



## ORDINARY COUNCIL MEETING

Tuesday 25 February 2020

6:00pm

Community Hub

Room 1

48 Burns Street, Maryborough

### AGENDA

---

Item	Title	Page
1.	Commencement of Meeting, Welcome and Opening Prayer	
2.	Apologies	
3.	Leave of Absence	
4.	Disclosures of Conflicts of Interest	
5.	Confirmation of the Minutes of the Previous Council Meeting	3
6.	Reports from Committees	
6.1	Noting of the Approved Minutes of Special Committee meetings and Advisory Committee meetings.	5
7.	Petitions	
7.1	Receipt of petition.	7
8.	Officer Reports	
8.1	<b>ASSEMBLIES OF COUNCILLORS</b>	8
8.2	<b>MOSAIC SCULPTURES DUNOLLY</b>	11
8.3	<b>PLANNING APPLICATION 116/19 – CONSTRUCTION OF A LEVEE AND ASSOCIATED EARTHWORKS AND INFRASTRUCTURE AND UTILITY INSTALLATION AT 4027 PYRENEES HIGHWAY, CARISBROOK</b>	15
8.4	<b>LIBRARY SERVICE LEVEL AGREEMENT WITH CITY OF BALLARAT 2020-2025</b>	28
8.5	<b>NORTHERN VICTORIAN INTEGRATED INFLUENZA PANDEMIC PLAN</b>	32
8.6	<b>SKATE AND SCOOTER PARK</b>	34
8.7	<b>CENTRAL VICTORIAN GOLDFIELDS WORLD HERITAGE LISTING MOU</b>	39
8.8	<b>2019 ENERGY BREAKTHROUGH EVALUATION</b>	42
8.9	<b>COUNCIL LAND FENCE POLICY</b>	45
8.10	<b>ACTION PLAN PROGRESS REPORT – AS AT 31 DECEMBER 2019</b>	48
8.11	<b>DECEMBER FINANCIAL REPORT</b>	50

9. Use of Common Seal
10. Notices of Motion Nil
11. Urgent Business
12. Confidential Business Nil
13. Meeting Close

## 5 CONFIRMATION OF THE MINUTES OF PREVIOUS COUNCIL MEETINGS

**Author:** **Manager Governance Property and Risk**

**Responsible Officer:** **Chief Executive Officer**

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

### SUMMARY/PURPOSE

To present for confirmation the minutes of the Ordinary Council Meeting held on 17 December 2019.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is proactive, well governed, professional and financially sustainable organisation.

4.3 Objective: Provide leadership in governance and Council decision making

### BACKGROUND INFORMATION

The minutes of meetings remain unconfirmed until the next meeting of Council.

### REPORT

Section 93 of the *Local Government Act 1989* requires Council to keep minutes of each meeting of the Council and Special Committees, and for minutes to be submitted to the next appropriate meeting for confirmation.

### CONSULTATION/COMMUNICATION

Once confirmed minutes become available, they will replace the unconfirmed minutes currently on the Council's website.

### FINANCIAL & RESOURCE IMPLICATIONS

Costs included in the Governance and communications budgets.

### RISK MANAGEMENT

This process conforms to the requirements of the *Local Government Act 1989*. Publication of the minutes increases transparency and reduces the risk of maladministration.

### CONCLUSION

The unconfirmed minutes of the Ordinary Council Meeting held on 17 December 2019 are presented for confirmation.

## **ATTACHMENTS**

1. Unconfirmed Minutes of Ordinary Council Meeting held 17 December 2019.

### **RECOMMENDATION**

*That Council confirms the Minutes of the Ordinary Council Meeting held on 17 December 2019.*

## 6.1 NOTING OF THE APPROVED MINUTES OF SPECIAL COMMITTEE MEETINGS AND ADVISORY COMMITTEE MEETINGS

**Author:** Governance Officer

**Responsible General Manager:** Chief Executive Officer

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

### SUMMARY/PURPOSE

To present for noting the confirmed minutes of Council's Special Committees established under section 86 of the *Local Government Act 1989* and the confirmed minutes of the Audit and Risk Committee established in accordance with section 139 of the *Local Government Act 1989*.

### POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is proactive, well governed, professional and financially sustainable organisation.

4.3 Objective: Provide leadership in governance and Council decision making

### BACKGROUND INFORMATION

In accordance with section 86 of the *Local Government Act 1989*, Council has established Special Committees.

The Terms of Reference for the Special Committees require the minutes to be presented to Council for noting.

Minutes of Special Committees are confirmed/approved at the next scheduled meeting of that Special Committee.

### REPORT

The following special and advisory committees of Council have provided confirmed minutes from their meeting as follows:

- Talbot Town Hall Special Committee Meeting 15 October 2019
- Adelaide Lead Hall Special Committee Annual General Meeting September 2018
- Audit and Risk Committee Meeting 9 September 2019

### RESOURCE IMPLICATIONS

There are no resource implications involved in the preparation of this report.

**RISK MANAGEMENT**

This process conforms to the requirements of the Local Government Act 1989. The requirement for reporting provides increased transparency of declarations of conflict of interest.

**CONCLUSION**

Recently received, confirmed minutes of Council's special and advisory committees are presented to Council for noting.

**ATTACHMENTS**

1. Talbot Town Hall Special Committee Meeting 15 October 2019
2. Adelaide Lead Hall Special Committee Annual General Meeting September 2018
3. Audit and Risk Committee Meeting 9 September 2019

***RECOMMENDATION***

*That Council notes the confirmed minutes of the:*

1. Talbot Town Hall Special Committee Meeting 15 October 2019
2. Adelaide Lead Hall Special Committee Annual General Meeting September 2018
3. Audit and Risk Committee Meeting 9 September 2019

## 7.1 RECEIPT OF PETITION

**Author:** **Manager Governance Property and Risk**

**Responsible General Manager:** **General Manager Corporate Performance**

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

Two copies of the petition relating to the Dunolly mosaics have been received, which reads as follows:

*We, the undersigned, strongly oppose the Mosaics being installed in Broadway Dunolly.*

### ATTACHMENTS

1. Dunolly Mosaics Petition dated 3 February 2020

### **RECOMMENDATION**

*That the petition be received by Council and referred to the General Manager Infrastructure Assets and Planning for action.*

## 8. OFFICER REPORTS

### 8.1 ASSEMBLIES OF COUNCILLORS

**Author:** **Manager Governance Property and Risk**

**Responsible Officer:** **Chief Executive Officer**

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

#### SUMMARY/PURPOSE

The purpose of this report is to provide the record of any assembly of councillors, which has been held since the last council meeting, so that it can be recorded in the minutes of the formal council meeting.

#### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

**Outcome:** Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

**4.3 Objective** Provide leadership in governance and Council decision making

Section 80A of the Local Government Act 1989 requires the record of any assembly of councillors to be reported to the next practicable council meeting and recorded in the minutes and to include the names of all administrators and council staff attending, the matters considered and any conflicts of interest recorded.

#### BACKGROUND INFORMATION

The Local Government Act provides a definition of an assembly of councillors where conflicts of interest must be disclosed.

A meeting will be an assembly of councillors if it considers matters that are likely to be the subject of a council decision, or, the exercise of a council delegation and the meeting is:

1. A planned or scheduled meeting that includes at least half the councillors and a member of council staff; or
2. An advisory committee of the council where one or more councillors are present.



**REPORT**

Outlined below are the details of assemblies of councillors:

<b>Date</b>	17 December 2019	<b>Meeting:</b>	Briefing Meeting
<b>Councillor Attendees</b>	Noel Harvey (Chief Administrator), Karen Douglas (Administrator), Hugh Delahunty (Administrator)		
<b>Council Staff Attendees</b>	Lucy Roffey (CEO)		
<b>Guests</b>			
<b>Conflict of interest disclosures:</b>		NIL	
<b>Matters Considered</b>	Pre meeting to discuss December Ordinary Council Meeting.		

<b>Date</b>	11 February	<b>Meeting:</b>	Briefing Meeting
<b>Councillor Attendees</b>	Noel Harvey (Chief Administrator), Karen Douglas (Administrator), Hugh Delahunty (Administrator)		
<b>Council Staff Attendees</b>	Lucy Roffey (CEO); Paul Brumby (GMCP); Rebecca Stockfeld (GMIAP); Martin Collins (GMCW); Philip Schier, Manager Strategy and Economic Development; Amy Bell, Strategic Planner; Kym Murphy, Manager Community Partnerships; Lynn Waters, Healthy Heart of Victoria, Ron Potter, Manager Infrastructure; Kristie Berry, Property and Risk Officer; Helen Morrissey, Governance Officer, Megan Kruger, Manager Governance Property and Risk; James Maw, Manager Statutory Services, Lynne Stephenson, Acting Manager Finance		
<b>Guests</b>	Mike Ruzzene, Director, Urban Enterprise		
<b>Conflict of interest disclosures:</b>		NIL.	
<b>Matters Considered</b>	<ul style="list-style-type: none"> <li>• Recording of Council Meetings</li> <li>• Property Update</li> <li>• Development and Community Safety Report</li> <li>• Central Victorian Goldfields World Heritage MOU</li> <li>• Findings of Active Living Census</li> <li>• Operating Plan for Youth Hub</li> <li>• Skate and Scooter Park Grant Application SRV</li> <li>• Emergency Management Arrangements During an Emergency</li> <li>• Influenza Pandemic Plan</li> <li>• Economic Development &amp; Tourism Strategy – Draft Strategy and Action Plan</li> <li>• EBT Evaluation</li> <li>• Draft Waste Strategy</li> <li>• Dunolly Sculptures</li> <li>• Fence Policy</li> <li>• Council Action Plan Quarterly Update</li> <li>• Planning Approval Carisbrook Levee</li> <li>• December Financial Report</li> </ul>		

## **CONSULTATION/COMMUNICATION**

Assemblies of Councillors reported to Council and minuted thereby informing the community of any reportable assemblies.

## **FINANCIAL & RESOURCE IMPLICATIONS**

Costs included in the Governance budget.

## **RISK MANAGEMENT**

This process conforms to the requirements of the Local Government Act 1989. The requirement for reporting provides increased transparency of declarations of conflict of interest.

## **CONCLUSION**

All assemblies of councillors are reported as required under the Act.

