



LATROBE CITY COUNCIL

**AGENDA FOR THE
COUNCIL MEETING**

**TO BE HELD IN NAMBUR WARIGA MEETING ROOM
CORPORATE HEADQUARTERS, MORWELL AND
VIA AUDIO-VISUAL LINK
AT 6.00PM ON
05 DECEMBER 2022
CM585**

Please note:

Opinions expressed or statements made by participants are the opinions or statements of those individuals and do not imply any form of endorsement by Council.

By attending a Council Meeting via audio-visual link those present will be recorded or their image captured. When participating in the meeting, consent is automatically given for those participating to be recorded and have images captured.

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COUNCILLOR AND PUBLIC ATTENDANCE

PLEASE NOTE

To ensure local government decision-making can continue during the coronavirus pandemic, mechanisms for virtual Council meetings have been introduced into the Local Government Act 2020.

Pursuant to section 394 of the Local Government Act 2020, a Councillor may attend this Council Meeting remotely by electronic means of communication; and

Pursuant to section 395 of the Local Government Act 2020 this Council Meeting may be closed to in person attendance by members of the public provided the Meeting is available through live stream on Council's internet site.

1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

I would like to acknowledge that we are meeting here today on the traditional land of the Braiakaulung people of the Gunaikurnai nation and I pay respect to their elders past and present.

If there are other Elders present I would also like to acknowledge them.

2. THE PRAYER

Our Father who art in Heaven, hallowed be thy name. Thy kingdom come, thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us, and lead us not into temptation but deliver us from evil. For the kingdom, the power, and the glory are yours now and forever. Amen.

3. APOLOGIES AND LEAVE OF ABSENCE

4. DECLARATION OF INTERESTS

5. ADOPTION OF MINUTES

Proposed Resolution:

That Council confirm the minutes of the Council Meeting held on 7 November 2022.

6. PUBLIC PARTICIPATION TIME

Public Questions on Notice

In accordance with the Council Meeting Policy, members of the public can lodge a question on notice before 12noon on the Friday before the day of the Council meeting in order for the question to be answered at the meeting.

Public Speakers

An opportunity for members of the public to speak to an item on the agenda will be made available by necessary means. To participate, members of the public must have registered before 12noon on the day of the Council meeting.

STRATEGIC ITEMS FOR DECISION

7. STRATEGIC ITEMS FOR DECISION

Item Number 7.1

05 December 2022

Regional City Planning & Assets

PETITION REPORT: REVIEW OF LCC POSITION ON CLIMATE CHANGE AND ITS IMPACTS

PURPOSE

To consider and provide a response to a petition requesting information regarding the review of Latrobe City Council's Position on Climate Change and its impacts.

EXECUTIVE SUMMARY

- Latrobe City Council (Council) has been presented with a petition (see Attachments 1 and 2) containing 335 submissions requesting information on the review of Latrobe City Council's Position on Climate Change as resolved by Council at the ordinary Council meeting held 2 March 2020.
- Following the above resolution, a range of legislative changes were introduced by the Victorian State Government requiring all Local Governments to now consider mitigation and adaptation responses to climate change.
- In response to the legislative requirements, Council utilised the development of a Community Vision, Council Plan and Municipal Public Health and Wellbeing Plan to inform and provide its response to Climate Change.
- The Council Plan 2021-2025 now includes a number of directions to both mitigate and adapt to Climate Change. It is considered therefore that the Council resolution of 2 March 2020 has been addressed.
- Latrobe City Council is taking proactive action in promoting the utilisation of renewable energy sources within Council's own operations. Recent examples include the introduction of the Biogas Generator at the Hyland Highway Landfill, ongoing solar panel roll out across Council assets, installation of energy efficient street lighting and the utilisation of geothermal heating at the Gippsland Regional Aquatic Centre.
- Further detail on actions and targets as part of Council's detailed response to climate change and related legislation will be provided within Latrobe City Council's Sustainability Action Plan which is to be exhibited for community comment early 2023.
- The need to assist and lead activities to adapt to a changing climate will also be necessary during the review of emergency management planning, response and recovery responsibilities.
- This report provides Council the opportunity to formalise its response to the petition.

OFFICER'S RECOMMENDATION

That Council:

- 1. Notes the petition.**
- 2. Advises the head petitioner that:**
 - a) Council's review of its position on Climate Change has been undertaken, in part, through its engagement with community during the development of a Community Vision, the subsequent preparation of the Council Plan and accompanying Municipal Public Health and Wellbeing Plan.**
 - b) Council's detailed response and proposed actions in response to Climate Change will be provided during the exhibition of the draft Sustainability Action Plan in 2023.**

BACKGROUND

Latrobe City Council (Council) has been presented with a petition (Attachment 1 and 2) containing 335 signatures requesting information in relation to the review of Latrobe City Council's Position on Climate Change and it's Impacts.

The petition statement is provided below:

Petition Statement: At the 2nd March 2020 LCC meeting a motion was passed to review the 2010 LCC Position on Climate Change and it's Impacts. Since 2010, climate change impacts are increasingly evident across Latrobe Valley and Gippsland, as seen in several bushfires, prolonged drought, several extreme storm events leaving residents isolated for days and repeated flood inundations of Traralgon CBD.

Climate science is abundantly clear, and the IPCC 6th report, released in February 2022, stresses that human-induced climate change is causing dangerous and widespread disruption, while UN Sustainable Development Goal 13 highlights that urgent climate action is necessary. The Victorian Climate Act 2017 and Local Govt Act 2020 place statutory requirements on councils to reduce their emissions and provide leadership to their community.

We, the undersigned wish to inform the Latrobe City Council that Many surveys have shown that the majority of people want action on climate change. However, residents and other interested persons are unclear about the current LCC policies and actions on climate, as we are still waiting for the review which was promised over two years ago.

