



Minutes

Council Meeting

13 November 2019

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Baw Baw Shire Council
Council Meeting
13 November 2019
Minutes

Minutes of the Ordinary Meeting of the Baw Baw Shire Council held in the Council Chambers, Trafalgar Business Centre, commencing at 5.30pm on 13 November 2019.

Present

Cr M Power, Cr D Goss, Cr J Gauci, Cr M Leaney, Cr K Cook, Cr D Wallace, 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
Mr P Harris	Manager Governance
Ms K Baum	Governance Coordinator
Ms D Foenander	Executive Assistant to Mayor and Councillors

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 Brayakaulung Clan of the Gunaikurnai People. I pay my respects to their Elders, past, present and emerging, 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 P Kostos

Ms A Lisle Finance Manager

4. CIVIC CEREMONIES

Nil

5. CONFIRMATION OF PREVIOUS MEETING MINUTES

RECOMMENDATION
That the minutes of the Ordinary Council Meeting held on 23 October 2019 be confirmed.
COUNCIL MOTION
Moved: Cr K Cook Seconded: Cr D Wallace
CARRIED

6. COUNCILLORS DECLARATIONS OF INTEREST/CONFLICT OF INTEREST

Cr Gauci declared a Conflict of Interest for item 13.2 and left the chamber at 6:41pm, returning at 6:48pm.

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 was no information to be released to the public:

8. COMMUNITY PARTICIPATION TIME

8.1 QUESTIONS ON NOTICE

8.1.1 Questions on Notice

Mr David Lyons
Trafalgar
Submitted via email

- 1. An Employee of Solo Resource Recovery on Facebook is suggesting the service issues in the 3824 area are the result of "over worked, underpaid" employees. Is Baw Baw Shire concerned with the working conditions experienced with those engaged by their contractors? Is Baw Baw Shire not sufficiently paying the contractors for the services required in Trafalgar? Will Baw Baw Shire encourage employees of contractors to seek support if they feel over worked and underpaid and where will the shire direct those members of the community?***

BBSC has concern for all staff associated with Council services irrespective of whether they are the employees of a contractor or the employees of Council.

While not directly responsible for employees of a contractor, Council does include a number of terms and conditions to its contracts that require contractors to demonstrate support for the welfare and safety of their employees. These terms and conditions are designed so contractors demonstrate they are practicing safe work practices for their employees including the provision of health and safety training, engaging in health and safety monitoring practices plus maintain adequate Occupational Health and Safety records.

It is also worth noting that at the time of awarding any contract, Council assesses that a contractor can adequately resource the contract both with equipment and staff.

8.1.2 Questions on Notice

Ms Mary Hartwick – Jones
Warragul
Submitted via email

- 1. I am grateful to the Council for their decision to return to holding the Council meetings in Warragul. May I ask that consideration be given to allocating Disabled Car Parking near the entrance to the Fountain Room. At the moment, the few Disabled parking spaces are close to the main entrance to the Arts Centre and generally taken.***

Yes, Council's Traffic Engineer and Project Manager are currently considering the best location for an accessible parking bay which will link to a new disability access ramp being constructed to the Fountain Room entrance.

8.1.3 Questions on Notice

Mr Don McLean
Warragul
Submitted via email

In Mayoral Minute 27 March 2019 Mayor Power used the following words:
"Transparency and Decision Making is important to me personally and I know for the Council as a whole and it is vital. We can always explain things better but our intent is to provide information that helps our community better understand the reasons for the decisions we make. We will continue to build on and improve our approach to this as a Council."

- 1. What changes have been made in the way Council conducts business to improve transparency since the Mayoral Minute 27 March 2019?***

It is our practice to continuously look for opportunities to increase transparency. This is evidenced by our website, social media, live chat, rural outreach programs, Have Your Say campaigns and the extensive budget consultation carried out this year. These initiatives are continuously revised as we evaluate their effectiveness post implementation.

- 2. Why, given we are now over four months into the 2019/2020 financial year, does the Council website only show Councillor expenses to 31 December 2018?***

There is no specific reason why the expenses have not been updated on the website, and an update is expected to occur within the next week.

3. Why does the summary provided on Council website not correspond with the categories in adopted policy for reimbursement of Councillors?

There is no prescribed format for reporting Councillor expenses on Councils website, some Council's do not provide any detailed summary of expenses on their website. At Baw Baw Shire Council we choose to provide additional information to the general public for their review.

4. Clause 4.1.6 of the Council and Audit Committee Allowance and Entitlements Policy requires that Councillor and Audit Committee member expenses be published on the Council website – what are the individual amounts paid to Councillors detailed in the register maintained by the Chief Executive Officer for the financial year ended 30 June 2019 and for the first three months of the current financial year?

The individual Councillor expenses for the 2018/19 year can be located on page 78 of Council's Annual Report which is tabled at tonight's Council Meeting.

5. The policy for Councillor Expenses was adopted 13 July 2016, when is the policy to be reviewed?

The policy is currently under review and will be considered by Council in March 2020. A further review will likely be triggered if a new Local Government Act is introduced or at the commencement of the next Council term.

8.2 SUBMISSIONS

The following community member spoke on an item on the agenda.

Item	Name
10.1	David Hobson

9. PETITIONS

9.1 REQUEST FOR PUBLIC LIGHTING ON BONA VISTA ROAD

(Cr Danny Goss)

A petition was submitted to Council requesting public lighting on Bona Vista Road, Warragul.

The petition reads;

At present, Bona Vista Road has no street lighting from the bottom round-about all the way to the corner of Emerald Drive. It is very dark at night and dangerous for those who cycle, walk, run or exercise their pets.

RECOMMENDATION

That Council:

1. Receive and note the petition signed by 81 signatories;
2. Report back to Council not more than four meetings ahead;
3. Provide a response directly to the lead petition writer detailing Council's action on this matter.

COUNCIL MOTION

Moved: Cr D Goss

Seconded: Cr J Gauci

CARRIED

10. VIBRANT COMMUNITIES

10.1 PLACEMAKING PROGRAM

Graduate Engineer

Directorate: Community Infrastructure

Ward:

Appendix: 4 attachments

PURPOSE

To present the 2018/19 Placemaking Program proposed projects for Athlone, Erica and Thorpdale.

RECOMMENDATION

That Council:

1. Endorse the following projects, in each of the respective townships, for the 2018/19 financial year Placemaking Program:
 - a. Athlone
 - i. Athlone Hall kitchen upgrade, and
 - ii. Athlone Hall playground.
 - b. Erica
 - i. Street beautification works,
 - ii. Historical signage,
 - iii. Cricket pitch restoration, and
 - iv. Parking area improvements at Mill Park including signage.
 - c. Thorpdale
 - i. Electrical transformer upgrade at Thorpdale Recreation Reserve, and ***if sufficient funds are available***
 - ii. Netball court resurface at Thorpdale Recreation Reserve.