## **ATTACHMENTS**

NIL

### **RECOMMENDATION**

*That Council note the record of assemblies of councillors for the period 11 December 2019 to 17 February 2020.*

## 8.2 MOSAIC SCULPTURES DUNOLLY

**Author:** General Manager Infrastructure Assets and Planning

**Responsible Officer:** General Manager Infrastructure Assets and Planning

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

### SUMMARY/PURPOSE

The purpose of this report is to advise Council on the feedback received in relation to the placement of two community art mosaic sculptures in Broadway, Dunolly.

Council placed an advert in the locally circulating newspapers, community newspaper (in Dunolly) and on social media, proposing two sites in Broadway, Dunolly, for the placement of two of the four community art mosaic sculptures. Two sculptures have been erected in Gordon Gardens in Dunolly.

74 submissions (one in the form of a petition) have been received. The submissions can be broadly broken into outright objection to Broadway, an objection with an alternative location and support for the Broadway locations.

The Gordons Gardens Master Plan recommended two sculptures be located on Broadway, however after council placed the footings in the street, some feedback was received that suggested additional consultation needed to be undertaken, and that one sculpture outside 82 Broadway, Dunolly would not be acceptable on historical grounds.

This report considers the two proposed Broadway locations, the community feedback, and provides four different options for Council to consider as the final locations for the art works.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: A supported, cohesive community, living full and healthy life.

Objective: Facilitate an active and inclusive arts community

Initiative: Participate in regional cultural programs including the Regional Centre for Culture

### Art Collection Policy

Council's art collection policy has a section about the display of art in public spaces:

#### 4.9 Public Place Art Work

Central Goldfields Shire Council's Art Collection comprises a growing number of pieces that are displayed in public places (sculptures and external artworks). These are included as an integral part of the Central Goldfields Art Collection.

The use of art in public places has the capacity to enhance the environment and engender a great sense of community pride, excitement and participation in public spaces.

Any site where the Art Collection is displayed must be in public ownership and must be:

- A significant or strategically important public place with high visibility and/or accessibility;
- Highly visible to the community;
- In a position where the art work can be properly maintained;

The mosaic community sculptures have been gifted to Council, and the art works are part of Council's art collection.

The sculptures are three dimensional pieces with tile work on all sides. Each large side of the art works are intended to be viewed, which has implications for the position of the sculptures.

## **BACKGROUND INFORMATION**

Dunolly District Inc received State Government funding through the Regional Centre for Culture program to develop community sculptures. The project has been community developed, led and Council are advised that approximately 400 community members participated in the project.

Two sculptures have been placed in the Gordon Gardens, and two are to be placed in Broadway (or an alternative location should Council resolve a new position for the sculptures).

Council is responsible for the decision about the locations of the sculptures as they will be on public land. The development of the Gordons Gardens Master Plan, adopted by Council in 2019, recommended sites for the sculptures. However after Council placed the footings in the street, some feedback was received that suggested additional consultation needed to be undertaken, and that one sculpture outside the 82 Broadway, Dunolly would not be acceptable on historical grounds.

The two sculptures in the Gordon Gardens have not been disputed and are not proposed to be altered.

## **REPORT**

The mosaic sculptures have been designed by members of the community and it is appropriate they be located in the community to reflect the works the community undertook to develop the pieces. The responses received and further discussions on social media and print media do not raise issue with the art works belonging in Dunolly. Moreover the debate is centered around the look and feel and to a less extent the use of Broadway as a historic street.

Broadway does have historic elements, which do define the image of the town. The street demonstrates no aboriginal heritage, and fundamentally shows us the growth and development of colonial settlement since the goldrush: through its goldrush era buildings, later buildings, modern street furniture (seats, bins, mosaic planter boxes), the planting of street trees, an ATM, a phone booth and so on.

Broadway has a number of mosaic planter boxes as well as more formal obelisk memorials. Infrastructure of this sort is not uncommon on Broadway, and the proposed two mosaic sculptures are not inconsistent with this type of infrastructure.

Those that say Broadway is a historic street would have to agree that there are modern elements to the street. The concern is perhaps the modern colour and style and specific location of the sculptures that have resulted in the community debate.

Other members of the community do not share the level of concern about change in the Broadway streetscape and wish to continue the eras of change in the street. This community do not wish to remove the dominant historic buildings and other features, but add to the street with art designed and built by part of the community.

It is helpful that the community response has been varied and has offered other suggestions to allow Council to decide the final location of the mosaic sculptures. Based on the submissions the potential locations are:

- The two nominated locations in Broadway (26 Thompson Street, Dunolly (Broadway frontage) and 118 Broadway, Dunolly)
- Both in Gordon Gardens (so all the pieces are viewed together)
- One or two in Rene Fox Gardens
- At the school or Deledio Oval (neither are managed by Council)
- At the Arts Hub (occupied by a separate entity, but owned by Council)
- At the town entrances

A number of the submissions also note the angst and disruption the placement of the mosaics has brought to an inclusive community.

While a number of the alternative locations are not land managed by Council, certainly placing one or both of the sculptures in the Rene Fox Gardens or Gordon Gardens is open to Council to decide. Any of the proposed locations are consistent with Council's Art Policy.

## **CONSULTATION/COMMUNICATION**

Consultation of the placement of the mosaic pieces commenced with the development of the Gordon Gardens Master Plan, which was developed with considerable community engagement.

Additional consultation has been undertaken about the locations for the pieces in Broadway with Council placing an advert in the locally circulating newspapers, community newspaper (in Dunolly) and on social media, proposing two sites in Broadway, Dunolly.

74 submissions have been received (one in the form of a petition). The submissions can be broadly broken into 23 submissions were outright objections to the Broadway locations, 26 submissions were objections to the Broadway locations but with an alternate location suggested and 24 submissions were in support for the Broadway locations, and 1 seeking further information.

## **FINANCIAL & RESOURCE IMPLICATIONS**

The costs associated with the placement of the sculptures has been covered by the grant received by Dunolly District Inc, and Council has received money to cover the placement of the two sculptures.

Some additional costs will be associated with the removal of the concrete in Broadway, dependant on the final location of the art works.

## **RISK MANAGEMENT**

The placement of the art works carries little risk to Council. However as noted by some of the submitters, there may be damage to the art works if they are not located in an agreed place, risking the integrity of the art works. The art works will become the property of Council and there is the risk of damage of the works and associated costs to repair.

## **CONCLUSION**

The mosaic art works were developed through funding from the Regional Centre for Culture for a sense of place project. The art works belong in Dunolly, and having heard from the community Council need to decide on the most appropriate location for the art pieces, whether that be:

- The two nominated locations in Broadway (26 Thompson Street, Dunolly (Broadway frontage) and 118 Broadway, Dunolly)
- Both in Gordon Gardens (so all the pieces are viewed together)
- One or two in Rene Fox Gardens
- One or two at the town entrances

All of these sites, dependant of final positioning, would meet Council's Art Collection Policy of being an important public place, highly visible and accessible for maintenance.

## **ATTACHMENTS**

Nil

### **RECOMMENDATION**

*That Council, having considered the community's feedback determine the location of the DINGO sculpture and the KANGAROO sculpture in Dunolly.*

### **8.3 PLANNING APPLICATION 116/19 – CONSTRUCTION OF A LEVEE AND ASSOCIATED EARTHWORKS AND INFRASTRUCTURE AND UTILITY INSTALLATION AT 4027 PYRENEES HIGHWAY, CARISBROOK**

**Author:** Coordinator Statutory Planning

**Responsible Officer:** General Manager Infrastructure Assets and Planning

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

#### **SUMMARY/PURPOSE**

This report recommends that Council issue a Notice of Decision to Grant a Planning Permit be issued for the construction of stages 3 and 4 of the flood levee located at 4027 Pyrenees Highway, Carisbrook.

Public notice of the application has been given by letter to adjoining owners, placing a sign on site and advertising on Councils website. Three objections have been received.

The application has been assessed against the policy and specific controls of the Planning Scheme and it is considered that the proposed development is generally consistent with the relevant scheme provisions.

#### **LEGISLATION AND POLICY CONTEXT**

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Economy

**Outcome:** A vibrant local economy which contributes to the municipality's economic prosperity.

**2.3 Objective:** Promote Central Goldfields as a place of choice to live, work and play.

This report has been developed in accordance with the Planning and Environment Act 1986, and the Central Goldfields Planning Scheme.

#### **BACKGROUND INFORMATION**

Planning Permit 116/19 was lodged on the 8 November 2019 for the construction of stage 3 and 4 of the Carisbrook flood levee at 4027 Pyrenees Highway, Carisbrook. Stages 3 and 4 consist of extensions to stage 1 and 2 of the levee which were constructed in 2016 and is proposed across a number of land titles.

The subject site is located within the Farming Zone, Rural Living Zone, Road Zone Category 1 and the Public Use Zone. There are also a number of overlays which cover the subject site including the Bushfire Management Overlay, Environmental Significance Overlay, Erosion Management Overlay, Land Subject to Inundation Overlay and Salinity Management Overlay.

The levee project has been designed in response to major floods which occurred in 2011 and 2012; these were considered to be consistent with a 1% annual exceedance probability (1 % AEP) event. Significant consultation with the Carisbrook community has been undertaken over a number of years as well as consultation with referral agencies, public and private land owners prior to the planning application being lodged.

## REPORT

### Proposal

The application proposes the use and development of the land for the construction of a flood levee, associated earthworks, infrastructure and utility installation within the Farming Zone, Rural Living Zone, Public Use Zone, Road Zone Category 1; Bushfire Management Overlay, Environmental Significance Overlay, Erosion Management Overlay, Land Subject to Inundation Overlay and Salinity Management Overlay.

Stage 3 and 4 is a continuation of the Pleasant Street/Wills Street section (stage 1) of the levee. The levee then intersects the Pyrenees Highway and continues under the highway via a number of culverts and will continue for approximately 1.55 km to a section of land just north of Williams Road (see attachment 1 for aerial photograph showing levee location).

The highest section of the levee will measure 1.5 metres however generally it will measure 1 metre in height. Construction of the levee will include a number a culverts in various locations in order to manage drainage matters.

The application documentation includes a layout plan rather than a detailed technical design plan. This is to allow for the proposal to be assessed against the relevant zones and overlays as well as the appropriateness of the use. A detailed design will be required to be submitted as part of the planning permit conditions; should a planning permit be issued.