We ask Latrobe City Council to publish their review of the policy, or at least indicate when this lengthy procedure will be completed.

Council adopted its climate change statement on 2 March 2010 and subsequently endorsed 'Positioning Latrobe City for a Low Carbon Emission Future – 6 April 2010' which explained that:

'Latrobe City supports international and Australian efforts to address climate change. Latrobe City seeks to ensure that its economy and community continue to prosper and, with the appropriate transition mechanisms in place, it believes that both climate change mitigation and economic growth can be achieved.

Latrobe City Council has developed this policy in order to position and prepare the Latrobe City municipality to prosper in a low carbon emissions future.'

Although the above-mentioned document was prepared a decade ago, much of the commentary and priority actions remain relevant to what were then anticipated closures of the traditional energy and mining industries, the emergence of alternative energy solutions and low emissions coal technologies.

At the ordinary Council meeting held 2 March 2020, Council resolved:

That Council:

- 1. Reviews the adopted position on climate change that was established in 2010; and*
- 2. Presents a discussion paper to a council briefing session related to a future position on climate change and then presents a report to a future Council Meeting.*

In response to the notice of motion, the below notation (underlined) was added to Council's statement on climate change and published on the Latrobe City Council website on 3 March 2020 (see underlined below):

We acknowledge that climate change is real and impacts our community. We also recognise the international scientific consensus that climate change is a result of increases in greenhouse gases in the atmosphere, influenced principally by human activities. The Latrobe City Council Position on Climate Change and its Impacts is available for you to download and share.

At the Latrobe City Council, Ordinary Council Meeting on 2 March 2020, Councillors passed a motion to review the adopted position on climate change that was established in 2010. This review will inform a discussion paper which will be presented at a council briefing session, ahead of the presentation of a report to a future Council Meeting.

Following Council's resolution to review its position on Climate Change, a range of legislative changes were subsequently introduced during 2020 requiring Local Government (and other agencies) to plan and respond to Climate Change. This included the new requirement that Council's response to Climate Change now be incorporated within Council's corporate planning cycle through the preparation of its Municipal Public Health and Wellbeing Plan.

Acknowledging the new legislative requirements, the Council Plan and Municipal Public Health and Wellbeing Plan now provide directions in response to Climate Change, including:

- *'Work towards zero energy emissions across Latrobe City Council operations through the delivery of new energy initiatives, efficiencies and offsets'.*
- *In partnership with community and business, deliver sustainability initiatives and take actions to adapt to a changing climate.*
- *Invest in increased urban greening initiatives and increasing the City's tree canopy in appropriate sites using appropriate species in built up areas for improved amenity and reduced heat stress.*

Council's response to Climate Change was informed through its engagement with the community during the development of a Community Vision, the subsequent preparation of the Council Plan and accompanying Municipal Public Health and Wellbeing Plan.

Further engagement with the community regarding Council's response to climate change, including actions and targets, will be undertaken during the exhibition of Latrobe City Council's draft Sustainability Action Plan early 2023.

ANALYSIS

Statutory authorities, including local government, have duties of care in exercising their functions and powers. This duty of care extends to the consideration of climate change adaptation.

Discharging duties under the *Local Government Act 2020* in the context of climate change adaptation requires consideration of various parts of other legislation, including:

- *Public Health and Wellbeing Act 2008*
- *Climate Change Act 2017*
- *Local Government Act 2020*
- *Planning and Environment Act 1987*

The above legislative requirements are detailed within State Government advice - *Local Government Roles and Responsibilities for Adaptation under Victorian Legislation October 2020*.

Latrobe City Council is taking proactive action in promoting the utilisation of renewable energy sources within Council's own operations. Recent examples include the introduction of the Biogas Generator at the Hyland Highway Landfill, ongoing solar panel roll out across Council assets, installation of energy efficient street lighting and the utilisation of geothermal heating at the Gippsland Regional Aquatic Centre show that Latrobe City Council is well placed to respond.

The result of this investment serves to reduce Council's carbon footprint, and together with other planned initiatives, have the potential to fully meet Council electricity needs in the future.

The need to assist and lead activities to adapt to a changing climate will also be necessary during the review of emergency management planning, response and recovery responsibilities.

Preparation of Draft Sustainability Action Plan

In response to the direction now established by the Council Plan and Municipal Public Health and Wellbeing Plan, a range of measures and actions are being taken to operationalise Council response within supporting strategies, plans and the review or introduction of new policies where required.

A primary action has been the preparation of the draft Latrobe City Sustainability Action Plan, which has considered a range of key matters including:

- Building sustainable and resilient communities;
- Improving emergency preparedness;
- Preserving biodiversity and agriculture;
- Water security; and
- New energy and efficiency projects.

Further detail on actions to be delivered in response to the direction of the Council Plan and related legislation, including potential emission reduction targets, will be included within Latrobe City Council's Sustainability Action Plan which is to be exhibited for community comment early 2023.

RISK ASSESSMENT

The below risk assessment is provided in the context of Council's review of its response to Climate Change and changed legislative requirements.

