
Don McLean

9. PETITIONS

Nil Reports

10. VIBRANT COMMUNITIES

10.1 PLA0375/18 - 26A GRANT STREET, DROUIN - USE AND DEVELOPMENT OF A CHILDCARE CENTRE, DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE AND REDUCTION IN CAR PARKING.

Manager Statutory Planning

Directorate: Planning Development

Ward: West

Appendix: 1 attachment

PURPOSE

For Councillors to consider Planning Application PLA0375/18 at 26A Grant Street, Drouin.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for the Use and Development of a Child Care Centre, display of business identification signage and reduction in car parking.

Cr Jones requested an alternate recommendation.

ALTERNATE RECOMMENDATION

That Council issue a Notice of Decision to Refuse to Grant a Permit for the Use and Development of a Child Care Centre, Business Identification Sign and a Reduction in Car Parking (one space) at 26A Grant Street, Drouin

Grounds of Refusal:

1. The proposed development does not respect neighbourhood character.
2. The site is not an appropriate location for a non-residential development.
3. The proposal does not provide for an appropriate number of car parking spaces on site.

COUNCIL MOTION

Moved: Cr T Jones

Seconded: Cr K Cook

LOST

Cr Jones called for a division

For: Cr T Jones and Cr Wallace

Against: Crs K Cook, D Goss, J Gauci, M Leaney, J O'Donnell, M Power and P Kostos

As the alternate motion was lost, the published recommendation was then put to the meeting.

COUNCIL MOTION

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

CARRIED

KEY ISSUES

- It is proposed to construct a single storey childcare centre for a maximum of 118 preschool children.
- Twenty four (24) car spaces will be provided within the site. As the Baw Baw Planning Scheme requires 25 spaces to be provided, the applicant is seeking a reduction of one car space.
- The hours of operation are proposed to be 7am to 6pm Monday to Friday.
- The proposal is considered to be appropriately located given the proximity to the town centre and the primary school immediately to the south of the site.
- The proposal will provide a service that will meet local community needs especially given the anticipated level growth to occur within Drouin.
- It is considered that the proposal will have limited impact on the surrounding road network. The use is appropriately located next to the primary school which will assist to reduce the number of car trips.
- It is considered that the use will have minimal impacts on the amenity of the adjoining residential properties. Any adverse amenity impacts will be able to be dealt with by way of permit conditions. Childcare centres are considered an appropriate use within residential areas.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

The proposal is not considered to have a financial impact on Council.

Environmental Impact

Nil.

Community Impact

Eight objections were received. It is considered that the concerns of the objectors can be satisfactorily resolved through permit conditions.

CONSULTATION

- The planning permit application was advertised in accordance with the *Planning and Environment Act 1987* and eight objections were received. The key areas of concern are as follows:
 - Traffic congestion and parking issues.
 - Overdevelopment of the site.

- Overshadowing resulting from the proposed 2.2 metre high boundary fence.
- Inappropriate use in context of the surrounding area.
- Noise.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This planning permit application assists with the achievement of 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 planning permit application has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

The planning permit application was considered under 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.

Cr Peter Kostos left the meeting, the time being 6.54 PM

SUSPENSION OF STANDING ORDERS 6.55PM

Moved: Cr D Wallace
Seconded: Cr J Gauci

RESUMPTION OF STANDING ORDERS 7.01PM

Moved: Cr D Wallace
Seconded: Cr T Jones

10.2 REVIEW OF COMMUNITY FUNDING ASSISTANCE PROGRAM
STAGE 2

Strategic Planner, Social Planner

*Directorate: Planning Development,
Planning Development
Ward: All
Appendix: 5 attachments*

PURPOSE

To report on Stage 2 of the review of the Community Funding Assistance Program.

RECOMMENDATION

That Council:

1. Supports the amendments to the guidelines for Community Sponsorship and authorises the fact sheet and implementation plan;
2. Supports the amendments to the guidelines for Education Sponsorship and authorises the fact sheet and implementation plan;
3. Supports the separation of the budget for Community Development Grants and Community Sponsorship to be 70-75% and 25-30% respectively to be introduced from 1 July 2019; and
4. Delegate funding decisions of Community Sponsorship to Officers subject to the following conditions:
 - a. Funding provided is within the Responsible Officer's level of financial delegation;
 - b. Monies being available within the applicable funding stream budget and forecasting; and
 - c. A report is provided to Council every quarter on all delegated decisions made within the reporting period.