The proposal also includes two subdivisions. The subdivisions are exempt from requiring a planning permit under Clause 62.04 which states:

*Any requirement in this scheme relating to the subdivision of land does not apply to:*

- A subdivision by an authority acquiring the land which does not create an additional lot;
- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.

The proposed subdivisions are considered to meet the above criteria and therefore do not require a planning permit.

### **Site and Surrounds**

Carisbrook is located within proximity to McCallum Creek and Tullaroop Creek and is within the wider Loddon catchment. Inundation of the township has been identified as resulting from riverine or main creek flow which results in the overtopping of the creek banks or from overland flows.

The proposed levee will be constructed across a number of titles located along the western edge of the Carisbrook township area. Land which will contain the levee includes:

- Crown land located along Pleasant Street and High Street (road reserve);
- Castlemaine-Maryborough Railway Line;
- Pyrenees Highway (Road reserve);
- 4 LP 114330;
- Lot 1 TP 692027;
- Lot 2 TP 220222;
- Lot 2 TP 103682; and



- Lot 2 LP 205106.

The above titles (excluding the crown land, road and rail reserves) are generally vacant parcels of land which are formally known as 4020 and 4027 Pyrenees Highway, Carisbrook. Lot 2 TP 220222 and 4 LP 114330 each contain a single dwelling.

Land to the east of the levee generally includes Carisbrook town centre and land zoned for rural residential living. Land to the west of the levee is zoned for farming, rural residential living and industrial uses.

A number of burrow pits are proposed in order to gain material used for the construction. It is estimated at approximately 10,000m<sup>3</sup> of material will be required to be sourced via this method. A number of suitable locations have been identified as possible locations for the burrow pits (see attachment 2 for possible locations).

### **Planning Permit Trigger**

The planning permit triggers are as follows:

- 35.03-1 Use and development of the land for utility installation within the Rural Living Zone;
- 35.07- Use and development of the land for utility installation within the Farming Zone;
- 36.01-2 Use and development of the land for utility installation within the Public Use Zone 4 (transport);
- 34.04-1 Use and development of the land for utility insulation within the Road Zone;
- 42.01-2 Construction of buildings and works within the Environmental Significance Overlay;
- 44.01-2 Construction of buildings and works within the Erosion Management Overlay; and
- 44.02-2 Construction of buildings and works within the Salinity Management Overlay.

### **Planning Scheme Provisions**

The purposes of the Central Goldfields Planning Scheme are as follows:

- *To provide a clear and consistent framework within which decisions about the use and development of land can be made.*
- *To express state, regional, local and community expectations for areas and land uses.*
- *To provide for the implementation of State, regional and local policies affecting land use and development.*

Council must take into consideration the State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF) including the Municipal Strategic Statement (MSS).

### **Planning Policy Framework**

The following section gives consideration to the relevant sections of the Planning Policy Framework for this application.

#### **Clause 13.03-1S Floodplain Management**

##### **Objective**

To assist the protection of:

- Life, property and community infrastructure from flood hazard;
- The natural flood carrying capacity of rivers, streams and floodways;
- The flood storage function of floodplains and waterways; and

- Floodplain areas of environmental significance or of importance to river health
- Clause 14.02-1S Catchment Planning and Management

**Objective**

To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment.

Clause 19.03-3S Integrated Water Management

**Objective**

To sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

**Local Planning Policy**

The following section gives consideration to the relevant sections of the Local Planning Policy Framework.

Clause 21.13 Enhancing lifestyle qualities of townships

**Objective 2**

Encourage and identify development opportunities that build on the roles and strengths of each township.

**Zones and Overlays****Zone**

Clause 35.303 Rural Living Zone

The subject land is within the Rural Living Zone. Clause 35.30 states the purpose of the Rural Living Zone is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for residential use in a rural environment.

To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.

To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Clause 35.07 Farming Zone

The subject land is within the Farming Zone. Clause 35.07 states the purpose of the farming Zone is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

#### Clause 36.01 Public Use Zone

The subject land is within the Public Use Zone, Clause 36.01 states the purpose of the Public Use Zone is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise public land use for public utility and community services and facilities.

To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

#### Clause 36.04 Road Zone

The subject land is within the Road Zone Category 1. Clause 36.04 states the purpose of the Road Zone is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant existing roads.

To identify land which has been acquired for a significant proposed road.

#### Overlays

##### Clause 42.01 Environmental Significance Overlay

The subject land is partly covered by the Environmental Significance Overlay. Clause 42.01 states the purpose of this overlay is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas where the development of land may be affected by environmental constraints.

To ensure that development is compatible with identified environmental values.

##### Clause 44.01 Erosion Management Overlay

The subject land is partly covered by the Erosion Management Overlay. Clause 44.01 states the purpose of this overlay is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.

#### **Particular Provisions**

Nil

## **General Provisions**

### **Clause 65 Decision Guidelines**

The proposed application is considered to be consistent with the decision guidelines of Clause 65, including the matters set out in section 60 of the Act

### **62.04 Subdivisions not Requiring a Permit**

Clause 62.04 exempts the proposed subdivisions from requiring a planning permit.

## **Referrals**

**Table 1: External referrals to Department of Environment, Land, Water & Planning (DELWP)**

Response:	DELWP have not provided a response with the prescribed 28 day timeframe under the Planning and Environment Act.  Council has been informed the Department is under considerable pressure due to the recent bushfires.
-----------	---

**Table 2: External Referral to Goulburn Murray Water (GMW)**

Response:	All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
-----------	--

**Table 3: External Referral to North Central Catchment Management Authority (NCCMA)**

Response:	North Central CMA, pursuant to Section 56 of the Planning and Environment Act 1987, does not object to the granting of a permit subject to the following conditions: <ol style="list-style-type: none"> <li>1. Prior to the commencement of works detailed design/construction plans must be prepared and submitted to the North Central Catchment Management Authority for approval. The detailed design/construction plans must demonstrate that the final design is in accordance with the Water Technology report dated 30 August 2019</li> </ol>
-----------	---

**Table 4: External Referral to VicRoads**

Response:	The Department (of transport) has considered the application and in principle has no objection to the proposal.
-----------	---

**Table 5: External referral to VicTrack**

Response:	<p>Pursuant to Central Goldfields Shire Council Planning Scheme, the land is within the Public Use Zone 4, and in accordance with Clause 36.01-3, an application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager. The subject site is leased to V/Line who manage and operate the rail corridor.</p> <p>We have reviewed the application and material provided and conditionally consent to the application for the flood mitigation works provided the following conditions are incorporated into any planning permit:</p> <ol style="list-style-type: none"> <li>1. Written formal application to be made to VicTrack including a design drawing in accordance with 'VicTrack Design Guidelines &amp; Requirements' document and AS-4799. Formal application can be made online to VicTrack via the following link: <a href="https://www.victrack.com.au/services-and-capabilities/property/utilities-and-services">https://www.victrack.com.au/services-and-capabilities/property/utilities-and-services</a></li> <li>2. Independent engineering compliance report to be provided by the applicant demonstrating compliance with relevant standards and guidelines. Geotechnical report will also be required to assist with strength calculations of proposed asset under the rail to be compliance checked.</li> <li>3. Written approval from the rail operator, V/Line, will be required.</li> <li>4. Owner of the asset will be required to enter into a licence with VicTrack to formalise the ongoing operation and maintenance of the asset on VicTrack land.</li> </ol>
-----------	---

**Table 6: External referral to Central Highlands Water**

Response:	<p>We therefore wish to advise this Authority has no objection to any planning permit that may issue if the following conditions are included:</p> <ol style="list-style-type: none"> <li>1. No construction works shall commence on the levee that are within 1 lateral metre of any water and sewerage assets owned by Central Highlands Water unless and until approval under the Water Act 1989 has been provided by Central Highlands Water.</li> <li>2. The Applicant must comply with any reasonable conditions required by Central Highlands Water, in relation to constructing the levee within 1 lateral</li> </ol>
-----------	---

	metre of any water or sewerage assets, and this may include the construction of works.
--	--

**Table 7: External Referral to Downer Utilities Australia**

Response:	<p>AusNet Gas Services pursuant to Section 56 (1) of the Planning and Environment Act 1987 has no objection to the granting of a permit, subject to the following condition:</p> <ol style="list-style-type: none"> <li>1. The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the Subdivision Act 1988.</li> </ol>
-----------	---

**Table 8: External Referral to Powercor**

Response:	<p>Subject to the following conditions, Powercor Australia Ltd (the Distributor) does not object to the issue of a planning permit for the abovementioned application Conditions Required By the Distributor</p> <p>This letter shall be supplied to the applicant in its entirety.</p> <ol style="list-style-type: none"> <li>1. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.</li> <li>2. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.</li> <li>3. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR). Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.</li> <li>4. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations. Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements: <ul style="list-style-type: none"> <li>• RESERVES established by the applicant in favour of the Distributor.</li> <li>• SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.</li> </ul> </li> <li>5. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.</li> </ol>
-----------	---

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

At the time this report was prepared, Council had not received a referral response within the prescribed 28 day timeframe from the Department of Environment, Land, Water and Planning. Council has been informed that DELWP is under considerable pressure due to the recent bushfires across Victoria.

## CONSULTATION/COMMUNICATION

Public notice of the application has been given by letters to adjoining owners, placing a sign on site, advertising within the local newspaper and advertising on Councils website. Three objections have been received from adjoining land owners. The individual objectors concerns relate to:

- Technical design aspects of the levee; in particular the number of culverts proposed;
- The levee not being able to withstand a flood larger or at the level of a 1 in 100 year flood;
- Funding allocation; and
- Fire risk (lack of slashing on council owned or acquired land).

Extensive community consultation has also been undertaken at various stages of the overall project process including the creation of a community based flood management group.

## ASSESSMENT OF APPLICATION

This application is for the development of a flood levee which is designed to alleviate the impacts of flood on the township of Carisbrook during a 1% AEP. The purpose of the planning application is to assess the use and development of the land for the levee and ensure it is consistent and appropriate within the zoning and overlays which impact the site.

The zoning of the land does not preclude the development of the levee. All zones and overlays require council to implement State and Local Planning Policy. Most relevant to this application is Clause 13.03-1S Floodplain Management, which has the objective “to assist the protection of life, property and community infrastructure from flood hazard.” The development of the levee will assist in achieving this objective for the township of Carisbrook.