RISK	LIKELIHOOD	TREATMENT
<p>COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY)</p> <p>Local Government has responsibilities to demonstrate a duty of care in exercising its functions and powers in the context of climate change. A failure to effectively discharge Council's duty of care may give rise to legal action against Council.</p>	4	<p>Establish policy direction to ensure that Council in discharging its duties considers its legislative responsibilities to consider climate change.</p> <p>There are also a range of Planning Scheme responses to local hazards such as bushfire, flood, erosion and heat that may be identified for specific action.</p>
<p>SERVICE DELIVERY</p> <p>Council services, infrastructure and other critical functions are not adaptive and resilient to anticipated impacts of climate change.</p>	4	<p>Service delivery and the prioritisation of resourcing must align to the direction established by the Council Plan and MPHWP. These include directions to support community adaptation to Climate change, including services and infrastructure.</p>
<p>STRATEGIC (INC REPUTATIONAL)</p> <p>Community expectation for Council response to a changing climate and assistance in adapting to likely impacts of this change to community, economy and overall liveability.</p>	4	<p>In consultation with community, revise Council's response to Climate Change and embed in Latrobe City Council policy, strategic plans and service delivery.</p>

* Inherent likelihood ratings: 1 (rare); 2 (unlikely); 3 (possible); 4 (likely); 5 (almost certain)

CONSULTATION

As previously outlined by this report, Council's response to Climate Change has been undertaken through its engagement with the community during the development of a Community Vision, the subsequent preparation of the Council Plan and accompanying Municipal Public Health and Wellbeing Plan.

Further engagement with the community on Council's detailed response and proposed actions will be provided during the exhibition of the draft Sustainability Action Plan early 2023.

COMMUNICATION

Following Council's formal consideration of the attached petition and response, advice will be provided to head petitioner.

Further engagement with the community on Council's detailed response to Climate Change will be provided during the exhibition of the draft Sustainability Action Plan early 2023.

DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

APPENDIX 1 IMPACT ASSESSMENT

Social

Local Government plays a central role in supporting the overall resilience of communities and ability to adapt and respond to a changing climate. A key consideration of the Sustainability Action Plan is therefore local action, adaption and response to a changing environment, associated challenges and opportunities.

Cultural

The Sustainability Action Plan will be prepared with consideration as to how all parts of the community, including culturally diverse members of the community and those experiencing social disadvantage, may be impacted by a changing climate.

Health

Added to template to more fully address factors driving health outcomes in the community generally or specific cohorts

Environmental

There are no direct environmental implications associated with the preparation of this report. It is however acknowledged that the consideration of climate change and Councils adaptive response will inform a range of natural environment sustainability values – including actions to support preservation and adaption of local biodiversity.

Economic

Beyond Council's operations, it is acknowledged that changes occurring to the format of energy generation industries within the Latrobe City community and economy are significant, and represent in part, private sector response to changing energy investment interests and efforts to reduce carbon and other greenhouse gas emissions.

The impact of these changes to the economy will be felt in Latrobe City and broader Gippsland region, given that a significant proportion of those who work in Latrobe City reside in neighbouring municipalities. What is however also evident is the degree of new and alternative energy investments planned and / or approved in Latrobe City and region signalise the shift in industry investment interests.

Financial

The Sustainability Action Plan will include estimated cost impacts to Council operating expenditure. It is noted that significant revenue generation and cost saving opportunities will also be achieved by progressing projects to reduce Council energy demand and increase generation capacity.

Attachments

1. Review of LCC Position on Climate Change and its impacts - Paper Petition (Published Separately)

This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. This petition contains personal information.

2. Review of LCC Position on Climate Change and its impacts - Online Petition
(Published Separately)

This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. The petition contains personal information.

NEW ENERGY PROJECTS INVESTMENT

PURPOSE

To seek an allocation of \$3.95 million to allow the delivery of energy efficient public lighting upgrades and solar panel installations across Latrobe City facilities.

EXECUTIVE SUMMARY

- The delivery of projects outlined in this report align to the Council Plan direction: *'Work towards zero energy emissions across Latrobe City Council operations through the delivery of new energy initiatives, efficiencies and offsets.'*
- Latrobe City has, over recent years, embraced new investment in alternative energy and efficiencies with the ongoing installation of solar panels and LED lighting installations across Council buildings, and delivering the first Council-owned biogas generator and geothermally heated aquatic centre in Victoria.
- Wholesale increases in electricity prices are having an impact on the cost Latrobe City Council (LCC) pays for electricity.
- Projects recommended by this report include the installation of 1.2 MW of solar generation on Council buildings and replacing 2837 inefficient streetlights with LED lights. Together, these projects are expected to reduce electricity costs by an estimated \$600,000 per year.
- To deliver these projects it is recommended that \$3.95 million be allocated from available cash reserves, to be repaid over three to five years from rebates, revenue from energy generation certificates and electricity savings.
- Projects are to be completed during 2023 and 2024. Together, these projects will offset approximately a quarter of Latrobe City Council's current electricity use, reduce exposure to changing energy prices and decrease Councils greenhouse gas emissions by 30% (estimated 2500 tonnes).

OFFICER'S RECOMMENDATION

That Council:

1. **Approves the allocation of \$3.95M from cash holdings to fund the delivery of the following New Energy Projects;**
 - **Solar power generation installations up to the value of \$1.70M**
 - **Street Lighting Upgrades to LED up to the value of \$2.25M**
2. **Delegates to the Chief Executive Officer the power to award contracts and approve expenditure up to the value of \$3.95M associated with the New Energy Projects.**

BACKGROUND

With State and Federal Governments increasing their commitment to climate change mitigation, Latrobe City Council has a duty to implement climate change mitigation as outlined in the Briefing Report on Monday, 26 April 2021.

Latrobe City Council has the potential to play an important role in new energy investment and has already invested in a Biogas Generator at the Hyland Highway Landfill, implemented the first geothermal pool in Victoria at Gippsland Regional Aquatic Centre, solar on buildings and energy efficiency.

The Federal Government has forecast electricity rates could rise by up to 50% over the next two years. There is an opportunity to implement large energy projects with low payback periods and provide climate change mitigation and to mitigate the cost impact of rising energy prices.