COUNCIL MOTION

Moved: Cr J O'Donnell

Seconded: Cr T Jones

CARRIED

KEY ISSUES

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

- The *SmartyGrants* subscription cost is determined by the value of the annual distributions. Current usage attracts a \$12,500 fee (\$100,000 - \$500,000). Future use is expected to hit the next band (\$500,000 - \$5 million) which attracts a \$20,000 subscription fee.
- *SmartyGrants* subscription fee will be shared pro rata by the teams which are using it.

- The budget for CDG and Sponsorship allocation will be distributed to reflect the allocations of the previous two years. This will give certainty to Council's funding of Community Sponsorships and determine how much Council will grant to CDG projects:
 - 70-75% - Community Development Grants
 - 25-30% - Community Sponsorship

Environmental Impact

- Almost \$23,000 of CFAP funding is targeted at reducing waste and improving the natural environment.
- CDG 'environment' projects category has been increased from \$2,000 to \$5,000 for the 2019/20 applications.

Community Impact

- Council's CFAP investment (over \$630,000 in 2018/19) is an important key message for the community. Consistent information on the various streams, eligibility, how to apply and important dates are thought to be the most critical information.
- Bringing the focus of CDG and Sponsorship to community outcomes will provide clarity for applicants and assessors. Economic outcomes are not the primary focus.
- Education scholarships will be available to younger secondary students of participating schools to assist with their current costs of education and encourage continued learning. Students who are residents of Baw Baw are the preferred grant beneficiaries, however the primary target of this grant is the education provider located in Baw Baw (except for Lowanna College, Newborough which is also eligible and services many young residents of East Ward communities).
- Delegation recommendations are expected to substantially reduce the time it takes for a decision to be made for CDG and Sponsorship. The Community would likely see this as an improvement to the process.
- The use of *SmartyGrants* will provide a consistent process for the community accessing grants at Baw Baw Shire Council. Officers will be better able to support the community with information and support.

CONSULTATION

- Internal consultation has occurred with officers to understand the processes of administering CFAP funding streams, and to assess the impact of recommended changes.
- A Councillor workshop was held on 21 November 2018.
- Community consultation was contained to feedback that has been received from grant recipients and applicants. Broader community consultation has not been invited. Officers advise that it is not required nor is it recommended for this review.

- If Council resolves to support the proposed changes to Community Sponsorship, a communication plan will be developed and implemented to inform affected stakeholders.
- Fact sheets have been created to communicate relevant funding stream information of community interest. Attachments 2 and 3.

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 report 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.

10.3 PATHS AND TRAILS STRATEGY DEVELOPMENT

Infrastructure Engineer

Directorate: Community Assets

Ward:

Appendix: 2 attachments

PURPOSE

The purpose of this report is to provide Councillors with an opportunity to review the draft Paths and Trails Strategy and provide support to proceed with public exhibition.

RECOMMENDATION

That Council:

1. Note the results of the community engagement
2. Provide in-principle support to adopt the revised *Principal Pedestrian Network* (PPN)
3. Put the Draft Paths and Trails Strategy on public exhibition for a two-week period between 23 May – 6 June 2019.
4. Receive a future report at the 10 July 2019 Council meeting regarding the outcome of the community engagement on the draft Paths and Trails Strategy.

COUNCIL MOTION

Moved: Cr D Wallace

Seconded: Cr M Leaney

CARRIED

KEY ISSUES

Background

At the Council briefings on 1 August 2018 and 21 November 2018, Council officers presented Council with an update on the work being done around the development of a Strategic Pathway Network or *Principal Pedestrian Network* (PPN) for key townships across the Shire, as part of the process of developing the Paths and Trails Strategy. For consistency of terminology with the State Government's agency Transport for Victoria, officers have revised the draft documents, and renamed the Strategic Pathway Network as Council's *Principal Pedestrian Network* (PPN).