COUNCIL MOTION

Moved: Cr M Leaney

Seconded: Cr T Jones

Cr Jones requested an amendment to the recommendation. Cr Leaney agreed.

CARRIED

The Amendment being the motion was put to the meeting and carried.

KEY ISSUES

2018/19 Placemaking Program

- There was \$200,000 committed in Council's 2018/19 Capital Works budget for a Placemaker Program. The communities of Athlone, Erica, Jindivick and Thorpdale were the focus for placemaking projects.

- Following numerous consultation sessions with each community, meetings were held in October 2019 to close the loop and provide an opportunity to raise concerns and provide feedback. The meetings were led by Council officers and were well attended by residents, as well as Councillors.
- A meeting with the community of Jindivick was held on Tuesday 29 October 2019. It was agreed that another Placemaking Meeting should be held with Council's Social & Community Planning team present to determine the projects that will be delivered. A separate report will be presented to Council after this has occurred.

Athlone

- All residents of Athlone were sent a letter and fact sheet in relation to the Placemaking Program in January 2019. The letter sought community input on what they might like to see the available funds spent on.
- The Athlone Hall & Recreation Reserve Committee of Management flagged their interest in the program and further engagement was facilitated through this group.
- The project ideas submitted by the community for the Placemaking Program were as follows. See attached map also for details.

Project Idea	Comment	Estimated Cost
Development of Playground behind Athlone Hall	Will provide various play equipment as well as improvements to the BBQ area. A sketch of the proposed playground is attached with map.	Up to \$42,500
New Storage and Joinery in Hall Kitchen	Will provide improvements to the Hall kitchen.	\$7,500

- As the facility is largely used for childcare, the committee has presented the need for the development of a playground at the rear of the hall for supervised play. In addition, minor works inside the hall will complement the development.
- On Wednesday 16 October 2019 a community meeting was held at the Athlone Public Hall to close the loop and provide an opportunity for the community to raise concerns and provide feedback. The meeting was led by Council Officers and 10 residents attended the session as well as several Councillors.
 - Feedback from the community was very positive regarding the proposed projects and the sentiment was that these projects should be delivered without further delay.

- The community expressed appreciation for the program and the positive impacts it will bring to Athlone.
- The proposed projects for Athlone are as per the project ideas submitted by the community, including the development of the playground behind the Athlone Hall and new storage and joinery in the Athlone Hall kitchen. The estimated cost for the works is \$50,000.
- The playground proposal has been developed in conjunction with the committee to provide for the requirements of the hall. The proposal includes the following:
 - Install 100m² of synthetic grass for the playground including a rubber-based bike track (approximately 39m²),
 - Provide 50m² of bark mulching and landscaping,
 - Install of 1.2m high perimeter fence to playground,
 - Install custom built seating around trees, sandpit, portable play equipment and cubbyhouse,
 - Make improvements to concrete at existing sheltered BBQ area.
- To support the function of the hall, floor to ceiling storage cupboards are proposed for the eastern side of the kitchen.
- Council officers have obtained quotations for the proposals and are ready for construction following Council's decision. It is expected that works will be completed within two months of Council's resolution to proceed.

Erica

- Consultation for Erica started in January 2019 whereby all residents of Erica were sent a letter and fact sheet in relation to the Placemaking Program to provide information and seek feedback.
- Further engagement included meetings with the Erica and District Historical Society, the owner of 1914 Cafe & Bar, the Erica Caravan Park and the Erica Committee of Management.
- The project ideas submitted by the community for the Placemaking Program were as follows. See attached map also for details.

Project Idea	Comment	Estimated Cost
Street Beautification	New timber wall on the corner of Henty Street and Moe-Rawson Road to match opposite corner.	\$18,000
Historical Signage	Historical information signage with photographs at various locations.	\$20,000
Street Tree Planting	New Cherry Blossom Trees along Henty Street. (Have been delivered	\$2,250

Project Idea	Comment	Estimated Cost
	as part of Street Tree Planting Program and not Placemaking).	
Restoration of the Cricket Pitch	Damaged portion of concrete on the cricket pitch will be replaced.	\$2,000
Enhancement of the Mill Park Entrance	Includes parking area improvements and signage to highlight Mill Park and encourage increased use of the trails.	\$10,000
Erica Reserve Kitchen Upgrade	To fix non-compliance of the kitchen with a doorway to the adjacent public toilet. Also includes kitchen refurbishment. Other projects were prioritised by the community.	\$50,000

- As part of the Street Tree Planting Program, cherry blossom trees were planted along Henty Street on 11 September 2019.
- On Tuesday 15 October 2019 a community meeting was held at the Erica Community Hall to close the loop and provide an opportunity for the community to raise concerns and provide feedback. The meeting was led by Council Officers and seven residents attended the session as well as several Councillors.
 - As part of the discussion, the scope of the cricket pitch restoration was reduced to only replace the damaged portion of concrete rather than a complete pitch reconstruction. It was agreed that the surplus would be used to bolster the proposed signage projects in Erica.
 - The agreement from community members in the meeting was to proceed with the proposed projects.
- The Placemaking Program will deliver the street beautification works (new timber wall), historical signage, restoration of the cricket pitch and enhancement of the Mill Park entrance. The estimated cost for the works is \$50,000.
- The proposed scope of works is:
 - *Historical Signage & Street Beautification:*
 - Construction of a timber wall at the corner of Henty Street and Moe-Rawson Road with flower planting works to reflect the opposite side.
 - Installation of four or five historical information signs with photographs allowing for a comparative visual perspective of old versus new.

- *Restoration of the Cricket Pitch:*
Replace the damaged portion of the concrete cricket pitch at the recreation reserve to facilitate the use of exhibition matches and events (such as Australia Day).
- *Enhancement of the Mill Park Entrance:*
Works include the designation of a vehicle parking area at the entrance to the Mill Park walking trails. This will include the gravel resheeting of approximately 300m². Works also include the provision of additional directional signage to highlight the area and direct visitors to the entrance of the park.
- Council officers are currently in the process of finalising specifications prior to requesting quotations for the works. Following Council's decision, designs for signage will be finalised with key community groups and quotations will be sought. It is expected that the projects will be completed within three months of Council's resolution to proceed.

Thorpdale

- Consultation started in January 2019 in Thorpdale with information on the Placemaking Program and a suggestion box being left at the bakery. Additionally, all residents of Thorpdale were sent a letter and fact sheet.
- The project ideas submitted by the community for the Placemaking Program were as follows. See attached map also for details.