ANALYSIS

The table below outlines the proposed new energy projects, including solar system size and location, public lighting upgrades, cost, and predicted electricity (kWh) savings.

Project	Amount/size	Cost (Est)	Predicted Electricity Savings (kWh)
Churchill Hub	150kW	\$220,000	213,000
Morwell Leisure	200kW	\$280,000	235,000
Churchill Leisure	250kW	\$330,000	326,000
Kernot Hall	150kW	\$220,000	210,000
Moe - Newborough Leisure Centre	150kW	\$220,000	210,000
Moe Outdoor Pool	40kW	\$50,000	48,000
GRISS Solar	300kW	\$400,000	421,000
Streetlighting Upgrades	2837 lights	\$2,750,000	1,000,000
Total		\$4,470,000	2,706,000

The table below provides a summary of potential funding sources, cash rebates, forecast revenue from energy generation certificates and estimated energy savings.

Item	Expense	Revenue	Description
Streetlighting Upgrades Cost	\$2,750,000		Total estimated costs of streetlighting project
Solar Panel project Cost	\$1,720,000		Total estimated costs of solar projects
LCRI Funding		\$500,000	Federal government funding already secured
Additional cash allocation requested.	\$3,950,000		Funding required from available cash reserve.
Rebates and Savings			
Victorian Energy Efficiency Certificates (VEECs)		\$500,000	Certificates generated from project (one off)
Ausnet Rebate		\$400,000	\$45 per light rebate from Ausnet (one off)
Department of Transport (DOT)		\$500,000	Refund for lights with shared ownership with DOT (one off)
Large Scale Generation Certificates (Yearly)		\$72,000	Yearly large-scale generation certificates created from solar projects
Annual Electricity Savings		\$600,000	Predicted electricity savings from projects
Annual Savings from Ausnet Public Lighting Operating, Repair, Replacement and Maintenance Charges		\$150,000+	Charges set by Ausnet per light type for operation, repair, replacement, and maintenance
Total Cash Allocation	\$3,950,000		
Total One-off Rebates		\$1,500,000	
Total Yearly Savings (including Rebates)		\$822,000	

Financing Options

To fast-track energy projects Council has the following options

1. Internal short-term borrowings from existing cash holdings or unallocated cash surplus reserve or realised mid-year or end of year cash surpluses.
2. Include new borrowings in the 2023/24 budget
3. Include a budget allocation in the capital works budget for 2023/24
4. Identify external funding opportunities as they present, noting that this will likely result in a delay in implementing the works.
5. Not progressing with energy projects

Recognising forecast increases in energy prices, it is recommended that Council support Option 1 above to fast track the delivery of new solar generation and streetlighting upgrades to be funded from existing cash holdings or unallocated cash surplus. This investment is to be paid back over a three-to-five-year term from electricity cost savings, eligible rebates and credits for the completion of lighting upgrades.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE Not meeting legislative responsibility to mitigate and adapt to changing climate.	4	Delivery of projects outlined in this report to reduce LCC greenhouse gas emissions by up to 30% in line with the Council Plan
SERVICE DELIVERY Contactor not delivering identified projects to high quality.	2	Use of rigorous procurement for solar projects, for streetlighting LCC has engaged an MAV contractor to deliver project
FINANCIAL Increased electricity prices	5	Implementing energy efficiency and solar generation projects will reduce LCC electricity usage by 25% and mitigate impact from increased electricity costs
STRATEGIC Negative reputation if seen as Council is not acting on climate change.	3	Projects outlined in this report mitigate LCC greenhouse gas emissions by up to 30%. Communicate LCC commitment to mitigation of climate change, investment in new energy projects and benefits.

* Inherent likelihood ratings: 1 (rare); 2 (unlikely); 3 (possible); 4 (likely); 5 (almost certain)

CONSULTATION

Consultation has been conducted with Council's electricity retailer. They have confirmed the forecast operational and cost savings which have been calculated for each of the projects.

Consultation has been undertaken with Latrobe City Council's Building Maintenance Team and Engineering Services on project feasibility.

LCC have also appointed a Municipal Association of Victoria (MAV) panel contractor to project manage the streetlighting project on behalf of Council.

COMMUNICATION

Subject to Council direction, the opportunity to share with community actions outlined by this report.

DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

APPENDIX 1 IMPACT ASSESSMENT

Social

Positive feedback and support for projects and that Council is acting on climate change. Negative feedback if community thinks that Council is “turning its back” on coal.

Cultural

No specific considerations. The projects are expected to support improved organisational culture, brand, and perception of Latrobe City Council by staff and community members.

Health

Following the installation of the large-scale solar projects there will be an opportunity in future to install large batteries at the Gippsland Regional Indoor Sports Stadium (GRISS) and Churchill Hub which will support community resilience to emergency events by ensuring secure energy supply and ongoing operation of the facility during extreme weather events.

Environmental

Reduce LCC greenhouse gas emissions by an estimated 2500 tonnes which is a reduction of up to 30%.

Economic

Projects delivery will prioritise the utilisation of local service providers where available.

Financial

The projects outlined by this report require accessing cash reserves of \$3.95 million to be repaid over 3 to 5 years utilising eligible cash rebates, revenue from energy generation certificates and electricity savings estimated at \$600,000 each year.

The solar projects will require increased maintenance costs on average of \$1,000 per site to be used for yearly cleaning, safety checks and ensure the system is working correctly.

The streetlighting project will provide a reduction in maintenance costs as the prices set by Ausnet for LED maintenance is below other lighting types, with calculated maintenance reductions estimated at \$150,000 per year.

Attachments

Nil

THE CHURCHILL AND DISTRICT COMMUNITY HUB ADVISORY COMMITTEE

PURPOSE

To dissolve the Churchill and District Community HUB Advisory Committee (“the Committee”).