The development of the levee will result in new flooding to one property (where flooding has previously not occurred) and additional flooding to several other rural properties. Clearly this is not ideal. The additional flooding will largely occur to farming properties, which already experience flooding (in some rain conditions). The impact of the levee flooding has been minimised and appropriate arrangements will be made to compensate for additional flooding. There is one rural residential property that will experience additional inundation, should the rain occur as modelled. Modelling has identified that approximately 1.8ha of this site may experience additional inundation and this does not affect the improved land or the reasonable opportunity for expansion of improved land for that property. Again, appropriate arrangements will be made to compensate for additional flooding.

The concern raised around fire risk relates to on-going management of the levee and associated land. Council will own the land and will be responsible for slashing of grass, fencing and on-going maintenance of the levee. A management plan for the levee is recommended as a condition of permit.

Concerns around the technical design of the levee have been raised by an objector. In the assessment of these objections, Planning Officers have been guided by technical advice received by authorities such as North Central Catchment Management Authority and Council's Engineering Unit.

The Victorian Floodplain Management Strategy states:

*The Victorian Floods Review questioned if the 1% AEP flood should still be used as the DFE in Victoria. The Victorian Government has determined that the 1% AEP flood is the appropriate standard to regulate and protect most forms of development through the planning and building systems.*

#### *Policy 13a*

*The 1% Annual Exceedance Probability flood will remain the design flood event for the land use planning and building systems in Victoria.*

The applicant will be required to submit a detailed design which will be re-referred to the North Central Catchment Management Authority (as per their conditions) for final assessment and comment. The detailed design will use the flood modelling that has been undertaken to ensure the final design accommodates a 1% AEP flood event as best practice.

There has been a concern raised about the number of culverts proposed, which is understood to be around the two proposed culverts under the Pyrenees Highway. While concern has been raised, the objector has no technical evidence to advise why more or less culverts would be needed. The plans have been engineer designed, peer reviewed and reviewed by the relevant flood plain manager. The following technical reports have been created and peer reviewed:

- Carisbrook Flood & Drainage Management Plan (Prepared by Water Technology) – May 2013
- Carisbrook Flood & Drainage Management Plan (Prepared by Water Technology) – May 2013
- Detailed Design Report (Prepared by Entura) – 6 June 2016  
Peer Review
- Carisbrook Flood Study Review (Prepared by Jacobs) – Jan 2018  
Updated modelling to address the peer review
- Updated Hydrology & Hydraulic Report (Prepared by Water Technology) – 30 Aug 2019

One objection raised concerns regarding funding of the construction of the flood levee. Whilst this is an operational issue that will need to be managed by Council, funding is not a consideration to be taken into account when assessing applications under the Planning Scheme.

It is considered that the proposed levee will be of significant net community benefit; from a policy perspective, the proposed development satisfies broad strategic objectives and strategies in the Central Goldfields Planning Scheme.

## **FINANCIAL & RESOURCE IMPLICATIONS**

The assessment of planning permit applications is within the normal operational budget of Council.



Should any party appeal any decision that Council makes there would be a Victorian Civil and Administrative Tribunal (VCAT) hearing. Additional costs will be incurred if a VCAT hearing occurs.

## RISK MANAGEMENT

The risk management issues in relation to this planning permit application have been discussed in the Report and Assessment of Application sections above.

The risk to Council of not making a decision on the application is a 'failure to determine' appeal at VCAT.

Should the proposal be approved by Council and VCAT (upon appeal) there is a risk of non-compliance with the permit conditions. Council has a planning compliance function to mitigate this risk.

Should Council refuse the permit the township of Carisbrook will continue to be at significant risk of inundation from overland flow.

## CONCLUSION

The proposed development seeks approval for the construction of a flood levee, associated earthworks and infrastructure and utility installation. Three objections have been received during the notice period.

A Council determination is sought for the application as the Council's Planning Officer recommends that a Notice of Decision to grant a planning permit be issued.

Council must determine a position on the application for a planning permit and take one of the following options:

- I. Approve a planning permit and issue a Notice of Decision to Grant Planning Permit for the proposal (with or without conditions); or
- II. Issue a Refusal to Grant a Planning Permit for the proposal – appeal rights apply to the applicant.

## ATTACHMENTS

1. Aerial Photo of Levee location
2. Location of burrow pits

### RECOMMENDATION:

*That Council, having caused notice of Planning Application No. 116/19 to be given under Section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, determines to issue a Notice of Decision to Grant a Planning Permit 116/19 in respect of the land known and described as 4027 Pyrenees Highway (lot 1 TP 692027, lot 2 TP 220222, lot 2 TP 103682 and lot 2 LP 205106, 4 LP 114330), Carisbrook, for the construction of a flood levee and associated earthworks and infrastructure and utility installation within the Farming Zone, Rural Living Zone, Public Use Zone, Road Zone Category 1; the Salinity Management Overlay, Erosion Management Overlay and the Environmental Significance Overlay in accordance with the endorsed plans and subject to the following conditions:*

**Amended Plans**

1. Prior to the commencement of any works detailed design/construction plans must be prepared and submitted to the Responsible Authority for approval. The plans must be in accordance with condition number 11 of this permit.
2. Prior to the commencement of any works, plans which detail the final location of any burrow pits must be submitted to the Responsible Authority for approval.
3. Prior to the commencement of any works pursuant to this permit, the applicant must prepare a Traffic Management Plan, in consultation with Council and VicRoads. The plan must be to the satisfaction of the Responsible Authority and address such matters including vehicle movements to and from the site, restrictions on travel within local residential streets, any required works to the entrance of the site, safety within the site, including any works required, and any other matters deemed appropriate.

**Secondary Consent Provision**

4. The use and development permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.

**Construction Activities**

5. All activities associated with the construction of the development permitted by this permit must be carried out to the satisfaction of the Responsible Authority and all care must be taken to minimise the effect of such activities on the amenity of the locality. Measures must be taken to suppress dust, noise or other emissions during construction to prevent nuisance to surrounding neighbours.
6. Adequate measures must be undertaken to ensure dust from any materials stockpiled does not affect adjoining properties or surrounding area, to the satisfaction of the Responsible Authority.
7. No mud, crushed rock or other debris is to be permitted to be carried onto public roads or footpaths from the subject land. Appropriate measures must be in place at all times during construction to prevent this occurrence to the satisfaction of the Responsible Authority.

**Clean Fill**

8. Only clean fill material is permitted to be imported to the site. This material must not contain any solid inert wastes (such as demolition material, concrete, bricks, timber, etc).
9. The deposition of fill material must not result in any off site impact on surface or groundwater.

**Native vegetation**

10. Native vegetation removal must not occur without the further written consent of the Responsible Authority.

**North Central Catchment Management Authority**

11. Prior to the commencement of works detailed design/construction plans must be prepared and submitted to the North Central Catchment Management Authority for approval. The detailed design/construction plans must demonstrate that the final design is in accordance with the Water Technology report dated 30 August 2019

#### **Goulburn Murray Water**

12. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

#### **VicTrack**

13. Written formal application to be made to VicTrack including a design drawing in accordance with 'VicTrack Design Guidelines & Requirements' document and AS-4799. Formal application can be made online to VicTrack via the following link: <https://www.victrack.com.au/services-and-capabilities/property/utilities-and-services>
14. Independent engineering compliance report to be provided by the applicant demonstrating compliance with relevant standards and guidelines. Geotechnical report will also be required to assist with strength calculations of proposed asset under the rail to be compliance checked.
15. Written approval from the rail operator, V/Line, will be required.
16. Owner of the asset will be required to enter into a licence with VicTrack to formalise the ongoing operation and maintenance of the asset on VicTrack land.

#### **Central Highlands Water**

17. No construction works shall commence on the levee that are within 1 lateral metre of any water and sewerage assets owned by Central Highlands Water unless and until approval under the Water Act 1989 has been provided by Central Highlands Water.
18. The Applicant must comply with any reasonable conditions required by Central Highlands Water, in relation to constructing the levee within 1 lateral metre of any water or sewerage assets, and this may include the construction of works.

#### **Downer Utilities Australia**

19. The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the Subdivision Act 1988.

#### **Permit Expiry**

20. This permit will expire if one of the following circumstances applies:
  - The development is not started within four years of the date of this permit.
  - The development is not completed within eight years of the date of this permit.The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

## 8.4 LIBRARY SERVICE LEVEL AGREEMENT WITH CITY OF BALLARAT 2020-2025

**Author:** Manager Governance Property and Risk

**Responsible Officer:** General Manager Community Wellbeing

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

### SUMMARY/PURPOSE

The purpose of this report is to recommend that Council write to the Minister for Local Government requesting an exemption from a public tender process, in order to negotiate a new Library Service Level Agreement, directly with the City of Ballarat for a period of five years.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Community

Outcome: A supported, cohesive community, living full and healthy life.

Section 185(5)(c) of the Local Government Act 1989 requires Councils to undertake a public tender process for contracts goods or services over \$150,000 unless Ministerial exception is received.

### BACKGROUND INFORMATION

Council currently operates its own library services and is provided with support functions by the City of Ballarat as part of the Central Highlands Libraries Group. These services currently include:

- Administration;
- Collection Services and strategic procurement;
- IT Services in relation to the provision of an Integrated Library Management System and website/social media updates;
- Information Services; and
- Community Learning, Programs and Promotions.

Council's library is currently operating under the 2015 – 2020 Service Level Agreement with City of Ballarat which expires on 30 June 2020.

A consortium of 6 Central Highlands Councils have a Service Level Agreement (SLA) in place with City of Ballarat Council to deliver shared library services including procurement of resources and IT systems and support across the region. The network of libraries from each of the participating Shires, including City of Ballarat, is known as Central Highlands Libraries.

The SLA was first signed in 2012 and renewed in 2015 and is due again for renewal in June 2020. Renewal of the SLA, as with 2012 and 2015 would require a Ministerial exemption from undertaking a public tender process.

### REPORT

Councils enter into contracts for a range of goods, services and works needed to deliver services and infrastructure. Under the Local Government Act the Council must demonstrate that it is achieving value for money for the community when carrying out purchasing and procurement.

The Act requires that Councils must use resources efficiently and effectively and provide services in accordance with best-value principles to meet the needs of the local community, and improve the quality of life in the local community.