Project Idea	Comment	Estimated Cost
Walking/Cycling Tracks Linking Leongatha, Trafalgar, Mirboo North and Thorpdale	Distance from Thorpdale to Leongatha (through Mirboo North) is 45km. Distance from Thorpdale to Trafalgar is 15km. High costs not achievable under the Placemaking Program ¹ . Additionally, works would be required outside of Baw Baw Shire.	\$10,500,000
Bike Paths into Narracan and Coalville	Distance from Thorpdale to Coalville (through Narracan) is 15km. High costs not achievable under the Placemaking Program ¹ .	\$2,625,000
Footpath from Primary School to Recreation Reserve	Approximately 900m of concrete footpath. High costs not achievable under the Placemaking Program ² .	\$150,000
Pioneer Park Toilet Upgrades	Refurbishment of toilet block. Project is already included in the 2019/20 Capital Works Program.	-

Project Idea	Comment	Estimated Cost
Upgrades to Thorpdale baby pool by installing water recirculation and new entry way	Project involves new pool equipment with flowing water features. High costs not achievable under the Placemaking Program. Feedback was passed onto the Recreation Reserve for consideration.	-
Netball Court resurface	Resurfacing of one netball court at the Thorpdale Recreation Reserve.	\$10,000
Electrical Infrastructure Upgrade at Thorpdale Recreation Reserve	Preliminary estimate of \$40,000 from AusNet Services. Will provide many flow-on benefits to the overall community through the Potato Festival. Additionally, benefits will be provided to the social hub at the reserve and to the Recreation Reserve itself.	\$40,000

¹ Assumed path to be gravel at a rate of \$70/m² at 2.5m width. Rate does not include additional costs such as tree removal or moving of services if required.

² Assumed concrete footpath at a rate of \$110/m² at 1.5m width. Rate does not include land acquisition or other potential additional costs.

- On Tuesday 8 October 2019 a community meeting was held at the Thorpdale CFA Hall to close the loop and provide an opportunity for the community to raise concerns and provide feedback. The meeting was led by Council Officers and 15 residents attended the session as well as several Councillors.
 - As part of the discussion, there was unanimous support from the community that the Placemaking Program funds should be used to upgrade the electrical supply at Thorpdale Recreation Reserve.
 - The preliminary estimate from AusNet Services was approximately \$40,000 and there was a discussion on where the remaining \$10,000 of funds should go.
 - There was agreement that the remaining funds should go to a project listed in the Recreation Reserve Master Plan which includes further internal electrical upgrades and resurfacing of netball courts.
- The proposed scope of works for the program is for the upgrade of electrical infrastructure and for resurfacing of a netball court at the Thorpdale Recreation Reserve. The total value of works will be \$50,000.
- The electrical infrastructure works involve an upgrade through AusNet Services for a 200kVA transformer and 160A three phase cable.
- Key project benefits include:

- Improved safety for the facility. A significant electrical fault in 2014 caused the site's smart meter damaged on two separate occasions when all four oval lights and hot water unit were turned on simultaneously. The club is currently required to follow a strict procedure to avoid repeat failures.
- Increased electrical capacity of the pavilion which will negate the need for portable generators at large events such as the Potato Festival. Savings will be in the range of \$4,700 biennially for this event which is returned to the community.
- Funds raised by the Potato Festival are used to support the Thorpdale community including at the Multi-Purpose Hall, Thorpdale Fire Brigade and Thorpdale Bowling Club.
- Enabling the use of hot water in the change rooms while oval lights are in use. During the Potato Festival, the extra capacity will permit unrestricted use of the oval lighting. This will provide a much safer environment for those involved in setup and clean-up.
- Allowing a \$20,000 contribution from the Latrobe Valley Authority (LVA) for an internal electrical upgrade to compliment a \$40,000 contribution from the Recreation Reserve Committee of Management, Potato Festival Committee and Thorpdale Football Netball Club. The LVA contribution will not proceed if the power supply upgrade is not completed.
- Utilisation of the full 20kW solar panels currently being installed, rather than a 5kW export limited system allowed by current infrastructure. The electrical infrastructure upgrade will also allow for feeding power back to the grid. The solar panels are expected to save \$6,500 per annum once running at their full capacity.
- Enabling a pending funding application for the upgrade of sport lighting with Sport and Recreation Victoria. As per a Shire wide lighting audit, the lighting at the Reserve is the poorest in the Shire, with an average reading of 14 lux (100 lux is required for games to be played and 50 lux is required for training). The outcome of the funding application is anticipated to be unfavourable if a supply upgrade is not scheduled for completion.
- Allowing the Recreation Reserve to upgrade various parts of the reserve. With the capacity of the current power supply, any upgrades that require additional power cannot proceed.
- Resurfacing one of the netball courts at Thorpdale Recreation Reserve will provide benefits including allowing Thorpdale to host a higher level netball competition. Additionally, the Potato Festival Committee may potentially be able to secure the Melbourne Vixens netball team for an exhibition match.
- The electrical infrastructure upgrade would be undertaken by AusNet Services and is estimated to take approximately four months to

complete. Netball court resurfacing will take two months to schedule a contractor and complete the works.

- It would be beneficial for the projects to proceed without further delay to ensure that funding applications submitted to the Latrobe Valley Authority and Sport and Recreation Victoria are not jeopardised. These applications are contingent on the electrical supply upgrade being completed.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

- The short-term financial implications are a maximum of \$200,000 for each financial year's program as budgeted by Council.
- A long-term potential implication is any ongoing maintenance responsibility and associated operating costs required by delivering each project.

Environmental Impact

- The street tree planting completed along Henty Street in Erica will provide a positive environmental impact.
- With an upgrade of electrical infrastructure at Thorpdale Recreation Reserve, the 5kW export limit can be removed from the system and permit the the full benefit of the 20kW rooftop solar system.

Community Impact

- Through the process of considering, deliberating and finalising which projects will be achieved for each town, certain current or historical issues within each community may be highlighted.
- The intent of the program is to positively impact the community by contributing \$50,000 to the public realm.

CONSULTATION

- The engagement undertaken for the 2018/19 placemaking program utilised an involve/collaborative approach as per the IAP2 Public Participation Spectrum (attached).
- Engagement began at the start of 2019 with letters and/or information being provided to each community about the program. Several community meetings were then attended by Council officers to understand what projects those communities wanted to see delivered. Whilst some of the suggested projects were outside the scope of the Placemaking Program, many suggestions as identified in this report can be delivered.
- The Placemaking Program for Jindivick will be covered in a separate Council report due to differing community views about what should be

delivered. These views were demonstrated at the most recent community meeting in Jindivick on 29 October 2019.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

The Placemaking Program assists with the achievement of the key strategic objective as set out in the Council Plan 2017-2021:

Strategic Objective 1: *Vibrant Communities*

- Thriving town centres, rural and remote communities.
 - 1.6 Continue the small town and rural communities placemaking program.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

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

LEGAL

There are no legal impacts posed by the Placemaking Program.

POLICY IMPACTS

There are no policy impacts posed by the Placemaking Program.