At the 12 December 2018 Council meeting, Council resolved to:

1. Provide in-principle support for the proposed PPN (maps for each locality)
 - Stage 1 – routes along the road network
 - Stage 2 – routes through public reserves and parks
 - Stage 3 – routes for inter-town pathway connections

2. Provide in-principle support to adopt the existing prioritisation matrix criteria, and modify the pathway programs within the long-term infrastructure plan to include program categories for major towns, minor towns, villages and tourist towns, as well as inter-town connections
3. Proceed with community engagement around the proposed PPN
4. Receive a future report regarding the outcome of the community engagement

Public Engagement

At the Council briefing on 20 March 2019, Council officers presented the outcome of the community engagement regarding the PPN.

The draft PPN maps were placed on public exhibition between Tuesday 15 January 2019 to Friday 22 February 2019 on Council's website and Facebook page. Community groups, schools, and sporting clubs were also invited by email to participate in the public engagement and to provide feedback.

A total of 31 written responses were received. A summary table has been provided in Attachment 2 on the key themes raised by the community. Some of the common themes and subjects included the following:

- Residents in Labertouche requested Council to construct horse-riding trails around Labertouche as well as a horse-riding facility
- Residents in Drouin were concerned about lack of pathways connecting to new developments and the gap between the CBD, schools, parkland and other amenities from these new developments
- Residents in Thorpdale, Trafalgar, Noojee and Narracan requested paths and trails for the purpose of recreation and tourism

The following summary of responses were provided to the community:

- The strategy is focused on paths and trails from a transport and connectivity perspective for pedestrians (as well as cyclists) within towns and between townships.
- Recreation trails (i.e. horse-riding trails) or tourism trails whilst providing similar outcomes to pedestrian paths and trails, have a greater focus on recreation and tourism outcomes and therefore have been considered outside the scope of this strategy. Often Council will need to collaborate with independent bodies and State and Federal Government for advocacy and funding for these types of recreation and tourism related projects.
- The purpose of the PPN is to connect pedestrians to key destinations and points of interest within a 2km radius (in townships) and for travel between townships.

- The paths and trails network maps are indicative alignments only for the purpose of location identification.

Methodology for Development of PPN

The methodology used for the development of PPN is outlined below:

1. Review existing strategies, plans and policies for previous work completed relating to pedestrian accessibility
2. Identify key destinations or points of interests within the township –
3. Set walkable distance from these key destinations (up to 2km)
4. Identify and map key PPN that connect people to the key destinations (Primary and Secondary)
5. Community validation and testing of proposed primary and secondary path network

Missing Links

Missing paths and trails from the primary and secondary networks have been identified and added to the prioritisation matrix.

The Primary Network

The PPN for the primary network consists of the following:

- 29.5 km of existing missing gaps within the primary network which need to be designed and constructed.
- The construction costs for these sections are estimated to be in the order of \$6.3M

In the current 2018/19 footpath program, there are two inter-town connections being designed which are estimated to have a construction cost of approximately \$2.8M. It would be recommended that Council seek external funding towards these types of pathway projects. There are larger pathway projects in townships that are being designed and construction costs have not yet been finalised, however these require funding allocation towards these projects in future Council budgets to be undertaken.

A recommended principle in the implementation of a primary network is to construct a pathway on at least one side of a road, unless it is along a bus route in which case, pathway access on both sides of the road would be required for DDA compliance to the bus stops. Prioritising a pathway in the interim on at least one side of each road as a minimum ensures that Council can broaden the length of the pathway network servicing the community.

It is ideal to have pathways on both sides of arterial roads and officers have focused on ensuring there is a path on both sides of arterial roads in

townships. However, for the arterial roads in outer rural townships, officers have ensured that there is at least one path for the time being and assessed case by case.