Each Council must also carry out all procurement activities in accordance with its procurement policies, and the public tender requirements in the Act. To achieve this, the procurement activities must provide:

- Value for money;
- Open and fair competition;
- Accountability;
- Risk management;
- Probity and transparency and
- Social value.

Section 186(1) of the Local Government Act 1989 requires Councils to carry out a public tender or expression of interest process prior to entering into a contract with a value equal to or more than the relevant threshold. As the intent is to negotiate a new service agreement with the City of Ballarat for continued support services to the Central Goldfields Regional Library with an expected value exceeding \$500,000 over the five year term of the service agreement an exemption is required to be sought from the Minister for Local Government to enable this to happen.

The alternative to seeking an exemption is to publicly tender the support services, which would involve significant time and cost to prepare the documentation, as well as little certainty that other parties would respond to the tender.

As Maryborough Regional Library has limited options for support services and the current arrangement has worked well extending the current Service Level Agreement with City of Ballarat for a further five years is recommended.

Library Services in the Shire has examined options for the continued delivery of the service.

Any change to existing arrangements would incur additional costs for the service and compromise efficiency (at least in the short term) as well as potentially reducing the range of books and other resources available to users. New costs involved in a changeover of service provider would include, catalogue migration, rebranding the service, transfer of IT systems and hardware, additional travel costs to support inter-library loans (if a new partnership was agreed with a library service cluster outside of the region) and the introduction of a new card system.

Across the region there are 3 library services – Central Highland Libraries (CHL), Goldfields Library Corporation (GLC) and Wimmera Regional Library Corporation (WRLC).

**Goldfields Library Corporation:** Council currently use the SWIFT catalogue system through its agreement with CHL which links hundreds of libraries across Victoria and provides our local users with access to a massive range of books and other resources. The range of resources

available through SWIFT is far in excess of what is available through GLC which manages its own system.

**Wimmera Regional Library Corporation:** Operational issues and costs have seen recent withdrawals from the regional library agreement of Hindmarsh, Northern Grampians and Yarriambiack Shires

Whilst the Council may also consider the possibility of operating as a stand-alone service, the continued membership of Libraries Victoria (formerly SWIFT) under such circumstances would be significantly more expensive as procurement under CHL and Libraries Victoria allows for bulk purchases at reduced cost.

The existing library services, supported through the Council's membership of CHL continues to deliver a high quality service which is popular with users and which has seen an ongoing increase in membership and borrowing during the period of the current SLA.

It is therefore recommended that the Council seeks to renew its current operating arrangements and remain as part of CHL. This will involve submission of an application for Ministerial exemption from a public tender process.

Council is currently involved with the Rural Councils Transformation project consortium with Central Highlands Councils Victoria and continuing to share services with this group of Councils aligns with this strategy and sharing services with of the Central Highland Councils.

## **CONSULTATION/COMMUNICATION**

Information in regards to the performance indicators of the Ballarat City Council's support services to the library has been discussed with the library staff and there have been no issues as the level of service being delivered. The current working relationship between the Ballarat City Council Library and the Central Goldfields Regional Library has been a positive experience.

## **FINANCIAL & RESOURCE IMPLICATIONS**

The provision of services under this agreement is included in the annual budget for the library operations.

## **RISK MANAGEMENT**

In the event the Minister for Local Government does not give approval to the exemption from public tender for the Service Agreement between Central Goldfields Shire Council and Ballarat City Council for a further five years the Council will need to complete a public tender process.

## **CONCLUSION**

It is recommended that Council continue delivering its Library Services through the Central Highland Libraries Group via a Service Level Agreement with the City of Ballarat. In order to do this it is recommended that Council directs its CEO to apply to the Minister for Local Government for an exemption from completing a public tender process for this service.

## **ATTACHMENTS**

Nil.

**RECOMMENDATION**

*That Council writes to the Minister for Local Government requesting an exemption undertaking a public tender under Section 186(5)(c) of the Local Government Act 1989 to allow the Council to enter into a new Service Agreement between Central Goldfields Shire Council and the City of Ballarat for support services to the Central Goldfields Regional Library for 1 July 2020 to 30 June 2025.*

## 8.5 NORTHERN VICTORIAN INTEGRATED INFLUENZA PANDEMIC PLAN

**Author:** Emergency Management Coordinator

**Responsible Officer:** General Manager Community Wellbeing

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

### SUMMARY/PURPOSE:

The purpose of this report is to recommend Council endorse the Influenza Pandemic Plan which complements the Integrated Municipal Emergency Management Plan (IMEMP).

The focus of this plan is to prescribe the municipal coordination arrangements that exist to support agencies which have a responsibility for pandemics.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Community

Outcome: A supported, cohesive community, living full and healthy life.

1.4 Objective: Provide Leadership in municipal emergency and fire prevention planning and strengthen public safety

Initiative: Coordinate Municipal Emergency Management Plans and Committee

### BACKGROUND INFORMATION

Central Goldfields Shire Council is one of five Council's included in the Northern Victorian Emergency Management Cluster (NVEMC), consisting of City of Greater Bendigo, Shire of Campaspe, Mount Alexander Shire and Loddon Shire. Under the cluster arrangement a single Northern Victorian Municipal Emergency Management Planning Committee has been formed, supported through the endorsement of an Integrated Municipal Emergency Management Plan (IMEMP) by each Council.

The development of sub-plans, which sit under the IMEMP is progressing with the Integrated Emergency Animal Welfare Plan being presented at Council late last year for endorsement and the Northern Victorian Integrated Influenza Pandemic Plan now being presented to Council for endorsement.

### REPORT

The purpose of the plan is to assist with

- a better understanding of Influenza Pandemic and the arrangements in place at all tiers of government
- reducing the impacts of an Influenza pandemic on the community
- ensuring response activities are consistent across the whole of government

The Plan has been written for Influenza Pandemic, however it could be adapted to all types of communicable disease pandemics.



## **CONSULTATION/COMMUNICATION**

The Northern Victorian Integrated Influenza Pandemic Plan has been developed by the Integrated Municipal Emergency Management Planning Committee with input from all agencies included on the committee. The sub-plan for Influenza Pandemic has been recommended to Central Goldfields Shire Council for endorsement from the Integrated Municipal Emergency Management Planning Committee.

## **FINANCIAL & RESOURCE IMPLICATIONS**

It is intended that the bulk of the actions contained within this Plan will be undertaken within the current operational budget parameters. Where additional activities require additional resources, external funding will be sought to support these.

## **RISK MANAGEMENT**

Pandemic is defined as an epidemic that is geographically widespread; occurring throughout a region or even throughout the world. An influenza pandemic occurs when a new influenza virus emerges and spreads around the world, and most people do not have immunity.

The development of this plan assists in having arrangements in place to reduce the impact on the community during a pandemic and to provide support services to people who are isolated or quarantined within the municipality.

## **CONCLUSION**

The Northern Victorian Integrated Influenza Pandemic Plan has been developed with input from various area within council and externally with relevant agencies. The Plan has been written for Influenza Pandemic, however it could be adapted to all types of communicable disease pandemics.

## **ATTACHMENTS**

1. Northern Victorian Integrated Influenza Pandemic Plan

### **RECOMMENDATION**

*That Council endorse the Northern Victorian Integrated Influenza Pandemic Plan.*

## 8.6 SKATE AND SCOOTER PARK

**Author:** **Manager Community Partnerships**

**Responsible Officer:** **General Manager Community Wellbeing**

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

### SUMMARY/PURPOSE

The purpose of this report is to recommend that Council endorse:

- Princes Park as the preferred location for the Skate and Scooter Park, and
- a financial commitment of \$393,260 to enable a funding application to Sport & Recreation Victoria for the proposed Skate and Scooter Park.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Community

Outcome: A supported, cohesive community, living full and healthy life.

Objective 1.6: Promote and support passive and active recreation

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Economy

Outcome: A vibrant local economy which contributes to the municipality's economic prosperity.

Objective 2.7: Capitalise on tourism and the visitor economy through growth of events and promotion of unique local experiences.

Initiative: Identify opportunities for new events in the Central Goldfields Shire.

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Built and Natural Environment

Outcome: Our Shire celebrates the rich built and natural heritage and a sustainable environment.

Municipal Public Health & Wellbeing Plan 2017-2021 (2019 refresh)

Priority1: Healthy Eating and Active Living

Area 4: Support walking, cycling and other physical movement.

The Skate and Scooter Park is one of Council's eight Priority Projects which will directly address youth disengagement by bringing community building facilities into the heart of our region.

It also links to the infrastructure and activation priorities of the Healthy Heart of Victoria initiative.

### BACKGROUND INFORMATION

The Skate and Scooter Park was identified as a Priority Project as a result of the Maryborough Skate Park Committee presenting a petition with 1,000 + signatures to Council.

The request was to upgrade the Maryborough Skate Park including a vision statement to *'build one of the best skate parks in Central Victoria'*.

Subsequently, Council appointed Convic Pty Ltd (Convic) to identify the most appropriate site, organise soil testing, conduct community consultation and prepare concept design plans with costings.

After assessment of three short listed sites, Convic identified Princes Park as the preferred option.

Community consultation was conducted between July and December 2019 significantly contributing to the final concept design.

Convic has now provided the Maryborough Skate and Scooter Park Final Concept Report and associated costing. The final design meets the Australian standard for equal access to the Skate Park and Lake Road shelter area.

This project meets the criteria for SRV's Local Sports Infrastructure Fund. If successful, the grant funding will enable construction to start within the 2020/21 financial year.

## **REPORT**

The Skate and Scooter Park has been designed to accommodate a range of wheeled sports including skateboards, scooters, roller skates, roller blades, toddler bikes and BMX bikes. The design incorporates spectator seating and viewing areas plus shade structures. It enables passive surveillance for parents and carers from several directions including the adjacent facilities (playground and BBQ area).

The new Skate and Scooter Park will provide opportunities for participation in free and low cost recreation activities for children, young people, adults, and older adults. It will also provide participation opportunities for girls and women, and all skill levels from beginner to experienced wheeled sport participants.

The new design and proposed location provides additional physical activity options in an area where other free and low cost options are available. This will further activate the area and produce positive health outcomes across the broader community.

### Location:

Council conducted an initial assessment of nine sites in Maryborough to identify the most appropriate location for the Skate and Scooter Park. Three sites were short listed:

- Jack Pascoe Reserve (current skate park site)
- Station Domain, and
- Princes Park adjacent to the playground.