CONFLICT OF INTEREST DECLARATION

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

OPTIONS FOR CONSIDERATION

1. Endorse the proposed scope of works for the 2018/19 Placemaking Program in the towns of Athlone, Erica and Thorpdale.
2. Propose alternative works for the above 2018/19 Placemaking Program towns.

11. THRIVING ECONOMY

11.1 TRAFALGAR RECREATION PRECINCT - MULTI-USE PAVILION

Recreation Coordinator, Manager Assets
and Recreation

Directorate: Community Infrastructure

Ward: East

Appendix: 1 attachment

PURPOSE

For Council to consider the Trafalgar Recreation Precinct Multi-Use Pavilion design development and seek endorsement of the preferred concept design.

RECOMMENDATION

That Council:

1. Endorses the concept design shown in attachment 1 as the preferred concept design for the development of a new Multi-use Pavilion at the Trafalgar Recreation Precinct
2. Refers the requirement to increase the project budget allocation within the Long Term Infrastructure Plan to \$3,200,000 to the 2020/21 annual budget process
3. Develops and submits relevant grant applications for external funding towards the project

COUNCIL MOTION

Moved: Cr D Wallace

Seconded: Cr M Leaney

CARRIED

Councillor Goss called for a division

For: Cr M Leaney, Cr J O'Donnell, Cr J Gauci, Cr D Goss,
Cr M Power, Cr K Cook, Cr D Wallace

Against: Cr T Jones

KEY ISSUES

Following the recreation reserve masterplan review and the budget submission process, Council allocated \$100,000 in the 2019/20 financial year for detailed design work to be completed on the Trafalgar Recreation Precinct multi-use pavilion.

AVOR Architecture was awarded the design contract for this project following a public tender process.

AVOR has been tasked with delivering detailed construction drawings, a quantity surveyor's (QS) estimate and a functional layout design for the supporting infrastructure consistent with the Trafalgar Recreation Precinct

masterplan inclusive of associated carparking, a second oval and a second reserve access road.

The design documentation will progress the project to 'shovel ready' status and enable Council to seek grant funding in line with the proposed delivery of the project in 2020/2021 as per Council's Long-Term Infrastructure Plan (LTIP). Project delivery will be subject to a successful grant application. It is expected that Sport and Recreation Victoria will soon announce the opening of their relevant funding programs such as the Female Friendly Facilities Fund, which will be targeted for this project.

A Project Reference Group (PRG) has been established for this project and operates under a Terms of Reference to help guide the development of the project. The PRG includes representatives from the possible future tenant user groups at the reserve including:

- Trafalgar Boxing Gym
- Trafalgar Cricket Club
- Trafalgar Football Netball Club including Junior Football Club representatives
- Trafalgar Victory Football Club
- Gippsland Football Club

AVOR have prepared several concept designs through the initial project development stage. This has been important to support the consultation with the PRG to ensure the facility designed is fit for purpose and meets relevant sporting code standards.

Project Fact Sheets including copies of individual club feedback, design versions and a feedback summary have also been developed and distributed to the PRG to continually inform the PRG on the progress of the project and to ensure transparency.

Attachment 1 provides a copy of the preferred concept design following PRG, Council and officer feedback.

Through the work with the PRG and development of the preferred concept design there has been feedback from the Trafalgar Boxing Club outlining several initial concerns that require further consideration through the development of the project. These have been summarised and include:

1. How the Boxing Club needs are going to be met in a multi-use facility from an operational capacity,
2. The size of the proposed space provided for the Boxing Club in a multi-use facility, and
3. Access to amenities for exclusive Boxing Club use.

The preferred concept design has considered point two above in consultation with the Boxing Club. An ensuite amenity located off the Boxing space has also been considered in the preferred concept design to assist in addressing point three above, however, this would not be for exclusive club use but does assist in the operations of the facility.

Further work to understand how Council can develop operational and facility management processes that support the Boxing Club and therefore all other future tenant Clubs will need to be considered during the next phase of the design process.

AVOR will develop detailed elevations and a cost estimate to help assist future budgeting and grant application development on the preferred concept design. Concurrently AVOR will proceed to develop the detailed construction ready drawings with on-going engagement of the PRG.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

The cost to develop the designs thus far total \$95,600 (excluding GST). The budget allocation for this project in the 2019/20 financial year is \$100,000.

The delivery of this project is listed as a strategic capital project in Council's Long-Term Infrastructure Plan, with \$2,800,000 allocated towards the project delivery in 2020/21. This includes \$500,000 worth of forecast income anticipated from Victorian Government grants.

Whilst a detailed QS estimate is yet to be received, the preferred concept design is estimated to cost in the order of \$3,107,200. It should be noted that this estimate has been calculated utilising an AVOR recommended rate per square meter of \$3,200. This recommended rate has been used for initial estimates as there is a significant amount of amenity provided for in this project. The preferred concept design has identified a total building area of 971 square meters.

Building Area (as per preferred concept design)	Rate per m²	Estimated Cost
971m ²	\$3,200	\$3,107,200

It should also be noted that the above estimate is for the building only and does not include ancillary works such as carparking and access roads.

The preferred concept design is over Council's current allocation within the LTIP. Further cost management may be required to be undertaken to refine the preferred concept design.

It should also be noted that the estimate has not been market tested which may result in further competitive pricing.

Council will need to consider increasing the project budget allocation in the Long-Term Infrastructure Plan to ensure that Council can show a suitable project budget allocation has been considered for this project and to support grant applications.

Based on the estimated cost of the project identified above it is recommended that a new project budget allocation be set at \$3,200,000 in the Long-Term

Infrastructure Plan and that this is considered as part of the Annual Budget development process.

Environmental Impact

Environmentally Sustainable Design (ESD) principles will be adopted in the development of the new Multi-use facility. ESD can reduce operating costs and environmental impacts while increasing building resilience. This aligns with Council's Environmental Sustainability Strategy 2018-2022.

Council has developed an ESD Matrix tool for use in improving the sustainability of new Council buildings. As part of the design process the ESD matrix will be utilised to assess the Multi-use pavilion designs for ESD initiatives and improvements.

Community Impact

The Trafalgar Recreation Precinct is used by a wide range of stakeholders from sporting clubs and community groups to schools and casual recreation users. This planning and design work will enable Council to seek grants for funding to address a gap in the provision of fit for purpose infrastructure as identified in the masterplan for the venue.

Current feedback from the PRG on the design project has been positive. The Terms of Reference and Fact Sheets have been well received increasing the clarity of roles and responsibility and understanding of the process of good design and project development.

CONSULTATION

Two PRG meetings have been held on 17 July and 4 September 2019 to consider the concept designs. Formal club feedback forms were developed to provide user groups with the opportunity to review and comment on the plans. This feedback was compiled with comments and responses also included from Council officers and AVOR to provide a transparent process.