Please see the table below for sections of pathways required to complete the primary network with each program:

Primary Network – Missing Paths and Trails					
Program	Townships	Km	Total Km	\$ Estimated Cost	Total \$ Estimated Cost
Major Towns	Warragul	5.9	18.35	\$1,400,000	\$4,456,000
	Drouin	9.05		\$2,330,000	
	Yarragon	1.2		\$192,000	
	Trafalgar	0.15		\$130,000	
	Longwarry	0.8		\$130,000	
	Neerim South	1.26		\$274,000	
Major Towns	Thorpdale	0.27	5.9	\$45,000	\$1,037,400
	Darnum	2.43		\$504,000	
	Willow Grove	0.99		\$160,400	
	Rawson	0.77		\$101,000	
	Buln Buln	1.4		\$227,000	
Villages	Jindivick	0.655	3.3	\$94,000	\$525,000
	Rokeby	0.645		\$93,000	
	Nilma	0		\$0	
	Neerim Junction	0.62		\$120,000	
	Nayook	0.54		\$78,000	
	Erica	0.86		\$140,000	
Tourist Towns	Noojee	0.945	2	\$153,000	\$452,000
	Walhalla	1.09		\$299,000	
			29.5		\$6,468,400

The Secondary Network

The PPN for the secondary network consists of the following:

- 21 km of existing gaps within the secondary network which need to be designed and constructed.
- The construction costs for these sections are estimated to be in the order of \$3.7M

Please see below table for missing pathways within the secondary network for each program:

Secondary Network					
Program	Townships	Km	Total Km	\$ Estimated Cost	Total \$ Estimated Cost
Major Towns	Warragul	4.1	12.4	\$1,000,000	\$2,477,500
	Drouin	2.6		\$523,000	
	Yarragon	1.7		\$280,000	
	Trafalgar	3.3		\$543,000	
	Longwarry	0.38		\$61,500	
	Neerim South	0.32		\$70,000	
Minor Towns	Thorpdale	0.66	2.5	\$107,000	\$386,000
	Darnum	0.35		\$57,000	
	Willow Grove	0.45		\$55,000	
	Rawson	0		\$0	
	Buln Buln	1		\$167,000	
Villages	Jindivick	0	5.8	\$0	\$757,000
	Rokeby	0.37		\$53,000	
	Nilma	1.65		\$120,000	
	Neerim Junction	0		\$0	
	Nayook	1.9		\$422,000	
	Erica	1.9		\$162,000	
Tourist Towns	Noojee	0.17	0.4	\$28,000	\$118,000
	Walhalla	0.2		\$90,000	
			21.1		\$3,738,500

The Inter-Town Trail Network
Primary Priority Routes

Inter - Town Priority Network – Missing Paths and Trails					
Program	Townships	Km	Total Km	\$ Estimated Cost	Total \$ Estimated Cost
Inter Town Connections	Yarragon to Trafalgar	6.7	49.4	\$1,206,000	\$11,332,000
	Erica to Rawson	4.7		\$1,130,000	
	Brandy Creek to Buln Buln	4.6		\$830,000	
	Darnum to Yarragon	5		\$1,350,000	
	Warragul to Rokeby	7		\$1,272,000	
	Drouin to Drouin West	9		\$1,944,000	
	Nilma to Darnum	4.3		\$1,000,000	
	Drouin to Longwarry	8.1		\$2,600,000	
Note: Costing is based on L/m for concrete/gravel. No additional costs considered yet for other structures					

Secondary Priority Routes

Inter - Town Secondary Network – Missing Paths and Trails					
Program	Townships	Km	Total Km	\$ Estimated Cost	Total \$ Estimated Cost
Inter Town Connections	Trafalgar to Thorpdale	6.7	196.2	\$1,447,200	\$31,616,200
	Trafalgar to Moe	8		\$1,728,000	
	Trafalgar to Willow Grove	20		\$4,320,000	
	Willow Grove to Moe	19		\$4,104,000	
	Willow Grove to Fumina South	21		\$4,536,000	
	Willow Grove to Blue Rock Dam	10		\$2,160,000	
	Willow Grove to Buln Buln	30		\$4,320,000	
	Nilma to Buln Buln	10		\$1,440,000	
	Neerim South to Jindivick	7		\$1,000,000	
	Jindivick to Labertouche	18		\$2,600,000	
	Drouin to Drouin South Primary School	4		\$1,728,000	
	Fumina South to Noojee	30		\$432,000	
	Noojee to Neerim Junction	5		\$720,000	
	Neerim Junction to Neerim	6		\$865,000	
Neerim Junction to Glen Nayook	1.5	\$216,000			
Note: Costing is based on L/m for concrete/gravel. No additional costs considered yet for other structures					