Convic identified Princes Park as the preferred option because it 'offers a unique opportunity to tie into existing recreational precincts, creating a linked network of active programs from playgrounds, BBQ areas, football oval and extensive footpath network' (Maryborough Skate and Scooter Park Site Selection Report, 2019).

The memorial and art work dedicated to Darcy Nicholson located at the current skate park will be considered for inclusion at the new site. This has been discussed with Darcy's family who have indicated their support and to be involved in any further considerations of the relocation of Darcy's memorial.

### Activation of the new Skate and Scooter Park

The establishment of a 'user action group' is being explored, the role of which will be to activate the facility to its fullest extent. This will include organising and running events, and reducing the likelihood of vandalism.

Sports Focus have indicated their support by running a series of programs at the site which will specifically target female participation.

Skate Boarding Victoria have indicated they can run the 'We Roll' program (targets 12-17 year olds) and gender inclusive 'Skate boarding workshops' to activate the site. This program also assists with the transition of committed participants into coaching and officiating positions, especially in regional areas.

### **CONSULTATION/COMMUNICATION**

The Maryborough Skate Park Committee and approximately 55 other young people have been engaged throughout the consultation process. This is in addition to the 1,000 plus young people who signed a petition to Council requesting a skate park.

The development of concept plans and input opportunities was promoted through a Community Engagement Plan which included Council's website, local newspapers, school newsletters, flyers on community notice boards and via word of mouth.

Convic conducted two pre-design community consultation workshops which resulted in a 'Maryborough Skate and Scooter Park Pre-Design Consultation Summary Report'.

Based on information received through the above channels, Convic prepared a concept design which was then reviewed at two 'Draft Design' Workshops held in December 2019. The draft was favourably received and after some minor changes the 'Maryborough Skate and Scooter Park Final Concept Report' was provided in January 2020.

Advice has been sought from the SRV Regional Manager - Loddon Mallee throughout the planning process and in regard to grant opportunities.

### **FINANCIAL & RESOURCE IMPLICATIONS**

Local Government can apply for up to \$250,000 per project. The funding ratio for rural councils is SRV \$2: Council \$1. Projects must be shovel ready, organisations must have the capacity to deliver the project, and matching funds are committed to the project. This project is shovel ready and the organisation has the capacity to deliver.

The Skate and Scooter Park concept is estimated at \$546,400. With 5% contingency and 10% project management allowance, plus \$14,900 for construction documentation, the project total is estimated to be \$643,260. The application to SRV would request \$250,000 and will require a financial commitment from Council of \$393,260.

Sale of the existing Skate Park site at Jack Pascoe Reserve has been proposed as an option to fund the project. This land has the potential for subdivision and sale, with an initial estimated market value of between \$300,000 and \$400,000. The sale preparation process and securing a buyer could take 2 to 3 years but would in effect cover the initial outlay from Council.

Other opportunities for income generation to support the skate park build and activation will continue to be fully explored as part of the project. This includes work to identify potential

sponsorship opportunities and working with government, philanthropic organisations and other funding bodies to identify appropriate grant funding streams.

It is anticipated that specialist skate and scooter park companies will respond to the Design and Construct tender and no other specialist costs have been identified.

If the application to SRV is successful and the Skate and Scooter Park is constructed, Council will be responsible for ongoing maintenance for the life of the asset, and renewal when the asset requires replacement.

## **RISK MANAGEMENT**

### Benefits

The Skate and Scooter Park will provide free recreation opportunities, will be a space which enhances community connection and social inclusion, and contribute to the positive mental and physical health outcomes of young people. Local research indicates that cost is an inhibitor to participation in sport and recreation activities for young people in Central Goldfields Shire, and they need appropriate places to connect and socialise.

The new facility will be a draw card for Maryborough, attracting skate and scooter park tourism. It will activate a prime recreation location and compliments existing infrastructure in the identified location in Princes Park, including playground, BBQs, trails and footpaths, and recreation oval.

### Risks

If Council does not commit to the required financial contribution to support the funding application, it might be perceived as unwilling to take active steps toward turning the plans into reality thereby resulting in considerable community dissatisfaction, especially from young people whose expectations have been raised through contribution to the design process.

There is financial risk to Council which will result from ongoing maintenance and renewal costs. There is potential for vandalism with its associated costs; this will be reduced due to the incorporation of good lines of sight for visual surveillance. Given that a significant percentage of users are likely to be junior scooter riders, there will be many more families/parents/carers in attendance which will mitigate this risk.

## **CONCLUSION**

The Skate and Scooter Park was identified by more than 1,000 young people as a priority for them, resulting in Council including the project as one of its priority projects.

The new Skate and Scooter Park will further activate an existing recreational space, provide free recreational opportunities to improve health and wellbeing outcomes for young people, and enhance the local economy as it becomes a tourist attraction.

It is proposed that Council endorse a financial commitment of \$393,260 to enable the funding application to SRV for the proposed Skate and Scooter Park construction.

It is also proposed that Council endorse Princes Park as the preferred location for the Skate and Scooter Park.

## **ATTACHMENTS**

1. Maryborough Skate and Scooter Park Final Design Report January 2020
2. Maryborough Skate Park Estimate of Probable Costs January 2020
3. Maryborough Skate and Scooter Park Site Selection Report June 2019

## **RECOMMENDATION**

*That Council endorse:*

1. *a financial commitment of \$393,260 for the Skate and Scooter Park; and*
2. *Princes Park as the preferred location for the Skate and Scooter Park.*

## 8.7 CENTRAL VICTORIAN GOLDFIELDS WORLD HERITAGE LISTING MOU

**Author:** Acting Manager Tourism, Events and Culture

**Responsible Officer:** General Manager Community Wellbeing

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

### SUMMARY/PURPOSE

The purpose of this report is for Council to note the Memorandum of Understanding between twelve councils to support the Central Victorian Goldfields World Heritage Listing Bid.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Economy

- Outcome: A vibrant local economy which contributes to the municipality's economic prosperity.
- 2.7 Objective: Capitalise on tourism and the visitor economy through growth of events and promotion of unique local experiences
- Initiative: Advance the Goldfields Heritage Development and Opportunity Project towards World Heritage Listing

### BACKGROUND INFORMATION

Twelve councils, led by the Cities of Ballarat and Greater Bendigo, have partnered to progress a World Heritage listing of the Central Victorian Goldfields.

The World Heritage listing aims to unlock the full potential of the region, bringing economic diversification, jobs, investment and tourism, and raise the socio-economic outlook for cities, towns and local communities. This consortium represents close to half a million people spread over nearly 40,000 square kilometres, 17% of the state.

The bid to list the Central Victorian Goldfields has will be a lengthy process however it has now been formalised with a Memorandum of Understanding between the twelve parties.

### REPORT

In September 2019, councils met regarding the Central Victorian Goldfields World Heritage Bid. At this meeting it was agreed to proceed with a Memorandum of Understanding between the thirteen local government partners to formalise the governance arrangements for the project.

This agreement is not a legal or binding document. It sets out the mutual goals and levels of participation for advancing a world heritage nomination for the region and securing the best outcomes in terms of economic diversification, jobs creation and investment.

The MOU was signed by twelve councils in December 2019. The signatories to this MOU will work together to progress the development of the bid with the objective of unlocking the full potential of the Central Victorian Goldfields region, bringing economic diversification, jobs,

investment and tourism, and raise the socio-economic outlook and liveability for cities, towns and communities across the region.

The MOU strengthens the existing understandings amongst Parties with respect to cooperation for the Central Victorian Goldfields World Heritage Bid.

The Parties will now seek funding from the state government to assist in mapping and understanding what Central Victorian Goldfields sites would work for the bid and give the area the best opportunity to succeed.

As part of the MOU each Party's CEO will be a representative on the Program Steering Committee, with a nominated Responsible Officer for the entirety of the bid, this is currently the Acting Manager Tourism, Events and Culture.

## **FINANCIAL & RESOURCE IMPLICATIONS**

Whilst there are no set financial obligations to develop the MOU, the MOU includes a clause that the Parties may consider opportunities for financial contribution as the bid progresses.

To this point in time Council's contribution to support the bid, as agreed in September 2018, is \$2,000 per annum over two years.

The CEO will sit on the Program Steering Committee, with the Acting Manager Tourism, Events and Culture the nominated Responsible Officer for duration of the bid.

## **RISK MANAGEMENT**

The signing of the MOU is a positive step forward with the collaboration between twelve councils, giving all Parties a greater understanding of the common interests and objectives of the bid.

Moving forward the World Heritage listing will bring many benefits to the area including:

- The recognition of the historical significance of some of the sites remaining from the gold rush history.
- Increased tourism – people travel the world to see UNESCO World Heritage Listed Sites.

A communications plan is being developed by Ballarat and Bendigo Councils which will enable signatories and the public to remain up to date on the progress of the application.

## **CONCLUSION**

The signing of the MOU provides all parties with a greater understanding of the common interests and objectives of the World Heritage Listing Bid.

Moving forward the twelve councils will establish a Program Steering Committee, seek State Government funding, undertake engagement with stakeholders and local communities across the region, and develop an initial draft World Heritage Bid, National Heritage Bid and Management Plan.

## **ATTACHMENTS**

1. Central Victorian Goldfields World Heritage Bid Memorandum of Understanding



**RECOMMENDATION**

*That Council note the Central Victorian Goldfields World Heritage Bid Memorandum of Understanding*

## 8.8 2019 ENERGY BREAKTHROUGH EVALUATION

**Author:** Acting Manager Tourism, Events and Culture

**Responsible Officer:** General Manager Community Wellbeing

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

### SUMMARY/PURPOSE

The purpose of this report is to recommend Council note the evaluation and review of the 2019 Energy Breakthrough as per the Energy Breakthrough Charter requirements.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Economy

**Outcome:** A vibrant local economy which contributes to the municipality's economic prosperity.

**2.7 Objective:** Capitalise on tourism and the visitor economy through growth of events and promotion of unique local experiences

### BACKGROUND INFORMATION

Energy Breakthrough, (EB) which is jointly managed and delivered by Council and Country Education Partnership (CEP) through a Special Committee of Council (The Committee) is the largest and longest running science, technology, engineering and maths (STEM) educational program in the country. The celebration event, hosted in Maryborough each year for the last 29 years is the largest annual event in regional Victoria, attracting over 23,000 visitors each year.