Input has been and will continue to be sought from Sport and Recreation Victoria and State Sporting Associations such as the AFL, Football Victoria and Cricket Victoria throughout the design process.

Future PRG meetings will be set following the 13 November Council meeting to continue the development of the project.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This Trafalgar Recreation Precinct Multi-Use Pavilion report assists with the achievement of the key strategic objective as set out in the Council Plan 2017-2021:

Strategic Objective 1.0: *Vibrant Communities*

- 1.1 Quality community focused services, facilities and infrastructure to support a growing community.

- 1.3 A vibrant, healthy and inclusive community.
 - 1.3.3 Support the community to enhance their health and wellbeing.
 - 1.3.5 Plan, manage and enhance opportunities for sport, recreation and leisure by developing new plans for growth and infrastructure and delivery of Master Plans.
 - 1.3.6 Enhancing how Council works with the community to improve social inclusion, access and equity.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This Trafalgar Recreation Precinct Multi-Use Pavilion report has been reviewed under the Charter of Human Rights and Responsibilities and is considered compatible.

LEGAL

“Planning for and providing services and facilities for the local community” is listed as a function of Council under the Local Government Act 1989.

Council is required to comply with the Building Code of Australia. In doing so this project assist Council to address compliance issues under the BCA and relevant sporting code standards.

Council is required to comply with the Procurement Policy made in accordance with the requirements of Section 186A of the local Government Act 1989.

POLICY IMPACTS

Council's *Recreation Strategy 2017-2027* has identified several guiding principles that drive the future direction of providing sport and recreation opportunities across the Shire. Some of the relevant principles to this project include:

- Supporting the development of shared multi-use facilities that comply with relevant sporting design standards
- Ensuring universal design (including female friendly), ESD and CPTED principles are followed in the development of new facilities and redevelopment of existing facilities.
 - Buildings will:
 - be developed reflecting evidence-based research and with service levels defined;
 - be developed only after existing facilities are optimised;
 - be focused on local and municipal level needs;
 - be planned and designed for use by several groups.
 - Minimise barriers and encourage participation in recreation for women, girls, cultures and people of all abilities
- Seeking grants and partnerships in order to help fund facility developments

The project scope identified in the adopted *Trafalgar Recreation Precinct Master Plan Review 2019* is as follows:

- “New multi-use pavilion for the western side of the reserve to service soccer fields and second oval. Scope to include 6 x female-friendly change rooms/amenities, officials’ space, external access toilets, veranda, storage, office, timekeeping box, canteen, and boxing gym. Location to be between soccer fields and oval.”

CONFLICT OF INTEREST DECLARATION

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

OPTIONS FOR CONSIDERATION

The concept design option proposed as part of this report, responds to the high level principles within Council’s Recreation Strategy and the relevant action within the Trafalgar Recreation Reserve Masterplan.

Whilst the estimated costs for the proposed option are in excess of the allocation within the LTIP, the proposed concept design addresses the scope necessary to facilitate the user groups specified in the scope of the multi-use facility. Further to this, through the next stage of the design further cost management might be possible to minimise the overall cost of the project, without impacting the scope.

It is therefore recommended that Council:

1. Endorses the concept design shown in attachment 1 as the preferred concept design for the development of a new Multi-use Pavilion at the Trafalgar Recreation Precinct
2. Refers the requirement to increase the project budget allocation within the Long Term Infrastructure Plan to \$3,200,000 to the 2020/21 annual budget process
3. Develops and submits relevant grant applications for external funding towards the project

Should Council not want to allocate additional funds towards the project, then it would be recommended that Council undertake further work with the relevant user-groups, specified as key users of the multi-use facility, to determine how the scope could be reduced. If this was the approach that Council wished to investigate an alternative recommendation would be recommended, as below.

That Council:

1. Requests further cost management and refinement of the concept design shown in attachment 1 to enable the project to meet the allocated budget amount of \$2,800,000 as per the Long-Term Infrastructure Plan
2. Following the further cost management and design refinement to within the \$2,800,00 budget, Council officers develop and submit relevant grant applications for the project to enable project delivery in line with the Long-Term Infrastructure Plan, subject to securing successful funding.

11.2 BUSINESS ADVISORY BOARD

Tourism Officer

Directorate: Communications and Economic
Development

Ward: All

Appendix:

PURPOSE

For Council to determine the future of the Business Advisory Board after the 12-month extension from November 2018 is due to expire.

RECOMMENDATION

1. That the Business Advisory Board be rescinded, and all members receive a letter of thanks from the Mayor recognising their contribution to the Board over the last two terms.
2. For the next 12 months panels consisting of members of key industry sectors provide input to Council as required on relevant topics or strategic papers.
3. Following the election of a new Council in November 2020, Council's Economic Development Team provide Council with a briefing on possible options to further involve business and industry groups.

COUNCIL MOTION

Moved: Cr M Leaney

Seconded: Cr T Jones

CARRIED

KEY POINTS/ISSUES

- The current term of the Business Advisory Board is due to expire in November 2019.
- The aim of the Business Advisory Board was to improve the level of two-way communication between Council and the local business community.
- Prior to the commencement of the Business Advisory Board, Council had no committees or formal associations that provided specific economic development guidance to Council.
- Following consultation with Board members, Councillors and business groups, Council officers recommend that the BAB in its current format be rescinded.
- To maintain two-way contact between key business groups and the Council, it is recommended that for the next 12 months, Council establish panels consisting of members of key industry sectors to provide Council input as required on relevant topics and strategic papers.
- This model is the preferred option as the challenges and issues facing the business community in Baw Baw Shire are varied and providing

topics to be explored by industry experts would allow Council to develop programs and offerings based on the advice received.

- Council would also like to acknowledge and thank the current members.
- Since 2017, the Business Advisory Board has achieved the following outcomes:
 - Provided advice and feedback on the Economic Development Strategy 2018-2021 prior to endorsement by Council
 - Provided advice and feedback on the three Destination Action Plans (Noojee and Surrounds, Yarragon and Surrounds, Walhalla and Mountain Rivers) prior to endorsement by Council
 - Provided advice and feedback on the RV Tourism and Signage Plan 2017 prior to endorsement by Council
 - Provided information specific to their industry, including but not limited to, topics such as:
 - Jobs and employment challenges in Baw Baw Shire
 - Advice and potential connections regarding export and growth opportunities
 - Advice to support the development of business programs.
- To ensure Council continues to meet the needs of our business community, this model should be reviewed in 12 months and following the election of a new Council in November 2020, Council's Economic Development Team provide Council with a briefing on possible options to further involve business and industry groups.

TRIPLE BOTTOM LINE IMPLICATIONS

COMMUNITY IMPACT

- Council's *Economic Development Strategy 2018-2021* will be a key driver of economic development and tourism activities and will guide the direction of the Business Advisory Board.
- The Business Advisory Board is designed to provide a level of two-way communication between Council and the local business community.
- Panel style discussions on specific topics would allow Council and the Community to have a two-way discussion on specific issues impacting the economy.