Project Timeline

It is envisioned that once the Paths and Trails Strategy is adopted by Council by the end of the 2018/19 financial year, the updated footpath programs can be incorporated into the 2020/21 draft budget. The revised timeline for the completion of the strategy is indicated below:

Revised Timeline of Paths and Trails Strategy (Approximate)		
Step	Key Tasks	Timeline
1	<ul style="list-style-type: none"> • Community Engagement – Proposed PPN pathways 	Jan- Feb 2019
2	<ul style="list-style-type: none"> • Identify missing primary and secondary network segments • Develop Draft Paths and Trails Strategy 	Feb 2019
3	<ul style="list-style-type: none"> • Council Briefing – Outcomes of Community Engagement • Council Meeting - Draft Strategy • Public Exhibition of Draft Paths and Trails Strategy 	20 March 2019 8 May 2019 9 – 23 May 2019
4	<ul style="list-style-type: none"> • Council Briefing – Outcomes of Public Exhibition & Final Strategy 	5 June 2019
5	<ul style="list-style-type: none"> • Council Meeting – Seeking Adoption of Draft Paths and Trails Strategy 	26 June 2019
6	<ul style="list-style-type: none"> • Incorporate new pathway priorities in 2020/21 budget process 	Late 2019/ early 2020
7	<ul style="list-style-type: none"> • Review/Update Works Program 	On Going

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

At this time, resource commitment is limited to officer time spent on the development of the strategy.

The financial implications for Council are predominantly in allocating the necessary capital funds to implement the proposed priority pathways within the strategy as part of the annual budget process.

Environmental Impact

The extension of the PPN within the Shire provides sustainable transport options such as public transport, walking and cycling and reduces the need for the use of motor vehicles (in turn reducing air pollution, and the use of natural resources).

Occasionally, the construction of pathways may require the removal of existing vegetation in which case, designs will strongly consider heritage and

native vegetation retention. Designs will also consider mitigating the likelihood of erosion.

Community Impact

The development of the Paths and Trails Strategy would reflect the high level of community demand demonstrated for walking and cycling opportunities and ensure that long term strategic planning caters for the provision of active transport options and provides better connectivity within and between towns.

The provision of extended pathways will better provide opportunities to increase physical activity which will improve the overall health and well-being of the community.

CONSULTATION

- The community can request Council to construct pathways at any time. Council has completed prior community engagement via the development of the Shire's local Community Plans, the development of strategies and plans such as the structure plans, '*Integrated Transport Strategy 2011*', '*Walk Baw Baw*', '*Walk Cycle Baw Baw 2014*', '*Bicycle and Walking Paths Development Plan 1998*', '*Economic Development Strategy 2018-2021*', '*Public Health and Wellbeing Plan 2017-2021*', '*Recreation Strategy 2017-2027*' and various others.
- The draft primary and secondary pathway network maps were made available to the public during January and February 2019 with the opportunity to provide feedback

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

The development of the PPN 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*
- *Safe and sustainable environments 'improve the condition, safety and accessibility of the Shire's footpath and trails.*

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

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

The Paths and Trails Strategy has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

There are no legal implications arising from these recommendations

POLICY IMPACTS

There are no policy implications arising from these recommendations

CONFLICT OF INTEREST DECLARATION

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

10.4 CONSIDERATION OF SPONSORSHIP - MAY 2019

Social Planner

Directorate: Planning Development

Ward:

Appendix: 2 attachments

PURPOSE

For Council to consider the deferred item from the Ordinary Council Meeting 8 May 2019, and present further information on the assessment process that was administered to determine the recommendation.