EXECUTIVE SUMMARY

- The Committee was established in 2009 with the opening of the Churchill and District Community Hub (the Hub) for strategic engagement with the broader community.
- The Committee’s objective, 2.3 of the Terms of Reference (TOR), is to “*Provide advice on how the HUB can bring individual members of the community, groups, organisations and agencies together in an atmosphere of support to systematically address and meet community needs*”.
- Cr Ferguson is the current committee Chair and there are currently three community members on the committee. As per the TOR the Committee has no budget or decision-making role and has only formally met three times in the last two years.
- In August 2021, following the resignation of two community representative Committee members, the future role of the Committee was considered as part of the review of the TOR. At the last meeting with the Committee, members struggled to clarify the purpose of the Committee going forward, which was part of the discussion surrounding the future of the Committee.
- Over the last six months, officers have engaged with the remaining members on the Committee and, while there isn’t complete alignment, it was clear that attracting members to the Committee and achieving outcomes is challenging through the current TOR.
- The HUB is operating successfully, meeting community needs through a range of services and with ongoing communication between Hub tenants, the Hub User Group and Council.
- Officers recommend that future strategic oversight of the Hub, is via normal Council processes and engagement with the Churchill and District Community Association (CDCA).

OFFICER’S RECOMMENDATION

That Council:

- 1. Dissolve the Churchill and District Community Hub Advisory Committee; and**
- 2. Send letters of appreciation to remaining serving members of the Churchill & District Community Hub Advisory Committee.**

BACKGROUND

The Committee originated in 2005, initially as a project reference group for the planning and construction of the Hub. The existing Committee was formed in 2009 when the Hub was opened. There are four Committee members including the Chair. The Committee has no budget or decision-making role. The last meeting was in August 2022 and there have only been two other meetings since October 2020.

The HUB is operating successfully and currently has multiple tenants including:

- Latrobe City Council Library and Service Centre;
- Latrobe City Council Child and Family Services and Preschool;
- Latrobe City Council Maternal and Child Health;
- Federation University Gippsland Childcare;
- Churchill Neighbourhood Centre;
- Anglicare.

Services at the facility include a community kitchen, disabled access, accessible toilets, shower, food bank, community garden and meeting rooms.

Current community engagement includes the following regular attendees:

HUB Tenant	Membership
Latrobe City Council Preschool	57 students enrolled (at capacity).
Latrobe City Council Maternal and Child Health	87 families enrolled, 9 children per day average.
Federation University Childcare	75 children per day (at capacity), 180 families use the service.
Neighbourhood House	Regular programs, 1 staff, 17 volunteers 160 users/members. <ul style="list-style-type: none">• 22 different classes and groups• 880-900 classes and groups over a year.• About six different network partnerships meet weekly.• Food Bank – to 48 different homes
Latrobe City Library	612 members.

ANALYSIS

The Committee's objective (2.3 of the TOR) is to "Provide advice on how the HUB can bring individual members of the community, groups, organisations and agencies together in an atmosphere of support to systematically address and meet community needs".

The future role of the Committee was considered as part of the review of the TOR and following the resignation of two representatives. At the last meeting members, when considering the future of the Committee, struggled to clarify the purpose of the Committee going forward. Attracting new members to the Committee and achieving outcomes is challenging through the current TOR.

The Hub is operating successfully, meeting community needs through a range of services and with ongoing communication between Hub tenants, the Hub User Group and Council.

The Hub User Group is functioning successfully and meets on a regular basis to plan for and addresses any Hub operational issues.

Strategic issues concerning the Hub are addressed through various channels, including the normal Council facility and community planning processes. In addition, the Councillor will be invited to Hub User Group meetings to promote direct connectivity between community directions and operational needs.

Strategic issues can also come via the Officer, who can feed any wider strategic issues to the Churchill and District Community Association (CDCA). The CDCA, who already represent the Churchill and District community on the key issues and opportunities in the area, can also directly raise any strategic issues concerning the HUB through normal Council processes.

In the TOR for the Committee, item 5.1 states that “The Committee will cease to exist by resolution of the Council, or once the objectives at item 2.3 have been demonstrated that they have been met, whichever occurs first”.

Dissolving the Committee is now recommended as the objectives have been demonstrated to have been met and there are viable avenues for strategic development of HUB services going forward.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY) Lack of compliance by Hub tenants.	2	Officer and the User Group implement processes and address any issues or incidents according to policy.
SERVICE DELIVERY Difficulties with service delivery due to operational issues.	2	Good Communication between User Group Tenants and the Officer assist to resolve any operational issues.
FINANCIAL	2	No impact on the Hub financial situation.

RISK	LIKELIHOOD	TREATMENT
<p>STRATEGIC (INC REPUTATIONAL)</p> <p>Lack of service improvement at the Hub.</p>	2	Improved services to the Community with increased User Group collaboration.

* Inherent likelihood ratings: 1 (rare); 2 (unlikely); 3 (possible); 4 (likely); 5 (almost certain)

CONSULTATION

Officers have consulted with current members of the Committee, The User Group and other stakeholders.

COMMUNICATION

The current members of the Committee will be sent letters of appreciation on behalf of Council.

DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

APPENDIX 1 IMPACT ASSESSMENT

Social

The users of the Hub should see increased collaboration between User Group tenants with a positive impact on the community.

Cultural

Not a consideration.

Health

Not a consideration.

Environmental

Not a consideration.


Economic

Not a consideration.

Financial

Not a consideration.