ENVIRONMENTAL IMPACT

No environmental impacts have been identified.

FINANCIAL IMPACT

- Council Staff (up to three staff) are required to provide administrative support and facilitate meetings.

- There are additional expenses, generally minimal, related to the catering and venue hire for each meeting, this is accounted for within the existing budget.

CONSULTATION

At the Business Advisory Board meeting on the 5 August 2019, Board members were asked to provide their feedback and experience during their time on the Board. This feedback was taken into consideration when recommending appropriate options for Council to consider.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

The *Economic Development Strategy 2018-2021* assists with the achievement of the key strategic objective as set out in the Council Plan 2017-2021:

Strategic Objective 1: *Vibrant Communities*

- Quality community focused services, facilities and infrastructure to support a growing community;
- Managing Baw Baw's growth and development.
- Thriving town centres, rural and remote communities

Strategic Objective 2: *Thriving Economy*

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

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

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

LEGAL

The Business Advisory Board is a formally appointed Advisory Committee of the Council for the purposes of the *Local Government Act 1989*.

POLICY IMPACTS

Council's *Economic Development Strategy 2018-2021* will be a key driver of economic development and tourism activities.

CONFLICT OF INTEREST DECLARATION

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

12. SAFE AND SUSTAINABLE ENVIRONMENTS

Nil Reports

13. ORGANISATIONAL EXCELLENCE

13.1 2018/19 ANNUAL REPORT

Strategic Communications Leader

*Directorate: Communications and Economic
Development*

Ward: All

Appendix: 1 attachment

PURPOSE

To present the Baw Baw Shire Council 2018/19 Annual Report for adoption.

RECOMMENDATION

That Council adopt the 2018/19 Annual Report.

COUNCIL MOTION

Moved: Cr D Goss

Seconded: Cr K Cook

CARRIED

KEY POINTS/ISSUES

- The Annual Report 2018/19 provides a review of the Council's operations, major activities, achievements and challenges for the financial year.
- The Annual Report 2018/19 is prepared in two parts; the Report of Operations and the Annual Financial Report. The report provides funding bodies with an audited certified copy of the Council's financial accounts.
- The Independent Auditors report by the Victorian Auditor-General's Office for The Financial Report and The Performance Statement is included in the Annual Financial Report. Audit Opinion was received by Council on 23 September 2019 and this is included in the report.
- Council made significant progress and achievements across each of the Council Plan Objectives including the below highlights:

Objective 1: Vibrant communities

- Delivered approximately \$295,000 road safety improvements via successful applications for Blackspot projects at Labertouche Road North and Main South Road.
- Secured funding for a new Warragul Early Learning Centre, Drouin Early Learning Centre extension and new kindergarten for Trafalgar.
- Completed the West Gippsland Arts Centre (WGAC) redevelopment project. Since opening in November 2018, over 24,000 people have attended events, due to an increase in the capacity and an increase in the number of programmed events in the redeveloped theatre.

- Implemented the Arts, Culture and Events Strategy that has attracted several performances to the West Gippsland Arts Centre national flagship performing arts companies. Some of the performances being; Bangarra Dance Theatre, Sydney Dance Theatre, Circus Oz, and the staging of 'Beauty and the Beast' in partnership with the Warragul Theatre Company.
- Inducted additional volunteers, resulting in 434 volunteers now involved in Council programs. This result reflects Council's ongoing commitment in supporting community focused volunteer programs.
- Provided an uninterrupted recycling service to households and successfully applied for State funding.
- Launched the first-ever Arts Trail in Baw Baw Shire involving 16 artists.
- Adopted the following strategies; Arts, Culture and Events Strategy, Disability Action Plan 2018-2022, Municipal Early Years Infrastructure Plan, Paths and Trails Strategy and the Public Arts Strategy.
- Commenced several new Family and Children's parenting programs including 'Triple P' and 'What Were We Thinking'.
- Held a well-attended and successful Children's Expo during Children's Week.
- Successfully hosted a Disability Expo at the West Gippsland Arts Centre.
- Council continued to engage and build relationships between the local Aboriginal community and Council. This included support provided to local individuals, and events such as Reconciliation Week activities and other significant days.
- Successfully delivered two Property Development Forums.

Objective 2: Thriving Economy

- Attracted more than 9,000 attendees to the World Jousting Championships, held for the first time at Lardner Park in June 2019.
- Delivered the Melbourne Food and Wine Festival's new 'Village Feast' event in Jindivick in March 2019.
- Welcomed more than one million visitors to West Gippsland – a milestone achievement for the region.
- Increased third-party funding/grants from \$5 million in 2017/18 to \$9 million in 2018/19 – a record achievement from external funding.
- Hosted four episodes of popular cooking entertainment program – Good Chef/Bad Chef.
- Hosted three major cycling events including the Jayco Herald Sun Tour, Tour of Gippsland and Baw Baw Classic.
- Hosted a successful and popular Spartan Kids event for first time in Gippsland along with Latrobe Valley Authority, attracting more than 4,000 participants over three days to Drouin.

Objective 3: Safe and Sustainable Environments

- Established the Baw Baw Significant Tree Register. Council worked with the Friends of Drouin Trees, to develop an online Trees of Drouin web portal.
- Secured \$125,000 Emergency Management grant funding to support the ongoing recovery effort for the recent Stoney Creek and Bunyip bushfires. Council staff continue to provide long term recovery support to the affected communities.
- Completed two significant domestic wastewater risk assessment projects in water supply catchments. Visited 106 premises in the Blue Rock Lake catchment and 92 properties in the Tarago Reservoir catchment to assess wastewater/septic tank health.
- Completed over 21,100 Fire Hazard Inspection program inspections during the 2018/19 summer season.
- Identified a new offset site under Council's Native Vegetation Offset Scheme, which will be used to benefit the local environment by improving and protecting our indigenous vegetation.
- Completed Council's Illegal Dumping Surveillance and Education program. The program entails the placement of surveillance cameras at known dumping spots and educating the community on appropriate methods to manage rubbish.
- Successfully delivered a Builders Forum where builders and Council discussed the responsibilities in building site management and legislative compliance.

Objective 4: Organisational Excellence

- Implemented a new phone system that has helped deliver improved customer service to the community by reducing call wait times.
- Improved customer service response times, with:
 - Phone calls answered within 52 seconds (down from 91 seconds)
 - Incoming correspondence answered within average 24 days, down from 34 days.
- Introduced 'Live-Chat', an online customer service software tool, with 93% of live chat enquiries are resolved at first point of contact.
- Adopted the 2019/20 Budget and Council Plan, which received a record 248 budget submissions from the community through two community engagement opportunities.
- Reviewed and launched an improved recruitment process with a stronger focus on diversity and inclusion.
- Significantly lowered staff turnover rates, from 20% in 2017/18 to 14% in 2018/19.
- Improved the organisation's employer of choice brand reputation.