RECOMMENDATION

That Council supports the sponsorship request from A Better Life For Foster Kids for \$1,000 to support the delivery of the Magenta Day camp at The Summit Adventure Park, in August 2019 with conditions outlined in the assessment.

COUNCIL MOTION

Moved: Cr D Wallace

Seconded: Cr J Gauci

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.
- At its 8 May 2019 Ordinary meeting, Council was presented with a sponsorship request as listed.

Applicant and purpose	Date received	Attachment
A Better Life For Foster Kids to support the delivery of the <i>Magenta Day</i> camp at The Summit Adventure Park, Trafalgar East.	28/2/2019	1

- Council moved and carried an alternative recommendation to “Defer [the item] until next Council meeting and receive an update from Council Officers on the process undertaken.”
- The standard assessment process was administered to the application. Additional officer explanatory notes were added 13 May 2019. Attachment 2.

TRIPLE BOTTOM LINE IMPLICATIONS

COMMUNITY IMPACT

- Council supports communities and individuals who are experiencing (or at risk of experiencing) vulnerability through participation in pro-social activities.
- The scale of impact appears to be contained primarily to the participants. Some of the 100 people who are expected to participate do not reside in Baw Baw.

ENVIRONMENTAL IMPACT

NIL

FINANCIAL IMPACT

- The applicant requested \$5,000 towards the activity which has been costed at \$20,740.
- \$15,240 of the costs are attributable to accommodation, food and merchandise.
- \$6,500 is allocated to transport/marketing/incidentals, guest speakers, and pampering sessions for carers.

CONSULTATION

N/A

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

Community Sponsorships assist with the achievement of the key strategic objective as set out in the Council Plan 2017-2021:

Vibrant Communities

- Build a vibrant community of arts, culture and events
- Support the community to enhance their health and wellbeing
- Enhancing how Council works with the community to improve social inclusion, access and equity.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

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

LEGAL

All events that Council provides sponsorship to are expected to comply with laws and regulations pertaining to the type of activities being delivered.

POLICY IMPACTS

Community Sponsorships are administered under the the Community Financial Assistance Policy (2016).

CONFLICT OF INTEREST DECLARATION

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

11. THRIVING ECONOMY

Nil Reports

12. SAFE AND SUSTAINABLE ENVIRONMENTS

12.1 REVIEW OF PUBLIC ROADS REGISTER 2019

Coordinator Asset Management

Directorate: Community Assets

Ward: N/A

Appendix: 3 attachments

PURPOSE

For Council to consider the changes to the Public Roads Register incorporating additional roads added through subdivision developments, resident requests and VicRoads declarations.

RECOMMENDATION

That Council:

1. Accepts the proposed roads listed in Attachment 1 which has been assessed in accordance with the Register of Public Roads & Hierarchy Policy and Procedure from subdivision developments, public requests and VicRoads declarations to be included onto and/or removed from the Public Roads Register; and
2. Adopts the revised Public Roads Register in Attachment 2 effective from 1 July 2019; and
3. Notes the cost implications associated with this review of the Public Roads Register on the Annual Budget and the annual contract sum for Contract 21501 Routine Road Maintenance Services effective from 1 July 2019.

COUNCIL MOTION

Moved: Cr D Wallace

Seconded: Cr K Cook

CARRIED

KEY ISSUES

- Council's Public Roads Register (PRR) was first compiled in 2004 in accordance with the requirements of the *Road Management Act 2004* (Act).
- The Register of Public Roads & Hierarchy Policy and Procedure is subject to annual review and was last adopted by Council on 10 May 2017.
- The current Road Management Plan (RMP) version 6, was adopted by Council on 24 May 2017.
- The review of the PRR is undertaken annually around March and subsequently applied at the start of the next financial year. Any additions to the PRR are then reflected in the annual contract sum adjustment to the Contract 21501CT Routine Road Maintenance Services.
- The current review of the PRR considers roads:

- constructed via subdivision developments and requests received to carry out road maintenance works due to changes to land use developments;
- from public requests; and
- VicRoads declarations.
- These roads were assessed in accordance with the Register of Public Roads & Hierarchy Policy and the Register of Public Roads & Hierarchy Procedure against the stated criteria for 'general public use' within the meaning of the Act and are included in Attachment 1.
- This review has shown the overall length of the network increased with the addition of 5.385km of sealed roads and 0.081km of unsealed roads.
- The revised PRR which includes roads from subdivision developments, public requests and VicRoads declarations are included in Attachment 2.
- The review methodology is in the Officers Report as Attachment 3.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

Attachment 1 lists the roads for Council to consider for inclusion onto the revised PRR. It also provides the operating, maintenance and estimated capital upgrade costs for each road so that Council is aware of the financial implications.