Attachments

1.  [The Churchill and District Community HUB Advisory Committee - Terms Of Reference](#)

7.3

The Churchill and District Community Hub Advisory Committee

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Churchill & District Community Hub Advisory Committee

Terms of Reference



June 2022



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 - Minutes
 - Reports to Council
5. **Review of Committee and Duration of the Committee**
6. **Authority and Compliance Requirements**



1. Establishment of the Committee

- 1.1. The Churchill & District Community Hub Advisory Committee (hereinafter referred to as “the Committee”), is a formally appointed Advisory Committee of Latrobe City Council established for the purposes of providing advice to Council.
- 1.2. The membership of this Committee and these Terms of Reference will be adopted by resolution of Latrobe City Council at an Ordinary Council Meeting.

2. Objectives

- 2.1. The Committee’s role is to report to the Council and provide appropriate advice, information and feedback on matters relevant to this Terms of Reference in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.
- 2.2. The Committee is an advisory committee only and has no delegated decision making authority.
- 2.3. The Committee is established to:
 - 2.3.1. Provide advice on how the Churchill and District Community Hub can bring individual members of the community, groups, organisations and agencies together in an atmosphere of support to systematically address and meet community needs.
- 2.4. The Committee will carry out the following in order to achieve the objectives set:
 - 2.4.1. Community Cooperation
 - 2.4.1.1. Encourage all sectors of the community to work cooperatively together to enhance service delivery, better target resource allocation, plan effectively for the future and make a positive contribution to community capacity building, an essential element in addressing economic and social development at a community level.
 - 2.4.1.2. Encourage the community’s understanding between divergent age and socio-economic groups, empowering the community to take an active role in planning, understanding and enhancing their future.
 - 2.4.2. Policy and Strategy Development
 - 2.4.2.1. Provide advice as part of a policy, strategy (or other relevant document) review or development processes as required from time to time.



2.4.2.2. Advise Council on the development of community capacity building by planning effectively for the future of the facility; taking into consideration diverse and changing community needs.

2.4.2.3. Advise Council on any revision or additions required for these Terms of Reference.

2.4.3. Operations

2.4.3.1. Council on the advice of the Committee shall convene an Operational Committee representing Churchill and District Community Hub users and tenants to assist the Advisory Committee to make recommendations to Council regarding the use of the Churchill Hub Facility. The Operational Committee shall function as follows:

- a. Members of the Operational Committee shall be appointed by each user or tenant in accordance with the provisions contained in each member's constitution or terms of association.
- b. No member shall be eligible to represent more than one user or tenant simultaneously.
- c. Each Operational Committee member may appoint a proxy should the appointed member not be available to attend.
- d. Upon a member of the Operational Committee resigning, the user or tenant which that member represented shall provide the Advisory Committee with the name of the person filling such a vacancy.
- e. Provide reports and recommendations either as individual members or collectively to the Committee.
- f. Meet as a group with the Committee at least quarterly.

2.4.3.2. Advise Council of policies and rules for use of the Churchill and District Community Hub by members of the public or user groups. Such rules and policies will not be inconsistent with any rules or policies of Council.

2.4.4. Perform other activities related to this Terms of Reference as requested by the Council.

3. Membership

Composition of the Committee

3.1. The Committee shall comprise of up to ten members, being:

3.1.1. Up to two Councillors.



- 3.1.2. Up to five Community representatives appointed via expression of interest process.
- 3.1.3. Up to two co-opted members, as deemed appropriate and invited by the committee to help fulfil/meet the objectives and address any specific areas or gaps. Co-opted members could be from an organisation, sector or community; and
- 3.1.4. Latrobe City Council Officer.

Length of appointment

- 3.2. Whilst a Committee shall be in place for as long as Latrobe City Council sees fit, the appointment of members shall be for a term as deemed appropriate by Council, with the exception of co-opted members whose term will be for one year.
 - 3.2.1. At Council's discretion, each Advisory Committee member who is not a member of staff or a Councillor of the Council shall be appointed for a period of three years.
 - 3.2.2. In November previous to the March for renewal of the Churchill and District Community Hub Advisory Committee positions, expressions of interest for new Advisory Committee members shall be advertised thus allowing endorsement of new Advisory Committee members prior to the end of term of the current Advisory Committee in March.
- 3.3. Prior to the expiration of each term, there will be a call for nominations for the next term. Current Committee members are able to re-nominate.
- 3.4. The 3 year term for the Advisory Committee shall commence 1 March.
- 3.5. For reporting purposes the anniversary date will be 1 November of each year.

Selection of members and filling of vacancies

- 3.6. Latrobe City Council shall determine the original membership of a Committee based on expressions of interest received from members of the community.
- 3.7. The Committee may fill any vacancies that occur within the determined year period of appointment, subject to the approval of the General Manager of the relevant division and endorsement of Council. Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.

Co-option of members

- 3.8. With the approval of the Chair, the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.



Attendance at meetings

- 3.9. All Committee members are expected to attend each meeting.
- 3.10. A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked.
- 3.11. A member who is unable to attend the majority of meetings during the year may at the discretion of Latrobe City Council, on the advice of the Committee, have their term of office revoked.

Resignations

- 3.12. All resignations from members of the Committee are to be submitted in writing to the General Manager Community Services, Latrobe City Council, PO Box 264, Morwell VIC 3840.

4. Proceedings

Chair

- 4.1. The nominated Councillor shall Chair the meetings.
- 4.2. If the Councillor delegate is unavailable he/she shall delegate to the other nominated Councillor to chair the meeting.
- 4.3. If neither Councillor is available, the Chair may nominate a replacement from the current membership of the Committee to chair the meeting.

Meeting schedule

- 4.4. The Committee will determine its meeting schedule and times for each of the meetings. The duration of each Committee meeting should generally not exceed two hours.
- 4.5. Meetings of the Committee will be held monthly initially or as may be deemed necessary by Latrobe City Council or the Committee to fulfil the objectives of the Committee. Special meetings may be held on an as-needs basis.