- Significantly increased engagement with the local community, receiving 364 submissions on publicly exhibited items during 2018/19, 169 more than the previous year. Council asked for community input on the following items during the year:
 - Drouin Civic Park Play Space
 - Draft Recreation Strategy
 - Draft Youth Strategy
 - Recreation Master Plan reviews
 - Draft Disability Action Plan
 - Jones Reserve
 - Linear Reserve
 - Significant Tree Register
 - Preliminary Budget and Council Plan consultation (2019/2020)
 - Longwarry Urban Design Framework
 - Community Hub Strategy
 - Paths and Trails Strategy
 - Strategic Pathway Network
 - Public Art Policy review
 - Baw Baw Family Friendly initiative
 - Compliance Local Law review
 - Budget 2019/20
 - Council Plan Review 2019/20
 - Draft Long Term Infrastructure Plan 2019-2028

TRIPLE BOTTOM LINE IMPLICATIONS

COMMUNITY IMPACT

The report illustrates the Council's efforts to be a sustainable, transparent organisation and identifies future challenges and projects for the coming financial year

ENVIRONMENTAL IMPACT

Only 30 copies of the Annual Report will be printed this year. Baw Baw Shire Council will encourage the community to access the report online. Copies will be provided to the community upon request.

FINANCIAL IMPACT

Council has delivered a financially sustainable result for 2018/19 as certified by the Victorian Auditor-General's Office.

CONSULTATION

- In accordance with Section 131 of the *Local Government Act 1989*, Council will make available:
 - Copies of the Annual Report of Operations and the Annual Financial Report and Audit certificates at all Baw Baw Shire Council Customer Service Centre's.
 - A downloadable copy of the report will be featured on the Council's website.
 - Council sent the Annual Report to the Minister for Local Government on 23 September 2019 as per the *Local Government Act 1989*.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This Annual Report 2018/19 assists with the achievement of the key strategic objective as set out in the Council Plan 2017-2021:

Strategic Objective 4: *Organisational Excellence*

Providing community benefit by effectively managing Council's resources and finances.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This Annual Report 2018/19 has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

The 2018/19 Annual Report and Financial Report are prepared in accordance with section 131 of the *Local Government Act 1989*, Local Government (Planning and Reporting) Regulations 2014 and the Local Government (Finance Reporting) Regulations 2004. The Act requires Council to consider the annual report at a meeting open to the public, within one month after submitting the annual report to the Minister.

POLICY IMPACTS

There are no direct policy impacts with this report.

CONFLICT OF INTEREST DECLARATION

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

13.2 PROCUREMENT POLICY 2019 AND CEO DELEGATION REVIEW

Procurement Coordinator

Directorate: Corporate and Community
Services

Ward: All

Appendix: 3 attachments

PURPOSE

The purpose of this report is to:

1. To review and adopt the Baw Baw Shire Council Procurement Policy 2019 as required by Section 186 of the *Local Government Act 1989*.
2. To review and update the Chief Executive Officer's financial delegation.

RECOMMENDATION

That Council:

1. Adopts the revised Baw Baw Shire Council Procurement Policy 2019; and
2. Approves an increase of the Chief Executive Officer's financial delegation from \$250,000 to \$750,000.

Cr Gauci declared a conflict of interest on this item and left the meeting at 6:41 pm, returning at 6:48 pm

COUNCIL MOTION

Moved: Cr D Goss
Seconded: Cr D Wallace

CARRIED

KEY ISSUES

Procurement Policy

- Section 186A of the Act requires all Councils to prepare, approve and publish a Procurement Policy. The policy outlines the requirements under S186 of the Local Government Act and Council's principles, processes and procedures when undertaking all procurement activities.
- Council's Procurement Policy is reviewed annually as per Section 186A (7) of the Local Government Act and was last adopted in September 2018.
- Recommendations for changes inclusions and updates from Council's 2018 Procurement Policy were made following ongoing internal reviews, feedback from internal stakeholders and continuous improvement.

- The following amendments are included to the draft Procurement Policy 2019:
 - Updated policy format as per the new Corporate Style Guide;
 - Changes and further guidance around the use of panel arrangements;
 - Inclusion of a reference to the new Procurement Guidelines. The Guidelines were developed as a recommendation following the last procurement internal audit and provide staff with additional guidance and procedures for all procurement and tender activities;
 - Further categories on exemptions under the policy including exemptions for procurement of works of art and procurement of performing arts (including individual / groups of artists and / or shows) defined as forms of creative activity that are performed in front of an audience, such as drama, music and dance. These areas were considered events where competitive quotes were unobtainable due to the uniqueness of each performance or piece of work;
 - The threshold for the requirement to conduct a public tender process changed from \$100,000 to \$150,000 for goods & services and \$200,000 for works in line with the lowest threshold requirement from S186 of Local Government Act. A definition for goods, services and works has been included in the policy for clarity; and
 - Amended wording regarding the requirements for public advertising of quotations. Council officers should give consideration to publicly advertising quotes on Council's Tenderlink portal for projects to the value of \$50,000 and above.

CEO Delegation Review

- As part of the Procurement Policy review it was highlighted that a key challenge was the elapsed time and additional work requirements for tenders and quotations to be compiled, evaluated then processed through the normal Council meeting cycle.
- The CEO's financial delegation was highlighted as a key area of significance in improving the contract award process. An increase to the CEO's financial delegation will streamline current processes and assist to mitigate the risk of insufficient project planning due to tight timeframes.
- The time savings in project delivery, should the CEO have the higher delegation as per the recommendation, is likely to be in at least three to four weeks. This means projects can be delivered at least three to four weeks sooner. This provides for productivity savings as well as more timely completion of the annual capital works program.
- In the majority of the cases each capital project that is the subject of the higher CEO financial delegation would already have been considered

and approved by Council during the annual budget. Providing the CEO with an increased delegation will continue to maintain the necessary financial controls over supplier expenditure transactions while enabling an increased level of efficiency as detailed above.

- A benchmarking of CEO's delegation against other Councils (refer Attachment B) including Gippsland Councils has been completed and assisted in recommending raising the CEO's delegation to \$750,000. Currently BBSC has one of the lowest CEO delegation levels at \$250,000 with some other Victorian Councils providing their CEO with a delegation of up to \$2 million.
- An increase in delegation will also allow for larger packages of works to be delivered using the existing panel contracts. This will assist to deliver the operational contracts, such as road renewal works, in a timelier manner.
- The current CEO delegation of \$250,000 has remained unchanged for at least six years. During this time there has been a significant increase in the cost of works that has generally increased at a rate in excess of CPI.
- Subject to the approval of the proposed higher financial delegation, it is proposed to provide Council with a regular report of projects awarded under delegation.
- Capital works projects that may be approved under the proposed CEO delegation are included within the project list at Attachment A.
- Councillors would also have to opportunity to 'call in' individual projects for a decision, on contracts to be awarded, if required.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

- The Procurement Policy aligns with the Victorian Local Government Procurement Best Practice Guidelines.
- The Procurement Policy demonstrates Council's commitment to ensure continuous improvement is applied in all procurement functions regarding efficient and effective outcomes. Best value as outlined in the Policy recognises that good procurement practices are essential for Council to obtain real improvements to service, cost and quality.
- Updating the CEO's financial delegation would allow for more efficient and streamlined processes to award contracts.