Following the 2019 EB, RM Consulting Group (RMCG) were engaged to facilitate a strategic planning session for The Committee, the Operations Group and the Local Planning Committee.

### REPORT

The Central Goldfields Shire Council hosted and RMCG facilitated an evaluation meeting of the 2019 EB on Friday 13 December 2019. The meeting brought key personnel together to reflect on the 2019 event, discussing the achievements and aspects that could be improved.

The session gave all parties the opportunity put forward their ideas, thoughts and opinions of 2019 event.

Overall the participants, staff and volunteers were happy with the event despite the challenging weather conditions. Some of the 2019 achievements highlighted in the report can be attributed to the business plan developed in June 2019:

- New people volunteering
- Information to volunteers was comprehensive

- Education aspect was strong throughout the event
- Improved safety
- Clear messaging during the event.

Nine topic areas were the focus for the suggested improvements, these areas included:

- Site set-up and pack-up
- Camping
- Rules and regulations
- Volunteers
- Sponsors
- Waste management
- Expo
- Communications
- Emergency Management

A section for 'other' was also included. Participants were given the opportunity to comment on the topic areas and what they would like to start, change, keep, or stop.

A number of the recommended actions from the evaluation align with recommendations from the Business Plan, The Committee are working to implement these recommendations in time for the 2020 event.

## **CONSULTATION/COMMUNICATION**

The Committee and the Local Planning Committee were invited to the Evaluation Meeting, twenty-five people attended the meeting.

## **FINANCIAL & RESOURCE IMPLICATIONS**

EB continues to require an annual investment from Council to support set-up costs, event planning and management. It is noted that the evaluation report will support The Committee as it determines financial requirements and staffing moving forward in 2020.

## **RISK MANAGEMENT**

The nine topics identified as areas for improvement represent areas of potential risk for the future success of EB. These areas will be considered by The Committee which will oversee a process to develop appropriate mitigation strategies where appropriate.

## **CONCLUSION**

The evaluation report specifies both positive and negative practices that provide a platform to improve future events. The Committee, the Operations Group and the Local Planning Committee will work towards implementation for the 2020 event.

## **ATTACHMENTS**

1. 2019 Energy Breakthrough Evaluation Meeting Review

### **RECOMMENDATION**

*That Council notes the 2019 Energy Breakthrough Evaluation Meeting Review.*

## 8.9 COUNCIL LAND FENCE POLICY

**Author:** Property and Risk Officer

**Responsible Officer:** General Manager Corporate Performance

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

### SUMMARY/PURPOSE

The purpose of this report is to update Council on the outcome of consultation on the Council land fence policy and to present a final version of the policy for adoption.

The purpose of the policy is to provide the community with a clear understanding of when Council will provide a financial contribution towards the costs of replacement, repair and/or maintenance of a private boundary fence that adjoins Council owned land.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Built and Natural Environment

Outcome: Our Shire celebrates the rich built and natural heritage and a sustainable environment.

Objective 3.1 Ensure investment in roads, footpaths and buildings meet community needs now and in the future.

All property fencing throughout Victoria must comply with the Fences Act 1968 and the *Fences Amendment Act 2014*.

### BACKGROUND INFORMATION

Council has received several enquiries from property owners in recent times seeking a financial contribution from Council towards the repair or replacement of a boundary fence.

The requests received related to boundary fences adjoining road reservations and private vacant land which highlighted to Council officers the need to provide the community with a clear understanding of circumstances where Council will financially contribute to boundary fence repair and/or replacement.

### REPORT

The policy and application form (Attachments 1 & 2) is intended to provide the community with a clear understanding of the legislative requirements relating to financial contribution for boundary fencing repair and/or replacement adjoining Council owned property.

The policy sets out the process requirements addressing the following factors:

- Contribution requirements
- Application and approval process
- Fencing standards
- Fencing contractor requirements.

### Consultation and Submissions received

On 20 December 2019, Council officers wrote to the Community Voice Panel requesting their feedback on the draft policy. A total of three submissions were received, which have been considered and have assisted to shape the final policy.

### Amendments to Policy

In response to the feedback received, the following amendments have been made to the policy;

#### 3.3 Fence standards

- Reworded to provide clearer description for private owners that wish to erect an alternative fence to the standard fence described in the policy.
- Additional wording to provide a clear process where Council determines if an alternative fence is required.

#### 3.5 Additional information

- A new section included to provide property owners with further information on fencing requirements, obligations and dispute resolution.

## **CONSULTATION/COMMUNICATION**

The Community Voice Panel was engaged to provide feedback on the fence policy with three submissions received. Following consideration and adoption of the fence policy, the policy will be made available to the public via Council's website.

## **FINANCIAL & RESOURCE IMPLICATIONS**

The process to administer fence applications can be managed within current budget and resource allocations.

## **RISK MANAGEMENT**

The development of this policy provides benefit to the community by providing a consistent and transparent decision making process that is in accordance with Council's legislative requirements under the Fences Act 1968.

## **CONCLUSION**

The introduction of the Council land fence policy will provide the community with a clear and consistent understanding of the circumstances when Council will provide a financial contribution towards fence repair and/or replacement in accordance with legislative requirements.

## **ATTACHMENTS**

1. Council Land Fence Policy
2. Fence contribution- Application form

**RECOMMENDATION**

*That Council:*

1. *Adopt the Council Land Fence Policy.*
2. *Acknowledge and thank the Community Voice Panel for their contribution and feedback regarding the policy.*

## 8.10 ACTION PLAN PROGRESS REPORT – AS AT 31 DECEMBER 2019

**Author:** Governance Officer

**Responsible Officer:** Chief Executive Officer

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

### SUMMARY/PURPOSE:

The purpose of this report is to provide Council with an update on the status of the projects identified in the 2019-20 Action Plan.

### LEGISLATION AND POLICY CONTEXT

Under Section 125 of the Victorian Local Government Act 1989 Council must prepare a Council Plan, which identifies the strategic objectives of the Council and strategies for achieving the objectives for at least the next four years. The Council Plan must also be reviewed annually. An Annual Plan is not required to be prepared under the Local Government Act, however it is best practice and provides Council and the community with a regular progress report against the objectives in the Council Plan.

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

**Outcome:** Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

**4.3 Objective:** Provide leadership in governance and Council decision making

### BACKGROUND INFORMATION:

The 2017-2021 Refreshed Council Plan was adopted by Council at the Ordinary Meeting of Council in August 2018. The 2019-20 Action Plan was developed to support the achievement of the strategic objectives identified in the Refreshed Council Plan and to provide a reporting framework to measure progress against the Council Plan. The 2019-20 Action Plan was adopted by Council at the Ordinary Meeting of Council 25 June 2019.

This is the first progress report against the Action Plan and is for the period to 31 December 2019.

### REPORT:

There has been progress against the initiatives and projects outlined in the 2019-20 Action Plan. There are 93 actions identified in the plan, of these 28 are complete/ongoing, 2 are not yet commenced and 63 are underway.

Of the two actions not yet commenced, the development of the youth strategy has been delayed due to the priority given to the establishment of the Pop-up Youth Hub and the planning for its growth and sustainability. Work on the strategy will commence with a comprehensive survey to be undertaken by Council, on behalf of the Go Goldfields Partnership which is planned for winter 2020. The strategy will now be developed in 2020-21. The



Municipal Early Years Plan will be developed by Council in tandem with the review of Go Goldfields priorities and will be included in the 2020-21 workplan.

**CONSULTATION/COMMUNICATION:**

Council has developed the Action Plan through consultation with the community during the development of the 2017-2021 Refreshed Council Plan, through Listening Posts held quarterly across the Shire, and the development of the 2019-20 Budget.

**FINANCIAL & RESOURCE IMPLICATIONS:**

The 2019-20 Budget and the four year Strategic Resource Plan were prepared in line with the initiatives identified in the Annual Plan subject to grants from State and Federal Government being received in some cases.

**CONCLUSION:**

The 2019-20 Action Plan outlines the projects and programs being undertaken during the year to meet the objectives of the Council Plan. This report shows progress for the period to 31 December 2019.

**ATTACHMENTS:**

1. 2019-20 Action Plan Progress Report.

**RECOMMENDATION:**

*That Council notes the 2019-20 Action Plan Progress Report to 31 December 2019.*

## 8.11 DECEMBER FINANCIAL REPORT

**Author:** Acting Manager Finance

**Responsible Officer:** General Manager Corporate Performance

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

### SUMMARY/PURPOSE

The purpose of this report is to brief Council on its financial performance for the year to date and how it is tracking against the adopted budget.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

**Outcome:** Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

**4.1 Objective:** Ensure the financial sustainability of Council through efficient and effective delivery of services.

**Initiative:** Review budget and financial reporting processes to improve monitoring of financial performance.

Section 138(1) of the Local Government Act 1989 requires a statement, comparing the budgeted revenue and expenditure with the actual revenue and expenditure to date, to be presented to the Council at least every three months.

### BACKGROUND INFORMATION

This finance report is provided for the year to 31 December 2019 and does not include results for Council's Section 86 Committees such as the Tullaroop Leisure Centre which are consolidated within the annual financial report at year end.

### REPORT

The monthly financial report comprises the following:

- Operating Statement;
- Balance Sheet;
- Statement of Changes in Equity;
- Cash Flow Statement;
- Statement of Capital Works
- Rate and General Debtor Information;
- Investment Schedule.