Meeting procedures

- 4.6. Meetings will follow standard meeting procedures as established in any guidance material and outlined in these terms of reference for Advisory Committees provided (see appendix one for the agenda template).
- 4.7. Members are expected to comply with the confidential information provisions contained in the *Local Government Act 2020* and must treat information they receive as



confidential unless otherwise advised. Members must not use confidential information other than for the purpose of performing their function as a member of the Committee.

- 4.8. If a member has a general or material conflict of interest as defined in the *Local Government Act 2020* regarding an item to be considered or discussed by the Committee, the member must disclose this to the Chair if they are attending the meeting.
- 4.8.1. Once a declaration of either general or material conflict of interest has been made, the member must leave the room and remain outside until the conclusion of the relevant discussion. The time of leaving the meeting room and the time of their return must be recorded in the minutes or notes of the meeting.
- 4.9. All recommendations, proposals and advice must be directed through the Chair.

Quorum

- 4.10. A majority of the members constitutes a quorum.

Coopted members shall be counted in a quorum but shall not constitute a majority of members present.
- 4.11. If at any Committee meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.
- 4.12. Voting There will be no official voting process, although all members shall have equal voting rights. Majority and minority opinions will be reflected in Committee minutes.

Minutes of the Meeting

- 4.13. A Latrobe City Officer or authorised agent shall take the minutes of each Committee meeting.
- 4.14. The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee (see appendix two for the minutes template).
- 4.15. The minutes shall be stored in the Latrobe City Council corporate filing system (currently Ci Anywhere electronic document and records management system).
- 4.16. The agenda shall be distributed at least 48 hours in advance of the meeting to all Committee members, including alternative representatives.
- 4.17. A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within 10 working days of the meeting.



Reports to Council

- 4.18. With the approval of the Chair, a report to Council may be tabled on the Committee's progress towards the objectives included in this Terms of Reference.
- 4.19. Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.
- 4.20. Reports to Council will be coordinated through the General Manager of the relevant division that the Committee falls under.

5. Review of Committee and Duration of the Committee

- 5.1. The committee will cease to exist by resolution of the Council, or once the objectives at item 2.3 have been demonstrated that they have been met, whichever occurs first.
- 5.2. A review of the Committee will take place at least once every three years at which time the Terms of Reference will also be reviewed.
- 5.3. A review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Council, the CEO, all Committee members, management and any other stakeholders, as determined by Council.
- 5.4. The review must consider:
 - 5.4.1. The Committee's achievements
 - 5.4.2. Whether there is a demonstrated need for the Committee to continue, and
 - 5.4.3. Any other relevant matter.

6. Authority and Compliance Requirements

- 6.1. The Committee is an Advisory Committee only and has no executive powers nor does it have any delegated decision making or financial authority.
- 6.2. Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.



Appendix 1: Agenda Template



<p>[Name] Advisory Committee</p> <p>Meeting Day, XX Month Year Time Commencing: 00:00am/pm Expected Finish Time: 00:00am/pm Location: (include specific meeting room and address)</p>			
<p><i>NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.</i></p>			
AGENDA ITEMS			
No.	Item	Responsible Officer	Attachment
1.	Welcome & introduction	Chair	N/a
2.	Apologies	All	
3.	Declarations of Interest	All	
	<i>Members of the Committee are to declare any Conflicts of interest or any interests in matters listed on the agenda</i>		
4.	Confirmation of Minutes		
	<i>Confirmation of the previous minutes of the meeting.</i>		
5.	Matters arising from previous meeting	All	
	<i>Review of action progress from previous meetings</i>		
6.	Items for Consideration		
	<i>Matters being presented for discussion in accordance with the terms of reference</i>		
	• • • •		
7.	General Business		
	• • •	All	



Appendix 2: Minutes Template



[Name] Advisory Committee Minutes

Meeting Day, XX Month Year
 Time Commenced: 00:00am/pm Finish Time: 00:00am/pm
 Location: (include specific meeting room and address)

Meeting Chair: < Name >

NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.

No.	Item	Responsible Person	Timeframe
1.	Present		
2.	Apologies		
3.	Interest Disclosures Members of the Committee declare any Conflicts of interest or Interests in matters discussed at the meeting. The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed: <Name> ,Time left 00:00am/pm, Time returned 00:00am/pm <Name> ,Time left 00:00am/pm, Time returned 00:00am/pm <Name> ,Time left 00:00am/pm, Time returned 00:00am/pm		





[Name] Advisory Committee Minutes

Meeting Day, XX Month Year
Time Commenced: 00:00am/pm Finish Time: 00:00am/pm
Location: (include specific meeting room and address)

Meeting Chair: < Name >

NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.

No.	Item	Responsible Person	Timeframe
4.	Confirmation of Minutes		
	<i>That the minutes of the meeting held on [Date] of the [Name] Advisory Committee be confirmed.</i>		
5.	Matters arising from previous meeting		
	<i>List the item and action agreed and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): • • 2. Item Heading Action(s): • •		
6.	Items for Consideration		
	<i>List the item and action agreed as per agenda and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): • 2. Item Heading Action(s): •		



<p>[Name] Advisory Committee Minutes</p> <p>Meeting Day, XX Month Year Time Commenced: 00:00am/pm Finish Time: 00:00am/pm Location: (include specific meeting room and address)</p> <p>Meeting Chair: < Name ></p>			
<p><small>NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.</small></p>			
No.	Item	Responsible Person	Timeframe
	3. Item Heading Action(s): •		
7.	General Business		
	<p><i>List the item and action agreed and assign any follow up actions and expected timeframes</i></p> <p>1. Item Heading Action(s): •</p> <p>2. Item Heading Action(s): •</p>		
<p>Next Meeting: <Provide details of the next meeting date, time and location>.</p>			

STATUTORY PLANNING

8. STATUTORY PLANNING

Nil reports

CORPORATE ITEMS FOR DECISION

9. CORPORATE ITEMS FOR DECISION

Item Number 9.1

05 December 2022

Chief Executive Office

PROPOSED 2023 SCHEDULED COUNCIL MEETING DATES

PURPOSE

To recommend that Council adopts and gives public notice of its meeting dates and times for 2023.