Environmental Impact

The policy takes into consideration the procurement process impact on the environment and promotes the principles of sustainable procurement.

Community Impact

- The policy will provide concise and clear guidelines that will lead to a fair and transparent process across the organisation.

- The policy will promote and reinforce the strategic objectives and vision of Baw Baw Shire Council and raise community confidence in Council's processes.
- A higher CEO delegation enables the more efficient delivery of community infrastructure projects.

CONSULTATION

- Consultation was undertaken with internal stakeholders. Other Local Government procurement policies and processes were investigated including the policy template developed by the Municipal Association of Victoria in preparation of the Procurement Policy.
- Consultation in relation to the CEO's delegation was undertaken with the Community Infrastructure Directorate, who are the largest Directorate impacted by the delivery of works, the Manager Governance, the Chief Financial Officer and other Councils through the benchmarking process.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

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

Strategic Objective 4: *Organisational Excellence*

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

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

Councils Procurement Policy now includes a statement in relation to the *Victorian Charter of Human Rights and Responsibilities Act 2006* ensuring that all of its procurement operations are fully consistent with prescribed rights and responsibilities and that they respect the 20 fundamental rights within the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

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

LEGAL

The *Local Government Act 1989* requires Council to prepare and approve a Procurement Policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by the Council. Section 186A (7) requires the Council to at least once in each financial year, review,

and may, in accordance with the Act, amend the current Procurement Policy.

POLICY IMPACTS

The changes to the Procurement policy will lead to improved procurement processes, systems and contract management. This will further enhance the control and visibility of Council expenditure and avoid wastage.

CONFLICT OF INTEREST DECLARATION

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

13.3 REVIEW OF ELECTION PERIOD POLICY

Governance Coordinator

Directorate: Corporate and Community
Services

Ward: All

Appendix: 1 attachment

PURPOSE

For Council to consider the changes to the revised Council Election Period Policy formerly titled Election Caretaker Period Policy and Procedures.

RECOMMENDATION

That Council adopts the revised Baw Baw Shire Election Period Policy 2019 - 2023.

COUNCIL MOTION

Moved: Cr M Leaney

Seconded: Cr J O'Donnell

CARRIED

KEY ISSUES

- The purpose of this report is to provide Council with an opportunity to consider the review undertaken by the Governance team of the Baw Baw Shire Election Period Policy. This policy will inform the 2020 election period.
- Section 93B of the *Local Government Act 1989* stipulates that:
 - ***Council to adopt an election period policy***
 - (1) A Council must prepare, adopt and maintain an election period policy in relation to procedures to be applied by Council during the election period for a general election.
 - (2) A Council must prepare and adopt an election period policy as required by subsection (1)—
 - (a) by 31 March 2016; and
 - (b) following the general election on 22 October 2016, continue to maintain the election period policy by reviewing and, if required, amending the policy not later than 12 months before the commencement of each subsequent general election period.
- The Baw Baw Shire Election Caretaker Period Policy was last reviewed in March 2016, prior to the 2016 General Elections.
- Caretaker Period / Election Period are terms used interchangeably across the sector that relate to the adopted period that starts on the last day of nominations and ends at 6pm on Election Day. In this report and subsequent Policy, this period will be referred to as the Election Period.

- The Election Period Policy must be reviewed to ensure it is current and compliant.
- In the lead up to a general election the Local Government sector adopts an Election Period Policy to avoid actions that may be interpreted as influencing voters or unreasonably binding an incoming Council to significant decisions.
- The aim of the policy is to also publicly communicate to Councillors, Council employees and the community about how the Council will operate during the election period. The policy also facilitates the continuation of ordinary business during this period.

TRIPLEBOTTOMLINE IMPLICATIONS

Financial Impact

- There is no financial impact associated with the review and adoption of the revised Election Period Policy.
- It is to be noted that penalty units apply if the policy is breached.

Environmental Impact

There is no environmental impact associated with the adoption of the revised policy.

Community Impact

- Some public consultation activities may be necessary during the election period to facilitate the day to day business of Council and ensure matters continue to be proactively managed. Any such public consultation will avoid express or implicit links to the election.
- The Policy also sets out that Council will not continue or commence any new consultation on any contentious or politically sensitive matter after the commencement of the Election Period.

CONSULTATION

- The Election Period Policy will be updated accordingly on the Baw Baw Shire website and will be made available for community to view at any time.
- Internally, the Policy will be made available to Council officers on DARCI, provided to the Councillors via the dashboard and supplied to the Audit Committee in accordance with Council's ongoing compliance obligations.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This Policy and Procedure Review 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.
- Providing community benefit by effectively managing council's resources and finances.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

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

LEGAL

The review of this policy is in-line with the statutory requirements set out in the *Local Government Act 1989*. Section 93B of the Local Government Act requires Council to prepare, adopt and maintain an Election Period Policy.

POLICY IMPACTS

- The revised policy meets the review requirements set out in the Act and will result in Council operating in accordance with this policy during the election period.
- Once adopted, the policy will be added to Council's policy register.

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

Cr K Cook	Cr Cook and CEO Alison Leighton attended the SEATS conference on 8-9 November at Mollymook, NSW.
Cr J O'Donnell	Cr O'Donnell reported on the recent Baw Baw Latrobe Local Learning Employment Network board meeting and informed Council of the upcoming AGM to be held 21 November 2019 at Old Gippsdown, Moe.
Cr M Leaney	Cr Leaney and Cr Power attended the final meeting of the Business Advisory Board on Monday 11 November. The board was acknowledged and thanked for their contribution.

16. ASSEMBLY OF COUNCILLORS

16.1 ASSEMBLY OF COUNCILLORS

Governance Officer

*Directorate: Corporate and Community
Services*

Ward: All

Appendix: 5 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 11 October to Friday 1 November 2019.

COUNCIL MOTION

Moved: Cr K Cook
Seconded: Cr T Jones

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 acknowledged and thanked the CEO and Council staff for the great outcomes captured in the Annual Report, noting specifically the Comms, Governance and Finance Team for pulling the report together.

18. GENERAL BUSINESS

Nil

Meeting closed at 6:57pm

Confirmed at this meeting 27 NOVEMBER 2019

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**Cr M Power
Mayor**