- Capital Cost Implications:
 - There are no capital cost implications to add these roads to the PRR.
- Operating Cost Implications:
 - The ongoing net operating cost to manage the proposed inclusion of the additional roads is estimated at \$1,093 per year based on \$200/km per year.
 - *Section 40(2)* of the Act does not impose a statutory duty for Council to upgrade a road or to maintain a road to a higher standard than the standard to which the road is constructed.
 - However, Council officers have prepared typical indicative cost estimates to the amount of \$41,500 to bring the non maintained road up to Council's minimum standard identified in Attachment 1.
 - It is noted that the cost for some roads may be considerably higher than what is indicated in Attachment 1 due to existing site conditions.
 - Based on the Routine Road Maintenance Services Contract 21501 the annual maintenance costs for the unsealed and sealed roads are \$2,121/km and \$2,586/km respectively.

- The net maintenance costs for the unsealed and sealed roads listed in Attachment 1 are \$171 and \$13,925 per year respectively. The increased maintenance cost effective from 1 July 2019 for the revised PRR is \$14,096.
- This has been allowed for in the draft 2019-2020 budget. These contract rates are subject to annual CPI adjustments and therefore the ongoing maintenance costs will increase accordingly.

Environmental Impact

All road construction and maintenance activities will incorporate the requirements of approved technical specifications and Council's Roadside Conservation Management Plan.

Community Impact

Road maintenance activities conducted under the Routine Road Maintenance Services Contract will improve the road users' safety and provide a positive impact for abutting property owners with improved vehicle access and road amenity.

The community, road users and emergency services that are affected by the condition of some roads across the Shire routinely make representations to Council.

CONSULTATION

The revised PRR compiled from new subdivision developments and public requests, on-site inspections and evaluated in accordance with the adopted Register of Public Roads & Hierarchy Policy and Procedure.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

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

Strategic Objective: *Safe and sustainable environment*

Manage and maintain the Shire's local road network to improve its overall quality and safety.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

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

LEGAL

- Council is the designated "Coordinating Road Authority" for municipal roads within the Shire and is charged with the responsibility to provide the public and other road users with a safe and efficient road network in accordance with the RMP.

- The RMP sets inspection intervals and response times as well as stating management systems which Council will implement to ensure that its responsibilities within the *Road Management Act 2004* are met.

POLICY IMPACTS

Council's RMP is the policy position of Council regarding the management of roads embodied in *Section 103* of the *Road Management Act 2004*. The purposes of the RMP are to:

- Establish a management system for the road management functions of a road authority which is based on policy and operational objectives and available resources; and
- Set the relevant standard in relation to the discharge of duties in the performance of those road management functions.

CONFLICT OF INTEREST DECLARATION

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

13. ORGANISATIONAL EXCELLENCE

13.1 ASSET MANAGEMENT POLICY REVIEW

Coordinator Asset Management

Directorate: Community Assets

Ward: All

Appendix: 1 attachment

PURPOSE

For Council to consider the proposed revision of its Asset Management Policy.

RECOMMENDATION

That Council adopts the revised Asset Management Policy.