Operating Statement

The operating result, for the year to date as at 31 December 2019 is a surplus of \$6.50 million. Income is at \$21.02 million compared to a budgeted income of \$22.92 million, an unfavourable variance to budget of 8.3%. This variation is mainly due to the:

- timing of budgeted grant revenue including:
  - Go Goldfields grant revenue of \$700,000 not yet received with \$150,000 received in January 2020, a further \$350,000 anticipated to be received in 2019-20 (including \$200,000 carried forward from 2018-19) and \$400,000 anticipated to be carried forward to 2020-21,
  - budgeted bridge renewal program grant revenue of \$500,000 anticipated for Porteous Road Wareek Bridge replacement in February following completed works in January,
  - Maryborough Outdoor Pool Living Heritage grant application unsuccessful \$300,000 and reforecast at the December quarter budget review. Opportunity to consider in 2020-21 application round with Council's contribution of \$350,000,
  - Maryborough Sport & Leisure Centre upgrade project grant of \$280,000 (including \$172,000 received in advance in 2018-19 and \$108,000 anticipated in March 2020),
  - Maryborough Sport & Leisure Centre accessibility grant \$150,000 (including \$108,000 received in advance in 2018-19 and \$43,000 anticipated on completion in July 2020),
  - Community Planning project grant \$90,000 (\$17,000 received in January, a further \$32,000 anticipated in 2019-20 and 41,000 in 2020-21), and
  - DHHS grant funding for Aged and Disability services of \$236,000 above budget (2019-20 funding confirmed in January 2020 to increase by \$33,000).
- timing of Energy Breakthrough event sponsorship of \$77,000 not yet received, and
- budgeted Go Goldfields Ten20 Data Management contribution of \$75,000 no longer available.

Expenditure is at \$14.52 million compared to budgeted expenditure of \$15.61 million, a favourable variance of 7.0% for the year to date. The variation is primarily attributable to the:

- timing of expenses below budget, including:
  - waste disposal expenditure of \$336,000,
  - transport expenditure below budget of \$275,000, including unsealed roads maintenance, sealed roads maintenance, bridges and culverts maintenance, line marking, pathways maintenance, drainage maintenance and asset protection,
  - Dunolly Deledio Reserve Concept Plan \$63,000, and
  - Maryborough Sports & Fitness Centre operational expenses \$41,000.
- Health and Human Services salaries below budget of \$138,000, including Maternal and Child Health, Childcare Centre and Aged and Disability Services, mainly due to vacant positions.
- timing of externally funded Go Goldfields projects, including:

- Family Violence project of \$100,000 above budget with \$60,000 carried forward from 2018-19 and offset by vacant staff positions of \$57,000 reallocated to Go Goldfields contractors, and
- Project evaluation contract of \$100,000 below budget (anticipated to commence in the March quarter).

### Statement of Financial Position

Council's equity position has increased from 30 June 2019 by \$6.50 million to \$326.74 million, mainly due to the levying of rates and charges during August. Refer to the receivables summary for an explanation of the movement in current receivables.

Other Financial Assets has decreased by \$4.10 million due to matured short term deposits transferred to cash to meet budgeted operational requirements and the unbudgeted redemption of a \$1.50 million loan on 4 November 2019. This loan is budgeted to be refinanced during 2019-2020. Refinancing is not currently required due to Council's strong cash flow position, so will be deferred until June 2020.

Creditors has decreased by \$1.81 million to \$1.70 million and includes the Fire Services Property Levy (FSPL) which totalled \$1.27 million at 30 November 2019. This balance includes arrears, however, excludes the FSPL Concession (which effectively reduces the payable amount). Council's second instalment for 2019-2020 of \$195,000 was paid in December 2019.

### Statement of Changes in Equity

Council has not budgeted to make any transfers to reserve during the 2019-2020 year.

### Cash Flow Statement

The balance of cash and investments as at 31 December 2019 is \$8.27million, which includes \$6.15 million in short-term deposits.

Council's cash position is \$1.76 million favourable to budget at 31 December 2019, due to:

- \$2.11 million lower payments for capital works,
- \$1.99 million higher cash balance at the beginning of the financial year, and
- \$0.75 million higher receipts mainly due to a decrease in trade receivables.

This is offset by:

- \$1.50 million unbudgeted redemption of loan borrowings, and
- \$1.42 million higher operating payments mainly due to reduced trade payables,

Future cash flows are being monitored closely to enable completion of scheduled works and to meet recurrent obligations, as well as ensuring surplus funds are invested to generate maximum interest revenue.

### Capital Works Statement

The 2019-2020 budget included a capital works budget of \$9.88 million across property, plant and equipment and infrastructure asset classes.

As at 31 December 2019, Council had expended \$1.76 million on capital works, an unfavourable year to date variance of \$2.1 million. The variance is due to the majority of

capital works completed in the first quarter of the year being carry forward projects from the previous financial year and timing issues relating to completion of budgeted works, including:

- Porteous Road Wareek Bridge replacement \$756,000 completed in January,
- Rodborough Road stabilisation \$443,000,
- Majorca Road renewal \$426,000 anticipated to be completed in February 2020,
- Civic centre building upgrade \$384,000 and works which have been advertised for tender in early 2020,
- Seals renewal reseals \$142,000, and
- Vehicle replacement \$141,000.

This is offset by timing of capital works expenses above budget relating to:

- Stage 1 Avoca Road upgrade works design \$155,000 carried forward works from 2018-19, and
- Rural unsealed road renewal \$142,000 completed and over budget by \$42,000.

#### Receivables Summary

The Rate Debtor balance at 31 December 2019 is \$10.38 million (excluding FSPL), which is \$440,000 or 4% higher than this time last year, partially due to the 2.5% increase in rates and increase in garbage service charges.

This level of arrears is higher than the same time last year at 7.3% (6.4% as at December 2018). Those ratepayers with arrears are progressed for additional debt collection action in accordance with Council's Debt Collection Policy.

The Other Debtors balance totals \$534,000, which is \$241,000 or 30% lower than this time last year, and mainly relates to a decrease in sundry debtors.

#### Operating and Cash Flow Budget Amounts

Council's budget forecast for 2019-2020 has been divided into monthly amounts. While every attempt is made to accurately predict when income and expenditure will occur and phase budgets appropriately, Council should make allowances for variations in these monthly budget allocations throughout the year. This is especially true for receipt of non-recurrent Government grants and completion of capital and large maintenance works which can be planned but not proceed due to a variety of issues including variable weather.

The monthly year-to-date (YTD) operating budget forecast amounts should be used to indicate budget position rather than an absolute result for each month.

#### **CONSULTATION/COMMUNICATION**

Nil required to this report.

#### **FINANCIAL & RESOURCE IMPLICATIONS**

The financial statements were prepared internally by Council officers.

#### **RISK MANAGEMENT**

Any risks in relation to this report have been discussed in the report above.

**CONCLUSION**

The financial position to the end of December 2019 does not highlight any issues for concern, however is impacted by timing of the following:

- grant revenue,
- waste disposal expenditure,
- transport expenditure, and
- delivery of the capital works program.

Rate Debtor balances will continue to be monitored with debt collection action to be undertaken in accordance with Council's Debt Collection Policy.

Surplus funds have been partially used to redeem loan borrowings of \$1.5 million in November. The balance of surplus funds are being reinvested to ensure interest earnings are maximised.

**ATTACHMENTS**

1. 31 December 2019 Financial Report

**RECOMMENDATION**

*That Council receives and notes the attached 31 December 2019 Financial Report showing progress against the budget.*

## 9. DOCUMENTS FOR SEALING CONFIRMATION REPORT

**Author:** Manager Governance Property and Risk

**Responsible Officer:** General Manager Corporate Performance

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

---

### SUMMARY/PURPOSE

The purpose of this report is to present to Council for noting, documents that have been signed under Council's common seal, via delegation, since the last Ordinary Council meeting.

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

4.3 Objective: Provide leadership in governance and Council decision making.

### BACKGROUND INFORMATION

Section 5 of the Local Government Act 1989 reads as follows:

*The Council*

*S. 5(1) repealed by No. 109/2003 s. 7(2).*

*(2) A Council—*

*(a) is a body corporate with perpetual succession; and*

*(b) must have a common seal; and*

*(c) may sue or be sued in its corporate name; and*

*(d) is capable of acquiring, holding, dealing with or disposing of property for the purpose of performing its functions and exercising its powers; and*

*(e) is capable of doing and suffering all acts and things which bodies corporate may by law do and suffer and which are necessary or expedient for performing its functions and exercising its powers.*

*(3) The common seal of a Council must—*

*S. 5(3)(a) amended by No. 78/1991 s. 13(a).*

*(a) bear the name of the Council (which name may refer to the inhabitants of the municipal district) and any other word, letter, sign or device the Council determines should be included; and*

*(b) be kept at the Council office; and*

*(c) be used in accordance with the local laws of the Council.*

*(4) All courts, judges and persons acting judicially must take judicial notice of the imprint of the seal of a Council on any document and must presume that the document was properly sealed until the contrary is proved.”*

In the case of Central Goldfields Shire Council, regulation of the common seal is dealt with under section 9 of Council’s Governance Local Law 2015, which states:

**“9. Common Seal**

*9.1 The Council’s common seal and words to be used accompanying it on any document to which it is affixed are as follows –*

*The COMMON SEAL of CENTRAL*

*GOLDFIELDS SHIRE COUNCIL*

*was affixed in the presence of:*

.....

*Chief Executive Officer*

*9.2 The Chief Executive Officer must keep the Common Seal in safe custody and must ensure that access to it is restricted.*

*9.3 Every document to which the Common Seal is affixed must be signed by the Chief Executive Officer or his or her delegate.”*

**REPORT**

At an ordinary meeting of Council held on 17 December 2019 Council resolved:

- 1. That Council adopt the attached s11A Instrument of Appointment and Authorisation for the members of Council staff set out in the Instrument.*
- 2. The attached s11A Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the Instrument, and remains in force until Council determines to vary or revoke it.*
- 3. That the attached s11A Instrument of Appointment and Authorisation be signed and sealed.*

Since the last Council meeting the following document has been signed under seal:

- s11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987* only)

**CONSULTATION/COMMUNICATION**

Nil.



**FINANCIAL & RESOURCE IMPLICATIONS**

Nil.

**RISK MANAGEMENT**

Reporting to Council on the use of the Council seal ensures transparency to both Council and the community on the use of the seal.

**CONCLUSION**

The *s11A Instrument of Appointment and Authorisation* was signed under seal in accordance with the resolutions of Council passed on 17 December 2019.

**ATTACHMENTS**

Nil

**RECOMMENDATION**

*That Council note that the s11A Instrument of Appointment and Authorisation was signed and sealed by the Chief Executive Officer under delegation on behalf of Council, in accordance with the following resolutions of Council made on 17 December 2019:*

- 1. That Council adopt the attached s11A Instrument of Appointment and Authorisation for the members of Council staff set out in the Instrument.*
- 2. The attached s11A Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the Instrument, and remains in force until Council determines to vary or revoke it.*
- 3. That the attached s11A Instrument of Appointment and Authorisation be signed and sealed.*