EXECUTIVE SUMMARY

- Latrobe City Council's Governance Rules require that at or before the last meeting each calendar year, Council must fix the date, time and place of all Council Meetings for the following calendar year.
- The proposed Scheduled Council Meeting dates for 2023 are as follows:
 - 6 February 2023
 - 6 March 2023
 - 3 April 2023
 - 1 May 2023
 - 5 June 2023
 - 3 July 2023
 - 7 August 2023
 - 4 September 2023
 - 2 October 2023
 - 6 November 2023
 - 13 November 2023 (Mayoral Election)
 - 4 December 2023
- The Council Meetings will continue to be supported via confidential briefing meetings prior to each Council Meeting to inform Councillors on key matters.
- Unscheduled Council Meetings may also be called where necessary in accordance with Council's Governance Rules and legislative requirements.
- There is no requirement for briefing meeting dates to be adopted by Council.

OFFICER'S RECOMMENDATION

That Council adopts and gives public notice of the following Council Meetings for 2023, commencing at 6.00p.m. to be held in the Nambur Wariga Meeting Room, Council Headquarters, 141 Commercial Road, Morwell, in a hybrid format or, where permissible and appropriate, by means of audio-visual link:

- **06 February 2023**
- **06 March 2023**
- **03 April 2023**
- **01 May 2023**
- **05 June 2023**
- **03 July 2023**
- **07 August 2023**
- **04 September 2023**
- **02 October 2023**
- **06 November 2023**
- **13 November 2023 (Mayoral Election)**
- **04 December 2023**

BACKGROUND

The preparation of the proposed Council meeting dates for the 2023 calendar year has taken into consideration a number of elements including prescribed public holidays.

The proposed meeting dates for 2023 have been prepared based on the current arrangement whereby Council Meetings are held on the first Monday of each month.

The proposed Council Meeting dates are provided as an attachment to this report in calendar format.

ANALYSIS

Should Council delay a decision on Council Meeting dates for 2023, the Council will enter the new year without any meetings scheduled. This would be inconsistent with the requirement of the adopted Governance Rules that at or before the last meeting of each calendar year, Council must fix the date, time and place of all Council meetings for the following calendar year.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE Failure to comply with requirements of the adopted Governance Rules.	2	Adoption of Council Meeting schedule at Council Meeting to be held on Monday, 5 December 2022.
SERVICE DELIVERY Inability to conduct Council business in a timely and efficient manner.	4	Adoption of Council Meeting schedule at Council Meeting to be held on Monday, 5 December 2022.

* Inherent likelihood ratings: 1 (rare); 2 (unlikely); 3 (possible); 4 (likely); 5 (almost certain)

CONSULTATION

No consultation has been undertaken in the development of the attached calendar of Council meeting dates.

COMMUNICATION

If adopted, the proposed 2023 Council meeting dates will be made publicly available.

In accordance with the Governance Rules, the schedule of Council meetings will be published on Council's website and made available from Council's customer service centres.

DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

APPENDIX 1 IMPACT ASSESSMENT

Social

Not applicable

Cultural

Not applicable

Health

Not applicable

Environmental

Not applicable

Economic

Not applicable

Financial

Council Meetings are accounted for in the current and upcoming budgets.

Attachments

1 [📄](#) Draft 2023 Council Meeting Calendar

9.1

Proposed 2023 Scheduled Council Meeting Dates

1	Draft 2023 Council Meeting Calendar	46
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URGENT BUSINESS

10. URGENT BUSINESS

Business may be admitted to the meeting as urgent business in accordance with clause 17 of the Governance Rules, by resolution of the Council and only then if it:

- 17.1 Relates to or arises out of a matter which has arisen since distribution of the agenda; and
- 17.2 Cannot reasonably or conveniently be deferred until the next Council meeting.

REPORTS FOR NOTING

11. REPORTS FOR NOTING

Nil reports

QUESTIONS ON NOTICE

12. QUESTIONS ON NOTICE

Nil reports

NOTICES OF MOTION

13. NOTICES OF MOTION

Nil

ITEMS FOR TABLING

14. ITEMS FOR TABLING

Nil reports

ACKNOWLEDGEMENTS

15. ACKNOWLEDGEMENTS

Councillors may raise any formal acknowledgements that need to be made at this time, including congratulatory or condolences.

**MEETING CLOSED TO
THE PUBLIC TO
CONSIDER
CONFIDENTIAL
INFORMATION**

16. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION

Section 66 of the *Local Government Act 2020* enables Council to close the meeting to the public to consider confidential information as defined in that Act.

Proposed Resolution:

That Council pursuant to section 66(1) and 66(2)(a) of the Local Government Act 2020 (the Act) close the Council Meeting to the public to consider the following items containing confidential information as defined in section 3(1) of the Act:

- 16.1 **Australia Day Awards**
Agenda item 20.1 *Australia Day Awards* is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). Confidential Australia Day Awards
- 16.2 **Three year old kindergarten Infrastructure**
Agenda item 20.2 *Three year old kindergarten Infrastructure* is designated as confidential under subsection (k) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to information prescribed by the regulations to be confidential information for the purposes of this definition. Offer of funding that has not yet been signed off by the Minister.