COUNCIL MOTION

Moved: Cr D Wallace

Seconded: Cr D Goss

CARRIED

KEY ISSUES

- Council manages approximately \$691 million worth of infrastructure assets that are essential to the delivery of services to the community.
- Council's infrastructure asset value increased by approximately 3% during 2017-2018 financial year reporting period mainly due to gifted assets from sub-division developments and Council's capital works.
- Council adopted the first Asset Management Policy (Policy) on 25 June 2003 and the current policy 8 June 2016.
- The Policy is a key element in meeting the Strategic Objectives of the Council Plan.
- The Policy provides a clear direction and defines the key principles for effective and sustainable infrastructure asset management that underpins service delivery to the community.
- The Policy is proposed to be reviewed at least once every four years aligned to each Council term.
- The intent of the revised Policy, in accordance with best practice asset management principles, is to:
 - focus on sustainability through renewal and replacement of existing assets;
 - monitoring and reporting asset performance; and
 - assign asset planning, both capital and operational, duties in relation to each class of infrastructure asset to appropriate Council staff.

- The revised Policy also provides:
 - improved, revised and simplified definitions; and
 - definitions for capital expenditures (core and discretionary) based on best practice asset management principles.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

The adoption of this revised Policy would indicate Council's commitment for financial sustainability by development, implementation and performance monitoring through renewal and replacement of existing infrastructure assets.

Environmental Impact

The Policy will enhance the development and implementation of environmentally friendly standards and work practices in the management of infrastructure assets.

Community Impact

The proposed Policy will assist in lifecycle management of infrastructure assets that underpins the services delivered to the community.

CONSULTATION

Staff members of impacted areas of the organisation were consulted and have provided inputs to the review of the Policy.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

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

Strategic Objective: *Organisational excellence*

Positive leadership, advocacy and decision making around shared goals and providing community benefit by effectively managing Council's resources and finances.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

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

LEGAL

Whilst there is no one specific legislative reference to the infrastructure asset planning and management in the *Local Government Act 1989* (Act) it is relevant to the following clauses of the Act:

- Section 3E
 - (1) The functions of a Council include –

- (c) providing and maintaining community infrastructure in the municipal district; and
- Section 136
 - (1) A Council must implement the principles of sound financial management.
 - (2) The principles of sound financial management are that a Council must –
 - (a) manage financial risks faced by the Council prudently, having regards to economic circumstances;
 - (3) The risks referred in subsection (2)(a) include risks relating to –
 - (c) the management and maintenance of assets.

The introduction of the draft Local Government Bill 2018 – Section 87 Asset Planning – will require Council to have Asset Plans for each infrastructure asset class under the control of the Council.

POLICY IMPACTS

Council manages and maintains a diverse infrastructure asset portfolio and adoption of the revised Policy supports its commitment to the substantiality of Councils infrastructure assets. The revised Policy has been developed to reflect the principles of the following documents:

- Future Council budgets
- Long Term Financial Plan
- Long Term Infrastructure Plan
- Asset Management Plans

CONFLICT OF INTEREST DECLARATION

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

14. NOTICES OF MOTION

Nil Reports

15. COMMITTEE AND DELEGATES REPORTS

15.1	SEATS
	Cr Cook attended the SEATS meeting held 17 and 18 May 2019 at Eurobodalla Shire, Batemans Bay, NSW with David Hair, Manager Infrastructure Assets and Recreation. David presented the Baw Baw Shire Priority Projects to the meeting for assessment.
15.2	MAV State Council
	Cr Power attended the MAV State Council meeting on Friday 17 May 2019 with Mark Dupe, Director Corporate and Community Services.

16. ASSEMBLY OF COUNCILLORS

16.1 ASSEMBLY OF COUNCILLORS

Governance Officer

*Directorate: Corporate and Community
Services*

Ward:

Appendix: 4 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 26 April to Friday 10 May 2019.

COUNCIL MOTION

Moved: Cr M Leaney

Seconded: Cr T Jones

Cr Leaney noted an Assembly of Councillors record had not been presented for the Business Advisory Board meeting held Monday 29 April, 2019.

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

Nil

18. GENERAL BUSINESS

18.1 GENERAL BUSINESS MOTION

(Cr Keith Cook)

That Council:

1. Request an urgent briefing on the options for protecting significant trees within Baw Baw Shire.

COUNCIL MOTION

Moved: Cr K Cook
Seconded: Cr T Jones

CARRIED

Meeting closed at 7.45pm

Confirmed at this meeting 12 JUNE 2019

.....
Cr M Power
Mayor